Tyre Stewardship Product Scheme Guidelines

Version 3.0

[finalised date]

TyreStewardship
AUSTRALIA

Australian Government Accredited Product Stewardship Scheme

Disclaimer

By viewing, reading or otherwise using these Guidelines you understand, acknowledge and agree that the information, calculations, data and any case studies included in these Guidelines (**Guidelines Information**):

- is provided for general information purposes only;
- does not consider any or all the specific circumstances relevant to you or any other person and does not constitute a recommendation by TSA or any other person; and
- does not constitute any legal, financial or investment advice and is not to be relied upon as, nor to be used as a substitute for, legal, financial or investment advice.

Status of this document

The Guidelines are binding on TSA and Contributors and Participants.

These Guidelines are current as at the date indicated on the first page of this document and may be amended from time to time in accordance with these Guidelines.

Acknowledgement

TSA acknowledges the traditional custodians of the land and waterways on which we live, work, and depend. We acknowledge the unique spiritual and cultural connection, and continuing aspiration that the traditional custodians have for Country, and we pay respect to Elders, past, present, and emerging.

Environmental Responsibility

This document is available for download at www.tyrestewardship.org.au

These Guidelines were designed to be read digitally. Please consider your environmental impact before printing.

Contents

Part A		**End of Life Tyres**	**10**
	A1	Circular Economy	10
	A2	How Disposal Fates, Circularity and Recovery Intersect	10
	A3	The Concept of Best Fate	11
Part B		**Product Stewardship Scheme**	**12**
	B1	What is the Scheme?	12
	B2	Scheme Objectives	12
	B3	General Principles	13
	B4	Scheme Scope	13
	B5	Performance Measures	14
	B6	Termination of the Scheme or its administration	15
Part C		**Tyre Stewardship Australia**	**16**
	C1	Administrator of the Scheme	16
	C2	Objectives	16
	C3	Funding	17
	C4	Amending the Guidelines	18
Part D		**The Levy**	**19**
	D1	Structure	19
	D2	Who Pays the Levy?	19
	D3	Amending the Levy	20
Part E		**General Commitments**	**22**
Part F		**Contributors and Participants**	**24**
	F1	Categories and Definitions	24
	F2	Importers / Manufacturers	25
	F3	Retailers	26
	F4	Commercial Generators	28
	F5	Collectors	29
	F6	Processors / Recyclers	30
	F7	Exporters	31
Part G		**Managing Accreditation**	**32**
	G1	Accreditation Process	32
	G2	Enforcement and Compliance	35
Part H		**TSA Logos**	**39**
Appendix A			**41**

Glossary of Terms

ACCC	Australian Competition & Consumer Commission.
accreditation	Admission by TSA of a person as a Contributor or Participant in the Scheme in recognition of the person's commitment to and ongoing compliance with the requirements of the Scheme.
Applicant	A person who has applied to become a Contributor or Participant of the Scheme.
Application	An application by an Applicant to become a Contributor or Participant of the Scheme in accordance with Part G of these Guidelines.
Board	The board of directors of TSA.
Circular	A system or approach that prioritises keeping materials and products in use for as long as possible through reuse, repair, and recycling, minimising waste and reducing the need for virgin resources.
Collector	A Participant who collects, is a collection point for, and/or transports end of life tyres (EOLT) in any part of Australia for recycling, reuse, processing or disposal and meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered a Collector. For the purposes of these Guidelines a waste transfer station and a transport company transporting EOLT are Collectors.
Commercial Generator	A Participant who, as part of their business or other trading activities (other than as part of the business of an Importer, Manufacturer, Retailer, Collector Processor or Exporter), uses tyres in commercial quantities and meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered a Commercial Generator.
Constitution	The constitution of TSA as in effect from time to time.
Consumer	The final purchaser of a tyre (which may be a business). As the ultimate owner and end user of the tyre, the consumer shares responsibility for the disposal of the tyre to the best Fate possible at the end of its life.
Contributor	A person who has been accepted and admitted by TSA as an Importer, Manufacturer or other class which TSA deems to be a 'Contributor' and who is required to contribute funds to TSA by way of payment of the Levies for tyres sold into or in Australia.

