

You have expressed concern that Bupa Insurance Limited is not complying with Australian law for two reasons:

- it is carrying on a health insurance business in breach of the PHIPS Act because it is not registered as a health insurer; and
- it is funding a service where a Medicare benefit is payable in breach of the HI Act.

We have set out below why Bupa Insurance Limited does not consider that it has breached either the PHIPS Act or the HI Act (as those terms are defined in your letter).

Carrying on health insurance business in Australia

Bupa Insurance Limited issues and manages the IPMI policies and pays benefits to insured persons from its headquarters in the United Kingdom, including [REDACTED]'s IPMI policy. The receipt of medical treatment in Australia triggers a liability under the IPMI policy which is paid by Bupa Insurance Limited from the United Kingdom (in a similar way to travel insurance).

Under the PHIPS Act, a person commits an offence if they carry on health insurance business in Australia without being registered under the PHIPS Act as a private health insurer. Bupa Insurance Limited's IPMI business is not being carried on in Australia and there is no provision in the PHIPS Act that provides for the application of that Act outside of Australia (other than Norfolk Island).

Bupa Insurance Limited is not an Australian company. It does not have a place of business in Australia or any business operations in Australia. Bupa Insurance Limited's IPMI business is being carried on from the United Kingdom.

Bupa Insurance Limited previously sold IPMI policies to Australian residents to cover for medical treatment received outside of Australia, through a distribution arrangement with Insurance Australia Limited (IAL), who was the holder of an Australian Financial Services Licence. This arrangement ceased in 2023 and since that time there is no arrangement with Bupa Insurance Limited where cover is issued in Australia. Please note that the reference to 'IPMI policies' in this letter does not apply to these policies but to the IPMI policies sold outside of Australia for cover for medical treatment in various countries including in Australia.

For these reasons, Bupa Insurance Limited is not required to be registered as a health insurer under the PHIPS Act.

Coverage for Medicare eligible services

You have noted that Bupa Insurance Limited cannot fund a service where Medicare benefits are payable under the HI Act. Section 126 of the HI Act prohibits any person from *making a contract of insurance* that covers Medicare eligible services. The HI Act does not extend the application of the HI Act outside of Australia (other than in specified territories such as Norfolk Island) which means the making of the contract of insurance must occur in Australia. The funding of Medicare-eligible services in of itself is not an offence under the HI Act.

While we acknowledge that Bupa Insurance Limited may cover Medicare eligible services under its IPMI policies, it has not made a contract of insurance in Australia. Insured persons apply for the IPMI policies outside of Australia and a contract of insurance is made when Bupa Insurance Limited accepts those applications which also occurs outside of Australia.

Further, Bupa Insurance Limited does not have access to a person's Medicare eligibility details.

Notification to Australian residents

Bupa Insurance Limited requires that insured persons provide notice of any changes to their residency. When this occurs, Bupa Insurance Limited has processes in place to help address any implications of this change.

When Bupa Insurance Limited is notified that a dependant has moved to Australia, our internal sales rules reflect that the following disclosures should be made to the relevant insured, their relevant broker and/or the relevant dependant:

- Bupa Insurance Limited's policies do not meet Australian government requirements to comply with the health insurance condition attached to some visas and that they should seek independent advice; and
- Bupa Insurance Limited's policies do not comply with Australian private health insurance regulatory requirements and therefore do not qualify for the Medicare Levy Surcharge (MLS) exemption. We also notify the insured person that they should consider obtaining a compliant Australian private health insurance policy to avoid the MLS or assess the implications of holding dual cover if they wish to retain their Bupa Insurance Limited IPMI policy.

According to our records, this process was followed in relation to [REDACTED]. Bupa Insurance Limited received a notice from [REDACTED]'s broker in December 2024 that [REDACTED] had moved to Australia. In accordance with our processes, we informed the broker of the above matters including that he would not qualify for the MLS exemption by holding the Bupa Insurance Limited IPMI policy, and instructed the broker to ensure [REDACTED] was made aware of this.

Extent of policies where dependants are residing in Australia

As mentioned above, these policies were purchased outside Australia and are managed by Bupa Insurance Limited outside of Australia. Given this and the above explanation, our view is that there has been no breach of the HI Act or the PHIPs Act. Therefore, we do not believe this is an issue nor requires any remediation.

We trust that this addresses your concerns and reiterate that, if you would like, we would be happy to meet to discuss this matter.

Yours sincerely

s47F



s47F

Director of Global Operations and Healthcare Management
Bupa Global

From: [REDACTED]
Sent: Monday, 24 November 2025 8:48 AM
To: [REDACTED]
Cc: [REDACTED]; [REDACTED]
Subject: RE: Letter from s47F Bupa Global

Dear Mr s47F [REDACTED]

Thank you for your response to our letter dated October 2025.

