



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2006/611
Contact Officer: Ilona Balint
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19 July 2006

Dear

Application for authorisation A30243 lodged by the Association of Australian Bookmaking Companies Inc. - final determination

The Australian Competition and Consumer Commission (the ACCC) has issued a determination granting authorisation in respect of the application for authorisation lodged by Association of Australian Bookmaking Companies Inc (AABC) on 29 March 2006.

AABC sought authorisation to collectively bargain with:

- Australian State and Territory racing control bodies and/or other rights owners with a view to obtaining approval for the members of the AABC to publish and use race field information and similar rights and
- National, State and Territory sporting organisations and/or other right owners to obtain approval to publish and use information relating to that sport.

AABC also sought authorisation to permit it to participate in the resolution of disputes which may arise between its members and the racing control bodies/sporting organisations.

Summary of ACCC considerations

Having considered the application and submissions from AABC and interested parties, the ACCC has decided to grant authorisation until 31 August 2011.

The ACCC considers that the proposed collective bargaining arrangement is not likely to result in significant public detriment. In particular the ACCC notes:

- participation in the proposed negotiation is voluntary for all parties;
- the scope of the group, in terms of competitors in the wagering services market, is constrained; and



- the arrangement does not provide for collective boycott activity.

The ACCC considers that the proposed arrangements are likely to result in benefits to the public by:

- increasing the input of the AABC's members into their contractual discussions, albeit not to a significant extent;
- providing for potential improvements in dispute resolution mechanisms; and
- giving rise to transaction costs savings for both the AABC's members and the counterparties with whom they propose to negotiate.

Therefore, after considering all the information before it, the ACCC is of the view that the public benefits flowing from the arrangements are likely to outweigh the anti-competitive detriments and the ACCC has decided to grant authorisation.

Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 9 August 2006. If no application to review is lodged by this date, the ACCC's determination will come into force on 10 August 2006.

A copy of the determination is enclosed and is also available on the ACCC's website at www.accc.gov.au.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Ilona Balint on (02) 6243 1113.

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

Cricket Australia

Football Federation Australia (Soccer)

National Rugby League

Australian Rugby Union

Tennis Australia

PGA Australasian Tour

Basketball Australia

Australian Football League

Racing Victoria Limited

Harness Racing Victoria Ltd

Greyhound Racing Victoria

Queensland Racing

Queensland Harness Racing Board

Queensland Greyhound Racing Authority

Thoroughbred Racing SA Ltd

Greyhound Racing South Australia Limited

Harness Racing SA

Racing and Wagering Western Australia

Gaming and Wagering Commission

ACT Racing Club Inc

Canberra Greyhound Racing Club Inc

Canberra Harness Racing Club Inc

Northern Territory Licensing Commission

Australian Racing Board

Racing Information Services Australia Pty Ltd

Victorian Commission for Gambling Regulation

Office of Gaming and Racing

Sport and Recreation Victoria

Queensland Office of Gaming Regulation

Department of Local Government, Planning, Sport and Recreation (QLD)

Office for Racing SA

WA Office of Racing, Gaming and Liquor

Department of Sport and Recreation (WA)

Racing Services Tasmania

Sport and Recreation Tasmania

ACT Racing and Gambling Commission

ACT Sport and Recreation

Harness Racing NSW

Racing NSW

Greyhound and Harness Racing Regulatory Authority

NT Department of Racing Gaming & Licensing

Darwin Greyhound Association

Darwin Turf Club

Australian Harness Racing Council

NSW Department of Gaming & Racing

Australian Gaming Council

Australian Sports Commission

Australian Jockey Club

Australian Gambling Research

Centre for Gambling Research

Gamblers Anonymous

Victoria Racing Club

TOTE Tasmania Pty Ltd

Unitab Ltd

Melbourne Racing Club

Clubs ACT

Clubs NSW

Clubs NT

Clubs QLD

Clubs SA

Clubs TAS

Clubs Victoria Inc.

Clubs WA

Betfair Australia Pty Ltd

NSW Bookmakers Co-operative Ltd

Victorian Bookmakers Association Ltd

South Australia Bookmakers League Inc

WA Bookmakers Association Inc

Tasmanian Bookmakers Association