

**Pfitzner, Laura**

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**From:** Andrew Cox [REDACTED]  
**Sent:** Monday, 13 August 2012 4:15 PM  
**To:** Tan, Jasmine; Hartcher-O'Brien, Imogen  
**Cc:** Sophie Morelli; Andrew Kelly  
**Subject:** Re: Harness Racing Australia Notification  
**Attachments:** Sky agreement for ONE HD to broadcast.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

For the Public Register

Dear Ms. Tan,

Further to our discussion today regarding the grounds for HRA holding a reasonable expectation of contracting with the target Skychannel Pty Ltd we are instructed as follows:

- (a) HRA may contract with the target as agent for the other notifying parties; and
- (b) HRA may contract with the target in its own right as co-owner of Inter Dominion content rights. In this regard we attach a letter between Skychannel and HRA regarding the 2011 Inter Dominion Pacing Championship Grand Final rights. The context of the letter is as follows:
  - Inter Dominion content rights are not covered by any existing agreement between Skychannel and a notifying party;
  - Such rights are shared between HRA and Harness Racing New Zealand (HRNZ);
  - For 2011 HRA and HRNZ licenced such rights to Trackside in New Zealand;
  - Trackside then sub-licenced Australian geographic rights to Sky;
  - HRA sought to broadcast the Pacing Championship Grand Final on OneHD and the attached letter are the terms by which Skychannel consented to such broadcast.

It is possible that future arrangements for broadcast of Inter Dominion content may be negotiated directly between Skychannel and HRA. HRA has a reasonable expectation that it may enter into a contract with Skychannel regarding such rights.

Yours faithfully,

**Andrew Cox**  
Consultant



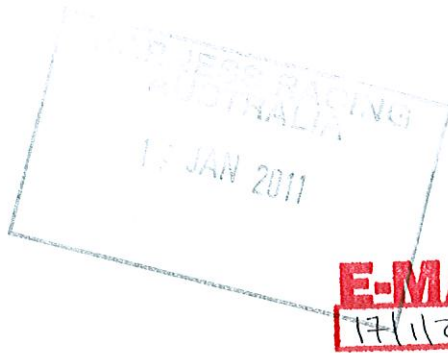
**NEW OFFICE DETAILS @ 16 July 2012**

Level 14, 565 Bourke Street, Melbourne, Victoria 3000 | [REDACTED] | F: +61 3 9614 6676 |  
[REDACTED]

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17 January 2011

Andrew Kelly  
Chief Executive  
Harness Racing Australia  
Level 2  
400 Epsom Rd  
Flemington VIC 3031  
By email: [akelly@hra.harness.org.au](mailto:akelly@hra.harness.org.au)



Dear Andrew,

Thank you for your letter to Brendan Parnell dated 16 December 2010 seeking Sky approval for ONE HD to broadcast the 2011 Inter Dominion Pacing Championship Grand Final.

Please be advised that Sky grants approval for a once-off live broadcast, subject to the following conditions being adhered to by HRA and ONE HD –

- (a) The ONE HD telecast must not contain any non-TAB wagering operator odds or advertising. For the avoidance of doubt, this includes sponsor billboards, TVC's and wagering odds/data in the telecast;
- (b) The broadcast must not be available on any other media platform (including new media) and must be geo-blocked for terrestrial broadcast in Australia only; and
- (c) Race replays of the ID11 Heats may be broadcast in the ONE HD telecast, provided these are sourced from Sky (standard dubbing fee may apply) and the Sky Racing watermark is unobscured at all times.

Please confirm HRA and ONE HD's agreement with these conditions by signing and dating where indicated below and sending back a copy of this letter back to my attention.

Kind regards,

  
Gerard Patane  
Head of Media Operations

AGREED and SIGNED for and on behalf of  
**Harness Racing Australia:**

  
Andrew Kelly – Chief Executive

Date 21/01/11

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