

# Solomon Brothers

Barristers, Solicitors, Attorneys

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ACCC  
22 MAY 2001  
PERTH

17 May 2001

Our Ref: DHS/6194060  
Enquiries: Doug Solomon  
Email: dsolomon@solbros.com.au

Australian Competition & Consumer Commission  
233 Adelaide Terrace  
PERTH WA 6000

Dear Sirs

## HBF HEALTH FUNDS INC

We act for HBF Health Funds Inc and enclose herewith Form G Exclusive Dealing Notification, together with our client's cheque payable to Australian Competition and Consumer Commission for \$1,000.

We will look forward to your formal acknowledgment of receipt in due course.

Yours faithfully



enc.

ACCC

D01/15363



RAC0007MH3

## FORM G

## COMMONWEALTH OF AUSTRALIA

*Trade Practices Act 1974 - subsection 93(1)*

N70201

**EXCLUSIVE DEALING: NOTIFICATION**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with subsection 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to in subsection 47(2), (3), (4), (5), (6) or (7), or paragraph 47(8)(a), (b), or (c) or 9(a), (b), (c) or (d), of that Act in which the person giving notice engages or proposes to engage.

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(PLEASE READ DIRECTIONS AND NOTICE ON BACK OF FORM)

1. (a) Name of person giving notice:  
HBF Health Funds Inc  
*(See direction on the back of this form)*
- (b) Short description of business carried on by that person:  
Health insurance
- (c) Address in Australia for service of documents on that person:  
125 Murray Street, Perth, WA, 6000
2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:  
Electronic point of sale processing device for use by providers of ancillary health goods and services
- (b) Description of the conduct or proposed conduct:  
Ancillary providers not permitted to process claims of other health insurers on the device  
*(See Direction 4 on the back of this form)*
3. (a) Class or classes of persons to which the conduct relates:  
Ancillary health providers
- (b) Number of those persons:
  - (i) At present time:
  - (ii) Estimated within the next year: 75

(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses: N/A.

4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

IAN CREESE, (HBF, L4 125 MURRAY ST. PERTH)

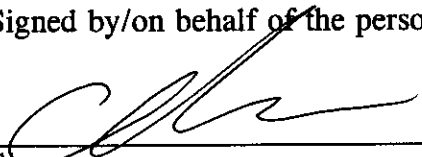
POSTAL: HBF, GPO BOX C101, PERTH, WA 6809.

Dated

4/05/01.

TELEPHONE: 08 9265 8663 OR 0409 081 867

Signed by/on behalf of the person giving this notice:

  
Signature

**ACCC**

22 MAY 2001

**PERTH**

CHRIS BENTHIEN  
Full name

GENERAL MANAGER GROUP SERVICES  
Description

**DIRECTIONS**

1. If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be signed by a person authorised by the corporation to do so.
3. In item 1(b), describe the part of the business of the person giving the notice in the course of which the conduct is engaged in.
4. If particulars of a condition or of a reason of the type referred to in subsection 47(2), (3), (4), (5), (6), (7), (8) or (9) of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be provided with the notice.
5. In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
6. In item 3(b)(ii), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

**NOTICE**

If this notification is in respect of conduct of a kind referred to in subsection 47(6) or (7), or paragraph 47(8)(c) or (9)(d), of the *Trade Practices Act 1974* ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act ("the prescribed period") unless the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under subsection 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in section 93A of the Act, decides not to give a notice under subsection 93(3A) of the Act. The notification comes into force when that decision is made.

If this notification is in respect of conduct of a kind referred to in subsection 47(2), (3), (4) or (5), or paragraph 47(8)(a) or (b) or 9(a), (b) or (c), of the Act, it comes into force when it is given.