

NEWS RELEASE



Australian
Competition &
Consumer
Commission

PO Box 1199, Dickson ACT 2602
470 Northbourne Ave, Dickson ACT 2602
Ph (02) 6243 1111 Fax (02) 6243 1199
www.accc.gov.au

Attention: Racing, gaming writers

A.C.C.C. PROPOSES TO ALLOW SKY AND TVN TO SHARE RACING CONTENT

The Australian Competition and Consumer Commission has issued a draft decision proposing to grant authorisation* to a Memorandum of Understanding that will allow Tabcorp, Sky and TVN to share thoroughbred racing content.**

"The MOU will bring about an end to the 'split vision' dispute which has led to a decrease in wagering revenue, punter confusion, increased costs to pubs and clubs and a decrease in funding to the racing industry," ACCC Chairman, Mr Graeme Samuel, said.

"The ACCC accepts that the MOU will also result in improved output, quality and innovation of the Sky and TVN Channels.

"The ACCC considers that the MOU will have a competitive impact on the incentives of Sky and TVN to bid for future broadcasting rights from thoroughbred racing clubs. However, the ACCC acknowledges that sufficient commercial incentives exist which may counter the competitive impact resulting from content sharing under the MOU.

"The ACCC has raised concerns about the potential for Tabcorp to distribute the Sky and TVN Channels as a bundled product to commercial venues. The ACCC proposes to impose a condition on the authorisation to alleviate these concerns.

"The ACCC considers that the MOU is unlikely to raise significant competition concerns in the distribution of race broadcasting services to television providers or the supply of wagering services to other wagering providers."

The ACCC is seeking submissions from interested parties in relation to its draft determination in this matter. Copies of the draft determination are available on the ACCC's website. Submissions can be made to: The General Manager, Adjudication Branch, Australian Competition and Consumer Commission, PO Box 1199, Dickson, ACT, 2602. Submissions can also be lodged by email to adjudication@accc.gov.au.

Media inquiries

Mr Graeme Samuel, Chairman, (03) 9290 1812 or mobile/pager 0408 335 555

Ms Lin Enright, Director, Media Unit, (02) 6243 1108 or 0414 613 520

General inquiries

Infocentre: 1300 302 502

NR110/07

3 May 2007

*The *Trade Practices Act 1974* prohibits certain forms of anti-competitive agreements, including agreements between competitors that limit their ability to deal with whom they choose or on the terms they choose (including price). Authorisation provides immunity from court action under the Act arising from such agreements but can only be granted where the ACCC is satisfied that the public benefit flowing from the conduct outweighs any public detriment.

**Tabcorp Holdings Limited (Tabcorp), Sky Channel Pty Ltd (Sky), ThoroughVision Pty Limited (TVN)