



**Australian
Competition &
Consumer
Commission**

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15 November 2005

Mr Phillip Rowell
Partner
Monahan & Rowell
GPO Box 4542
MELBOURNE VIC 3001

Dear Mr Rowell

**Third line forcing notifications lodged by
Guild Insurance Limited (Guild)**

I refer to the third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 11 July 2005 (N91845) and 3 November 2005 (N92184 – N92187) respectively by Guild Insurance Limited (Guild). The notifications have been placed on the ACCC's public register.

Identical conduct is described in each notification, except for the association to which the arrangements the subject of each notification will apply. The conduct the subject of each notification is described as follows:

Guild wishes to be able to determine the premium for its professional indemnity insurance which is offered to members of "the association" by reference to the risk profile of the members of the association, as evidenced by the claims experience of the membership and by risk management strategies of the association, with the result that different premiums may be offered to members and non-members of the association reflecting the potentially different risk being underwritten.

The relevant associations are:

- The Australian Dental Association – Tasmanian Branch (N91845).
- The Australian Dental Prosthetists and Dental Technicians (Tasmania) Association (N92184).
- The Australian Dental Technicians Association South Australia (N92185).



- The Australian Dental Technicians & Dental Prosthetists Society – Western Australia (N92186).
- Dental Prosthetists Association of the ACT Incorporated (N92187).

Legal immunity conferred by notification N91845 commenced on 25 July 2005. Legal immunity conferred by notifications N92184 – N92187 will commence on 17 November 2005.

On the basis of the information provided, it is not intended that further action be taken in this matter at this stage.

Please note that the ACCC may act to remove the immunity afforded by these notifications at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

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 Gavin Jones on (03) 9290 1959.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping flourish extending to the right.

Scott Gregson
General Manager
Adjudication Branch