



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: N96287 - N96380  
Contact Officer: Tanya Hobbs  
Contact Number: 02 6243 1029

30 November 2012

Mr Kon Stellios  
Partner  
Allens

By email: [kon.stellios@allens.com.au](mailto:kon.stellios@allens.com.au)

Dear Mr Stellios

### **Third line forcing notification N96287 - N96380 lodged by VSP Global, Inc & Ors**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 23 November 2012. The notification has been placed on the ACCC's public register.

VSP Global, Inc (VSP) has notified that it proposes to offer independent optometrists and eyecare professionals (IECP) the opportunity to participate in its optometry services network and receive services from VSP. This offer will be made on condition that the IECP acquires the rights from participating health funds to advertise themselves as preferred providers or Member's Choice Providers and otherwise agrees to comply with the advertising rules and other requirements specified by participating health funds.

93 IECPs have also lodged notifications stating that they propose to offer discounts on the supply of optometry services and related products to customers who are members of participating health funds, or the employees of participating health funds.

Legal protection conferred by the notification will commence on 7 December 2012.

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 legal protection provided 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.

This assessment has been made on the basis that VSP, the IECPs and the participating health funds will disclose all relevant terms and conditions to prospective customers.

A copy of this letter has been placed on the ACCC's public register. Please see attached at Annexure 1 the list of notification numbers assigned to each notification provided.

If you wish to discuss any aspect of this matter, please do not hesitate to contact Tanya Hobbs on (02) 6243 1029.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'R' followed by a horizontal line.

Dr Richard Chadwick  
General Manager  
Adjudication Branch

## Annexure 1

<b>Notification Number</b>	<b>Notifying Party</b>
N96287	VSP Global, Inc
N96288	Anatta Project PIL dba Collins St. Optometrists
N96289	Best Price Eyewear Pty Ltd t/a Valuspecs
N96290	J & M McCarthy Pty Ltd
N96291	Central Eyecare Trust ATF Central Eyecare
N96292	CNN Optometrist Pty Ltd as Trustee for Vision Empire Trust
N96293	Churchlands Optical Pty Ltd
N96294	Churchlands Optical Pty Ltd
N96295	Clifford Chong & CCOptom Pty Ltd
N96296	Jenny Livanos t/a Concord Eye Care
N96297	Curra & Associates Pty Ltd
N96298	Phillip Luu t/a Crystal Eyecare Pty Ltd
N96299	Danh Phan Optometrists Pty Ltd
N96300	Designer Optical Outlet Pty Ltd. ITF Designer Optical Outlet Unit Trust
N96301	MG Optical Pty Ltd
N96302	Essential Eyewear Pty Ltd
N96303	Evergreen Optical Pty Ltd
N96304	Eye to Eye Optometry Pty Ltd
N96305	Eyecare Operations Pty Ltd dba EyeQ Hervey Bay
N96306	Eyecare Operations Pty Ltd dba EyeQ Optometrists Keperra
N96307	Eyecare Operations Pty Ltd dba EyeQ MLC Sydney
N96308	Eyecare Operations Pty Ltd dba EyeQ Newton
N96309	Eyecare Operations Pty Ltd dba EyeQ Optometrists Camberwell
N96310	Eyecare Operations Pty Ltd dba EyeQ Optometrists Springwood
N96311	Eyecare Operations Pty Ltd dba EyeQ Optometrists Subiaco
N96312	Eyecare Operations Pty Ltd dba Flanders and Smith EyeQ Optometrists
N96313	Eyecare Operations Pty Ltd dba Fortescue and Koszek EyeQ Optometrists
N96314	Eyecare Operations Pty Ltd dba Hansen's EyeQ Optometrists
N96315	Eyecare Operations Pty Ltd dba Hansen's EyeQ Optometrists
N96316	Eyecare Operations Pty Ltd dba Kerrin Woods EyeQ Optometrists
N96317	Eyecare Operations Pty Ltd dba Natalie Rokic Optometrists
N96318	Eyecare Operations Pty Ltd dba Peter Rose EyeQ Optometrist
N96319	Eyecare Operations Pty Ltd dba Rose & Black EyeQ Optometrists
N96320	Eyecare Operations Pty Ltd dba Tony Ireland EyeQ Optometrists
N96321	Eyecare Operations Pty Ltd dba Woods & Efron EyeQ Optometrists

N96322	A & J Lehmann Pty Ltd ATF A & J Lehmann Family Trust
N96323	Faye Woods
N96324	Eyedeal Vision Pty Ltd
N96325	Jason Leong
N96326	EyeQ Pty Ltd dba EyeQ Optometrists Karrinyup
N96327	Westend Optical Services Pty Ltd
N96328	Eyewear Consultants Pty Ltd dba Karingal Optical
N96329	First Centre Pty Ltd
N96330	Parmist Pty Ltd ATF The GJ Rowe Family Trust
N96331	Focus Optics Pty Ltd dba EyeQ Optometrists Springhill
N96332	Focus Optometry Pty Ltd
N96333	Foresight Enterprises P/L t/a Invision Essendon
N96334	Freshbay Pty Ltd
N96335	Future Vision Unit Trust ITF
N96336	Bowyer Family Trust ATF
N96337	GT Conwell Pty Ltd dba Eyecare Plus Jindalee
N96338	Ha Developments Pty Ltd
N96339	Herbert Tjong Optometrist
N96340	In2Eyes Pty Ltd
N96341	Insight Optical P/L dba Winks Eyecare
N96342	The Woodfield Unit Trust ITF
N96343	Jim Gargalionis
N96344	Jalage Pty Ltd as Trustee for PMH Optical Discretionary Trust
N96345	Jalamec Pty Ltd ATF The Jalamec Trust
N96346	John Byrnes Optometrist Pty Ltd
N96347	John Halpin
N96348	Kazac Pty Ltd ATF Kazac Family Trust
N96349	Lake Eyewear Pty Ltd
N96350	Loan Quach Pty Ltd
N96351	Peyper Family Trust & Eshman Family Trust
N96352	Mark Gibson
N96353	Medispecs Optical North Lakes Pty Ltd
N96354	Michael Chu
N96355	Modern Eyecare Pty Ltd
N96356	Modern Eyecare Springvale Pty Ltd
N96357	H & T Optometrists Pty Ltd
N96358	N.H. Lee's Eye Care Pty Ltd
N96359	The Optical Shop Pty Ltd
N96360	Nick Papadopoulos

N96361	Optometrist Sylvania Pty Ltd.
N96362	J&J Carbury Pty Ltd. ATF J&J Carbury Family Trust
N96363	Outlook Optical Pty Ltd
N96364	MG Optical Pty Ltd
N96365	John Della Marta
N96366	Crystalcare Pty Ltd ATF Baker Family Trust
N96367	Pezzimenti Optometry Pty Ltd
N96368	Philip Hong
N96369	Riskin Optical Pty Ltd
N96370	Russell Zahn
N96371	Spectacles Pty Ltd ATF The Spectacles Unit Trust t/a Hunter Discount Specs Cessnock
N96372	Spectacles Pty Ltd ATF The Spectacles Unit Trust t/a Hunter Discount Specs Kurri Kurri
N96373	The Eyecare Place Pty Ltd
N96374	TSEYE Pty Ltd
N96375	Vanier Optical Pty Ltd
N96376	Vision Hub Optometrisits/Vision Hub Pty Ltd
N96377	Vision Centre Gold Coast Optometrist Pty Ltd
N96378	Andrew Angeli
N96379	Visionmax Pty Ltd Calamvale
N96380	Wise Eyes Australia Pty Ltd