



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91336-A91337
Contact Officer: David Hatfield
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28 April 2015

Nicholas Tebbey
Senior Associate
Snedden Hall & Gallop Lawyers
43-49 Geils Court
Deakin ACT 2600

Via email: ntebbey@sneddenhall.com.au

Dear Mr Tebbey

**Tyre Stewardship Australia – public reporting obligations
Australian Tyre Industry Council applications authorisation A91336-A91337 –
final determination**

Thank you for providing a copy of a report dated 28 February 2015 by Tyre Stewardship Australia (TSA) on the implementation of the Tyre Stewardship Scheme.

The ACCC will place this report and your earlier letter dated 23 December 2014 on the public register for this matter.

The ACCC understands that there have been some delays in implementing the Scheme, which has prompted the provision of this interim report. As you are aware, one of the conditions of authorisation is that TSA publish an annual report on its website which must at least include a range of specified information. I understand that TSA intends to publish such a report for the current financial year within 3 months of 30 June 2015.

I also note that the second condition (C2) of authorisation is that TSA appoints an independent, external consultant to conduct a full review of the operation of the Scheme, to commence on the second anniversary of the commencement of the Scheme. Since various components of the Scheme have been implemented over time, I would suggest that an appropriate commencement date of the Scheme for the purposes of C2 may be November 2014. This appears to be the time that all key components were operational – including the levy arrangements, the accreditation scheme and the requirement that participants only deal with other accredited participants (where possible). This would mean that the independent review must commence in November 2016 and be completed by May 2017.

I would remind you that should ATIC or TSA seek re-authorisation of the Scheme towards the expiry of the current authorisation in May 2018, the ACCC would expect to receive data

on the claimed public benefits – including increased resource recovery and recycling rates of end of life tyres, a reduction in the volume of end of life tyres not going to an environmentally sound use, and the development of the market in recognising the value of end of life tyres.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact David Hatfield on (02) 6243 1266 (or at david.hatfield@acc.gov.au).

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch