



Our ref: AA1000487
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Dear Interested Party,

Private Healthcare Australia Limited's (PHA) application for authorisation – AA1000487 – draft determination

The Australian Competition and Consumer Commission (**ACCC**) has issued a Draft Determination in respect of the application for authorisation lodged by PHA on 1 April 2020. PHA seeks authorisation on behalf of itself, its members, and Members Health Fund Alliance and its members (the **Participating Parties**). The Participating Parties seek authorisation to make, and give effect to, arrangements, and to discuss and share information with each other in relation to private health insurance coverage during the COVID-19 pandemic.

A copy of the PHA application is available on the [ACCC's public register](#).

Draft Determination

A copy of the ACCC's Draft Determination and summary of its reasons is attached. For the reasons set out in its Draft Determination, the ACCC proposed to grant conditional authorisation for six months from the date on which final authorisation is granted.

A copy of the Draft Determination is attached and available on the [ACCC's public register](#).

Next Steps

PHA, any Participating Party or any interested party may make a written submission on the Draft Determination and/or request that the ACCC convene a 'pre-decision conference'.

Requesting a conference

A pre-decision conference provides the opportunity for PHA, Participating Parties or interested parties to make oral submissions in relation to the Draft Determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion. If PHA, any Participating Parties or interested parties want the ACCC to hold a pre-decision conference in relation to the Draft Determination, they must notify the ACCC in writing **by close of business 31 July 2020**.

We prefer to hold a conference in a way that enables attendees to attend in person. In the current circumstances, with the spread of covid-19 and the need to significantly limit social contact, a face to face conference is currently not possible. There may be options for the ACCC to hold a conference via webinar or teleconference. **If you are considering requesting the ACCC hold a conference please contact us as early as possible to discuss the options for holding a conference before requesting one.**

Submissions on the Draft Determination

If you wish to make a submission in relation to the Draft Determination, **please lodge your submission by 5 August 2020**. Submissions should be emailed to adjudication@acc.gov.au with the subject "AA1000487 – PHA – submission".

The ACCC will consider any submissions it receives, including any oral submissions made should a conference be requested, and will then make a final determination on whether to grant authorisation. Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the publication [Guidelines for excluding information from the public register](#) available on the ACCC website.

If you wish to discuss any aspect of this matter please contact Ellie Dwyer on 03 9290 1874 or by email ellie.dwyer@acc.gov.au

Kind regards,



Mandy Bendelstein
Assistant Director
Adjudication Branch