



Australian
Competition &
Consumer
Commission

Our Ref: N94032 – N94034
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28 January 2010

Mr John Kelly
Brisbane International Speedway Pty Ltd
c/- 63 Colebard St West
Archerfield QLD 4108

CC: Mr Paul Trengove, NASR
Mr Tim McAveney, Murray Bridge Sporting Car Club & Motorcycle Club Incorporated
Mr David Mills, Premier Speedway Club Warrnambool

Dear Mr Kelly,

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 (N94032-34) – draft notices

The Australian Competition and Consumer Commission (the ACCC) has issued a draft notice proposing to revoke the notifications lodged 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) on 7 July 2009.

A copy of the ACCC's draft notice is attached. The ACCC proposes to revoke notifications N94032-34 for the reasons set out in the draft notice.

Next steps

Once the ACCC issues a draft notice, the notifying tracks 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 notice, 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 notice. Written submissions should be lodged by **Friday, 19 February 2010** at the following address:

Alternatively, you are invited to make a written submission in response to the ACCC's draft notice. 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 email to adjudication@acc.gov.au.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference 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

As you would be aware, 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 do not hesitate to 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