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Our ref: AA1000409  
Contact officer: Kaitlin Hanrahan  
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27/04/2018

Francesca Lai  
Lawyer  
Hall & Wilcox

**By email: [Francesca.Lai@hallandwilcox.com.au](mailto:Francesca.Lai@hallandwilcox.com.au)**

Dear Ms Lai

**Tyre Stewardship Australia Limited Application for authorisation AA1000409 —draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Tyre Stewardship Australia Limited (**TSA**) on 5 December 2017.

**Draft determination**

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for six years.

**Interim authorisation**

As you are aware, authorisations A91336-A91337, which currently provide protection for the Tyre Stewardship Scheme's (**Scheme**) operation, expire on 3 May 2018.

The ACCC has decided to grant interim authorisation for TSA to continue to operate the Scheme on the same terms as authorised by the ACCC in 2013 (under A91336-A91337). Interim authorisation commences immediately, and allows TSA to continue to operate the Scheme while the ACCC finalises its assessment of the revised Scheme under current application for authorisation AA1000409.

The ACCC's reasons for its interim authorisation decision are contained in the draft determination.

**Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, the deadline to lodge your submission is **11 May 2018**. The ACCC will also provide TSA with an opportunity to respond to any public submissions received from interested parties.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **11 May 2018**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

### **Timetable**

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

<b>Indicative date</b>	<b>Stage in assessment process</b>
<b>5 December 2017</b>	Lodgement of application and supporting submission.
<b>13 December 2017</b>	Public consultation process begins.
<b>27 April 2018</b>	Draft determination and ACCC decision regarding interim authorisation.
<b>May 2018</b>	Public consultation on draft determination including any conference if called.
<b>May/June 2018</b>	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Kaitlin Hanrahan on 03 9290 1917.

Yours sincerely



Jaime Martin  
A/g Director  
Adjudication Branch