



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2007/1476
Contact Officer: Danielle Staltari
Contact Phone: (02) 6243 1362

6 September 2007

Dear

**Exclusive dealing notification N93059 lodged by Harness Racing Victoria -
draft notice**

The Australian Competition and Consumer Commission (the ACCC) has received an exclusive dealing notification from Harness Racing Victoria (HRV).

Under the notification HRV will offer a rebate on the fee otherwise payable (for the supply of race field data) by six nominated bookmakers in respect of a particular month, in relation to any layoffs or bet-backs placed by these bookmakers in that month with the Victorian TAB (Tabcorp) on harness races within Australia.

HRV will also require the nominated bookmakers to hold an interstate or international wagering or bookmaking licence.

The draft notice

The ACCC is seeking comments from you and other interested parties on a draft notice it has issued proposing to revoke the immunity provided by HRV's exclusive dealing notification. The reasons for the ACCC's decision are provided in the draft notice enclosed.

The draft notice will also be available from the ACCC's website www.accc.gov.au by following the *Public Registers* and *Authorisations and notifications* links.

The next steps

Once the ACCC issues a draft notice proposing to revoke a notification, section 93A of the Act provides that the notifying party or any interested party who may be dissatisfied with the ACCC's draft notice may request that a conference be held to discuss the draft notice. Conferences are conducted informally, without the participation of legal or other professional advisers.

If you wish the ACCC to hold a conference in relation to the draft notice, you must notify the ACCC in writing by **cob Friday, 21 September 2007**. Please note that the Act does not allow the ACCC to extend this deadline.

Alternatively, you are also invited to make a written submission in response to the ACCC's draft notice. Written submissions should be lodged by **cob Friday, 28 September 2007** at the following address:

The General Manager
Adjudication Branch
Australian Competition & Consumer Commission
PO Box 1199
DICKSON ACT 2602

Submissions can also be lodged by e-mail to adjudication@acc.gov.au or by facsimile on (02) 6243 1211.

Persons lodging a submission with the ACCC may request that information included in the submission be excluded from the public register in certain circumstances. Submissions which are excluded from the public register may still be taken into account by the ACCC when conducting its assessment of a notification. Guidelines for seeking exclusion from the public register are attached.

The ACCC will consider any submissions it receives, including any oral submissions made should a conference in relation to the draft notices be called, in deciding whether or not to issue a final notice revoking HRV's exclusive dealing notification.

This letter has been placed on the ACCC's public register and website. If you wish to discuss any aspect of this matter, please contact Danielle Staltari on (02) 6243 1362 or via email at Danielle.Staltari@acc.gov.au.

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

List of interested parties

Centrebet Racing Pty Ltd
CentreRacing
International All Sports Limited
Sportingbet Australia Pty Ltd
Sportsbet Pty Ltd
Sports Acumen Pty Ltd
Betfair
Australian Internet Bookmakers Association
Victorian Bookmakers Association
Unitab
TOTE Tasmania Pty Ltd
Racing and Wagering WA
ACTTAB Limited
Tabcorp Holdings Limited
Tattersall's Limited
Office of Gaming and Racing Victoria
Australian Harness Racing Council
South Australian Harness Racing Club
Queensland Harness Racing
Albion Park Harness Racing Club
Harness Racing Tasmania
Western Australian Trotting Association
Harness Racing New South Wales
Canberra Harness Racing Club
Greyhound & Harness Racing Authority of New South Wales
RacingNSW
Western Australian Greyhound Racing Authority
Perth Racing - Western Australian Turf Club
ACT Racing – Thoroughbred Park
Canberra Greyhound Racing Club
Greyhound Racing Authority Queensland
Queensland Racing Limited
Greyhound Racing Victoria
Racing Victoria Ltd
Greyhound Racing
Thoroughbred Racing SA
Australian Racing Board
Greyhounds Australasia
Darwin Turf Club (Northern Territory)
Alice Springs Turf Club
Darwin Greyhound Association Of The Northern Territory
Tasmanian Thoroughbred Racing Council
Hobart Greyhound Racing Club
Racing Services Tasmania – Dept Infrastructure, Energy & Resources
Victorian Commission for Gambling Regulation
NSW Office of Liquor, Gaming and Racing
Western Australian Department of Racing, Gaming and Liquor
ACT Gambling and Racing Commission
Racing, Gaming and Licensing, Northern Territory Treasury
Queensland Office of Gaming Regulation
South Australian Office of the Liquor and Gambling Commissioner
Tasmanian Gaming Commission