



**Australian
Competition &
Consumer
Commission**

Our Ref: C2008/1844
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16 March 2009

Dear

**Re: Australasian College of Cosmetic Surgery application for
authorisation A91106 - amended Code of Practice**

I refer to the Australian Competition and Consumer Commission's (ACCC) draft determination in respect of the above listed application for authorisation, released on 20 February 2009. In its draft determination the ACCC proposed to deny authorisation for the Australasian College of Cosmetic Surgery (the College) Code of Practice.

I also refer to the ACCC's letter of 11 March 2009 advising that the College has requested that the ACCC convene a pre-decision conference in relation to the draft determination. As advised in that letter the conference will be held on 30 March 2009 and interested parties wishing attend must notify the ACCC of their intention by **cob on 25 March 2009**.

Amendments to the Code of Practice and request for submissions

In the ACCC's letter of 11 March 2009 we also advised that the College was revising its Code and intended to provide a revised version of the Code to the ACCC by 17 March 2009.

On 16 March 2009, the College provided a revised Code to the ACCC. The College now seeks authorisation for its Code of Practice as amended on 16 March 2009. A copy of the amended Code is attached.

You are invited to make a further submission to the ACCC in relation to the revised Code. Submissions should be lodged by **9 April 2009**.

Submissions will be placed on the ACCC's public register subject to any request for material to be excluded from the public register.

The ACCC will consider any submissions it receives, including any oral submissions made at the pre-decision conference, and will then release a final determination in relation to the revised Code.

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. A revised 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.
23 February 2009	Applicants request a pre-decision conference in respect of the draft determination.
16 March 2009	Application for authorisation amended – applicants submit a revised Code of Practice.
30 March 2009	Pre-decision conference held.
9 April 2009	Closing date for submission from interested parties in respect of the revised Code.
30 April 2009	Applicant responds to issues raised in submissions and at the pre-decision conference.
May 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 John Rouw on 03 9290 1402.

Yours sincerely



Gavin Jones
Director
Adjudication Branch

Sent to the following 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 Commissioner, 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
Swaab Attorneys
Australian Publishers Bureau