



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2006/50  
Contact Officer: Gavin Jones  
Contact Phone: 03 9290 1475

GPO Box 520  
Melbourne VIC 3001

Level 35 The Tower  
360 Elizabeth Street  
Melbourne VIC 3000

ph {03} 9290 1800  
fax {03} 9663 3699

[www.accc.gov.au](http://www.accc.gov.au)

2 February 2006

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

Dear Ms Oddie

**Re: Community Care Underwriting Agency applications for  
revocation and substitution A90997 & A90998  
- request for interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has considered the request for interim authorisation in relation to the above mentioned applications for revocation and substitution lodged on 22 December 2005.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Trade Practices Act 1974* while the ACCC considers and evaluates the merits of the application.

Based on the information provided by the applicants and submissions received from interested parties, the ACCC has decided to grant interim authorisation for the period 1 January 2007 until 12 months after the ACCC issues a determination in respect of the substantive applications for revocation and substitution (unless circumstances warrant revocation or amendment of the interim authorisation at an earlier stage).

Please be advised that the ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

*Summary of considerations*

In assessing the request for interim authorisation the ACCC took account of the following:

- granting interim authorisation will allow the arrangements under which the market is currently operating to continue in the short term while the merits of the applications for re-authorisation are assessed; and



- if interim authorisation is not granted some NFPOs may be required to enter into alternative arrangements while the applications for revocation and substitution are being considered.

*Next steps*

The ACCC will continue to consult with interested parties to inform its consideration of the substantive applications for re-authorisation. The closing date for submissions is Friday 10 February 2006.

The ACCC will then release a draft determination which will take account of any submissions from the applicants and interested parties and will indicate the ACCC's preliminary views on the merits of the applications. The ACCC will provide both the applicants and interested parties with the opportunity to provide a further submission on the draft determination before the ACCC issues its final decision.

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 me on 03 9290 1475.

Yours sincerely



Gavin Jones  
Director  
Adjudication Branch