



**Australian
Competition &
Consumer
Commission**

Our Ref: C2006/2258
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11 April 2007

[Address]

Dear [Salutation]

**Re: Royal Australian College of General Practitioners (RACGP) application for
revocation and substitution [A91024]
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for revocation and substitution lodged by the Royal Australian College of General Practitioners (RACGP) on 13 December 2006.

A copy of the ACCC's draft determination is attached. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to the arrangements for a period of 4 years.

Interim authorisation

On 20 December 2006, the ACCC granted interim authorisation to the parts of the substitute authorisation covered by the previous authorisation (A90795); that is allowing certain GP practices to agree on fees charged to patients.

The ACCC has revisited the RACGP's request for interim authorisation and has decided to grant interim authorisation to both the intra-practice price setting arrangements and the proposed hospital agreements as sought by the RACGP. Interim authorisation will continue to protect the proposed arrangements from action under the *Trade Practices Act 1974* until the date the ACCC's final determination comes into effect or until the ACCC decides to revoke interim authorisation.

Next steps

Once the ACCC issues a draft determination, the Applicants 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 **27 April 2007**. Conferences are conducted informally, without the participation of legal or other professional advisers.

Alternatively, you are also invited to make a written submission in response to the ACCC's draft determination. Written submissions should be lodged by **4 May 2007** 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@acc.gov.au or by facsimile on 02 6243 1211. If relevant, please provide a preferred email address for any future correspondence from the ACCC.

Persons lodging a submission with the ACCC may request that information included in the submission be excluded from the public register in certain circumstances. Submissions which are excluded from the public register may still be taken into account by the ACCC when conducting its assessment of an authorisation application. Guidelines for seeking exclusion from the public register are attached for your information.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-determination 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 or would like a copy of the draft determination sent to you, please do not hesitate to contact Ursula Everett on 02 6243 1271.

Yours sincerely

Isabelle Arnaud
Director
Adjudication Branch

RACGP Authorisation A91024 - interested parties consulted – 11 April 2006

1. Australian Medical Association
2. Australian Medical Association (ACT)
3. Australian Medical Association (NSW)
4. Australian Medical Association (NT)
5. Australian Medical Association (QLD)
6. Australian Medical Association (SA)
7. Australian Medical Association (TAS)
8. Australian Medical Association (VIC)
9. Australian Medical Association (WA)
10. Commonwealth Department of Health and Ageing
11. ACT Health
12. Health Complaints Commission Tasmania
13. Health Services Commissioner (Vic)
14. Medical Board of Western Australia
15. NSW Department of Health
16. Queensland Health
17. Rural Doctors Association of Australia
18. Rural Doctors Association of NSW
19. Rural Doctors Association of Victoria
20. Rural Doctors Association of Qld
21. Rural Doctors Association of SA
22. Rural Doctors Association of WA
23. SA Department of Health
24. Victorian Department of Human Services
25. WA Department of Health