



Australian
Competition &
Consumer
Commission

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Our Ref: 50740
Contact Officer: Hannah Ransom
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15 July 2013

By email

Dear Madam/Sir

**Re: Australian Society of Ophthalmologists application for authorisation
A91360
- PRE-DECISION CONFERENCE**

The Australian Society of Ophthalmologists (ASO) has requested that the Australian Competition & Consumer Commission (the ACCC) convene a conference in relation to the draft determination issued by the ACCC on 20 June 2013 proposing to deny authorisation to application A91360.

The draft determination follows an application by the ASO for authorisation in respect of a proposal to allow ASO members to reach fee agreements for ophthalmic services provided within a shared practice. The ACCC concluded in its draft determination that overall it was not satisfied that the public benefit flowing from the proposed arrangements is likely to outweigh any anti-competitive detriment and proposed to deny authorisation to the application. A copy of the application and draft determination can be found on the ACCC's website <www.accc.gov.au>.

A pre-decision conference provides a valuable opportunity for applicants and interested parties to make oral submissions to the ACCC about its draft determination.

The ACCC will hold the conference on **Monday, 5 August 2013**, at the **ACCC Sydney office (Level 20, 175 Pitt Street)**. The conference will commence at 10am. Commissioner Sarah Court will chair the conference.

Under the *Competition and Consumer Act 2010* (the Act), the conference may be attended by the applicant and other interested parties. If you wish to attend, you must notify the ACCC of your intention by **COB Tuesday, 23 July 2013** and briefly indicate why you or your company or organisation has an interest in the matter. Notifications must be in writing and addressed to:

The General Manager
Adjudication Branch
Australian Competition and Consumer Commission
PO Box 3131
CANBERRA ACT 2601

You can also notify the ACCC by e-mail to: adjudication@accc.gov.au or by facsimile on 02 6243 1211.

You should provide details of a contact name, telephone number, mailing address and, if possible, a facsimile number or e-mail address so that you can be notified of any late changes to conference arrangements.

If you represent a company or organisation you should also provide a list of attendees and their position titles, and indicate who will be the chief spokesperson.

I would also note that, while conference participants may bring outside legal or other professional advisers to assist them, such advisers are not entitled to participate in conference discussions.

Attached for your information are procedures usually followed at pre-decision conferences.

A copy of this letter has been placed on the ACCC's public register. If you require any further information in regard to the conference or wish to clarify whether you may be considered an 'interested person' within the terms of the Act, please do not hesitate to contact Hannah Ransom on (02) 6243 1255.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Hatfield', is placed above the printed name.

David Hatfield
A/g General Manager
Adjudication Branch