



Our ref: AA1000571  
Contact officer: Tom Lyle  
Contact phone: 03 9290 1879

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

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exemptions@acc.gov.au  
www.acc.gov.au

Dear Madam/Sir

### **National Pharmaceutical Services Association's application for revocation of authorisation AA1000480 and substitution of AA1000571 – interim authorisation decision and interested party consultation**

On 6 September 2021, the Australian Competition and Consumer Commission (the **ACCC**) received an application for re-authorisation from the National Pharmaceutical Services Association (**NPSA**) (revocation and substitution). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

#### **The application for authorisation**

The application for re-authorisation was lodged on behalf of the NPSA, its current and future members (together the **Applicants**) and any Community Services Obligation (**CSO**) Distributors to continue to engage in discussions, enter into arrangements, or engage in conduct for the purpose of facilitating the supply of, and access to, medicines and pharmacy products. In addition, the NPSA sought authorisation to collectively bargain on behalf of its members in relation to possible vaccine distribution arrangements with the Government (together, the **Proposed Conduct**).

The Applicants have sought urgent interim authorisation as well as authorisation for a period of 12 months from the date of the final determination. A full copy of the application for re-authorisation is available on the ACCC's [authorisations public register](#).

On 10 September 2021, the ACCC granted interim authorisation for the Proposed Conduct. The interim authorisation allows the Applicants to immediately engage in the Proposed Conduct while the ACCC progresses its determination. The interim authorisation is subject to a condition that the NPSA regularly update the ACCC regarding any material developments in relation to the Proposed Conduct as the COVID-19 position evolves.

A copy of the ACCC's interim authorisation decision is also available on the [ACCC's public register](#).

#### **Making a submission**

The ACCC invites you to make a submission on the application for re-authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

If you intend to provide a submission, please do so by **8 October 2021**. If you wish to request an extension, please contact us on the details below as early as possible. Submissions after the due date (or after any extension granted) may not be taken into account.

Please email your submission to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au), with the subject 'AA1000571 - National Pharmaceutical Services Association – submission'. Alternatively, if you would like to provide comments orally, please contact Tom Lyle on 03 9290 1879.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you make a request (with reasons) for us to exclude part or all of the submission from the public register. (see [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

## Timetable

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

Indicative date	Stage in assessment process
<b>6 September 2021</b>	Lodgement of application.
<b>10 September 2021</b>	ACCC decision on interim authorisation.
<b>13 September 2021</b>	Consultation on the application commences.
<b>8 October 2021</b>	Closing date for submissions.
<b>29 October 2021</b>	Applicants respond to issues raised in public consultation process.
<b>19 November 2021</b>	ACCC draft determination.
<b>November/December 2021</b>	Public consultation on the draft determination.
<b>January/February 2022</b>	ACCC final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Tom Lyle on 03 9290 1879 or [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

Yours sincerely



David Hatfield  
Director  
Competition Exemptions