



**Australian
Competition &
Consumer
Commission**

Our Ref: 36339
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// February 2009

Mark Fitzgerald
Solicitor General
Guild Lawyers
5 Burwood Rd
Hawthorn VIC 3122

Dear Mr Fitzgerald

**Exclusive dealing notification N93749 - ProVision Eye Care Pty Ltd
request for material to be excluded from the public register**

I refer to the letter received by the Australian Competition and Consumer Commission (the ACCC) on 6 February 2009, which provided extra information in respect of the notification lodged by ProVision Eye Care Pty Ltd (ProVision) on 20 January 2009.

I have considered your request that dot points 1, 2, 3 and the last sentence of dot-point 7 be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Trade Practices Act 1974* (the Act) to place documents provided to it in relation to an application for notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that your request for exclusion has been granted and the redacted version of your letter dated 6 February 2009 which you have provided will be placed on the public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Simon Mitchell on 03 9290 6909.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch