



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2008/1169
Contact Officer: Joanne Palisi
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10 December 2008

[Address]

*This letter, with enclosures,
was sent to the attached
list of interested parties.
dx2 10/12/08*

Dear [Name]

**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 Australian Dental Association sought authorisation for the making of, or giving effect to contracts, arrangements or understandings between two or more dentists and/or dental specialists who practice in a shared practice as to the fees to be charged for dental services provided in the practice.

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

A handwritten signature in black ink, appearing to be 'R. Chadwick', with a long horizontal line extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch

**APPLICATIONS FOR AUTHORISATION A91094 & A91095 FROM THE AUSTRALIAN
DENTAL ASSOCIATION INCORPORATED**

INTERESTED PARTIES – FINAL DETERMINATION

No	Organisation
1.	Dental Health Program - ACT Department of Health
2.	South Australian Dental Service
3.	Centre for Oral Health Strategy, NSW
4.	Dept of Community & Health Services
5.	Dental Services - Territory Health Services
6.	Dental Health Services Victoria
7.	Oral Health Branch - Queensland Health
8.	Dental Health Services - Perth Dental Hospital
9.	Dental Board of New South Wales
10.	ACT Dental Board
11.	Dental Board of Queensland
12.	Dental Board of Western Australia
13.	Dental Board of South Australia
14.	Dental Practice Board of Victoria
15.	Dental Board of the Northern Territory
16.	Dental Board of Tasmania
17.	Department of Health and Ageing
18.	Department of Human Services
19.	SA Department of Health
20.	Australian Health Insurance Association
21.	Choice
22.	Consumers Health Forum
23.	Catholic Health Australia
24.	Private Health Insurance Administration Council
25.	National Rural Health Alliance
26.	Health Consumers of Rural and Remote Australia
27.	Rural Health Workforce Australia
28.	Office of the Health Services Commissioner
29.	Health Complaints Commission Tasmania

30. Royal Australasian College of Dental Surgeons
31. Australian Dental Industry Association
32. Australian Council of Social Service
33. Public Health Association Australia
34. Consumer Action Law Centre
35. Australian Institute of Welfare and Community Workers
36. Australian Council for the Ageing
37. Public Interest Advocacy Centre
38. Rural Dental Action Group
39. Consumers' Federation of Australia