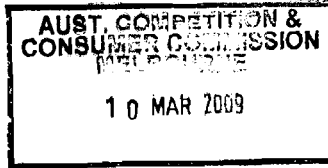


# SWAAB



5 March 2009

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Mr Gavin Jones  
Director  
Adjudication Branch  
Australian Competition & Consumer Commission  
GPO Box 520  
MELBOURNE VIC 3001

File ref RBO:280430

Dear Mr Jones

**Australasian College of Cosmetic Surgery (ACCS) Application for Authorisation - A91106**

We act for the Australian Society of Plastic Surgeons Inc (**ASPS**) and have been instructed to respond to your letter of 20 February 2009 addressed to the President of the ASPS, Dr Howard Webster, which letter attached the ACCC's draft determination regarding the above.

ASPS, whilst of the opinion that the ACCS' Application for Authorisation is unlikely to have any adverse effect on competition (being a view which is shared by the ACCC), understands and appreciates the cogent reasons advanced by the ACCC, why it is not appropriate for the Authorisation Application to be approved at this stage.

ASPS notes that the ACCS intends to submit a substantially amended Code in order to seek to address deficiencies in the draft of the Code which accompanied the original Authorisation Application.

ASPS trusts that in the event that the ACCC is prepared to entertain the original Authorisation Application as amended by any new Code submitted, there would be ample opportunity for it to review and to make any submissions it thought appropriate, in relation to such new material.

ASPS awaits to hear further from the ACCC in due course.

Yours faithfully  
**Swaab Attorneys**

**Richard Ottley**  
Partner

FILE No:
DOC 009/21729
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