

APPLICATION FOR AUTHORISATION BY THE
AUSTRALIAN COMPETITION TRIBUNAL

Commonwealth of Australia

COMPETITION AND CONSUMER ACT 2010

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: Tabcorp Holdings Limited
Intervener: Racing Victoria Limited (ACN 096 917 930)
Harness Racing Board, trading as Harness Racing Victoria (ABN 22 764 910 853)
Greyhound Racing Control Board, trading as Greyhound Racing Victoria (ABN 76 642 748 029)

Affidavit of: David Martin
Address: 400 Epsom Road, Flemington, Victoria, 3031
Occupation: Chief Executive Officer of Harness Racing Victoria
Date: 23 March 2017



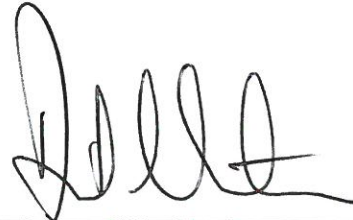
I, **David Martin**, of 400 Epsom Road, Flemington, Victoria, 3031, **Chief Executive Officer**, Harness Racing Victoria, affirm:

- 1 I am the **Chief Executive Officer** of Harness Racing Victoria.
- 2 I make this affidavit in support of the application of Harness Racing Victoria to the Australian Competition Tribunal to intervene in the application by Tabcorp Holdings Limited (**Tabcorp**) under section 95AU of the *Competition and Consumer Act 2010* (**Competition and Consumer Act**) for an authorisation under subsection 95AT(1) to acquire shares in the capital of a body corporate or to acquire assets of another person (**Proceedings**).
- 3 I make this affidavit from my own knowledge, unless stated otherwise. Where I refer in this affidavit to being informed of matters, I believe those matters to be true.

Filed on behalf of the Interveners	Racing Victoria Limited Greyhound Racing Victoria Harness Racing Victoria		
Prepared by	Nick Taylor / Prudence Smith		
Law firm	Jones Day		
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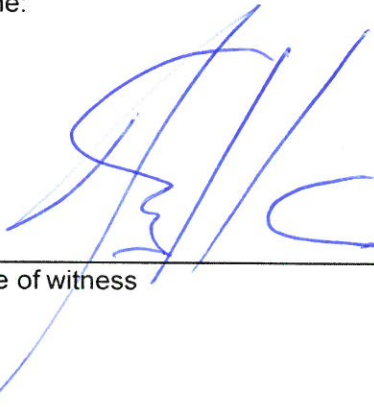
- 4 As the current Chief Executive Officer of Harness Racing Victoria, I am required to understand all aspects of its business and the harness racing industry, including associated industries related to gambling and wagering, and broadcasting of harness racing.
- 5 I have read the Application by Racing Victoria Limited (**Racing Victoria**) to intervene in the Proceedings (**Application**) and the affidavit of Giles Thompson, Acting CEO of Racing Victoria, dated 23 March 2017 in support of the Application. Harness Racing Victoria holds similar position in relation to harness racing in Victoria as Racing Victoria has in respect of the thoroughbred racing industry in Victoria, and has similar concerns and issues as Racing Victoria has in relation to the application for approval by Tabcorp of the proposed merger with Tatts. It also wishes to intervene in the Proceedings on similar grounds as Racing Victoria..

Affirmed by the deponent at Flemington
in Victoria
on 24 March 2017



Signature of deponent

Before me:



Signature of witness

John William Briffa
General Counsel Harness Racing Victoria
400 Epsom Road Flemington
An Australian legal practitioner within the meaning of the Legal Profession Uniform Law
Victoria