CPI	The Consumer Price Index All Groups - weighted average of eight capital cities, as published from time to time by the Australian Bureau of Statistics or if that index is suspended or discontinued and another index is substituted by the Australian Bureau of Statistics, the index officially substituted for it.
End-of-life tyre or **EOLT**	Tyres that are no longer capable of performing the function for which they were designed and originally manufactured.
Exporter	A person who exports EOLT, TDM, TDF or related materials to international markets and meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered an Exporter..
Environmentally Sound Use	This term is retained for legacy and reporting alignment purposes only and is superseded by the concepts of 'Fates' and circularity under these Guidelines.
Equivalent Passenger Unit or EPU.	EPU represents a standardised tyre unit measurement used for the specification of the Levy, reporting and compliance purposes
Fate	The ultimate destination or outcome for a tyre at end-of-life, as categorised under these Guidelines and ranked based on circularity and recovery outcomes.
Fleet operator	A person who owns or operators a fleet of vehicles, including private organisations and government entities.
Group	In respect of an Applicant, Contributor or Participant means: ▪ the Applicant, Contributor or Participant; ▪ each body corporate which is a 'related body corporate' of the Applicant, Contributor or Participant within the meaning of section 50 of the *Corporations Act 2001* (Cth); ▪ each body corporate of which the Applicant, Contributor or Participant is a 'subsidiary' within the meaning of section 46 of the *Corporations Act 2001* (Cth); and ▪ each body corporate that is a subsidiary of any body corporate referred to in the above paragraph.
GST	Means the goods and services tax imposed under the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)*.
Guidelines	These guidelines.

Handbook	Any TSA-published document that provides guidance on Scheme processes, procedures or Participant obligations, as updated from time to time.
Importer	A person who is engaged in importing tyres (whether loose or fitted to vehicle) and are first to supply a tyre to the domestic Australian market and meets any other qualifications, criteria and conditions specified by TSA for a person to be considered an Importer.
Key Personnel	In respect of an Applicant, Contributor or Participant means: ▪ each 'related entity' of the Applicant, Contributor or Participant within the meaning of section 9 of the *Corporations Act 2001* (Cth); ▪ if the Applicant, Contributor or Participant is an individual, the Applicant, Contributor or Participant; ▪ if the Applicant, Contributor or Participant is a partnership, each partner of the Applicant, Contributor or Participant; ▪ each shareholder, member and officer of the Applicant, Contributor or Participant; and ▪ each manager, employee or executive which holds a key or senior position at the Applicant, Contributor or Participant.
Landfill	Waste disposal sites used for the authorised deposit of solid waste onto or into land. Also, the process of disposing or solid waste at such sites.
Levy	The amount determined and payable under Part D on page 19 (below).
Levy Rate	The amount set out in D1.1, as may be adjusted or amended as permitted in these Guidelines.
Manufacturer	A person who is engaged in manufacturing tyres (whether as replacement tyres or fitted to vehicle) and are first to supply a tyre to the domestic Australian market and who meets any other qualifications, criteria and conditions specified by TSA for a person to be considered a Manufacturer.
non-motorised trailer	A trailer, vehicle, caravan or camper towed behind a motorised vehicle.
Off The Road Tyres or **OTR**	Tyres for heavy industry applications including, but is not limited to, tyres used on heavy machinery at mining sites.
Participant	A person who has been accepted and admitted by TSA as a Participant in the Scheme.

Processor / Recycler

A person who, by any means including mechanical, chemical and/or thermal processing:

- transforms TDM and/or EOLT into:
  - crumb rubber;
  - component materials such as rubber, steel and fabrics;
  - derived compounds, chemicals or other materials; or
  - fuel for use in certain industrial applications;
- retreads or repairs tyres into a form suitable for reuse; or
- otherwise meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered a Processor.

For the purposes of the Scheme and these Guidelines, a recycler is considered to be a Processor & Recycler

Product Stewardship

A policy approach recognising that importers, manufacturers, retailers, generators, collectors, processors, recyclers, remanufacturers and exporters and other persons have a shared responsibility for the environmental impacts of a product throughout its full life cycle.

recycle

A process to recover constituent materials from EOLT and use those materials to produce other products.

Regulatory Breach

Any breach, violation or infringement by the relevant Contributor or Participant of any law or regulation.

resource recovery

The process of extracting materials or energy from a waste stream through reuse, recycling or recovering energy from waste.

