



Our ref: AA1000472
Contact officer: Louisa Wilson
Contact phone: 03 9290 1474

23 Marcus Clarke Street
Canberra ACT 2601
GPO Box 3131
Canberra ACT 2601
tel: (02) 6243 1111

11 March 2020

adjudication@accc.gov.au
www.accc.gov.au

Dear Interested Party

Interested party consultation - eRx Script Exchange Pty Ltd application for authorisation AA1000472

The Australian Competition and Consumer Commission (the **ACCC**) has received an application for authorisation from eRx Script Exchange Pty Ltd (**eRx**). The ACCC invites you to comment on the application. Included in this letter is a summary of the authorisation process, including how to make a submission to the ACCC.

Application for authorisation

eRx Script Exchange Pty Ltd (**eRx**) seeks re-authorisation to continue to operate its Prescription Exchange System interoperably with IP MDS Pty Ltd's (**MDS**) Prescription Exchange System, and vice versa.

Specifically, eRx is seeking re-authorisation for the parties to continue their revenue sharing arrangement. Under the arrangement, where prescription details are collected from a doctor by one Prescription Exchange System, but are downloaded by a pharmacy using the other party's Prescription Exchange System, eRx and MDS will share equally in a fee they charge pharmacies. The fee charged to pharmacies is \$0.15 per eligible prescription.

A full copy of eRx's application for authorisation is enclosed, and available at the [ACCC public register](#).

Interim authorisation

As the [existing authorisation](#) ends on 30 June 2020, eRx has requested interim authorisation to allow the parties to continue to operate their respective prescription exchange systems interoperably while the ACCC considers the merits of the current application for authorisation.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible

benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to eRx's application for authorisation and in relation to interim authorisation, please do so by **1 April 2020**. Submissions should be emailed to adjudication@accc.gov.au with the subject 'eRx Script Exchange Pty Ltd - AA1000472'.

Alternatively, if you would like to provide comments orally, please contact Louisa Wilson on 03 9290 1474 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).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information

2 March 2020	Lodgement of application and supporting submission.
11 March 2020	Public consultation process begins.
1 April 2020	Closing date for submissions from interested parties on interim authorisation and the substantive application.
April 2020	Applicant responds to issues raised in the public consultation process.
April / May 2020	ACCC decision regarding interim authorisation and draft determination
May 2020	Public consultation on draft determination including any conference if called.
June / July 2020	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 Louisa Wilson on 03 9290 1474 adjudication@accc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D. Staltari'.

Danielle Staltari
Director
Adjudication

List of parties contacted by the ACCC

Australian Association of Consultant Pharmacy
Australian College of General Practitioners
Australian College of Rural and Remote Medicine
Australian Digital Health Agency
Australian Friendly Societies Pharmacies Association
Australian Medical Association
Australian Private Hospitals Association
Catholic Health Australia Incorporated
Chemist Warehouse Group
Chemotherapy Compounding Group
Choice
Consumer Health Forum
Council on the Ageing
Department of Health (Cth)
Generic and Biosimilar Medicines Association
Health Care Consumers Association
Leading Age Services
National Aboriginal Community Controlled Health Organisation
National Pharmaceutical Services Association
National Seniors Australia
Medical Software Industry Association
Medicines Australia
Pharmacy Board of Australia
Professional Pharmacists Australia
Pharmaceutical Society of Australia
Pharmacy Guild of Australia
Primary Health Networks
Rural Doctors Association of Australia
Society of Hospital Pharmacists of Australia