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Our ref: AA1000545
Contact officer: Simon Bell
Contact phone: 02 6243 1232

1/04/2021

By email

Dear Sir/Madam

Private Healthcare Australia Limited – Application for revocation of authorisation AA1000487 and substitution with another authorisation (re-authorisation) - AA1000545 – Request for submissions

As you are aware, on 3 March 2021, the Australian Competition and Consumer Commission (ACCC) received an application for re-authorisation from Private Healthcare Australia (PHA) on behalf of itself, the Members Health Fund Alliance and 36 Private Health Insurers (together the **Participating Parties**). PHA seeks to continue to engage in the conduct authorised by the ACCC in [ACCC authorisation AA1000487](#) and engage in specified expanded conduct.

On 11 March 2021, the ACCC conducted interested party consultation on PHA's request for interim authorisation.

On 30 March 2021, the ACCC granted conditional interim authorisation to PHA for some, but not all of PHA's Proposed Conduct. A copy of PHA's application and the ACCC's conditional interim authorisation decision are available on the [ACCC Public Register](#).

The ACCC is now inviting submissions on the substantive application for authorisation.

Request for submissions

The ACCC invites you to make a submission on any aspect of PHA's Proposed Conduct to assist with its assessment of the application for re-authorisation.

The ACCC is particularly interested in your views on the following:

1. What are the public benefits (for consumers or anyone else) that flow from allowing the Participating Parties to coordinate with each other on utilising the unreleased deferred claims liability?
2. What public detriments are likely to result from allowing the Participating Parties coordinating on utilising the unreleased deferred claims liability?
3. What is the likely impact if the Participating Parties are unable to coordinate in relation to utilising unreleased deferred claims liability?
4. What is the likely impact of allowing the Participating Parties to coordinate on broadening the category of dependants that are able to remain on an adult's health insurance policy? What public benefits and public detriments are likely to result?
5. What is the likely impact of allowing the Participating Parties to coordinate on any measure formulated in response to the COVID-19 crisis, including the economic or social effects of the crisis? What are the public benefits and public detriments are likely to result?

If you intend to provide a submission in relation to the application for re-authorisation, please do so by **5:00pm on Tuesday 20 April 2021**. You should email submissions to exemptions@acc.gov.au with the subject '*Private Healthcare Australia – AA1000545 – Submission*'.

Alternatively, if you would like to provide comments orally, please contact Simon Bell on 02 6243 1232 to organise a suitable time. The ACCC will place any submissions, including a record of oral submissions, on the ACCC Public Register subject to any request for exclusion (see the ACCC [Guidelines for excluding information from the public register](#)).

Timetable

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

Indicative date	Stage in assessment process
3 March 2021	Lodgement of application for revocation and substitution including the request for urgent interim authorisation.
11 March 2021	Consultation on the request for urgent interim authorisation.
30 March 2021	ACCC grants conditional interim authorisation.
1 April 2021	Consultation on the substantive application for revocation and substitution commences.
20 April 2021	Closing date for submissions on the substantive application for revocation and substitution.
27 April 2021	Applicant responds to interested party submissions.
May 2021	Draft determination.
May/June 2021	Consultation on the draft determination.
July/August 2021	Final determination.

Should you not wish to make a submission at this time, but would like the ACCC to update you at the draft and final determination stages, please advise and provide a nominated contact email address for future correspondence.

You may forward this letter to any other party who may wish to make a submission to the ACCC regarding the application. The ACCC will place this letter on the ACCC public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact or Simon Bell on 02 6243 1232 or exemptions@acc.gov.au.

Yours sincerely



Danielle Staltari
Director
Competition Exemptions