



**Australian
Competition &
Consumer
Commission**

Our Ref: C2005/494
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18 May 2005

Mr Ian Thompson
Executive Director, Policy Division
ACT Health
GPO Box 825
Canberra City ACT 2600

Dear Mr Thompson

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 (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.

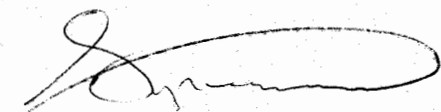
Conference

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



Scott Gregson
A/g General Manager
Adjudication Branch