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Our Ref        139972.5 NT:gv

Tuesday, 23 December 2014

Australian Competition & Consumer  
Commission  
Attention: Jaime Martin  
Assistant Director, Adjudication  
Level 35, 360 Elizabeth Street  
MELBOURNE VIC 3000

**BY EMAIL: [jaime.martin@acc.gov.au](mailto:jaime.martin@acc.gov.au)**

Dear Ms Martin

### **AUSTRALIAN TYRE INDUSTRY COUNCIL (ATIC) AUTHORISATIONS (A91336 & A91337)**

I refer to recent email and telephone correspondence with you in relation to the above authorisations.

I note that the ACCC's authorisation granted on 11 April 2013 was conditional on a number of reporting requirements considered by the ACCC to be integral to the administration of the Tyre Stewardship Scheme.

In particular, I note Condition C1 requires compilation of an annual report within three months of the end of the financial year. It is important that I put on the record my client's current situation. In short my client is unable to comply with Condition C1 for the 2013 -2014 financial year. The reason for this is that the Tyre Stewardship Scheme (TSS) is still very much in its infancy having only started to operate this year.

For the previous 12 months, since the authorisations on 11 April 2013, the work of ATIC and Tyre Stewardship Australia has been to gather the necessary support and participation with a view to commencing the Scheme.

It is clear that the end of the current financial year a report will be possible. In the meantime as discussed with you it is proposed that an interim report could be published on the TSS website albeit with less information than ordinarily required by Condition C1.

In short, it is proposed that early next year TSA will publish a short report outlining its progress to date. This process has been delayed slightly due to the illness of the TSA chairman.

By October 2015 the first full annual report will be published.

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In the circumstances I hope that the above proposal will meet with the ACCC's approval and that TSA is entitled to proceed accordingly.

If you wish to discuss this matter or have any queries please do not hesitate to contact me.

Sincerely

A handwritten signature in black ink, appearing to read "N. Tebbe". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

NICHOLAS TEBBEY

Supervising Director GERALD SANTUCCI