

**From:** Erwins [guinevere@optusnet.com.au]  
**Sent:** Friday, 4 January 2002 11:30 AM  
**To:** 'adjudication@accc.gov.au'  
**Subject:** Ref A90811

D02/443



RAC0008QK2



ACCC.doc

The General Manager  
Adjudication Branch  
Australian Competition & Consumer Commission  
Attn Mr Tim Grimwade

Dear Sir,

Please find attached, our submission in respect to Application for Authorisation Nos A90811 & A90812 lodged by Health Purchasing Victoria.

Kind regards,

Murray E Erwin  
Manager  
AustraHealth

4 January 2002

The General Manager  
Adjudication Branch  
Australian Competition & Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Dear Mr Grimwade

RE: Application for Authorisation Nos A90811 & A90812 lodged by Health  
Purchasing Victoria

Further to your letter of 14 December 2001, inviting submissions in respect to the above, we advise that we conduct a nursing agency in Victoria and are a major supplier of agency nursing staff to many of the Health Services providers represented by Heath Purchasing Victoria. We wish to comment as follows in relation to the interim authorisation sort.

We do not believe interim authorisation should be granted due to the following:

- a) The timing of the issuing of this invitation, with most industry members receiving it just prior to the Christmas holiday period, has given insufficient time to fully evaluate the consequences of this proposed action, particularly in respect to seeking professional advice.
- b) The importance of this issue to our industry, along with the serious implications it has regarding restrictive trade practices generally, is such that the assessment of an interim authorisation twenty-seven days in advance of a proper investigation would appear to be unnecessary and highly inappropriate.
- c) Granting of interim authorisation would imply tacit approval and would set precedence, which would influence all future arguments on this matter.

There are many aspects of this proposal by HPV that require analysis, many of which may well be to the detriment of the Health Services providers themselves.

We therefore request that the ACCC do not grant interim approval and that a rigorous review of all aspects of this proposal be explored.

Yours faithfully,

Murray E Erwin  
Manager  
AustraHealth (Bayside Personnel Australia Pty Ltd, trading as)  
ACN 005 550 701  
PO Box 7280  
Melbourne Vic 3004  
Ph (03) 9864 6010  
Fx (03) 9820 5677