

From: [Peter Campbell](#)
To: [Menon, Naomi](#)
Cc: [Koh, Soo Sian](#); [White, Beth](#); [Daniel Kiley](#)
Subject: RE: Health Partners Limited - Application for authorisation [SEC=OFFICIAL] [HWLE-MATTER.C090649.1146532]
Date: Tuesday, 28 February 2023 12:26:12 PM
Attachments: [image001.png](#)
[image002.jpg](#)

Dear Naomi

Thank you for your email.

We confirm that our client is seeking interim authorisation to enter into agreements and have partners provide 'Capped Services'. As per 6.2 of our client's application (quoted in your email below), it is keen 'to allow Partner Practices to provide Capped Services as a matter of priority'. This can be achieved by having that conduct authorised at first on an interim basis.

The ACCC has been provided with a copy (on a confidential basis) of the template agreement to be used with dental providers. Under that agreement, any requirement to cap prices would automatically cease to apply in the event that the interim authorisation was not replaced by a permanent authorisation. This ensures that the conduct does not need to be manually unwound should there be any reason that the draft authorisation was ultimately not granted, nor will there be a permanently altered state of affairs.

Further to our recent discussion, we also understand that the ACCC is eager to issue an interim authorisation and draft authorisation for this matter at the same time, in part because the substance of those authorisations will be largely the same. This is consistent with our client's request that the interim authorisation cover the same conduct as the final authorisation sought, and permit its partners to offer the Capped Services to Health Partners members.

We do not have any issue with this response being made public. If you would prefer we provide this response in letter form, we can do so.

Kind regards,

Peter

Peter Campbell
Partner



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