



BAIRNSDALE SPEEDWAY ASSOCIATION INC

Reg. No. A2716V

ABN: 25 925 260 394

P.O. Box 625

Bairnsdale 3875

March 26, 2008

Adjudication Branch
Australian Competition & Consumer Commission
GPO Box 3131
Canberra ACT 2601

Attention: Monica Bourke

Re: Exclusive Dealing Notification lodged by NASR and others.

In regards to the application by National Association of Speedway Racing (NASR) and others for exclusive dealings, our club wishes to comment on this issue.

NASR's application has just been brought to our club's attention by pure chance and this has left us questioning their motives in taking this action and if approved how it will affect our club and other similar clubs, especially as we are lead to believe that no speedway club outside of NASR's members have been directly notified of this application.

Bairnsdale Speedway Association Inc is a non-profit organization, which conducts speedway racing from November through to April (approx 6 or 7 race meetings per season). We pay an annual affiliation fee to the Victorian Speedway Council Inc (VSC) and Victorian Saloon Car Federation. The majority of our drivers hold a VSC licence and their car is registered through the VSC, majority of Pit Crew members hold a VSC Pit Crew Pass, with the majority having purchased Australian Speedway Accident Fund personal injury cover. Our club also purchases Australian Speedway Accident Fund personal injury cover for our officials each race meeting.

As the majority of our club's competitors compete in VSC registered classes our competitors don't have a need to purchase a NASR licence. Our club has been an affiliate member of the VSC since 1971. Our race meetings are conducted under the Racing Rules & Regulations of the Victorian Speedway Council.

We perceive that NASR and the other organizations applications could cause some unrest and uncertainty for the small club run tracks such as ours, not only in the short term but in long term should NASR restrict drivers from competing on tracks which are not NASR tracks, especially if they are now saying that the competitors, crews personal injury cover is no longer valid while competing at these tracks.

In the past our club has programmed various national and state classes of cars whose drivers hold a NASR licence. These classes willingly negotiate with our club to compete at our venue and if NASR has exclusivity we may be refused the opportunity to program these classes in the future. Does this then mean that NASR and the other organizations are trying to take away our club's rights to offer and negotiate programming with these classes unless we become a member of their regime?

Our club adopted the Guidelines for Risk Management drawn up by the VSC and the safety of the competitors, officials and patrons is always a priority and is not something we take lightly, a copy of the Guidelines was also provided by the VSC for our insurance broker Advantage Jonston and at the time was passed onto the underwriters.

Our club along with other VSC affiliate members voted not to join NASR as our affiliation with the VSC provided our members with the necessary licences and support structure to compete and if this exclusivity is approved does this mean that our club and members will be forced to join yet another speedway organization.

We thank you for the opportunity to express our concerns.

Yours sincerely,

K. Greenwood.

Kerry Greenwood
Assistant Secretary
Bairnsdale Speedway Association Inc

Contact Phone: 03 51526178
Email: align@datafast.net.au