



Susan Philp  
Director, Adjudication  
Australian Competition & Consumer Commission  
23 Marcus Clarke Street  
Canberra ACT 2601  
susan.philp@accc.gov.au

16 June 2020  
By Email

Dear Ms Philp

## **Application for authorisation AA1000507 - Request for update**

We refer to your letter dated 13 May 2020 requesting regular updates from the State of New South Wales as represented by the Ministry of Health (the **Ministry**) regarding the interim authorisation granted to the Ministry on 1 May 2020.

In fulfilment of Condition 1 of the interim authorisation, the ACCC has requested that the Ministry provide updates every 14 days, commencing 19 May 2020, regarding:

- 1 any contracts, arrangements or understandings entered into under the interim authorisation (**Agreements**); and
- 2 any matters discussed at any meetings of service control, integration and continuity groups established by the Ministry (**Ministry Group(s)**).

The Ministry's most recent update is set out below.

### **1 Agreements**

#### **1.1 Parties**

The Private Operators with whom the Ministry has entered into Agreements to date are listed in the Attachment to this response.

The Ministry requests that this Attachment be excluded from the public register on the basis that it is confidential to the Ministry. In particular, it records the status of confidential negotiations between the Ministry and Private Operators.

#### **1.2 Key features**

On 1 June 2020, the Ministry provided the ACCC with a confidential template copy of the Binding Heads of Terms. The key features of the Agreements entered into between the Ministry and Private Operators are consistent with the template copy of the Binding Heads of Terms.

### **2 Ministry Group(s) meetings**

There have been no meetings of any Ministry Groups to date.

Please contact us if you wish to discuss any of the matters in this letter.

Doc 86204516



HERBERT  
SMITH  
FREEHILLS

Yours sincerely



**Sarah Benbow**  
Partner  
Herbert Smith Freehills



**Philip Aitken**  
Senior Associate  
Herbert Smith Freehills



Herbert Smith Freehills LLP and its subsidiaries and Herbert Smith Freehills, an Australian Partnership ABN 98 773 882 646, are separate member firms of the international legal practice known as Herbert Smith Freehills.