

Bourke, Monica

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From: Michael.Fenner@csbp.com.au [mailto:Michael.Fenner@csbp.com.au]
Sent: Tuesday, 1 April 2008 12:00 PM
To: Registers, Public
Subject: SCC and NASR

Registrar manager,
This is an information letter against the Sprintcar Control Council (SCC) and the National Association of Speedway Racing (NASR) notification of exclusive dealings register. Notification numbers N93301-N93303 and N93297-N93300.
I am the president of the Geraldton Speedway WA and speak for the members and committee of the club. As outlined in my reponse to the questions asked by the ACCC there is no transparency between many of the controlling bodies in speedway. It is the clubs view that the current trend of "shared" directors and role overlaps are not in the best interest of the sport and has led to the governing bodies dictating to members who they insure with which goes against ACCC principals and resulted in ACCC action being taken last year.
Please read the responses in conjunction with the ACCC questions put forward in their e-mail to speedways accross Australia.

Cheers and thank you for your time.
Regional Distribution Manager

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immediately and either delete or destroy it.

1. NASR inc., NASR pty ltd , Speedway Commission all appear linked and are either directly or indirectly governed or controlled by NASR. There is NASR : The self appointed governing body of sedan racing in Australia who have managed control over the Australian Saloon Car federation and it's associated state bodies and dictating rules, regulations, specifications, classifications and licensing of drivers, cars and tracks across Australia.

There is NASR : The insurer of Drivers, pit crew and public liability who do not recognise any other insurers of speedway racing in Australia.

The Speedway Commission : A NASR appointed regulatory body representing the Australian Government.

Currently it is compulsory to have your speedway sedan licensed by the Australian Saloon Car Federation (ASCF), with branches in all states. The ASCF has always used "shared" directors/ administrators from NASR. This has led to some disturbing issues with the ASCF. For example: Any driver wishing to compete in the ASCF championships (Australian or state) must be a member of NASR. This entitles them to an insurance component regardless of your current insured status. Sounds great but if a claim arises the insurance component is null and void if you are insured by another insurer so what's free. If you insure through NASR the membership is the same price so what's free. I do not understand why it is necessary to have a NASR membership to compete in an ASCF event, except if there is no membership there is no acceptance of your nomination.

Another controlling body in speedway is the National Dirt Racing Association (NDRA) who took control of race divisions outside of the NASR umbrella. Eg ¼ midgets and Super Modified.

2. NASR are only too happy for you to obtain insurance from another insurer because they do not have to pay out on a claim made by any person who is "double insured". So I again ask the question "exactly what are they providing and why there is no reduction in price for insured drivers?"

All drivers who choose NASR driver insurance must have a full medical signed as clear by a certified practitioner prior to acceptance. The other 2 major insurers NDRA and American Combined Insurance (ACI) recommend a medical but cannot force the issue as it breaches confidentiality.

3. Cost of insurance: Public liability insurance is available from various company's and can be purchased from \$1000 per meeting for all

divisions to the top end of the scale NASR for \$2500 per meeting for all racing divisions.

5. Not only adjusted but made null and void by their own policy guidelines. The ACCC really needs to understand the relationship between the Speedway Commission, NASR pty ltd, NASR inc, NASR insurance and ASCF. Then you will understand they are all intertwined and they shouldn't be. A conflict of interest exists because of these connections.
6. Any NASR insured driver competing in a non sanctioned event or against cars not licensed by NASR cannot claim in the event of an accident. As happened twice to this club in the last 2 years a visiting race division was advised that if they wish to compete at our venue then we (the Geraldton Speedway) must have NASR liability insurance for NASR to sanction the event. One event was cancelled and one went ahead after a NASR agent reluctantly agreed that the driver insurance will still be valid as long as the track was covered by a reputable liability insurer. I found this whole ordeal to be against all the principals of fair trading.

It is also rumoured that NASR has an agenda to reduce the number of tracks operating. The rumour gives a total of five only tracks in WA and no tracks North of Perth. This will eliminate at least 10 tracks currently operating of which Geraldton Speedway is one. This will certainly kill of the sport in country WA.

7. NASR : the body not the insurer does not currently provide written approvals for tracks to operate. The ASCF provide inspectors to determine the suitability of a track and classify them according to the standards of safety, facilities fences and barriers, layout and track. They are the categorised from purely a lower division saloon car track to a class 1 Open Sprint car track.
8. All of the speedway liability insurers either require or are put at ease with the race cars being licensed by a state or National body as they receive rules and specifications to ensure safe standards are maintained.

NASR has the ASCF in it's pocket and has ensured there is no other controlling body for any of the sedan classes with the threat of license disqualification to any NASR licensed driver that races with/ against an unlicensed race car/ driver. Recent information was sought by the ASCF to justify the existence of a sedan division they would like to de-list because there popularity mainly exists in country tracks. In that instance I would expect the NDRA may be interested in controlling the division. Under the

ASCF/ NASR proposal, tracks that run this division would be likely to run unsanctioned by the ASCF/ NASR and hold the tracks wishing to continue the division to ransom.

An example of the insurance confusion was handed to me at my first and last visit to the Perth Motorplex in 2007. My son raced in the junior class sedan division. The Motorplex is a "NASR" track choosing to liability insure with the company. My son, my wife and I were driver/ pit crew insured with NASR. My son's best friend and pit crew was insured with NDRA. When we arrived at the pit gate to the Motorplex we were forced to buy a night insurance policy with NASR for my son's friend as they "didn't recognise his insurer (NDRA)" at this venue. I believe a similar case went before the ACCC soon afterwards. Is that the type of company you would promote as the controlling body of speedway in Australia.

I found it interesting while surfing the net in America for a driving suit and safety apparel to go onto an SFI website only to find a column on the cover page listing their "newest members" In the column was NASR Australia. It came as no surprise therefore that the latest addition of the rules and regulations have "amended" all of the previous safety standards for driving suits, helmets and all other apparel to an SFI approved standard. There was no consultation with members and no trail of claims or evidence to substantiate a move from the Australian standards already in place.