

TERMS OF SETTLEMENT

Between

The Competition Authority (Plaintiff)

and

The Irish Dental Association (Defendant)

The Competition Authority has brought proceedings alleging a breach of Section 4(1) of the Act and Article 81(1) of the Treaty and without admission of liability on the part of the Irish Dental Association Limited ("the Irish Dental Association") the parties have agreed to the following:-

- (i) The Irish Dental Association is happy to acknowledge and agrees to confirm to its members in writing within 28 days that it is for individual dentists to manage their own commercial affairs on an individual basis with regard to dealings with Vhi DeCare or similar dental insurance providers, and that this supersedes any previous communication by the Irish Dental Association on this issue.*
- (ii) The Irish Dental Association agrees that it will not issue any communications to its members which instructs individual dentists to adopt a policy of non-co-operation with Vhi DeCare or other private dental insurance providers in breach of competition law.*
- (iii) This will be made a rule of court with liberty to both parties to re-enter the present proceedings and/or to apply in respect of the aforesaid ruling.*
- (iv) Each party will bear its own costs in relation to these proceedings.*
- (v) For the avoidance of doubt, the term "Irish Dental Association" where used herein includes servants or agents (including sub-committees) of the Irish Dental Association.*