

## NOTICE OF LODGMENT

### AUSTRALIAN COMPETITION TRIBUNAL

This document was lodged electronically in the AUSTRALIAN COMPETITION TRIBUNAL and has been accepted for lodgment pursuant to the Practice Direction dated 3 April 2019. Filing details follow and important additional information about these are set out below.

#### Lodgment and Details

Document Lodged: Application to Intervene

File Number: ACT 4 of 2021

File Title: APPLICATION FOR REVIEW OF AUTHORISATION  
AA1000542 DETERMINATION MADE ON 21 SEPTEMBER 2021

Registry: VICTORIA – AUSTRALIAN COMPETITION TRIBUNAL



A handwritten signature in blue ink, consisting of a stylized 'A' followed by a 'U'.

REGISTRAR

Dated: 19/05/2022 1:58 PM

#### Important information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Tribunal and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

19 May 2022

The Honourable Justice O'Bryan  
Deputy President  
Australian Competition Tribunal



By email to: [registry@competitiontribunal.gov.au](mailto:registry@competitiontribunal.gov.au)

Dear Justice O'Bryan

**Re: ACT 4 and 5 of 2021 - Application for review of authorisation of Honeysuckle Health Pty Ltd and nib Health Funds Ltd buying group**

This letter is submitted to the Australian Competition Tribunal (the Tribunal) regarding the Tribunal's consideration of the proceedings referenced above.

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) is a membership organisation that prepares doctors to become psychiatrists, supports and enhances clinical practice, provides advocacy for patients, and advises governments on mental health care. The RANZCP is guided on policy matters by a range of experts including members of the Section of Private Practice Psychiatry (SPPP) Committee.

On 13 May 2022, the RANZCP received notification from the Australian Competition and Consumer Commission (ACCC) of the proposed variations to the terms of the Authorisation, along with the date by which any applications for leave to intervene in the proceedings must be filed with the Tribunal. As a membership organisation, we require a consultation period with our members to ensure that decisions made by the College are reflective of the membership.

The letter from the ACCC has identified formally that the Honeysuckle Health (HH) Buying Group intends to extend the period of Authorisation from 5 to 10 years; and remove the condition preventing Major PHIs (Major Private Health Insurers, as defined in the Determination) from joining the HH Buying Group (as defined in the Determination). The RANZCP therefore believes that the purpose of the Tribunal hearing has changed, and the amendments made by the ACCC are now at risk of being overturned.

The RANZCP intends to provide submission to the Tribunal proceedings and is requesting clarification of the deadline of Thursday 30 June 2022. Currently, the RANZCP is focused on its [2022 Congress](#) and will require additional time to develop a submission given the limited time window available.

The RANZCP requests that the Tribunal accept this letter as our intention to intervene, and to confirm the submission deadline.

I can be contacted via Nicola Wright, Senior Manager, Policy and Practice, Policy, Practice and Research Department via [nicola.wright@ranzcp.org](mailto:nicola.wright@ranzcp.org) or on (03) 9236 9103.

Yours sincerely



Associate Professor Vinay Lakra  
**President**

Ref: 2991