



Our ref: 63184
Contact officer: Simon Bell
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23/03/2018

Mr Peter Armitage
Partner
Ashurst

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Dear Mr Armitage

Hospitals Contribution Fund of Australia Limited (HCF) application for authorisation AA1000402 – Pre-decision conference

The Australian Dental Association (ADA) has requested the Australian Competition and Consumer Commission (the ACCC) to convene a pre-decision conference in relation to the draft determination issued by the ACCC on 5 March 2018 proposing to grant authorisation AA1000402.

As you are aware, the draft determination follows an application by HCF for authorisation to allow it to open its own dental clinics in locations that may overlap with dentists who participate in HCF's *More For Teeth* program. Under the *More For Teeth* program, HCF specifies the maximum fees for a number of dental services to be charged by participating dentists.

In the draft determination, the ACCC concluded that the proposed conduct is likely to lower the cost, and increase the use of preventative dental services and it is likely to result in a net public benefit. Accordingly, the ACCC proposed to grant authorisation for 10 years.

A pre-decision conference provides an opportunity for applicants and interested parties to make oral submissions to the ACCC about its draft determination.

The time, day and location for the conference are:

Time: 2:30pm

Day: Tuesday 10 April 2018

Location: ACCC office

Level 20, 175 Pitt Street Sydney

ACCC Commissioner Sarah Court will chair the conference.

Under the *Competition and Consumer Act 2010* (the Act), the applicant and other interested parties may attend the conference. Please advise the ACCC of the names of HCF's representatives who will be attending and their position titles, and indicate who will be HCF's

chief spokesperson. Please provide this information by email to adjudication@accc.gov.au by **COB Wednesday 28 March 2018**.

Please note that while conference participants may bring outside legal or other professional advisers to assist them, under the Act, these advisers are not entitled to participate in conference discussions.

Attached for your information are procedures usually followed at pre-decision conferences.

A copy of this letter has been placed on the ACCC's public register. If you require any further information regarding the conference, please do not hesitate to contact Simon Bell on 02 6243 1232.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Hatfield', is positioned above the typed name.

David Hatfield
Director
Adjudication Branch