



The Competition Authority
An tÚdarás Iomaíochta

Mr Noel C Duggan
The Green Glens Arena
Millstreet
Co Cork

By Post & E-mail

Our ref: SCR-2010-65

27 May 2010

Re: Complaint against Show Jumping Ireland ('SJI')

Dear Mr Duggan

I refer to your complaint received on 13 April 2010 in relation to the rule imposed by SJI disciplining its members who compete or officiate at an unaffiliated show jumping event.

The Competition Authority ('the Authority') is a statutory body with responsibility for the enforcement of Irish and EC competition law in the State. The functions and powers of the Authority are set out in the Competition Act 2002 ('the Act'), and Council Regulation (EC) No 1/2003. The Authority's role is to investigate allegations of anticompetitive behaviour and to determine whether there is sufficient evidence to establish a breach of the Act, and in situations where trade between Member States may be affected, the European Treaty.

Section 4 of the Act prohibits and makes void all agreements between undertakings, decisions by associations of undertakings and concerted practices which have as their object or effect the prevention, restriction or distortion of competition in trade in any goods or services in the State. Section 5 of the Act prohibits the abuse by one or more undertakings of a dominant position in trade for any goods or services in the State.

The Act applies to 'undertakings'. Section 3(1) of the Act defines an undertaking as 'a person being an individual, a body corporate or an unincorporated body of persons engaged for gain in the production, supply or distribution of goods or the provision of a service'.

For your information, I attach a copy of a news release announcing a decision of the Authority in 2003, regarding the Irish Kennel Club ('IKC'), which is similar to your complaint. I also attach a copy of the undertakings given by the IKC to the Authority. If you have any queries, please do not hesitate to contact me.

Yours sincerely

Aoife Brennan

Aoife Brennan
Case Officer/Lawyer
Monopolies Division

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