



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2005/494  
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18 May 2005

Dr Adrian Wright  
President  
Canberra After Hours Locum Medical Service  
PO Box 3434  
Weston Creek ACT 2611

Dear Dr Wright

**Application for Authorisation A90954 lodged by Canberra After Hours Medical Locum Service**

The Australian Competition and Consumer Commission (ACCC) has considered application for authorisation A90954 lodged by Canberra After Hours Medical Locum Service (CALMS) in respect of a contract between CALMS and ACT Health relating to the use of a capped fee structure in CALMS' provision of after hours primary medical care in the Australian Capital Territory.

The ACCC has issued a draft determination (enclosed) proposing to grant authorisation until 30 June 2008 or until the contract between CALMS and ACT Health ceases to be in force, whichever comes first.

I draw your attention to the ACCC's view as outlined in the draft determination that if information could be provided which demonstrates that the fee cap is set at a reasonable level, the ACCC would consider the level of the cap to be a further mitigating factor against the anti-competitive effect of the capped fee arrangement.

A copy of the draft determination will also be available on the ACCC's website at [www.accc.gov.au](http://www.accc.gov.au) (follow the public registers link to the authorisations public register).

**Further submissions**

The ACCC now invites interested parties to provide a written submission to the ACCC in response to the draft determination. Any submissions should be provided to the ACCC by **9 June 2005**. Submissions will be placed on the Public Register kept by the ACCC.



However, persons lodging a submission with the ACCC may request that information included in the submission be treated as confidential and not placed on the public register. If confidentiality is granted in respect of information the ACCC may take it into account, even though it is not publicly available.

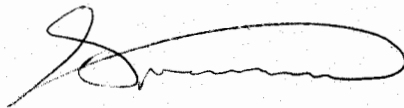
**Conference**

In accordance with section 90A of the *Trade Practices Act 1974 (Cth)* (the Act), interested parties may notify the ACCC in writing by close of business on **2 June 2005** if they wish the ACCC to hold a conference in relation to the draft determination. The Act does not allow the ACCC to extend this deadline.

If you require further information please contact Sharon Clancy on (02) 6243 1217.

A copy of this letter will be placed on the Public Register kept by the ACCC.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping flourish at the end.

Scott Gregson  
A/g General Manager  
Adjudication Branch