



Our ref: AA1000516  
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24 June 2020

Dear Madam/Sir

### **Australia New Zealand Industrial Gas Association – Interim authorisation AA1000516 – Interested party consultation**

On 21 May 2020, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from the Australia New Zealand Industrial Gas Association (**ANZIGA**).

The purpose of this letter is to invite you, as a potentially interested party, to comment on ANZIGA's application. You are welcome to pass this letter on to others who may wish to make a submission.

#### **Application for authorisation**

The application was lodged on behalf of ANZIGA, its members and their related bodies corporate and other suppliers of medical oxygen to hospitals and similar medical facilities in Australia (the **Parties**). The application seeks authorisation for the Parties to exchange information and make and give effect to contracts, arrangements and understandings to ensure security of supply of medical oxygen to hospitals and similar medical facilities during the COVID-19 pandemic (the **Proposed Conduct**).

ANZIGA seeks authorisation for 12 months from the date of the ACCC's final determination. A copy of the application for authorisation is available on the ACCC's [public register](#).

#### **Interim authorisation**

On 9 June 2020, the ACCC granted interim authorisation to enable the Parties to engage in the Proposed Conduct, subject to certain notification and reporting conditions. The ACCC's interim authorisation decision, including the conditions, is available on the [public register](#).

#### **Making a submission**

The ACCC is now conducting a public consultation process and invites you to make a submission on the public benefits and effect on competition, or any public detriments, likely to result from the Proposed Conduct in the event that the Parties engage in it.

We recognise that the COVID-19 situation may be causing disruptions to your normal operations. For this reason we are taking a flexible approach to receiving feedback on the Proposed Conduct. We will accept written submissions at any time up until **10 July 2020**, however you may wish to contact us by phone to discuss your views before this deadline.

If you wish to provide a submission, please do so by email to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject 'AA1000516 – ANZIGA – submission'. Alternatively, if you would like to provide comments orally, please contact Steven Lee on (02) 6243 1347 to organise a suitable time.

Submissions, including a record of oral submissions, will be placed on the ACCC's [public register](#) subject to any request for exclusion (see the [ACCC guidelines](#) for more information).

### Indicative timetable

An indicative timetable is below for your reference. This timetable is subject to change. The most up to date indicative timetable is available on the [public register](#).

Indicative date	Stage in assessment process
21 May 2020	Application for authorisation lodged
9 June 2020	ACCC interim authorisation decision
24 June 2020	Public consultation commences
10 July 2020	Closing date for submissions from interested parties
July 2020	Applicant responds to issues raised in the public consultation process
July/August 2020	ACCC Draft determination
August 2020	Public consultation on draft determination including any conference if called
October 2020	Final determination

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 Steven Lee on (02) 6243 1347 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Joanne Palisi  
Director  
Adjudication