



Our ref: AA1000639
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Dear Interested Party

Hospitals Contribution Fund of Australia Limited application for revocation of authorisation AA1000402 and substitution of AA1000639 – Interested party consultation

On 23 March 2023, the Australian Competition and Consumer Commission (the **ACCC**) received an application for revocation of authorisation AA1000402 and substitution of an authorisation (**re-authorisation**) from the Hospitals Contribution Fund of Australia Limited (the **Applicant**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

The Applicant is seeking re-authorisation¹ under the *Competition and Consumer Act 2010* (Cth). Re-authorisation would give it legal protection from competition laws to engage in entering into and giving effect to contracts, arrangements or understandings for particular services with dental clinics who participate in its More For Teeth program, and who are located in the same local catchment areas as the Applicant's own dental clinics in its Dental Centre Network. The agreements seek to set maximum fees for those services. The Applicant is seeking re-authorisation for 10 years. A full copy of the application for re-authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

The Applicant has also requested interim authorisation to allow it to continue to engage in entering into and giving effect to agreements for particular services with dental clinics who participate in its More For Teeth program prior to the ACCC's final determination in relation to the substantive application for authorisation, where the current authorisation expires on 1 June 2023.

Making a submission

The ACCC invites you to make a submission on the application for re-authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

If you intend to provide a submission in relation to the interim authorisation and substantive application, please do so by **21 April 2023**. Extensions are not normally granted for submissions on interim authorisation.

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

If you do however wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account.

Submissions should be lodged via the web form accessible on the public register page for this matter. Alternatively, if you would like to provide comments orally, please contact Rebecca Ryan via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register. (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).


Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up to date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
23 March 2023	Lodgement of application and supporting submission.
4 April 2023	Public consultation process begins.
21 April 2023	Closing date for submissions from interested parties.
May/June 2023	ACCC decision regarding interim authorisation and draft determination.
May/June 2023	Public consultation on draft determination including any conference if called.
July/August 2023	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Rebecca Ryan on (02) 6243 1300 or exemptions@acc.gov.au.

Yours sincerely



Naomi Menon
Director
Competition Exemptions