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**By email:**

Dear Sir/Madam

**Tyre Stewardship Australia applications for authorisation AA1000409 — interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from Tyre Stewardship Australia (TSA) for continuing a voluntary, national Tyre Stewardship Scheme which aims to increase the recycling rate of end-of-life tyres.

The ACCC granted conditional authorisation to the Australian Tyre Industry Council in relation to the scheme in April 2013. This authorisation is due to expire on 11 April 2018.

The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

TSA, who is responsible for managing the Scheme, is now seeking authorisation for continuing the national voluntary Tyre Stewardship Scheme. The operation of the Scheme is governed by the proposed tyre stewardship scheme guidelines. TSA has amended the Guidelines from its current form to allow for greater flexibility in its administration.

TSA seeks authorisation in relation to certain provisions within the Tyre Product Stewardship Scheme Guidelines. Among other things, these relevant provisions include a requirement that the scheme's members deal only with other members of the scheme (where possible) and impose a levy on the sale of tyres in Australia (proposed to be \$0.25 per passenger car tyre equivalent) or an equivalent membership fee, to fund the operation of the scheme.

A full copy of the application for authorisation is available on the ACCC's website [www.acc.gov.au/AuthorisationsRegister](http://www.acc.gov.au/AuthorisationsRegister). Alternatively, you can contact Kaitlin Hanrahan on 03 9290 1917 to obtain a hard copy of the application and supporting submissions.

**Request for submission**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements. To assist in making a submission, some suggested issues to which you may wish to respond are set out in **Attachment A**.

Please feel free to forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

If you intend to provide a submission in relation to TSA's application for authorisation, please do so by **25 January 2018**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject 'AA1000409 – Tyre Stewardship Australia – submission'.

Alternatively, if you would like to provide comments orally, please contact Kaitlin Hanrahan on 03 9290 1917 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion. Guidelines for the process of exclusion from the public register can be found on [the ACCC website](#).

## Timetable

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

<b>5 December 2017</b>	Lodgement of application and supporting submission.
<b>13 December 2017</b>	Public consultation process begins.
<b>25 January 2018</b>	Closing date for submissions from interested parties.
<b>March 2018</b>	Draft determination.
<b>March/April 2018</b>	Public consultation on draft determination including any conference if called.
<b>May 2018</b>	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Marie Dalins  
Director  
Adjudication Branch

## **Attachment A**

### **Likely future without**

1. Absent the proposed conduct, can you comment on how the Tyre Stewardship Scheme would operate?
2. Similarly, please provide any comments on how end of life tyre recycling would operate if the Scheme was no longer in place.
3. How would the situation be different with the proposed scheme in place?

### **Areas of competition**

4. Please provide any comments regarding the area(s) of competition that may be affected by the Scheme.

### **Public Benefits and Detriments**

5. Please provide any comments on the current operation of the Scheme, and its ability to meet its objectives regarding end of life tyres.
6. TSA is seeking authorisation for specific clauses within the Guidelines, to allow for greater flexibility in administering the Scheme. If possible, please comment on any changes to the public benefits and detriments that might arise given the greater flexibility.
7. Please provide any other comments regarding the public benefits claimed by the Applicants or other public benefits of the proposed Guidelines clauses.
8. Please provide any other comments regarding the public detriments claimed by the Applicants or other public detriments arising from the Guidelines clauses.

## List of interested parties consulted

Federal Minister for environment and Energy  
Federal Shadow minister for environment and water  
Department of environment and energy  
South east resource recovery regional organisations of councils  
Local Government NSW  
Western Australia Local Government association  
Local Government association of South Australia  
Local Government association of Queensland  
Local Government association of Tasmania  
Local Government association of Northern Territory  
Australian Local Government Association  
North East Waste Recovery Group  
ATIC  
Australian Road Research Board  
Australian Tyre Recyclers Association  
Australian Logistics Council  
Cement industry federation  
Federal chamber of automotive industries  
Waste Management Association of Australia  
Australian Council of Recycling  
Auto Recyclers Association of Australia  
Australasian Fleet Management Association  
Roads Australia  
Motor Traders Association of Australia  
Victorian Automobile Chamber of Commerce  
Australian centre for rail innovation  
Global Product Stewardship Association  
Tyrecycle  
Minerals Council of Australia  
Green Distillation Technologies  
Ecoflex  
C&R tyre recycling  
RDT  
Environmental protection agency Victoria  
Sustainability Victoria  
Environmental protection agency Tasmania  
Environmental protection agency NSW  
Environmental protection agency SA  
Zero Waste SA  
Environmental protection agency WA  
Main Roads WA  
Environmental protection agency ACT  
Environmental protection agency NT  
QLD Dept. of environment and resource management  
STEG waste management  
Bridgestone Australia  
Continental  
Goodyear Dunlop  
Kumho Tyre  
Michelin  
Pirelli  
Toyo Tires  
Tyrepower  
Yokohama