



Crash N Bash® Drivers Association
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30th March 2008

Attention: Monica Bourke
Australian Competition & Consumer Commission
Your Ref: C2008/283. C2008/287 and C2008/289

Dear Monica

RE: EXCLUSIVE DEALING NOTIFICATION LODGED BY NASR AND OTHERS

In reference to the above the Crash N Bash® Drivers Association Committee respond as follows:-

- 1. How important is it to hold a NASR licence if you are a speedway driver? What other race controlling bodies provide licences and/or manage speedway events that drivers can attend instead of NASR approved events?*

Nasr provide several membership benefits to our drivers, these include discounts on various goods and services. Crash N Bash® Drivers Association does not recognise any other license than the Nasr License as all our members have this license to race, pit crew or go passenger. The Crash N Bash® Drivers Association are aware having raced at various tracks that are “not Nasr approved tracks” as well as “Nasr approved tracks” some of these tracks have not come up to the same standards of Nasr approved tracks. When we race at Nasr tracks the public liability is there for all drivers to see what they are covered for should an incident occur this has not been evident at other non Nasr approved tracks. We know we can race at a Nasr approved track without having to worry about the safety standards and insurance issues.

As we owe a duty of care to our members it is extremely important that we make sure that our drivers level of insurance is adequate should an incident occur we do not have to worry about this when we race at Nasr approved tracks as they have an extremely high level of standards that are maintained in order for tracks to be covered by their public liability scheme.

2. NASR advise that it has negotiated a group personal injury insurance policy which provides coverage to licensees as a member benefit at no additional cost. NASR advise that licensees/members remain free to obtain appropriate personal injury insurance from other providers. Do drivers obtain their own insurance? Why or why not? How difficult is it to obtain personal injury insurance as a speedway driver or track/venue operator? Who are the main providers of insurance? What is the approximate cost for obtaining insurance for speedway racing?

As mentioned previously in paragraph (1) All of the members of the Crash N Bash® Drivers Association hold Nasr licences some individuals have obtained their own insurance in the past prior to Crash N Bash® Drivers Association obtaining Nasr licenses including myself but this personal accident insurance has not been underwritten specifically for speedway and has proved too costly to keep whereby the Nasr personal accident insurance has been specifically designed to cater for the speedway driver and the costs associated with this should an incident occur.

At no time have we ever been told we cannot obtain additional insurance or alternative insurance. To our knowledge members of Crash N Bash® Drivers Association haven't because they have found the coverage provided to be adequate.

We are aware that there is another insurance offered on the market for public liability but the coverage is not as high as Nasr offers to its members and although the premiums offered might be lower why would the drivers be satisfied with lower coverage?

We are a full contact sport it is extremely important that we follow strict guidelines with safety and that correct standards are followed and adhered to. Nasr has helped us to implement this. Nasr also hold safety seminars which all members are welcome to attend.

This season we have also been included in the Nasr Driver Championship in addition to the Drivers Championship that Crash N Bash® Drivers Association holds throughout the racing season. Nasr has also started a Driver Development program for young drivers coming up through the ranks. This year one of our own juniors has been chosen to attend, we are extremely proud of this achievement and without Nasr this would not have been possible. We are firm believers you pay for what you get.

NASR advise that should a licensee/member obtain their own insurance instead of/in addition to the insurance provided as a member benefit of the NASR licence, the licence fee paid by that member is not adjusted. Does this prevent licensees/members from taking out their own insurance? Why or why not?

As stated previously this does not prevent members from taking out their own personal accident insurance but we have always obtained personal accident insurance as a group.

2. NASR advise that licensees/members may obtain licences from other associations and may therefore race at non-NASR approved tracks and events. However, NASR's group personal injury insurance provided as a member benefit does not apply to non-NASR approved races, events or tracks. Do drivers race at both NASR and non-NASR approved events and venues? Does this deter a driver from racing at non-NASR approved events and tracks? Why or why not?

We do race at other non Nasr approved tracks but would be a lot happier if things were uniformed, as stated before we hold our duty of care very seriously and we believe this will make our driver's alot safer if everything was uniformed.

3. How important is it for a venue or track to be NASR approved? Can you outline what the effect of not being NASR-approved might have on these tracks?

The Crash N Bash® Drivers Association would like for all tracks to be Nasr approved therefore providing uniformity and with this peace of mind knowing that should an accident occur at a track that is non Nasr sanctioned or approved it will unfairly increase license fees and reflect on the rest of speedway as a whole. It will also take the stress off our members worrying if they are covered or not should they have an accident whilst attending an event that is NON Nasr.

How important is it for a sprint car driver, saloon car driver or V8 dirt modified car driver to be a member the SCCA, ASCF or the DMA? Are there alternative racing body organisations that operate events and/or tracks in these categories of racing?

Whilst we are not members of the above mentioned organisations the Crash N Bash® Drivers Association is registered to our members as well as trade marked. We have sole control of our specifications and rules and have chosen to obtain our licenses from Nasr as we believe that it is in the best interest of Crash N Bash® Drivers Association as a whole.

Should you require any further clarification on the above please do not hesitate to contact me.

Yours Sincerely

Andrew Martin
President Crash N Bash® Drivers Association