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5/01/2021

[www.accc.gov.au](http://www.accc.gov.au)

## By email

Dear Sir/Madam

### **Paintback Limited application for Authorisation AA1000536 — interested party consultation**

The Australian Competition and Consumer Commission (the **ACCC**) is currently conducting a consultation process on an application for re-authorisation received from Paintback Limited (**Paintback**, formerly known as The Australian Paint Manufacturer's Federation Inc.) on behalf of itself and participating paint suppliers (together, the Applicants).

The ACCC invites you to comment on the application. Further information about the authorisation process is provided in the ACCC's [Guidelines for authorisation of conduct \(non-merger\)](#).

### **Background**

The ACCC previously granted Authorisation A91405 to Paintback and participating paint suppliers to impose a \$0.15 per litre levy to the cost of certain architectural and design paints, and woodcare products (collectively, **A&D paint**) to fund the Paintback scheme and its collection and disposal activities. This conduct has been authorised until 1 June 2021.

The applicants are seeking a new authorisation for the same conduct for an additional 10 years, commencing at the conclusion of the current authorisation.

### **Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any public detriment, from the proposed arrangements. The purpose of this letter is to invite your comments as a party who may be interested in providing a submission to the ACCC in relation to these arrangements.

If you intend to provide a submission, please do so by **5 February 2021**. Submissions should be emailed to [exemptions@accc.gov.au](mailto:exemptions@accc.gov.au) with the subject 'AA1000536 – Paintback Limited – Submission'.

Alternatively, if you would like to provide comments orally, please contact Tom Whitby on 02 6243 1012 to organise a suitable time.

Submissions, including oral 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](#).

If you do not wish to make a submission at this time, but would like to be informed of the progress of the application, 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.

An indicative timetable for the ACCC's assessment of the notification is set out below.

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<b>30 November 2020</b>	Lodgement of application and supporting submission.
<b>5 January 2020</b>	Public consultation process commences.
<b>5 February 2021</b>	Closing date for submissions from interested parties.
<b>February 2021</b>	Applicants respond to any issues raised in submissions.
<b>February/March 2021</b>	Draft Determination.
<b>March 2021</b>	Public consultation on draft determination.
<b>April 2021</b>	Final determination

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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 Tom Whitby on (02) 6243 1012 or via email [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Competition Exemptions