

March 27, 2008

Australian Competition  
& Consumer Commission  
GPO Box 3131  
Canberra  
ACT  
2601.

**Reference: C2008/283 - C2008/287 and C2008/289**  
**Exclusive Dealing Notification Lodged by NASR and others**

**Attention: Monica Bourke**

**WITH OUT PREJUDICE**

Dear Monica

I would like to put forward my submission for your consideration regarding the above applications, further I would like to state that I totally support these applications.

I will respond to the 6 questions you put to NASR as per the order in which you asked them.

- (1). Holding a NASR licence ensures that your insurance is always in place with a reputable insurer, further it will respond to a genuine claim, it also ensures that you meet NASR's minimum standards in safety attire.
- (2). Again drivers can obtain insurance elsewhere, (will it respond to a genuine claim?) Further why support any organisation that does not support the sport, most of these other insurers have taken the front cover off NASR's policy that they sell marginally cheaper and offer it as theirs, further they offer rewards "etc" to winners of their membership draws "etc", they have no policies in place to govern the sport "IE" risk management, drug and alcohol policies, OH&S policies and the list goes on and on. Again they put nothing back into the sport for their members; unlike some others NASR receives no commissions from the personal accident scheme.
- (3). Again if you have NASR insurance at least your club can rest easy as they have met and offered due diligence and a duty of care to their members in this matter.
- (4). NASR sanctioned events means that the class of car you are competing with is approved by NASR and it meets the safety build standards that are acceptable to NASR.  
Other licence holders do race at NASR insured tracks.  
**Further it is my understanding that the track promoter will always be able to run who he/she chooses to run and will always be able to accept what ever licence he/she chooses.**  
**IT is also my understanding that this will still apply even if these notifications are accepted by the ACCC.**
- (5). NASR track approval is important as NASR unlike anyone else has set track standards to ensure safety for competitors, pit crews, officials and members of the

general public, it is also my understanding that these tracks after acceptance by NASR are examined every 3 years or as close to the 3 year period as possible.

Further NASR track insurance ensures that all competitors have participant liability in place to ensure that all the competitors, pit crew, officials, organisations and clubs are covered if litigation for negligence is brought against them, other insurers who have copied the NASR policy have been found in some cases to include participant liability but then either limit it or remove it further in the policy by way of warranties and further exclusions.

(6). It is vitally important that the clubs control their members car specifications, driving standards, safety attire and have the right to exclude members from racing if it is deemed that they are a danger to themselves and the rest of the competitors that they compete with.

Yours Sincerely



**EXCLUDED FROM  
PUBLIC REGISTER**