



 **Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2007/1476  
Contact Officer: Monica Bourke  
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22 November 2007

Mr John Anderson  
Chief Executive Officer  
Harness Racing Victoria  
PO Box 184  
Moonee Ponds VIC 3039

Dear Mr Anderson

**Third line forcing notification N93059 lodged by Harness Racing Victoria**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 11 July 2006 by Harness Racing Victoria (HRV).


By email received by the ACCC on 15 November 2007, HRV advised that it withdraws the notification. Section 93(7C) of the *Trade Practices Act 1974* provides that the legal immunity conferred by the lodging of a third line forcing notification ceases to be in force when the notice is withdrawn, in this instance, on 15 November 2007.

Accordingly, the ACCC will not proceed with its assessment of the notification and has closed the matter.

I note that HRV has lodged a new exclusive dealing notification in different terms to the one withdrawn. The ACCC will seek interested party comments on the new terms of the notified conduct. Submissions from interested parties are due 30 November 2007, and HRV will be provided the opportunity to comment and/or respond to the public versions of the submissions. Please see the attached letter sent to interested parties.

Your email and this letter has been placed on the ACCC's public register of withdrawn notifications. If you wish to discuss any aspect of this matter, please do not hesitate to contact Monica Bourke on (02) 6243 1351.

Yours sincerely

  
Scott Gregson  
General Manager  
Adjudication Branch