



Our ref: AA1000655
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Dear Sir/Madam

Tyre Stewardship Australia Limited application for revocation of authorisation AA1000409 and substitution of AA1000655 – interested party consultation

On 4 December 2023, the Australian Competition and Consumer Commission (the **ACCC**) received an application for re-authorisation (revocation and substitution) from Tyre Stewardship Australia Limited (**TSA**). This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

TSA is seeking re-authorisation¹ under the *Competition and Consumer Act 2010* (Cth). Re-authorisation would give it legal protection from competition laws to continue to operate the national Tyre Product Stewardship Scheme (the **Scheme**).

The Scheme is a voluntary, industry-led program with the primary aim of increasing the recycling rate of end-of-life tyres. TSA is seeking authorisation for specific provisions of the guidelines which govern the Scheme. The guidelines require, among other things, that Scheme members only deal with other members of the Scheme in certain circumstances and imposes a levy on tyre importers (\$0.25 per tyre in 2013, adjusted annually for CPI).

TSA is seeking re-authorisation because an existing authorisation (AA1000409) to operate the scheme expires on 15 June 2024. TSA advises that the provisions of the guidelines for which re-authorisation is sought have not changed since the previous authorisation was granted.

TSA is seeking re-authorisation for 3 years. A full copy of the application for re-authorisation is available on the ACCC's [authorisations public register](#).

Making a submission

The ACCC invites you to make a submission on the application for re-authorisation. In making your submission, please provide information, evidence and views about the likely public benefits, effects on competition and any other public detriment that you consider will result from the proposed conduct.

Further, the ACCC invites you to tell us about your experience of the Scheme during the term of the previous authorisation. The ACCC is particularly interested in the public benefits and detriments you have observed as a result of the conduct to date.

If you intend to provide a submission, please do so by **19 January 2024**. If you wish to request an extension, please contact us on the details below as early as possible.

¹ For information about Authorisations, please see <https://www.accc.gov.au/business/exemptions/authorisation>

Submissions after the due date (or after any extension granted) may not be taken into account.

Submissions should be lodged via the web form accessible on the public register page for this matter. Alternatively, if you would like to provide comments orally, please contact Ben Janover via the details at the end of this letter.

Your submission **will** be placed on the ACCC's [authorisations public register on the internet](#) unless you have made a request (with reasons) for us to exclude part or all of the submission from the public register. (See [Guidelines for Excluding Information from the Public Register for more information on how to make a request and how we assess requests](#)).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information, and an up-to-date version (including any changes) will be posted on the public register.

Indicative date	Stage in assessment process
4 December 2023	Lodgement of application and supporting submission.
14 December 2023	Public consultation process begins.
19 January 2024	Closing date for submissions from interested parties.
February 2024	Applicant responds to issues raised in the public consultation process.
February/March 2024	Draft determination.
March/April 2024	Public consultation on draft determination including any conference if called.
April/May 2024	Final determination.

This letter has been placed on the ACCC's public register. If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact Ben Janover on (03) 9290 1813 or exemptions@acc.gov.au.

Yours sincerely



Gavin Jones
Director
Competition Exemptions