



**Australian
Competition &
Consumer
Commission**

Our Ref: C2008/1844
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
tel: (03) 9290 1800
fax: (03) 9663 3699
www.accc.gov.au

4 May 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 and the ACCC's letter of 16 March 2009 advising that the Australasian College of Cosmetic Surgery (the College) had submitted a revised Code of Practice (the Code).

Additional amendments to the Code of Practice and request for submissions

On 28 April 2009, the College provided a further revised Code to the ACCC. The College now seeks authorisation for its Code of Practice as provided to the ACCC on 28 April 2009. A copy of the amended Code is attached.

The College has provided a submission with the amended Code summarising the further changes to the Code. The College's submission also provides additional clarification about how some of the provisions of the Code will operate and be enforced. A copy of this submission is also attached.

You are invited to make a submission to the ACCC in relation to the revised Code.

In particular the ACCC would appreciate your views about the most recent amendments to the Code and the clarification provided by the College about how the Code will operate and be enforced.

If you intended to make a submission regarding the amended Code please do so by **20 May 2009**.

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

The ACCC will consider any further submissions it receives and will then release a final determination in relation to the revised Code.

Extension of the period for consideration of the application

As you may be aware, the *Trade Practices Act 1974* (the Act) provides that if the ACCC does not determine an application for authorisation within the relevant period provided in the Act, then it is taken to have granted the application at the end of that period. The relevant period in relation to the College's application ends on 17 June 2009.

The Act provides that the ACCC may extend the relevant period for consideration of an application for authorisation if the applicant agrees.

At the request of the ACCC, the College has agreed to extend the period for consideration of its application until 30 July 2009. The ACCC considers that this extension is appropriate to facilitate consultation with interested parties about the amended application lodged by the College on 28 April 2009.

While the relevant period for consideration of the application has been extended until 30 July 2009, at this stage the ACCC expects to be in a position to release a final determination in this matter in mid June.

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 or John Rouw on 03 9290 1402.

Yours sincerely



Gavin Jones
Director
Adjudication Branch

Sent to attached list

Choice

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
Russell Kennedy