



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2008/1169  
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10 December 2008

Mr Justin Oliver  
Special Counsel  
Minter Ellison  
PO Box 7844  
Waterfront Place  
Brisbane QLD 4001

Dear Mr Oliver

**Australian Dental Association Inc applications for authorisation A91094 & A91095 –  
final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by the Australian Dental Association on 18 July 2008.

The ACCC has decided to grant authorisation until 28 February 2013 to the Australian Dental Association for agreements as to the fees to be charged for dental services provided within shared practices with the following features:

- a common practice trading name  
shared staff, for example, dental hygienists, administrative and support staff  
shared dental records and treatment of patients by other members of the practice  
a common reception and premises  
shared dental equipment and supplies.

A copy of the ACCC's determination is attached, including a summary of its reasons.

## **Application for review**

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 31 December 2008. If no application to review is lodged by this date, the ACCC's determination will come into force on 1 January 2009.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Joanne Palisi on (02) 6243 1323.

Yours sincerely



Dr Richard Chadwick  
General Manager  
Adjudication Branch