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Dear Interested Party

The Hospitals Contribution Fund of Australia Limited – application for revocation of authorisation AA1000402 and substitution of new authorisation AA1000639 – final determination

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for revocation and substitution lodged by The Hospitals Contribution Fund of Australia Limited (**HCF**) on 23 March 2023.

HCF sought authorisation to enter into and give effect to contracts, arrangements or understandings, which include maximum fees for some preventative and diagnostic services, with dental clinics who participate in its More For Teeth Program and who are located in the same local catchment areas as HCF's own dental clinics in its Dental Centre Network.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation for 5 years. The ACCC's assessment is set out in Chapter 4 of its determination.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010* (Cth), a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 28 December 2023. If no application to review is lodged by this date, the ACCC's determination will come into force on 29 December 2023.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Rebecca Ryan on (02) 6243 1300.

Yours sincerely

Naomi Menon
Director
Competition Exemptions