Retailer

A person who offers tyres for sale to Consumers by any means, including physical stores regardless of size or format, online or by cross docking or drop shipment and meets any other qualifications, criteria and conditions specified by TSA for a person to be considered a Retailer.

Retreader

A person who applies new tread to an otherwise end-of-life tyre. For the purposes of the Scheme, a tyre retreader is a Processor.

repair or reuse

Re-allocation of used tyres to their original purpose after minimal or no processing, including retread and second-hand sale

Scheme Branding Guidelines

Any branding guidelines in respect of the use of the TSA Logos published by TSA from time to time. The current Scheme Branding Guidelines can be found on the TSA website for review or download..

TSA Logos	The logos set out in the Scheme Branding Guidelines and any logo notified by TSA to the Contributors and/or Participants in writing from time to time.
Tyre Product Stewardship Scheme or **Scheme** or **TPSS**	The voluntary product stewardship scheme known as the Tyre Product Stewardship Scheme established in 2014 and administered by TSA. It is a voluntary arrangement between parties in the tyre supply chain to share responsibility for the long-term management of end-of-life tyres and in Australia.
tyre	For the purposes of inclusion in the Scheme, a vulcanised rubber product designed to be fitted to a wheel for use on, or already fitted to, motorised vehicles and non-motorised trailers towed behind motorised vehicles. For the purposes of these Guidelines, ‘tyre’ includes, but is not limited to, a tyre for motorcycles, passenger cars, box trailers, caravans, light commercial vehicles, trucks and truck trailers, buses, mining and earth moving vehicles, cranes, excavators, graders, farm machinery, and forklifts but excludes bicycle tyres and rubber tracks.
Tyre Derived Fuel or **TDF**	A fuel derived from end-of-life tyres and includes whole and/or shredded tyres used for this purpose.
Tyre Derived Material or **TDM**	Materials which are recovered from EOLT via any means including mechanical, chemical or thermal processing (e.g... mechanical size reduction, pyrolysis and devulcanisation of EOLT), such as: ▪ crumb rubber; ▪ component materials such as rubber, steel and fabrics; ▪ derived compounds, chemicals or other materials; or ▪ fuel for use in certain industrial applications.
TSA	The entity appointed to administer the Scheme which is Tyre Stewardship Australia Ltd (ACN 164 971 939).

Interpretation

In these Guidelines, headings are inserted for convenience only and do not affect the interpretation of these Guidelines and unless the context otherwise requires:

- the singular includes the plural and vice versa;
- a gender includes all other genders;
- if a word or phrase is defined, its other grammatical forms have a corresponding meaning;
- the meaning of general words is not limited by specific examples introduced by ‘includes’, ‘including’, ‘for example’, ‘such as’ or similar expressions;
- a reference to a document or instrument, including these Guidelines, includes all of its parts, sections, clauses, paragraphs, recitals, schedules, annexures and appendices and includes the document or instrument as amended, varied, supplemented or replaced from time to time;
- a reference to a statute, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- a reference to a person includes an individual, a partnership, a corporation or other corporate body, a joint venture, a firm, a trust, an association (whether incorporated or not) and a government authority;
- all monetary amounts are in Australian dollars, unless otherwise stated and a reference to payment means payment in Australian dollars; and
- a period dating from a given day or the day of a given act or event is to be calculated exclusive of that day.

Any rights or obligations under these Guidelines that by their nature are intended to survive termination, winding up or cessation of the Scheme or cessation of a Contributor or Participant’s participation in the Scheme remain in full force and binding on the Contributor or Participant and TSA notwithstanding the termination, winding up or cessation.

TSA may, in its absolute discretion and by notice in writing to the relevant Contributor or Participant, waive any rights which it may have under these Guidelines (including any right to enforce an obligation or commitment of a Contributor or Participant) however any failure to exercise or delay in exercising any right given by or under these Guidelines to TSA does not constitute a waiver.

