



**Australian
Competition &
Consumer
Commission**

Our Ref: C2005/494
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29 June 2005

Dear Sir/Madam

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

The Australian Competition and Consumer Commission (the ACCC) has issued a determination granting authorisation in respect of the application for authorisation lodged by Canberra After Hours Locum Medical Service (CALMS) on 16 March 2005.

CALMS sought authorisation to use a capped fee structure in its provision of after hours primary medical care in the ACT. The capped fee arrangement is set out in a contract entered into by CALMS and ACT Health.

Having considered all the information before it, the ACCC is of the view that the public benefit likely to be generated by the proposed capped fee structure will outweigh the anti-competitive detriment arising from the arrangement, and the ACCC has decided to grant authorisation until 30 June 2008 or until the contract between CALMS and ACT Health ceases to be in force, whichever occurs earlier.

The ACCC notes that authorisation does not extend to any changes to the capped fee structure. Should a change in the capped fee structure be contemplated CALMS may wish to consider whether it is appropriate to seek authorisation of the amended capped fee structure.

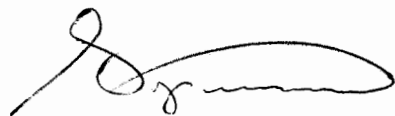
Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 20 July 2005. If no application to review is lodged by this date, the ACCC's determination will come into force on 21 July 2005.



This letter will be placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Kate Eckermann on (02) 6243 1236.

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

CALMS - list of interested parties for draft determination

ACT Ambulance Service
ACT Community Health
ACT Council of Social Services
ACT Department of Health and Human Services
ACT Division of General Practice Board
ACT Health
ACT Healthcare Complaints Commissioner
ACT Minister for Health
ACT Office for Ageing
Australian Council for Safety and Quality in Health Care
Australian Divisions of General Practice Ltd
Australian Healthcare Association
Australian Medical Association
Australian Medical Council
Australian Mental Health Consumer Network
Calvary Hospital
Care Inc Financial Counselling Service
Carers ACT
Commonwealth Carelink
Commonwealth Department of Health and Ageing
Commonwealth Minister for Health and Ageing
Consumers' Health Forum of Australia Inc
Council on the Ageing (ACT)
Health Care Consumer's Association of the ACT Inc
Health Link Team Canberra Hospital
HealthFirst ACT Health
John James Memorial Hospital
Junction Youth Health Service
Medical Board of the ACT
Pharmacy Guild ACT
Royal Australasian College of Medical Administrators
Royal Australian College of General Practitioners
The National Capital Private Hospital
Winnunga Nimmityjah Aboriginal Health Service
Woden Senior Citizen's Group