



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2011/913  
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11 January 2012

Ms Leanne Hanna  
Special Counsel  
DLA Piper Australia  
PO Box 4301  
Melbourne VIC 3001

Sent via email: [Leanne.hanna@dlapiper.com](mailto:Leanne.hanna@dlapiper.com)

Dear Ms Hanna

**Cabrini Health Limited – exclusive dealing notification N95607 withdrawn**

I refer to the exclusive dealing notification given under section 93(1) of the *Competition and Consumer Act 2010* (the **Act**) to the ACCC on 19 October 2011 in relation to conduct that may constitute exclusive dealing pursuant to subsections 47(2) and (3) of the Act (the **notification**).

In summary, Cabrini Health Limited proposed to require that any pathology services and medical imaging services to in-patients and out-patients of Cabrini Hospitals in Victoria be supplied by Cabrini Pathology and Cabrini Medical Imaging, business units of Cabrini Health, and not third party pathology or medical imaging providers.

In your letter of 6 January 2012 you advise the ACCC that Cabrini Health Limited withdrew the notification. Accordingly, the ACCC has discontinued its assessment of the notification and has closed the matter.

Statutory protection conferred by the notification ceased to be in force on 6 January 2012.

Pursuant to section 93(10) of the Act, once a notification has been withdrawn a corporation may not give further notices in relation to the same conduct or conduct to similar effect.

The notification and all related documents have been placed on the ACCC's public register of withdrawn notifications (subject to any prior granted claims of confidentiality).

If you wish to discuss any aspect of this matter, please do not hesitate to contact  
Clare McGinness on (03) 9290 6909 or Marie Dalins on (03) 9290 1893.

Yours sincerely



David Jones  
A/g General Manager  
Adjudication Branch