

MinterEllison

14 July 2020

BY EMAIL ONLY

Susan Philp
Director | Adjudication
Merger & Authorisation Review Division
Australian Competition & Consumer Commission
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Canberra ACT 3000
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Dear Susan

State of Queensland as represented by Queensland Health for authorisation AA1000493 – Condition 1 update

1. On 7 April 2020, the Australian Competition and Consumer Commission (**ACCC**) granted interim authorisation to Queensland Health, together with specified owners or operators of private health facilities in Queensland (and their related bodies corporate) and each of Queensland's Hospital and Health Services (together, the **Applicants**) to discuss, enter into and give effect to contracts, arrangements or understandings (**Agreement(s)**) which have the broad purpose of maximising healthcare capacity and ensuring the State-wide coordination of healthcare services to facilitate the most efficient and effective allocation of healthcare during the period of the COVID-19 pandemic (the **Proposed Conduct**), (the **ACCC Interim Authorisation Decision**).
2. The ACCC Interim Authorisation Decision is subject to the following conditions:
 - (a) **Condition 1:** Queensland Health provide regular updates to the ACCC in relation to the Proposed Conduct; and
 - (b) **Condition 2:** Queensland Health notify the ACCC in the event that any additional private healthcare providers (to those listed in Attachment 1 of the ACCC Interim Authorisation Decision) will participate in the Proposed Conduct.
3. On 7 May 2020, the ACCC requested that Queensland Health provide the updates required by Condition 1 to the ACCC every 14 days, commencing 13 May 2020.
4. The purpose of this letter is to provide information necessary to comply with Condition 1, which is set out in **Annexure 1** to this letter.

Please let us know if the ACCC has any questions.

Yours faithfully
MinterEllison

Partner: Kathryn Finlayson

OUR REF: 1295011

Annexure 1 – Condition 1 reporting

1. Summary of the agreements entered into under the ACCC Interim Authorisation Decision

No agreements have been entered into since 26 June 2020.

Key features of the Agreements

Whilst no new Agreements have been executed, variations have been issued that introduce a clause that allows Agreements to be placed in Abeyance and re-activated under certain conditions. Four private hospital operators entered Abeyance from 1 July 2020.

2. Summary of matters discussed at any meetings of the Private Health Facility Coordination Group

No meetings of the Private Health Facility Coordination Group have been held since 26 June 2020.