We agree to extend the deadline for you to provide your reply until **close of business on 22 December 2025**.

Thank you for thoroughly considering this matter.

Kind regards

[REDACTED]
Assistant Director – Compliance Section
Private Health Strategy Branch

Australian Government Department of Health, Disability and Ageing
T: [REDACTED] E: [REDACTED]@health.gov.au

From: [REDACTED]@bupa-intl.com>
Sent: Friday, 21 November 2025 9:14 PM
To: [REDACTED]@Health.gov.au>
Cc: [REDACTED]@Health.gov.au>; [REDACTED]@Health.gov.au>
Subject: Letter from s47F Bupa Global

REMINDER: Think before you click! This email originated from outside our organisation. Only click links or open attachments if you recognise the sender and know the content is safe.

Dear [REDACTED],

On behalf of s47F [REDACTED] please refer to the attached letter.

Regards,

[REDACTED]
EA to

s47F [REDACTED] Director of Global Operations and Health Care Management

[REDACTED] Global Head of Health Care Management

Bupa Global

E [REDACTED] W bupa.com

I work compressed hours: Tuesday to Friday

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Bupa Global is a trading name of Bupa Insurance Limited and Bupa Insurance Services Limited which are registered in England and Wales at Companies House under numbers 3956433 and 3829851 respectively. The registered offices are 1 Angel Court, London EC2R 7HJ, UK. Bupa Insurance Limited is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Bupa Insurance Services Limited is authorised and regulated by the Financial Conduct Authority. The Financial Registration numbers of Bupa Insurance Limited and Bupa Insurance Services Limited are 203332 and 312526 respectively.

For EEA policyholders:

Bupa Global Designated Activity Company (Bupa Global DAC), trading as Bupa Global, is a designated activity company limited by shares registered in Ireland under company number 623889 and having its registered office at Second Floor, 10 Pembroke Place, Ballsbridge, Dublin 4. Bupa Global DAC, trading as Bupa Global is regulated by the Central Bank of Ireland.

Directors: M. Potkins (British), J. O'Reilly (British), G. Beasley, M. Fulton, S. Brown (British), R. Pearson (British) and D. Swanton.

Please refer to your insurance certificate for details of your insurer.

From: [REDACTED]>
Sent: Friday, 21 November 2025 9:14 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Letter from [REDACTED] Bupa Global
Attachments: Letter [REDACTED] 211125.pdf

REMINDER: Think before you click! This email originated from outside our organisation. Only click links or open attachments if you recognise the sender and know the content is safe.

Dear [REDACTED],

On behalf of [REDACTED] please refer to the attached letter.

Regards,

[REDACTED]
EA to

[REDACTED] Director of Global Operations and Health Care Management

[REDACTED], Global Head of Health Care Management

Bupa Global

E [REDACTED] [@bupa-intl.com](mailto:[REDACTED]@bupa-intl.com) W bupa.com

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Please refer to your insurance certificate for details of your insurer.

This document has been released
under the Freedom of Information Act 1982
by the Department of Health, Disability and Ageing



FAO: [REDACTED]
Assistant Secretary
Private Health Strategy Branch
Department of Health, Disability and Ageing

Sent by Email Only:

[REDACTED]@health.gov.au

C.C. [REDACTED]@Health.gov.au
[REDACTED]@Health.gov.au

21 November 2025

Dear [REDACTED]

I refer to your letter of October 2025.

Please rest assured that we are giving the contents of your letter serious consideration.

In the interests of providing you with an exhaustive response, we should be grateful if we could agree to extend your deadline of 24 November 2025 by 4 weeks to the 22 December 2025.

We look forward to hearing from you.

Yours sincerely

s47F
[REDACTED]

s47F
Director of Global Operations and Healthcare Management
Bupa Global

From: [REDACTED]@bupa.com>
Sent: Friday, 31 October 2025 5:58 PM
To: [REDACTED]
Subject: Re: CM: Email being sent securely [SEC=OFFICIAL]

Follow Up Flag: Follow up
Flag Status: Flagged

OFFICIAL

REMINDER: Think before you click! This email originated from outside our organisation. Only click links or open attachments if you recognise the sender and know the content is safe.

Hello [REDACTED]

Thank you for your email.

I can confirm the letter has been received and is being looked in to by the relevant people.

We will be back in touch as soon as possible.

If you need anything from me in the meantime please let me know.

