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Our ref: CS1048207
Contact officer: Miriam Kolacz
Contact phone: (03) 9658 6476

28/03/2018

Dear Sir/Madam

Recyclers of South Australia Inc. (Recyclers SA) application for authorisation AA1000415—interested party consultation

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from Recyclers SA. 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.

Recyclers SA is seeking authorisation on behalf of itself, and its current and future collection depot members, to:

- represent its Participating Members in collective bargaining with Super Collectors for the supply of category B containers (containers) in exchange for a refund and handling fee pursuant to the Environment Protection Act 1993 (SA) (the Act), and
- provide advice to its Participating Members collectively in relation to their contractual arrangements with Super Collectors for the supply of containers in exchange for a refund and handling fee pursuant to the Act (**the proposed arrangements**).

Recyclers SA states that the collective negotiation and advice would cover issues such as the auditing system adopted, and the weight calculations, which determine the refund amount and handling fee. Recyclers SA states that the collective negotiations and advice would not address the quantum of the refund amount or handling fee.

Recyclers SA represents 84 members, who collectively operate 111 collection depots in South Australia. Collection depots supply containers to Super Collectors in return for a refund amount and handling fee.

A full copy of the application for authorisation is available on the ACCC's website www.accc.gov.au/AuthorisationsRegister. Alternatively, you can contact Miriam Kolacz on (03) 9658 6476 to obtain a hard copy of the application and submission.

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.

If you intend to provide a submission in relation to Recyclers SA's application for authorisation, please do so by **13 April 2018**. Submissions should be emailed to adjudication@acc.gov.au with the subject 'AA1000415 – Recyclers SA – submission'.

Alternatively, if you would like to provide comments orally, please contact Miriam Kolacz on (03) 9658 6476 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

16 March 2018	Lodgement of application and supporting submission.
28 March 2018	Public consultation process begins.
13 April 2018	Closing date for submissions from interested parties.
27 April 2018	Applicant responds to issues raised in the public consultation process.
May/June 2018	Draft determination.
June	Public consultation on draft determination including any conference if called.
June/July 2018	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 application 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 application.

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 Miriam Kolacz on (03) 9658 6476 or adjudication@acc.gov.au.

Yours sincerely



Gavin Jones
Director
Adjudication

List of Interested Parties – Recyclers of South Australian Inc – application for authorisation - AA1000415

Asahi Holdings (Australia) Pty Ltd
Australian Beverages Council Ltd
Brewers Association of Australia
Coca-Cola Amatil (Aust) Pty Ltd
Coopers Brewery Limited
Department of Environment, Water and Natural Resources
Environmental Protection Authority South Australia
Flagcan Distributors Pty Ltd
Green Industries SA
Heinz Wattie's Pty Ltd
Lion Pty Ltd
Local Government Association of South Australia
Marine Stores Pty Ltd
Sims Metal Roseworthy
Statewide Recycling Services Pty Ltd
Winemaker's Federation of Australia
Various non-Recyclers SA collection depots