



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2008/1814
Contact Officer: Gavin Jones
Contact Phone: 03 9290 1475

20 February 2009

Dear Sir/Madam

**Australasian College of Cosmetic Surgery application for authorisation A91106
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by the Australasian College of Cosmetic Surgery on 6 November 2008. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The College is seeking authorisation for its Code of Practice and some provisions of its Bylaws.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to deny authorisation. The ACCC's assessment is set out in Chapter six on pages 13 to 36.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party 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. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

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 **10 March 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **13 March 2009**.

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.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

6 November 2008	Lodgement of application and supporting submission.
14 November 2008	Public consultation process begins.
5 December 2008	Closing date for submissions from interested parties.
23 January 2009	Submission received from the Applicant in response to interested party submissions.
20 February 2009	Draft determination.
February/March 2009	Public consultation on draft determination including any conference if called.
April 2009	Final determination.

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



Gayin Jones
Director
Adjudication Branch

Sent to the following list of interested parties:

Australian Consumer Association
Australian Medical Association (ACT)
Australian Medical Association (NSW)
Australian Medical Association (NT)
Australian Medical Association (QLD)
Australian Medical Association (SA)
Australian Medical Association (TAS)
Australian Medical Association (VIC)
Australian Medical Association (WA)
SA Health
Department of Health (Western Australia)
Department of Health and Families
Department of Health and Human Services (Tasmania)
Health Complaints Commission Tasmania
Office of the Health Services Commissioner
Queensland Health
Royal Australian College of General Practitioners
ACT Health
Australian General Practice Network
Australian Healthcare & Hospitals Association
Catholic Health Australia
Department of Health and Ageing
Consumer Health Forum
NSW Health
Department of Human Services (Victoria)
Royal Australasian College of Physicians
Royal Australasian College of Surgeons
Consumer Action Law Centre
Cosmetic Physicians Society of Australia
New Zealand College of Appearance Medicine
Skin Cancer Society of Australia
Australasian College of Phlebology
Australasian College of Dermatologists
Medical Practitioner Board of Victoria
New South Wales Medical Board
Medical Board of Queensland
Medical Board of South Australia
Medical Board of Western Australia
Medical Council of Tasmania
Medical Board of the ACT
Australian Medical Association
Australian Medical Council
Australian Society of Plastic Surgeons