Part A End of Life Tyres

A1 Circular Economy

Looking beyond the current take-make-waste extractive industrial model, a circular economy aims to redefine growth, focusing on positive society-wide benefits. It entails gradually decoupling economic activity from the consumption of finite resources and designing waste and pollution out of the system. Underpinned by a transition to renewable energy sources, the circular model builds economic, natural, and social capital. It is based on three principles: design out waste and pollution; keep products and materials in use (ideally at their highest and best value); and regenerate natural systems.[1]

A2 How Disposal Fates, Circularity and Recovery Intersect

There are seven possible Fates (or outcomes) for a tyre at the end of its life which are described in the table below. Each Fate can be classified in terms of circularity and whether the outcome is to be considered as recovery or not.[2,3]:

Fate	Description	Degree of Circularity	Resource Recovery
Repair and Reuse	re-allocation of used tyres to their original purpose after minimal or no processing, including retread and second-hand sale	Highest	Recovered
Recycling	activities that culminate in tyres being converted into products or raw materials that are returned to productive use, excluding for energy recovery	Lowest	Recovered
Energy Recovery	all processes through which tyres are processed to recover energy, for example process heat, steam or in electricity generation	None	Recovered
Onsite Burial	burial of tyres on a site that is not a formal landfill, whether or not approved by a regulator, so that the tyres can't be recovered	None	None
Landfill	tyres disposed of in legal landfills	None	None
Burning	incineration of tyres in the open environment without recovery of energy, whether the act is intentional or not	None	None
Remaining in flow (Stockpiled or dumped)	tyres whose final fate is yet to be determined. This includes tyres stored onsite, stockpiled or dumped illegally but not yet cleaned up. Also known as In-Flow	None	None

1 Ellen MacArthur Foundation 2024

2 Tyre Stewardship Australia (2025) Are we there yet?: Australia's towards a circular economy on tyres (Material Flow Analysis)

3 Tyre Stewardship Australia (2025) Analysis of material circularity of management options for tyres and conveyor belts

A3 The Concept of Best Fate

It is clear from the tables in sections A2that certain Fates are preferable to others because they represent better environmental and health outcomes. As a matter of principle and as contained in the general commitments in these Guidelines, all Participants in the Scheme are required to dispose of end-of-life tyres and to the Fate with the highest possible circularity or recovery.

However, issues such as geographic locations, specialist equipment requirements, processing availability, processing capacity, market demand for recycled products, and their related costs all influence the Fates to which end of life tyres can practically be consigned. These influences may create a situation where, despite the best of genuine intentions, consignment to Circular Fates is not feasible and other alternatives such as recovery for energy generation might need to be considered.

Whilst not circular, recovery for energy generation is still preferable to non-recovery Fates such as landfill, stock-piling, burning and on-site burial.

Part B Product Stewardship Scheme

B1 What is the Scheme?

Key distinction

There is a key distinction between the Scheme and TSA.

The Scheme is the comprehensive program governed by these Guidelines which is designed to manage the entire lifecycle of the nominated products from manufacture (or first importation) through to disposition at end of life. TSA is the administrator of the Scheme and is the entity which manages the day-to-day operations and activities of the Scheme. Participants are not required to be a TSA member and TSA members are not required to be Participants.

B2 Scheme Objectives

The objectives of the Scheme are to:

- increase resource recovery and recycling and minimise the environmental, health and safety impacts of EOLT generated in Australia; and
- develop Australia's tyre recycling industry and markets for TDM and or other materials recovered from recycling EOLT.

In support of the objectives, TSA will seek to assist and support the tyre and tyre processing and recycling industries:

- reduce the impact of tyres on human and environmental health, and related waste, including by reducing the amount of greenhouse gases emitted, energy and resources used, and water consumed in connection with the products, waste from the products and waste material;
- realise the community and economic benefits of taking responsibility for the products, waste from the products and waste material;
- develop a circular economy that maximises the continued use of the products and waste material over their life cycle and accounts for their environmental impacts;
- contribute to Australia meeting its international obligations concerning the impact of EOLT.

B2.1 Implications and Costs

Other than the Levy, TSA does not and will not play any role in estimating, proposing or setting any costs that may result from the circularity of the tyre product lifecycle. Each Contributor and Participant must independently assess any costs associated with their participation in or contribution to the Scheme.

B3 General Principles

Scheme is voluntary

The Scheme is voluntary in nature and there is no legal requirement to join the Scheme. As such, a person can choose to take part in the Scheme and, by becoming a Contributor or Participant, makes a clear statement that they support the goals and objectives of the Scheme and are willing to meet the agreed standards of practice.

