

27<sup>th</sup> April 2010

Your Ref: N93402

Mr David Hatfield  
Director  
Adjudication Branch  
Australian Competition and Consumer Commission,  
GPO Box 3131  
Canberra ACT 2601

Dear David


**Third line forcing notification N93402 approved by the Australian Competition & Consumer Commission**

We take this opportunity to respond to the issues raised in the second submission from the Hon Arch Bevis MP, Federal Member for Queensland, dated 15<sup>th</sup> April 2010.

- We are pleased that Mr Bevis acknowledges that Clubs can continue to use the apparel indefinitely if a licence ceases.
- The range of product Licensees offer is approved after examination and assessed as satisfying our minimum standards. For example a composite rubber ball or inferior tee shirt with hand scribed number would devalue our brand. A determination of "minimum standard" can be documented if required.
- We do not charge Clubs a fee for use of our logo, we require Licensees to apply to apparel to monitor compliance. Protection of our properties is a separate matter.
- There has never been representation to us that the penalties are unreasonable and at the date of writing, there has been no breach resulting in application of a penalty.
- The Program helps to make the club officials decision easier.
- Season 2009 saw almost 70,000 participants. The Program netted approximately \$230,000. Over two seasons, the Red Kits cost was in excess of \$540,000 after the contribution from Red Rooster.
- Our key assertion is that Clubs are not disadvantaged by the granting of immunity.

We would further remind you that we intend to conduct a review of the performance of the Program, and make no presumptions at this time as to its future.

Yours sincerely



Geoff Foster  
Chief Executive Officer