



Australian
Competition &
Consumer
Commission

Our Ref: 50025
Contact Officer: Luke Griffin
Contact Phone: 02 6243 1114

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

27 November 2012

Mr Justin Oliver
Partner
Minter Ellison Lawyers

By email: justin.oliver@minterellison.com

Dear Mr Oliver

**Australian Dental Association (ADA) applications for authorisation (A91340 - A91341)
– interested party submissions**

I refer to the above application for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 29 October 2012.

As you are aware, on 5 November 2012 the ACCC wrote to interested parties seeking submissions in relation to the application. The ACCC requested submissions be provided by 23 November 2012.

The ACCC has received submissions from the following interested parties:

- Australian Dental Association of South Australia
- Consumers' Federation of Australia
- Consumers Health Forum of Australia
- South Australian Dental Service.

A copy of each of these submissions is attached. All publicly available submissions are also posted on the ACCC internet site at www.accc.gov.au/AuthorisationsRegister.

If you wish to comment on the submissions, please do so by **cob 7 December 2012**.
Alongside any comment on the submissions, the ACCC invites the ADA to provide further information.

Information request

1. In light of concerns that the authorisation would only apply to ADA members, please provide details of annual membership fees and any other factors that are relevant to the accessibility of ADA membership.
2. In the ACCC's 2008 Final Determination A91094-5, the ACCC requested that should the ADA request reauthorisation, the ACCC would expect the ADA to provide

examples of where the conduct had been implemented and demonstrate the benefits/detriments of the conduct to assist the ACCC in considering:

- the availability and cost of dental services, particularly in rural and regional areas and
- public expenditure on dental care through the purchasing of services from private clinics (paragraphs 6.66 and 6.67).

The ACCC requests with some specific examples or case studies regarding the areas outlined above to demonstrate how the authorisation has resulted in a public benefit.

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 Luke Griffin on 02 6243 1114.

Yours sincerely



Marie Dalins
Director
Adjudication Branch