

24 November 2017

The Commissioner
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

By email: guidelines@acc.gov.au

Dear Commissioner

RE: ACCC Guidelines and interim forms

Thank you for providing the Australian Dental Association (ADA) with the opportunity to provide feedback on the Australian Competition and Consumer Commission (the Commission)'s:

- Interim forms and guidelines for merger and non-merger authorisations;
- Interim guidelines on section 46 reforms; and
- Interim guidelines on concerted practices.

While the ADA has no additional suggestions to the above forms and guidelines, the ADA is keen to see how the Commission applies these guidelines in practice.

It is the ADA's view that large private health insurers' activities, namely applying discriminatory rebates favouring contracted healthcare providers and/or insurer owned healthcare clinics, combined with steering policy holders away from independent small business healthcare practices, greatly damage the competitive process. The effect of this activity more likely to reduce consumer welfare and substantially lessen competition; which would breach a number of provisions of the amended competition law.

For further ADA comment, please contact Damian Mitsch at ceo@ada.org.au or 02 8815 3333.

Yours sincerely



Dr Hugo Sachs
President