



Our ref: AA1000675
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11 July 2024

Dear Interested Party

Re: ResiLoop Limited application for authorisation AA1000675– interested party consultation

On 28 June 2024, the Australian Competition and Consumer Commission (the **ACCC**) received an application for authorisation from ResiLoop Limited (**ResiLoop**) on behalf of itself, its members (e.g. manufacturers and distributors of resilient flooring) and participants (e.g. retailers and commercial contractors) in the Scheme. This letter is to invite you to comment. You are welcome to pass this letter on to others who may wish to make submissions.

ResiLoop is seeking authorisation¹ under the *Competition and Consumer Act 2010* (Cth). Authorisation would give it legal protection from competition laws to establish and operate a voluntary, industry-led product stewardship scheme to collect and recycle resilient flooring waste (the **Scheme**). The Scheme will be funded by a product levy of no more than 15 cents per square metre applied to certain categories of resilient flooring products. The product levy will be passed transparently through the value chain (e.g. by direct reference on the invoice to the scale of the product levy and the relevant products included in the purchase).

Resilient flooring is floorcoverings made from materials with some elasticity. The products are made from natural mineral fillers combined with materials such as vinyl, linoleum or rubber, which gives the product flexibility and/or cushioning.

ResiLoop is seeking authorisation for a period of 6 years.

A full copy of the application for authorisation is available on the ACCC's [authorisations public register](#).

Interim authorisation

ResiLoop has also requested interim authorisation to allow it to implement all aspects of the Scheme, including the imposition of the product levy to fund collection, transportation and supply of member waste to recyclers and manufacturers. Further information on the interim authorisation request can be found in the application and the applicant's supplementary submission dated 9 July 2024.

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

Making a submission

The ACCC invites you to make a submission on the application for authorisation and request for interim 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.

If you intend to provide a submission on the request for interim authorisation, please do so by **19 July 2024**. Extensions are not normally granted for submissions on interim authorisation.

If you intend to provide a submission on the substantive application for authorisation, please do so by **31 July 2024**. If you wish to request an extension, please contact us on the details below as early as possible. 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 Andrew Ng or Surina Sood 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
28 June 2024	Lodgement of application.
11 July 2024	Public consultation process begins.
19 July 2024	Closing date for submissions from interested parties on the request for interim authorisation.
31 July 2024	Closing date for submissions from interested parties on the substantive application.
July/August 2024	ACCC decision regarding interim authorisation.
September/October 2024	Draft determination.
October 2024	Public consultation on draft determination including any conference if called.
November 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 Andrew Ng on (03) 9290 1414 or Surina Sood on (03) 9658 6402 or exemptions@acc.gov.au.

Yours sincerely



Anna Pound
Acting Director
Competition Exemptions