



**Australian
Competition &
Consumer
Commission**

Our Ref: C2005/1917
Contact Officer: Bronwyn Davis
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26 April 2006

Ms Carolyn Oddie
Partner
Allens Arthur Robinson
GPO Box 50
SYDNEY NSW 2001

Dear Ms Oddie

**Re: Medicines Australia
Applications for revocation and substitution A90994-A90996
Draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for revocation and substitution lodged by your client, Medicines Australia, on 30 November 2005.

A copy of the ACCC's draft determination is attached. For the reasons set out in its draft determination, the ACCC proposes to grant the authorisation for three years, subject to one condition.

Interim authorisation

You may recall that in January 2006, the ACCC denied your client's request for interim authorisation, but indicated it would reconsider whether to grant interim at the draft determination stage.

The ACCC has decided to grant interim authorisation to the Code until the date the ACCC's final determination comes into effect, or if circumstances warrant revocation or amendment of interim authorisation at an earlier stage, until such date as interim authorisation is revoked or amended.

Next steps

Once the ACCC issues a draft determination, the applicant or any interested party who may be dissatisfied with the ACCC's draft determination may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested



parties to make oral submissions in relation to the draft determination. Under the *Trade Practices Act 1974*, the ACCC must set a date within 14 days of which any pre-decision conference must be requested. Accordingly, if you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **cob Tuesday 16 May**. Conferences are conducted informally, without the participation of legal or other professional advisers. In the event of such a conference taking place it is likely that it would be held in Canberra in late May.

Alternatively, you are also invited to make a written submission in response to the ACCC's draft determination. Written submissions should be lodged by **cob Tuesday 23 May** at the following address:

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

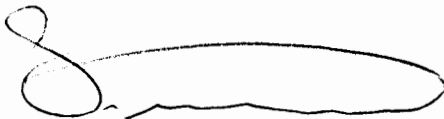
Submissions can also be lodged by e-mail to adjudication@accc.gov.au or by facsimile on 02 6243 1211.

Any submission you make will be placed on the ACCC's public register. You may request that information you provide in a submission to the ACCC be treated as confidential and not placed on the public register. Information excluded from the public register for reasons of confidentiality will still be considered by the ACCC when reaching its decision. Guidelines for seeking confidentiality are attached for your information.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Bronwyn Davis on 02 6243 1363.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Scott Gregson', with a large, stylized loop at the end.

Scott Gregson
General Manager
Adjudication Branch