Thanks
[REDACTED]

Sent from [Outlook for iOS](#)

OFFICIAL

From: [REDACTED]@Health.gov.au>
Sent: Friday, October 31, 2025 3:22:00 AM
To: [REDACTED]@bupa.com>
Subject: RE: CM: Email being sent securely [SEC=OFFICIAL]

You don't often get email from [REDACTED]@health.gov.au. [Learn why this is important](#)

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OFFICIAL

Dear [REDACTED]

I refer to the below email and I would be most grateful if you could please reply to this email to let me know whether you received an email entitled "Bupa Global paying hospital benefits for Australian resident whilst in Australia" earlier this week?

Kind regards

Assistant Director – Compliance Section
Private Health Strategy Branch

Australian Government Department of Health, Disability and Ageing
T: [REDACTED] E: [REDACTED]@health.gov.au

OFFICIAL

From: [REDACTED]
Sent: Monday, 27 October 2025 2:47 PM
To: [REDACTED]@bupa.com'; [REDACTED]@bupa.com>
Cc: [REDACTED]@Health.gov.au>; [REDACTED]@Health.gov.au>
Subject: CM: Email being sent securely

Dear [REDACTED],

I hope this message finds you well. We are about to send you an email using Symantec, our email security system. A help sheet is attached to assist you should you encounter any issues. Please do not hesitate to contact us if you need any assistance.

We kindly ask that you confirm receipt of the email as soon as possible after receiving it.

Kind regards,

Assistant Director – Compliance Section
Private Health Strategy Branch

Australian Government Department of Health, Disability and Ageing
T: [REDACTED] E: [REDACTED]@health.gov.au

Visit www.bupa.com for the story of who we are, where we've come from and what we do.
For UK insurance policyholders:

Bupa Insurance Limited registered in England under company number 03956433 and having its registered office at 1 Angel Court, London EC2R 7HJ is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. The Financial Conduct Authority only regulates the financial services activities of Bupa Insurance Limited that take place in the UK. Bupa Insurance Services Limited registered in England under company number 03829851 and having its registered office at 1 Angel Court, London EC2R 7HJ is authorised and regulated by the Financial Conduct Authority. Bupa Global is a trading name of Bupa Insurance Limited and Bupa Insurance Services Limited which are registered in England and Wales.

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Directors: M. Potkins (British), J. O'Reilly (British), G. Beasley, M. Fulton, S. Brown (British), R. Pearson (British) and D. Swanton.

For a list of Bupa's main UK trading companies visit www.bupa.co.uk

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by the Department of Health, Disability and Ageing

From: [REDACTED]
Sent: Monday, 27 October 2025 3:18 PM
To: [REDACTED]@bupa.com
Cc: Private Health Strategy Branch; [REDACTED]; [REDACTED]; [REDACTED]
Subject: Bupa Global paying hospital benefits for Australian resident whilst in Australia
[SEC=OFFICIAL:Sensitive]
Attachments: Bupa Global Letter.pdf; Bupa Global Letter attachment.pdf

OFFICIAL:Sensitive

Dear [REDACTED]

Please find attached correspondence from the Australian Department of Health, Disability and Ageing about Bupa Global carrying out health insurance business in Australia.

We were given your contact details from our contact at Bupa Australia, [REDACTED].

Thank you for your attention to this matter.

Kind regards

[REDACTED]
Assistant Director – Compliance Section
Private Health Strategy Branch

Australian Government Department of Health, Disability and Ageing

T: [REDACTED] E: [REDACTED]@health.gov.au

OFFICIAL:Sensitive

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by the Department of Health, Disability and Ageing

This document has been released
under the Freedom of Information Act 982
by the Department of Health, Disability and Ageing

From: [REDACTED]
Sent: Monday, 27 October 2025 2:47 PM
To: [REDACTED]@bupa.com
Cc: [REDACTED]; [REDACTED]
Subject: Email being sent securely [SEC=OFFICIAL]
Attachments: Secure email Symantec.pdf

OFFICIAL

Dear [REDACTED],

I hope this message finds you well. We are about to send you an email using Symantec, our email security system. A help sheet is attached to assist you should you encounter any issues. Please do not hesitate to contact us if you need any assistance.

We kindly ask that you confirm receipt of the email as soon as possible after receiving it.

