



FILE NOTE			
Matter name:	N93402 – Football Queensland Limited – exclusive dealing notification		
Interested party:	Mike Hayes (Gorilla Sports)		
ACCC parties:	Hew Atkin	Date:	1 June 2011

Mike Hayes called in response to the ACCC's letter (sent 25 May 2011) on the above notification – Football Queensland's (FQ) Teamwear program. Gorilla Sports are a FQ licensed supplier.

Mike made the following points about the notified arrangements:

- The same pricing principles apply regardless of whether football products have the 'Q' logo or not, and regardless of whether they are being sold to licensed clubs or non-licensed clubs. Gorilla Sports do not charge extra as a result of attaching the 'Q' logo.
- Mike considered that the FQ Teamwear program had ensured a minimum quality standard for Teamwear products. FQ provide a great deal of support to their member clubs and, in the event that a club raised concerns over the quality of Teamwear products, FQ would follow this up directly with suppliers.
- Mike understands that the FQ tender process is open to all suppliers – this involves signing a contract with FQ and paying the licence fees. Mike noted that he had been a preferred supplier for a number of years and was unable to comment specifically on FQ's current process for engaging new suppliers.
- In Mike's experience, the current range of Teamwear products is sufficient for the needs of football clubs. Most clubs obtain a catalogue and then have their preferred products 'made to order'. In the event that a football club wanted a specific product, Gorilla Sports would facilitate a custom made order and attach the 'Q' logo.
- Mike considered that the FQ Teamwear program had made it easier for clubs to obtain supplies of football equipment and apparel. Gorilla Sports will often travel large distances to visit clubs in person (e.g. from Brisbane to Roma, Cairns and Mt Isa) and they also provide after hours business services. Mike gave examples of where Gorilla had worked long hours attaching 'Q' logos to gear to ensure it was available in time for the weekend. If the Teamwear program were removed this would make it more difficult for football clubs to have certainty and consistency of supply and this may also cause warranty issues.
- Mike did not consider there were any issues with the Teamwear protective jerseys available for goal keepers. He noted that Teamwear goal keeper jerseys were padded and the same as those worn by professional players. Often goalkeepers have a preference for limited padding to ensure their shirts remain light and comfortable. Any decisions on football safety (e.g. mandatory use of shin guards by all players) have previously been imposed by FIFA and Football Federation Australia – Football Queensland would be obliged to follow such rulings.