



**Australian  
Competition &  
Consumer  
Commission**

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22 January 2014

Dear Sir/Madam

**Application for revocation of authorisation A91100 and substitution of new authorisation A91392 – draft determination and interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by [Australian Medical Association Limited (AMA) and the AMA state and territory bodies in Victoria, South Australia, Western Australia, Northern Territory, Queensland and Tasmania (collectively referred to as the AMA) on 31 October 2013.

The AMA is seeking re-authorisation to continue to collectively negotiate with relevant state and territory health departments, the terms of contracts for rural general practitioners providing services as Visiting Medical Officers in public hospitals and health facilities in rural and remote areas of Australia (except for NSW and the ACT).

The ACCC previously granted authorisation for the arrangements on 10 December 2008 until 28 February 2014.

**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 grant authorisation for ten years.

**Interim authorisation**

As any final decision made by the ACCC is unlikely to come into effect by the time the AMA's existing authorisation expires on 28 February 2014, the ACCC has decided to grant interim authorisation in respect of the application to commence from 1 March 2014.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* while the ACCC considers and evaluates the merits of the application.

The ACCC may review its decision on interim authorisation at any time. The ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

## 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'.

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 **5 February 2014**.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **12 February 2013**. Submissions should be sent to [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au)

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 [Authorisation process - the basics](#) for a summary of the authorisation process and how to make a submission to the ACCC and [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
31 October 2013	Lodgement of application and supporting submission
November 2013	Public consultation process
22 January 2014	Draft determination and interim authorisation
5 February 2014	Deadline for calling pre-decision conference
12 February 2014	Closing date for interested party submissions
March 2014	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 1893.

Yours sincerely



Marie Dalins  
Director  
Adjudication Branch