

2 December 2022

Ms Sophie Magliano
Senior Analyst
Mergers, Exemptions & Digital: Competition Exemptions
Australian Competition & Consumer Commission
CC:

Mr David Hatfield, Director

Mr Anthony Hilton, Director

By email:

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Dear Ms Magliano

Re: further information regarding application for interim authorisation

I refer to the questions posed in your email of 29 November 2022.

The applicant together with Symbion Pty Ltd (trading as **Minfos**) – being the principal party affected by the application for interim authorisation – submit:

- Interim authorisation is sought on the same basis as the previous authorisations, noting that the Proposed Conduct has been authorised since 2012. The Proposed Conduct has significant public benefits and the parties submit that there are no public detriments. Arguably the public benefits are greater for this application, as it will enable a third CPDS provider to enter the market.
- Minfos' entry to the market as a third CPDS provider will be delayed until authorisation is granted. While an interoperable system can be built without authorisation, Minfos is unable to act as a CPDS provider without authorisation. There is a significant public interest in Minfos being able to enter as a third CPDS provider sooner rather than later. Granting interim authorisation would allow Minfos to enter sooner.

Please let me know if you have any further questions regarding this matter.

Kind regards,



Alexandra Merrett

Independent Competition Counsel

*An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Vic).
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