

**NOTICE OF LODGMENT**  
**AUSTRALIAN COMPETITION TRIBUNAL**

This document was lodged electronically in the AUSTRALIAN COMPETITION TRIBUNAL on 24/3/2017 3.54pm AEDST and has been accepted for lodgment under the Practice Direction dated 23 September 2016. Filing details follow and important additional information about these are set out below.

**Lodgment and Details**

Document Lodged: Application to Intervene

File Number: ACT 1 of 2017

File Title: Application by Tabcorp Holdings Limited under section 95AU of the *Competition and Consumer Act 2010* for an authorisation under subsection 95AT (1) to acquire shares in the capital of a body corporate or to acquire assets of another person

Registry: NEW SOUTH WALES – AUSTRALIAN COMPETITION TRIBUNAL

Dated: 24/3/2017 3.54pm AEDST



Registrar

**Important Information**

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Tribunal and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Tribunal. Under the Tribunal's Practice Direction the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4:30 pm local time at that Registry) or otherwise the next working day for that Registry.

COMMONWEALTH OF AUSTRALIA

*Competition and Consumer Act 2010 (Cth)*

IN THE AUSTRALIAN COMPETITION TRIBUNAL

**File No:** ACT 1 of 2017

**Re:** Application by Tabcorp Holdings Limited under section 95AU of the *Competition and Consumer Act 2010* for an authorisation under subsection 95AT(1) to acquire shares in the capital of a body corporate or to acquire assets of another person

**Applicant:** Racing.Com Pty Ltd ACN 104 883 267

**Address of Applicant:** 400 Epsom Road, Flemington, Victoria, 3031



APPLICATION TO INTERVENE

- 1 This Application is filed in accordance with Order 2 of the Tribunal's Orders dated 17 March 2017.
- 2 Pursuant to section 109(2) of the *Competition and Consumer Act 2010* (Cth), Racing.Com Pty Ltd ACN 104 883 267 (**Racing.com**) seeks the Tribunal's permission to intervene in these proceedings.
- 3 In light of the matters at paragraphs 8 to 17 of the Affidavit of Jacqueline [X] Partridge dated 24 March 2017 (**Partridge Affidavit**), Racing.com has a real and substantial interest in the subject matter of the proceedings.
- 4 The Applicant intends to file evidence and make submissions in relation to the consequence of the proposed merger on the acquisition of media rights and downstream markets for the use of those rights.

Filed on behalf of the Racing.Com Pty Ltd by:

**Johnson Winter & Slattery**

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5 By virtue of the matters at paragraphs 13 to 14 of the Partridge Affidavit, Racing.com is uniquely positioned to provide this evidence that others will not necessarily be able to lead.

Dated: 24 March 2017

Signed on behalf of Racing.Com Pty Ltd

A handwritten signature in black ink, appearing to read "John Henry", is written over a solid horizontal line.

Johnson Winter & Slattery, solicitors for  
Racing.Com Pty Ltd