

1st September 2014

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Via email: adjuducatuion@acc.gov.au

Dear Mr Chadwick

EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION No: N98410

We refer to the abovementioned EA application and wish to make the following submissions regarding the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line enforcing by permitting mandatory Hendra (HeV) vaccination to be prescribed at equestrian events.

On behalf of the members of Equestrian SA, we wish to strongly state that having regard to the following reasons, we do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

Equestrian SA has sought the opinion of the membership base by inviting all members to partake in a survey in relation to this matter. The results were extremely conclusive:

Over 25% of the membership base undertook this survey:
68.09% were current members and 12.81% former members

80.90% of responses were in support of the vaccination being an owner's choice based on personal circumstances;

51.69% of responses ascertained did not believe that events should have mandatory vaccination as an event requirement;

15.80% were undecided.

The Government medicine licensing authority, the APVMA itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if the Government licensing authority does not believe that HeV vaccine should be mandatory, it is inappropriate for a non-government membership equestrian organisation such as EA to dictate that it should and bind its members to such as a condition of participating in equine competition;

No Australian Government regulatory body has required or recommended mandatory HeV vaccination (e.g. Department of Primary Industries, Workplace Health and Safety) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should and bind its members to such as a condition of participating in equine competition.

On these grounds, the Board of Equestrian SA therefore strongly urge the ACCC to object to EA's Notification.

Yours sincerely

S Cimarosti

Sharon Cimarosti
Executive Officer
Equestrian SA
manager@equestriansa.com.au
Phone: 08 8391 0488

