



23 Marcus Clarke Street
Canberra ACT 2601

Our ref: AA1000638
Contact officer: Rebecca Ryan
Contact phone: (02) 6243 1300

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111
exemptions@acc.gov.au

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www.acc.gov.au

By email

Dear Interested Party

Australian Dental Association Inc – Application for re-authorisation AA1000638 – draft determination and interim authorisation

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for re-authorisation lodged by the Australian Dental Association Inc (the **ADA**) on 9 March 2023.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 12 months to the ADA and its members to make and give effect to contracts, arrangements and understandings between 2 or more dentists and/or dental specialists as to the fees to be charged for dental services provided in a shared practice, where at least one party to the agreement is a member of the ADA.

The ACCC also granted interim authorisation to enable the arrangements to continue while the ACCC is considering the substantive application.

A copy of the ACCC's draft determination is attached and also available on the ACCC's [authorisations public register](#).

Next steps

Once the ACCC issues a draft determination, the ADA or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

Making a submission

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **28 April 2023**. Submissions should be lodged via the web form accessible on the [public register](#) for this matter. If you prefer to make an oral submission, please contact Rebecca Ryan via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), and will then release a final determination in relation to this application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Optional pre-decision conference

In some cases, the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to its draft determination. If a conference is called it will be open to the applicant and interested parties to attend and make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend, they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **28 April 2023** by email to exemptions@acc.gov.au.

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
9 March 2023	Lodgement of application and supporting submission.
12 April 2023	Interim authorisation and draft determination.
12 – 28 April 2023	Public consultation on draft determination including any conference if called.
May/June 2023	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Rebecca Ryan on (02) 6243 1300.

Yours sincerely



Naomi Menon
Director
Competition Exemptions