



**Australian  
Competition &  
Consumer  
Commission**

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13 February 2013

Mr Justin Oliver  
Partner  
MinterEllison Lawyers

By email: [justin.oliver@minterellison.com](mailto:justin.oliver@minterellison.com)

Dear Mr Oliver

**Australian Dental Association Inc. application for authorisation A91340 – A91341 – draft determination and interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Australian Dental Association Inc. on 29 October 2012.

**Draft determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for ten years.

**Interim authorisation**

The ACCC has also decided to grant interim authorisation in respect of the application for authorisation from 1 March 2013. Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* while the ACCC considers and evaluates the merits of the application.

**Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **8 March 2013**.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and

while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **1 March 2013**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

### **Timetable**

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

<b>Indicative date</b>	<b>Stage in assessment process</b>
29 October 2012	Lodgement of application and supporting submission.
5 November 2012	Public consultation process begins.
13 February 2013	ACCC decision regarding interim authorisation.
13 February 2013	Draft determination.
February / March 2013	Public consultation on draft determination including any conference if called.
March/April 2013	Final determination.

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



Dr Richard Chadwick  
General Manager  
Adjudication Branch