



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2010/824 and C2010/826  
Contact Officer: Gareth Jamieson  
Contact Number: (02) 6243 4980

26/10/2010

Emma Zipper  
General Counsel and Company Secretary  
Bupa Australia Group  
600 Glenferrie Road  
Hawthorn VIC 3122

Dear Ms Zipper

**Third line forcing notifications N94896 and N94897 lodged by Bupa Australia**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 31 August 2010. These notifications have been placed on the ACCC's public register.

Bupa Australia Pty Ltd (**Bupa**) proposes to:

Under notification N94896:

- As part of its provider recognition criteria for the payment of health benefits Bupa requires that ancillary service providers who are eye therapists receive certification from Medibank Private Limited.

Under Notification N94897:

- As part of its provider recognition criteria for the payment of health benefits Bupa requires that certain ancillary service providers be members of specified professional organisations.
- These ancillary service providers are: Naturopaths, Homeopaths, Acupuncturists, Remedial Massage Therapists, Herbalists, Alexander Technique Teachers, Aromatherapists, Bowen Therapists, Exercise Physiologists, Feldenkrais Method Providers, Hypnotherapists, Iridologists, Kinesiologists, Pilates Instructors, Reflexologists and Shiatsu Therapists.

Legal immunity conferred by the notifications commenced on 14 September 2010.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

A copy of 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 Gareth Jamieson on (02) 6243 4980.

Yours sincerely

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

Dr Richard Chadwick  
General Manager  
Adjudication Branch