Kind regards,

[REDACTED]
Assistant Director – Compliance Section
Private Health Strategy Branch

Australian Government Department of Health, Disability and Ageing
T: [REDACTED] E: [REDACTED]@health.gov.au

OFFICIAL

s47F, s47E(c)

From: s47F, s47E(c)
Sent: Thursday, 4 June 2026 1:31 PM
To: FOI
Cc: MCBRIDE, Paul
Subject: FW: FOI 26-2991 - Third party responses and further instructions [SEC=OFFICIAL]
Attachments: FOI 26-2991 - Third Party Consultation Pack - Bupa Global Redactions applied 29.5.26.pdf; RE: Courtesy consultation Freedom of Information access request FOI 26-2991 [SEC=OFFICIAL:Sensitive, ACCESS=Personal-Privacy]; RE: Freedom of Information Request 26-2991 - Opportunity to make a submission - Bupa Asia Pacific [SEC=OFFICIAL]; CM: RE: Department of Health, Disability and Ageing FOI 26-2991 – Courtesy Consultation [SEC=OFFICIAL:Sensitive, ACCESS=Personal-Privacy]

Hi s47F, s47E(c),

We have reviewed the third-party consultation responses and agree with the proposed exemptions. We note that there may not be a need to redact the names of Health staff and the FOI applicant (as these will be shown elsewhere), however we agree with the names of other individuals being redacted (including staff at APRA, Bupa Global and Bupa Australia). We also particularly agree that the document provided to Health by Bupa Australia as commercial-in-confidence should not be provided to the applicant, as it was not provided in relation to the applicant's complaint.

Regards,

s47F, s47E(c) [She/Her]
Director – Compliance Section
Private Health Strategy Branch

Portfolio Strategy Division | Systems Strategy Group
Australian Government Department of Health, Disability and Ageing
T: s47F, s47E(c) | E: s47F, s47E(c) [@health.gov.au](mailto:s47F, s47E(c)@health.gov.au)

Please note that I do not work Fridays and will respond on my next working day.

This email comes to you from Yuggera and Turrbal Country
Location: 160 Ann Street, Brisbane
GPO Box 9848, Brisbane QLD 4001, Australia

The Department of Health, Disability and Ageing acknowledges First Nations peoples as the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to all Elders both past and present.

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From: FOI <FOI@health.gov.au>
Sent: Monday, 1 June 2026 11:14 AM
To: MCBRIDE, Paul <Paul.McBride@health.gov.au>
Cc: s47F, s47E(c) <s47F, s47E(c)@Health.gov.au>
Subject: FOI 26-2991 - Third party responses and further instructions [SEC=OFFICIAL]

OFFICIAL

Hi Paul and s47F, s47E(c)

I have now received all the third-party consultation responses for s11C(1)(a)'s access request.

Please see responses from:

- **Bupa Global** – below and attached – seeking redactions of staff names/personal information
- **Bupa Asia Pacific** – attached – seeking redaction of business information and staff names/personal information (they have used the wrong FOI Act, but the intent is clear)
- **APRA** – attached – seeking redaction of staff names
- **ACCC** – attached – nil objections.

Next steps

I now seek your instructions on the FOI access decision to be drafted. Please review the submissions provided and advise if you agree with the proposed exemptions. I will then draft the decision pack for your review and approval.

Timeframes

This request is due on Monday 15 June 2026. However, given the public holiday next week, it would be appreciated if you could please respond with your instructions by no later than **COB Friday 5 June 2026** (earlier would be much appreciated though!).

Happy to discuss this week if you have any questions.

Kind regards

s47F, s47E(c)

**Director – Freedom of Information
Commercial and Information Law**

Legal Division | Corporate Operations Group
Australian Government Department of Health, Disability and Ageing
T: 02 6289 1666 | E: foi@health.gov.au

This email comes to you from Boonwurrung country
Location: Melbourne
PO Box 9848, Canberra ACT 2601, Australia

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OFFICIAL

From: s47F <s47F@bupa.com>
Sent: Saturday, 30 May 2026 1:40 AM

To: FOI <FOI@health.gov.au>

Subject: Re: Freedom of Information Request 26-2991 - Opportunity to make a submission - Bupa Global
[SEC=OFFICIAL]

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Dear s47F, s47E(c)

Thank you for providing us with the opportunity to make a submission regarding FOI Request 26-2991. Please find our submission attached for your review.

Bupa considers that the disclosure of names and other identifying details of individuals would constitute an unreasonable disclosure of personal information under section 47F of the FOI Act. We would like to highlight that the identity of the FOI applicant has not been disclosed to Bupa, and therefore, no reliance can be placed on any assumption that the applicant is already aware of, or has a particular interest in, the individuals identified in the documents. Additionally, such disclosure is not necessary for understanding the substance of the material provided.

We appreciate your consideration of these points as you review the documents in scope. If you require any further information or clarification, please do not hesitate to reach out.

Kind regards

s47F,

Director of Global Operations and Healthcare Management.
Bupa Global.

Tel +44 s47F

EA – s47F

Time sensitive messages work better on Teams!

