



Australian
Competition &
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Commission

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NEWS RELEASE

ACCC INSTITUTES LEGAL ACTION AGAINST AUSTRALIAN KARTING ASSOCIATION (NSW) OVER ALLEGED PRICE FIXING AGREEMENT

The Australian Competition and Consumer Commission has instituted legal proceedings in the Federal Court, Sydney, against the Australian Karting Association (NSW) Inc (AKA) various AKA clubs and officers for alleged contraventions of the *Competition Code of New South Wales*.

The alleged conduct involves an agreement made between the AKA and AKA clubs at the AKA's annual general meeting held on 19 July 2008, by which the clubs agreed to charge minimum fees for the hire of their circuits to non-AKA operators, with all negotiations for circuit hire to be conducted by the AKA.

It is alleged that the AKA, the Wagga Kart Club, Newcastle Kart Club and the Manning Valley Kart Club contravened the Code by making the alleged agreement; and that the AKA, the Dubbo, Newcastle and the Manning Valley Kart Clubs put the alleged agreement into effect.

The ACCC also alleges that AKA officers, Mr Richard Erdmann and Mr Simon Whiting, were knowingly concerned in the making of the alleged agreement.

The ACCC is seeking orders including declarations that the respondents contravened the Code, injunctions, penalties against the AKA and orders that the AKA implement a trade practices law compliance program.

A scheduling conference is listed before Justice Bennett on Friday 24 July 2009 at 9.30am in the Federal Court, Sydney.

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