

Our Ref: TRACKIT 51935
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**Australian
Competition &
Consumer
Commission**

30 October 2013

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Dear Sir/Madam

Australian Medical Association (NSW) Limited application for authorisation A91383 – draft determination

The Australian Competition and Consumer Commission (the ACCC) has received an application from the Australian Medical Association (NSW) Limited (the **AMA (NSW)**) to revoke a previous authorisation and grant a substitute authorisation (re-authorisation).

Please see the ACCC's publication [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC.

The AMA (NSW) seeks re-authorisation to continue to collectively bargain on behalf of visiting medical officers (VMOs) in the New South Wales public hospital system with:

- the NSW Ministry of Health (NSW Health) regarding the standard terms and conditions of contracts, including but not limited to remuneration and
- public health organisations (PHOs) regarding issues relevant to the engagement of VMOs by PHOs, excluding standard VMO contract terms and conditions and rates of remuneration.

A full copy of the application for authorisation is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>. Alternatively, you can contact Gina D'Ettorre on the details below to obtain a hard copy of the application and submission.

Draft determination

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to re-authorise the arrangements for ten years.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **Thursday, 14 November 2013**.

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 also by **Thursday, 14 November 2013**.

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. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

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.

Indicative date	Stage in assessment process
6 September 2013	Lodgement of application and supporting submission, including request for interim authorisation
10 September 2013	Public consultation process begins.
24 September 2013	Closing date for submissions from interested parties.
7 October 2013	Applicant responds to issues raised in the public consultation process.
30 October 2013	Draft determination.
November 2013	Public consultation on draft determination including any conference if called.
November/December 2013	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 Gina D'Ettorre on 03 9290 1483.

Yours sincerely



David Hatfield
Director
Adjudication Branch