



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2008/1169
Contact Officer: Kristy Randall
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22 October 2008

Dear Sir/Madam

**Australian Dental Association Inc Application for authorisation A91094 & A91095
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Australian Dental Association on 18 July 2008. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The Australian Dental Association is seeking authorisation for possible price fixing conduct and exclusionary provisions with respect to shared practices in the dental profession.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 4 years.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to 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 **5 November 2008**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **12 November 2008**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

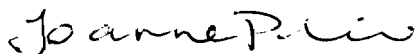
Timetable

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.

18 July 2008	Lodgement of application and supporting submission.
25 July 2008	Public consultation process begins.
22 October 2008	Draft determination.
October-November 2008	Public consultation on draft determination including any conference if called.
December 2008	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 Kristy Randall on (02) 6243 1061.

Yours sincerely



Joanne Palisi
Director
Adjudication Branch

Interested parties
ACT Department of Health
South Australian Dental Service
NSW Department of Health
Dept of Community & Health Services (Tas)
Territory Health Services
Dental Health Services, Victoria
Queensland Health
Perth Dental Hospital
Dental Board of New South Wales
Dental Board of The ACT
Dental Board of Queensland
Dental Board of Western Australia
Dental Board of South Australia
Dental Practice Board of Victoria
Dental Board of the Northern Territory
Dental Board of Tasmania
Department of Health and Ageing
Department of Human Services (Vic)
Department of Health (SA)
Australian Health Insurance Association
Choice
Consumers Health Forum
Catholic Health Australia
Private Health Insurance Administration Council
National Rural Health Alliance
Health Consumers of Rural and Remote Australia
Rural Health Workforce Australia
Office of the Health Services Commissioner
Health Complaints Commission Tasmania
Royal Australasian College of Dental Surgeons
Australian Dental Industry Association
Australian Council of Social Service
Public Health Association Australia
Consumer Action Law Centre
Australian Institute of Welfare and Community Workers