



# Medicine manufacturers to coordinate on COVID-19 response

3 April 2020

The ACCC has granted conditional interim authorisation for Medicines Australia (MA), the Generic and Biosimilar Medicines Association (GBMA) and their members to work together to support the continued supply of essential medicines during the COVID-19 pandemic.

Medicines Australia's members include companies that invent, manufacture and supply medicines and vaccines in the Australian market, while GBMA members are involved in the production of generic and biosimilar medicines.

The interim authorisation will allow members of both groups to work together during the COVID-19 pandemic to identify and mitigate any shortages or supply chain problems that could impact the availability of medicines in Australia.

This may involve coordinating on and prioritising medicine orders and supply requests, working together on tenders, and sharing information about medicine stocks, supply channels and opportunities to increase the manufacture of medicines in Australia.

"There is a clear public interest in allowing these companies to do all they can to ensure Australians, including those being treated for COVID-19, receive the medicines they need," ACCC Chair Rod Sims said.

"We have worked to approve this interim authorisation urgently, so that these groups can get on with working together and with the state and federal governments on this vital issue."

The application for authorisation was lodged by MA on behalf of its members, as well as the GBMA and its members. The ACCC received the application for interim authorisation last Friday and it was approved today.

Interim authorisation is subject to a condition requiring Medicines Australia to regularly update the ACCC regarding any material decisions and agreements in relation to the proposed conduct as the COVID-19 position evolves.

The interim authorisation may be reviewed at any time. MA and GBMA members can opt out of any arrangement.

Having granted interim authorisation for the arrangements, the ACCC will seek feedback on MA's application for authorisation. Details on how to make a submission will be available on the [ACCC's authorisations public register](#).

More information, including the ACCC's statement of reasons and a list of companies covered by the authorisation, is available at [Medicines Australia](#).

## Background

ACCC authorisation provides statutory protection from court action for conduct that might otherwise raise concerns under the competition provisions of the Competition and Consumer Act 2010.

Section 91 of the Act allows the ACCC to grant interim authorisation when it considers it is appropriate. This allows the parties to engage in the proposed conduct while the ACCC is considering the merits of the substance of the application.

Broadly, the ACCC may grant a final authorisation when it is satisfied that the likely public benefit from the conduct outweighs any likely public detriment.

The ACCC may review a decision on interim authorisation at any time, including in response to feedback raised following interim authorisation.

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