



Issue: Alleged anti-competitive rule of Show Jumping Ireland.

Relevant Provision: Section 4 of the Competition Act 2002 and Article 101 of the Treaty on the Functioning of the European Union.

Outcome of Investigation: Case closed in May 2012 as Show Jumping Ireland agreed to amend the alleged anti-competitive rule.

Outline of the case:

This case concerned Article 299N (the Rule) of the Rulebook of Show Jumping Ireland (SJI). The Rule prevented members of SJI from competing at unaffiliated show jumping events with a prize fund in excess of €50/£50. Members of SJI in breach of this rule were penalised. The Authority received a number of complaints alleging that the Rule was anti-competitive.

Following an investigation which commenced in 2011, the Authority formed the opinion that the Rule amounted to a decision of an association of undertakings which was likely to restrict, on the one hand, the participation of SJI members at unaffiliated show jumping events and, on the other hand, the organisation of such unaffiliated events in Ireland. The Authority considered the Rule to be disproportionate in relation to SJI's stated justification and took the view that the Rule was likely to infringe section 4 of the Competition Act 2002 and Article 101 of the Treaty on the Functioning of the European Union.

SJI co-operated with the Authority's investigation and agreed to amend the Rule in order to address the competition concerns. The amendment of the Rule reads as follows:

"Members of SJI who enter unaffiliated shows with a prize fund above €50/£50 will be penalised if the show:-

- (i) Has not signed up to the specified Health and Safety Standards; and,
- (ii) Has not provided SJI with evidence of adequate insurance."

SJI has published the amendment of the Rule in their website (www.sji.ie) and in the March 2012 Showjumping Bulletin.

The effect of the amendment to the Rule

The amendment of the Rule means that members of SJI may now participate in unaffiliated events with a prize fund greater than €50/£50 without being penalised so long as the unaffiliated event concerned (i) has signed up to Health and Safety Standards specified by SJI; and, (ii) has adequate insurance. (Members of SJI were always free, and remain free, to participate [without penalty] in unaffiliated events with a prize fund of €50/£50 or less than €50/£50.)