



**Health System
Improvement and Reform**

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Scott Gregson
General Manager, Adjudication Branch
Australian Consumer and Competition Commission
Level 35, The Tower
360 Elizabeth St
Melbourne Vic 3000

Dear Mr Gregson

Thank you for your letter dated 4 October 2005 concerning the Application for Revocation and Substitution (A90986 & A90989) lodged by the Investment and Financial Services Association (IFSA).

After considering IFSA's application, the SA Department of Health offers no objection to the re-authorisation of Clauses 10.1 and 10.3 of IFSA's Standard on Genetic Testing.

It is important that IFSA members do not require applicants for life insurance to undergo genetic tests and will not induce applicants to undergo such testing by offering insurance at a lower than standard premium rate. While these two clauses may be perceived as anti-competitive under the terms of the Trade Practices Act, the Department of Health is of the view that public benefits will flow from granting immunity to IFSA members in continuing to follow the Standard on Genetic Testing.

The Department of Health supports a period of 5 years re-authorisation. The Federal Government has provided new funding of \$7.6 million to establish an independent advisory body on human genetics as a principal committee of the National Health and Medical Research Council. The new advisory body is to consider complex social, legal, ethical and scientific issues arising from genetic technologies. It is expected that the advisory body will look into the use of genetic information in the area of insurance. As such, re-authorisation for 5 years provides adequate time for the new advisory body to consider the recommendations of the Australian Law Reform Commission on the use of genetic information in insurance.

Thank you for the opportunity to make a submission.

Yours sincerely

Dr David Pilby

EXECUTIVE DIRECTOR

HEALTH SYSTEM IMPROVEMENT AND REFORM

24/10/05