

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

NOTE FOR FILE

MATTER	Exclusive dealing notification N93093 lodged by Racing and Wagering Western Australia (RWWA)
Participants	Mr Eddie Philp ACCC – Danielle Staltari
DATE:	5 September 2007
OFFICER:	Danielle Staltari
FILE:	C2007/1617
VENUE:	Telephone conversation

Mr Philp contacted Danielle Staltari in response to a letter he had received from the ACCC asking for comments on the draft notice issued for the exclusive dealing notification lodged by RWWA.

Mr Philp noted that he had recently retired from being a licensed horse trainer in Western Australia.

Mr Philp noted that during his time as a horse trainer he had no concerns with being required to obtain workers compensation insurance.

Mr Philp noted that he had previously obtained workers compensation insurance from SGIO. Mr Philp noted that under his policy he was required to provide details of who he employed to train his horses, how many hours the persons worked and the wages paid to each person.

Mr Philp noted that as a horse trainer he would use jockeys, apprentice jockeys and trackriders to train his horses. Mr Philp noted that trackriders were often self employed. Mr Philp stated that track riders who were self-employed were required to obtain their own workers compensation insurance.

Mr Philp noted he may employ a trackrider for a few hours each week and that he may employ a number of different trackriders to train a horse. Mr Philp noted that he may ask a trackrider to ride a horse for \$20. Mr Philp stated that as the trackriders he had employed worked insufficient hours and because the payment he would provide to them for riding his horses would be consider insufficient in terms of wages paid, his workers compensation insurance policy did not provide cover for trackside workers.

Mr Philp noted that he could see benefit in being required to obtain workers compensation insurance from one insurer, if the policy the insurer provided covered trackriders. That is, any person who received payment at a race track for riding a horse was covered by the workers compensation insurance policy. Mr Philp stated that under such an arrangement, horse trainers could contribute to the insurance scheme, based on how many horses the trainer worked on the track. The fee could be collected as part of paying the track fee. Mr Philp noted that he was not aware of any insurance company who currently provided workers compensation insurance on this basis.

Mr Philp asked whether RWWA would require all horse trainers, including those horse trainers who may not employ people to train their horses, to obtain workers compensation insurance from one insurance company. Ms Staltari noted that this question would be followed up with RWWA.

Danielle Staltari

7 September 2007