

Ms Monica Bourke  
Adjudication Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
Canberra ACT  
2601

Re: Notifications N93304-N93305  
Placide Pty Ltd (Perth Motorplex)  
and Corio Park Pty Ltd (Avalon Raceway)

Dear Monica,

Thank you for the opportunity to respond to the matters raised during the pre decision conference with respect Notification N 93304-N93305.

*Previously the ACCC has stated that; "The ACCC accepts that there may be some benefit in having a national set of safety and related racing standards which encompass important features such as safety and training. The ACCC does not, however, accept that the notifications create national safety and related standards. Rather, the notifications require a NASR licence in order to access the track facilities.*

*Similarly, the ACCC accepts that there may be benefits to having a single independent controlling body for a sport. Such a body could develop minimum safety and related racing standards to be met by licensing bodies. For example, a voluntary industry Code of Conduct could be developed establishing minimum objective standards relating to health, safety and competitor conduct. Such a code would allow licensing bodies to demonstrate that they comply with the minimum standards and could provide tracks with an effective risk management process.*

I suggest that most people involved in the sport of speedway agree with the above positions and wish for a National Peak Sporting Body. In question I believe is how this is best achieved. Currently before the commission is another application from NASR, an organization controlled by the shareholders of a Pty Ltd company, which again is attempting to use the commission to establish further control. Herein I believe lays the fundamental problem which has resulted in Speedway appearing so often before the commission. Speedway is a sport, and as a sport should not be controlled by a private company. Sport is best managed by elected governors with stewardship over the assets and revenues of the sport. NASR currently claims the delegation from CAMS, however I am advised that the Board of CAMS is concerned about the delegation of Speedway to a body constituted such as the way NASR has been established. I have been further advised that CAMS Board members are concerned at the considerable risk they face if it is found that their due diligence process undertaken during delegation procedures has been found to be unsatisfactory. CAMS further advise they have never been required to convene a panel to consider multi applications for delegation, however are in the process of doing so in preparation for any such eventuality.

A group of interested parties representing a range of different classes, licensing bodies and insurance organisations has been meeting for the past six months in order to establish an honorary elected representative organization in which elected parties will

be able to neither hold an interest nor receive financial gain. This organisation intends to apply for the CAMS Speedway delegation when it falls due in September. CAMS has advised on the areas to be addressed which will form the basis of the submission. Given that NASR introduced the delegation from CAMS as the basis upon which they derive their authority, when previously no such delegation had been required, until such time as CAMS may decide they need not participate in the due diligence of Speedway Governance, we have no option but to apply for the delegation. It remains to be seen what benefit a delegation from CAMS will bring.

It is the aspiration of this emerging group that its authority will be derived from the will of the sports participants. By involving participants in the Governance and decision making of the sport, all people will be able to have a voice and therefore not rely on instruments such as the ACCC to sort out what are essentially internal matters for the sport.

I encourage the Commission to revoke Notifications N93304-N93305.

Regards

Glenn Lawless