



TRADE PRACTICES ACT 1974
VARIATION TO UNDERTAKING
TO THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION
GIVEN UNDER SECTION 87B
BY RAMSAY HEALTH CARE LIMITED (ACN 001 288 768)

1. **Background**

- 1.1 On 13 April 2005 Ramsay Health Care Limited (ACN 001 288 768) (**Ramsay**) offered an undertaking to the Australian Competition and Consumer Commission (**Commission**) which was accepted by the Commission on that date (**Undertaking**).
- 1.2 The Undertaking included confidentiality obligations on Ramsay in clause 6.2(e) which were subject to certain exceptions in clause 6.3. Relevantly, under clause 6.3(b), the Ramsay Divestiture Team is entitled to receive and use certain information.
- 1.3 An important issue in the divestment by Ramsay of certain hospitals to New Affinity is the effective separation of services. In order to assess the effectiveness of proposed arrangements for the separation of services, Ramsay wishes to add Mr Paul Fitzmaurice, Group Corporate Services Manager to the Ramsay Divestiture Team.

2. **Definitions**

- 2.1 **Varied Ramsay Divestiture Team** means the representatives of Ramsay who are responsible for the divestment of the Divestiture Business and are identified in Varied Annexure B to this variation to the Undertaking.

3. **Variation of Undertaking**

- 3.1 Ramsay requests that the Undertaking be varied by the inclusion of Paul Fitzmaurice as a member of the Ramsay Divestiture Team and undertakes that the Undertaking will apply to the Varied Ramsay Divestiture Team in the same manner and to the same extent as it applies to the Ramsay Divestiture Team.

Dated: [x#] May 2005

SIGNED for RAMSAY HEALTH CARE LIMITED, by its duly authorised officer, in the presence of:



Signature of witness

LARRY RANSLEY

Name

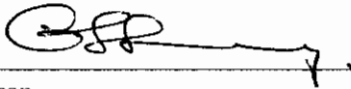


Signature of officer

PETER EVANS

Name

ACCEPTED by THE AUSTRALIAN COMPETITION & CONSUMER COMMISSION



Chairman

Date: [24] May 2005

VARIED ANNEXURE B

Varied Ramsay Divestiture Team

Kim Chant

Alison Choy Flannigan

Pat Grier

Mike Hirner

Craig McNally

Christopher Rex

Michael Siddle

Bruce Soden

Paul Fitzmaurice