From: FOI <FOI@health.gov.au>

Sent: 21 May 2026 05:05

To: s47F <s47F@bupa.com>

Cc: FOI <FOI@health.gov.au>

Subject: Freedom of Information Request 26-2991 - Opportunity to make a submission - Bupa Global [SEC=OFFICIAL]

You don't often get email from foi@health.gov.au. [Learn why this is important](#)

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Dear s47F,

The Department of Health, Disability and Ageing (the department) has received a request seeking access to the following under the *Freedom of Information Act 1982* (Cth) (FOI Act) relating to Bupa Global.

Please note that we are consulting Bupa Asia Pacific separately (via s47F).

Documents captured in scope

The attached documents were captured within the scope of the applicant's request and include personal and/or business affairs information.

Under sections 27 and 27A of the FOI Act, where the department receives a request for access to documents containing 'business information' and/or 'personal information' and the department believes the relevant organisation and/or individual may wish to contend information within the documents is exempt from release, the department is required to consult the relevant organisation and/or individual before making a decision to release that information.

Please note, the documents provided to you by the department in relation to this FOI request are not a reflection of the department's views in relation to exempt material.

For your action

We are now providing you with the opportunity to advise the department if you have any concerns with your information being released to the applicant under the FOI Act.

By providing submissions to the department, you will be informing the decision maker of your stance on the release of the information relating to Bupa Global.

Please provide any comments you may have by **Friday 29 May 2026**. If you require further time for review, please let me know.

Should you choose not to respond by this date, the decision maker will consider you have no objections to the release of the relevant documents and will proceed to make a decision on access to the documents.

Relevant grounds of exemption

The relevant grounds of exemption are:

Section 47 – Documents disclosing trade secrets or commercially valuable information.

- Documents are exempt if release would disclose trade secrets or information having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed.

Section 47F – Personal privacy (public interest conditional exemption).

- Documents are conditionally exempt if disclosure would involve the unreasonable disclosure of personal information about any person (including a deceased person). In deciding whether disclosure would be unreasonable, the decision maker will also consider the extent to which the information is well known, whether the relevant individual is known to be (or to have been) associated with the matters dealt within the document, the availability of the information from publicly accessible sources and any other matters that the decision maker considers relevant.
Note: This exemption is only available if, in addition to the above details, it can be demonstrated that granting access would be, on balance, contrary to the public interest.

Section 47G – Business (public interest conditional exemption).

- Documents are conditionally exempt if disclosure would disclose information concerning a person in respect of his or her business or professional affairs or concerning the business,

commercial or financial affairs of an organisation or undertaking would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs. Note: This exemption is only available if, in addition to the above details, it can be demonstrated that granting access would be, on balance, contrary to the public interest.

Third party review rights

If the department decides after consultation with you to grant access contrary to your submissions, you will be notified of your right to seek an internal or Information Commissioner review of the decision to grant access.

Further information on third party review rights can be found at <https://www.oaic.gov.au/freedom-of-information/guidance-and-advice/personal-and-business-information-third-party-review-rights/>.

Disclosure log

You should be aware, if the department decides to grant access to the documents, or parts thereof, it is a requirement that they be published on the department's FOI [Disclosure Log](#), unless one of the exceptions in s11C of the FOI Act apply. If you consider it would be unreasonable for some or all of the documents to be published, please indicate this in your response. A Disclosure Log decision is not reviewable, but the department would take your views into account.

Applicant's review rights

The FOI applicant has rights of review under the FOI Act. These include external review by the Australian Information Commissioner and the Administrative Appeals Tribunal. If the decision is to exempt any material in accordance with any submission you may make, your submission may be required to be given to the external reviewer.

Provisions of the FOI Act

The relevant provisions of the FOI Act can be found at www.legislation.gov.au/Series/C2004A02562. In addition, further guidance about the FOI Act can be found at [FOI Guidelines](#).

Contacts

If you require clarification of any of the matters discussed in this email, please do not hesitate to contact us on the details below.

Kind regards

s47F, s47E(c)

**Director – Freedom of Information
Commercial and Information Law**

Legal Division | Corporate Operations Group

Australian Government Department of Health, Disability and Ageing

T: 02 6289 1666 | E: foi@health.gov.au

This email comes to you from Boonwurrung country

Location: Melbourne
PO Box 9848, Canberra ACT 2601, Australia

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Visit www.bupa.com for the story of who we are, where we've come from and what we do.
For UK insurance policyholders:

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Directors: M. Potkins (British), J. O'Reilly (British), G. Beasley, M. Fulton, S. Brown (British), R. Pearson (British) and D. Swanton.

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