

Our Ref: C2012/1047
Contact Officer: Gina D'Ettorre
Contact Phone: 03 9290 1483



**Australian
Competition &
Consumer
Commission**

7 March 2013

GPO Box 3131
Canberra ACT 2601

23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

Dear Sir/Madam

eRx Script Exchange Pty Ltd application for authorisation A91348 final determination

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by eRx Script Exchange Pty Ltd (eRx) on 13 November 2012.

eRx sought authorisation to enter into a contract which has the purpose of enabling it to make its electronic pharmaceutical prescription exchange system (PES) interoperable with MediSecure's (MDS) PES and vice versa. Clause 14 of the proposed contract, which is the subject of this application, provides that following the introduction of interoperability, eRx and MDS will share equally in the fee which is charged to a pharmacy user and the Commonwealth by the PES to which the pharmacy is connected in respect of each prescription that has originated on the PES of the other party.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant authorisation until 30 June 2017.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010*, 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 28 March 2013. If no application to review is lodged by this date, the ACCC's determination will come into force on 29 March 2013.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal (Tribunal). The 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 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 Gina D'Ettorre on 03 9290 1483 or at gina.dettorre@accc.gov.au

Yours sincerely

A handwritten signature in blue ink that reads 'David Hatfield'.

David Hatfield
Director
Adjudication Branch