



Australian
Competition &
Consumer
Commission

Our Ref: N94032 – N94034
Contact Officer: Monica Bourke
Contact Phone: (02) 6243 1351

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

28 January 2010

<Address>

Dear <Salutation>,

Re: Exclusive Dealing Notifications lodged by Brisbane International Speedway Pty Ltd, Murray Bridge Sporting Car Club & Motorcycle Club Incorporated and Premier Speedway Club Warrnambool Pty Ltd – draft notices

As you are aware, the Australian Competition and Consumer Commission (ACCC) has been conducting a review of the exclusive dealing notifications lodged on 7 July 2009 by Brisbane International Speedway Pty Ltd, Murray Bridge Sporting Car Club & Motorcycle Club Incorporated and Premier Speedway Club Warrnambool (collectively referred to as the notifying tracks).

The notifications relate to the offer and supply of race services, including access to track facilities and race events, on condition that:

- (a) the offeree has purchased a suitable licence from the National Association of Speedway Racing Pty Ltd (NASR) in order to compete at the Track Operator and
- (b) the offeree has purchased a suitable licence from NASR in order to visit the racing pit area

The ACCC has issued draft notices proposing to revoke the immunity provided by the notifications. A copy of the ACCC's draft notices is available from the ACCC's website at www.accc.gov.au/ExclusiveDealingRegister and by following the links to this matter. The reasons for the ACCC's decision are provided in the draft notices.

Next Steps

Once the ACCC issues a draft notice, the notifying party or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference is a public meeting which provides the opportunity for interested parties to make oral submissions in relation to the draft notice. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft notices, you must notify the ACCC in writing by **Friday, 12 February 2010**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft notices. Written submissions should be lodged by **Friday, 19 February 2010** at the following address:

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

Submissions can also be lodged by e-mail to adjudication@acc.gov.au or by facsimile on (02) 6243 1211.

The ACCC will consider any submissions it receives, including any oral submissions made should a conference in relation to the draft notices be called.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Guidelines for seeking exclusion from the public register are attached for your information.

Notifications N93304–N93305 lodged in 2008 by Perth Motorplex and Avalon Raceway

On 11 June 2008 the ACCC decided not to take any further action with respect notifications for similar conduct lodged by Placide Pty Ltd as trustee for the Metro Speedway Unit Trust trading as Speedway Perth Motorplex (Perth Motorplex) and Corio Park Pty Ltd trading as Avalon International Raceway (Avalon Raceway).

In light of the draft notices issued with respect to the current notifications, the ACCC has written to Perth Motorplex and Avalon Raceway foreshadowing that the ACCC may take similar action with respect to their notifications. Perth Motorplex and Avalon Raceway have been given an opportunity to respond to that letter. Further information can be obtained from the ACCC's website at <http://www.acc.gov.au/content/index.phtml?itemId=810857>.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Monica Bourke on (02) 6243 1351 or via email at monica.bourke@acc.gov.au.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch

**Brisbane International Speedway and
others notifications N94032-34
List of interested parties consulted 28.1.10**

Adelaide Speedway City	Mr Andy Ticehurst
ASAF	Mr Anthony Taylor
ASCF Speedway Sedans Australia Inc	Mr Anthony Vanderreyden
Avalon Raceway	Mr Glenn Lawless
Australian Dirt Driver's Association	Mr Michael Cox
Australian Institute of Motor Sport Safety	Mr Rob MacGregor
Australian Sports Commission	Mr Trevor Reakes
Australian Sports Foundation	NASR
Bairnsdale Speedway Association Inc	NDRA
Charlton Raceway Inc	Northern Tasmania Speedway Drivers
Confederation of Australian Motor Sport	NOS Sprints
Crash N Bash Association	NSW Compact Speedcars
Darwin Speedway Rider and Drivers Association Inc	Perth Motorplex
Dirt Modifieds Australia	QSCF Inc
Drouin Raceway inc	Queensland Saloon Car Association Inc
Formula Motorsports Group	Riverland Speedway
Gatton Speedway	Roma International Motor Speedway
Geraldton Hot Rod Country Club Inc	SCCA
Gillman Speedway	Simpson Speedway
Horsham Motor Sports Club	Southern 500 Speedway
JQMA	VSC
Laang Speedway	VSCF
Lismore Speedway	West Coast Speedcars
Mothar Mountain Speedway	Western Speedway Hamilton