



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2008/628  
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13 August 2008

This letter and a copy  
of the ACCC's determination  
was posted to the attached  
list of interested parties.

SC

13/8/08

Dear

**Application for authorisation A91088 lodged by the Australian Medical Association (NSW) Limited - final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by the Australian Medical Association (NSW) Limited (AMA NSW) on 22 April 2008.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in chapter 5 of its determination, the ACCC has decided to grant authorisation, until 31 December 2013, for AMA NSW to collectively negotiate with:

- NSW Health the standard terms and conditions, including rates of remuneration, of contracts for visiting medical officers (VMOs) engaged in the NSW public hospital system
- public health organisations (PHOs) in NSW (as set out in Attachment A to the determination) on issues relevant to the engagement by VMOs by PHOs but excluding standard VMO contract terms and conditions and rates of remuneration.

The proposed authorisation does not extend to any collective decision by current or future VMOs in the NSW public hospital system to engage in collective boycott activities.

**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 3 September 2008. If no application to review is lodged by this date, the ACCC's determination will come into force on 4 September 2008.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Sharon Clancy on (02) 6243 1217.

Yours sincerely

Joanne Palisi  
Director  
Adjudication Branch

## **Application for authorisation A91088 lodged by AMA NSW**

### **List of interested parties - 13 August 2008**

ACT Health  
Australian College of Rural and Remote Medicine  
Australian General Practice Network  
Australian Healthcare & Hospitals Association  
Australian Medical Association  
Australian Medical Association (ACT)  
Australian Medical Association (NT)  
Australian Medical Association (QLD)  
Australian Medical Association (SA)  
Australian Medical Association (TAS)  
Australian Medical Association (VIC)  
Australian Medical Association (WA)  
Australian Private Hospital Association  
Australian Rural and Remote Workforce Agencies Group  
Australian Rural Health Education Network  
Australian Society of Anaesthetists  
Catholic Health Australia  
Choice  
Consumer Health Forum  
Department of Health (New South Wales)  
Department of Health (South Australia)  
Department of Health (Western Australia)  
Department of Health and Ageing  
Department of Health and Community Services (Northern Territory)  
Department of Health and Human Services (Tasmania)  
Department of Human Services (Victoria)  
Department of Innovation, Industry, Science and Research  
Health Consumers of Rural and Remote Australia  
National Rural Health Alliance  
Queensland Health  
Royal Australasian College of Physicians  
Royal Australasian College of Surgeons  
Royal Australian College of General Practitioners  
Rural Doctors Association of Australia  
Rural Doctors Association of NSW