



Our Ref: F-AA-82012-2

Contact: [REDACTED]

Australian Competition and Consumer Commission
3/233 Adelaide Terrace
Perth WA 6000

Dear Sir/Madam

Report by the Western Australian Department of Health on Conduct Undertaken in Relation to Authorisation A1000605 for the Period Ending 30 June 2022

The Western Australian Department of Health (Department) provides the following report to the Australian Competition and Consumer Competition for the period ending 30 June 2022 summarising activity undertaken pursuant to an Interim Authorisation dated 17 March 2022 and the subsequent related final Authorisation (A1000605) dated 27 May 2022.

The conduct summarised in this report was carried out solely for the purpose of maximising healthcare capacity and ensuring the Western Australia-wide coordination of healthcare services to facilitate the most efficient and effective allocation of healthcare resources as part of the State's response to the COVID-19 pandemic and current Omicron outbreak.

A description of the conduct undertaken has been summarised under headings taken from the categories of "Proposed Conduct" authorised in Section 1.6 of the Authorisation.

In summary, the Department:

- entered into new Agreements with three Participating Providers [on similar terms to those set out in the confidential attachment to the Department's application for authorisation dated 28 February 2022]. The Agreements enabled the Department to access capacity, staff and other resources as required for the State's response to the Pandemic and provided Financial Viability Payments under the terms of the National Partnership on COVID-19 Response (**NPCR**).
- held certain planning and scoping meetings in respect of the above Agreements.
- imposed restrictions on elective surgery at four Participating Providers from 21 March to 2 May 2022, which are now lifted.
- As at 30 June 2022, one Agreement has been terminated by mutual consent.

Further information is provided in confidential schedule to this letter.