



Attention: Monica Bourke
Project Officer
Adjudication Branch
Australian Competition and Consumer Commission
E: monica.bourke@accc.gov.au

Dear Ms. Bourke,

RE: EXCLUSIVE DEALING NOTIFICATION LODGED BY NASR AND OTHERS

Thank you for your invitation to respond as an interested party to the NASR Notifications.

The notifications of this proposed conduct is critical to the development of the speedway industry and is no different from any other motorsport. There will be detractors who oppose this action due to short-sightedness and personal gain and/or political agendas. However, the structures provided by NASR are sound and fair, and place the industry and all participants as the primary focus.

Please refer to specific questions below.

1) As a promoter of a venue, I believe it is very important for all speedway competitors to be NASR licenced. The NASR licencing system is a national system and provides insurance, judicial and rulebook advantages for a track. I can be assured that anyone holding a licence that enters my venue will be bound and covered by the national systems in place and I do not have the stress of trying to verify other licences and cover that may (or may not) be in place. I am not qualified to make judgments on the validity of individual insurance cover and rely and trust NASR and its brokers to provide the best products available.

Any failure in this area of verification would be detrimental to my business and me personally, as I have the ultimate responsibility in relation to the conduct of events at my venue to Worksafe, the police, Department of Sport and Recreation and the coroner. The verification process would also be unworkable as competitors would arrive at the pit gate, each with personal 20 page insurance policies which would need to be studied prior to entry to the track. I would need to employ insurance brokers as my gate keepers!

2) Most drivers are more then satisfied with the insurance provided by NASR. The insurance provided by NASR is very well priced and offers the best cover for speedway racing in this country. It is a tailor-made policy for speedway, developed over many years.

3) Competitors are able to have alternative insurance. It is their choice and if they are injured also have the choice to claim under that policy, or the NASR policy, but not both.

4) Some drivers race at both NASR and non-NASR approved tracks. The NASR personal accident insurance will respond at any track, so does not deter drivers. However the lack of confidence in cheaper off-shore public liability insurance does deter drivers as they are not protected from law suits in many cases if negligence arises.

5) I would not consider running a race venue with inadequate public liability insurance protection. I can be assured of this protection by being part of the NASR systems. I am also part of the NASR risk management which gives me comfort as a third party (NASR) views and advises on my particular risks.



6) It is important for drivers to be members of their respective racing divisions. It gives them a voice in the future direction of their division and ensures that all cars meet the technical and safety specifications prior to racing.

In closing, can I assure the ACCC that after 40 years in the sport as a competitor and a promoter for the last twenty years, the formation of a national controlling body which organises Insurance, Rules, Codes of conduct etc. was not only overdue but essential for this sport to go into the 21st century and survive.

Please do not hesitate to contact me if you have any further questions.

Sincerely,

David Lander
Promoter
Lismore Speedway