Builds awareness

Publicising involvement in the Scheme as a Contributor and/or Participant is a public way of showing customers, suppliers, and the wider community that a business is committed to responsible product stewardship. It signals a preparedness to be accountable for how tyres are managed at the end of their respective lives.

Involvement builds involvement

Involvement also plays a significant role in encouraging others to become involved as a Contributor and/or Participant. When more businesses take part, the benefits of the Scheme grow, creating a stronger, more effective program that delivers better outcomes for the environment, health and the entire community.

B4 Scheme Scope

The Scheme is national in scope and applies to tyres, whether supplied loose as replacement tyres or those already fitted to motorised vehicles and non-motorised trailers towed behind motorised vehicles.

The Scheme applies to tyres meeting the above descriptions regardless of type, purpose or intended application.

B4.1 Expected Benefits

The Scheme is designed to deliver a range of benefits including, but not limited to:

- increased use of a resource stream as tyres reach end-of-life
- increase in the number of tyres being consigned to the best Fate;
- an enhanced Australian tyre recycling industry;
- sustainable markets for EOLT and the products derived from them;
- increased capacity to manage EOLT in Australia;
- mitigating harm associated with the mismanagement of EOLT in Australia;
- creation of new markets for EOLT and TDM through investment in research and development;
- an improved business environment particularly for Collectors and Processors / Recyclers;
- increased public awareness of the impacts of EOLT disposal; and
- enhanced credibility for the associated industries through demonstrated leadership in environmental management and adoption of corporate social responsibility strategies.

B5 Performance Measures

The effectiveness of the Scheme in achieving its objectives is measured and reported in TSA's annual report each year. The annual report is published on the TSA website. Such measures include those prescribed by the ACCC and those considered by TSA to be otherwise valuable or educative. Those prescribed by the ACCC[4] at the last reauthorisation in 2024 include:

- Total EOLT generated in Australia (tonnes to nearest '000), in respect of passenger and truck tyres, off-the-road tyres, and their total;
- Volume of EOLT in Australia going to environmentally sound use (tonnes to nearest '000) in respect of passenger and truck tyres, off the-road tyres, and their total;
- Percentage (%) of EOLT in Australia going to environmentally sound use in respect of passenger and truck tyres, off-the-road tyres, and their total;
- Volume of EOLT collected by Scheme accredited participants (tonnes to nearest '000) in respect of passenger and truck tyres, off-the-road tyres, and their total;
- Percentage (%) of total EOLT generated that was collected by Scheme accredited participants in respect of passenger and truck tyres, off-the road tyres, and their total;
- Volume of EOLT collected by Scheme accredited participants going to environmentally sound use (tonnes to nearest '000) in respect of passenger and truck tyres, off-the-road tyres, and their total; and
- Percentage (%) of EOLT collected by Scheme accredited participants going to environmentally sound use in respect of passenger and truck tyres, off-the-road tyres, and their total.

To calculate these measures, TSA uses data as reported by Contributors and Participants

A copy of the latest annual report is available on the TSA's website for review or download.

4 Australian Competition & Consumer Commission Determination (2024). Application for revocation of AA1000409 and the substitution of authorisation AA1000655 at para 5.9

B6 Termination of the Scheme or its administration

TSA may, on no less than 120 days' notice to all Contributors and Participants:

- cease to administer the Scheme; and/or
- terminate, end or otherwise cease the operation of the Scheme.

Part C Tyre Stewardship Australia

C1 Administrator of the Scheme

TSA has been established as the administrator of the Scheme. TSA is a public, non-profit company limited by guarantee.

C2 Objectives

TSA's principal objectives are to:

- implement the Scheme;
- administer the accreditation of Contributors and Participants in the Scheme;
- monitor, audit and report on the development of the Scheme;
- undertake education, awareness and information activities to promote the Scheme and the value of EOLT utilisation; and
- contribute to technology and market and business development activities that are consistent with the goal of increased utilisation of EOLT.

In support of the principal objective, the further activities of TSA are to:

- pro-actively invest in research and development projects, skills development, national outreach and international engagement for the benefit of the Australian community and the Australian public at large;
- advance and accelerate innovative technologies in Australia by supporting focused collaborative research in high priority technologies;
- retain local expertise in, and attract international expertise to, Australia;
- support growth in skills and capacity in Australian technologies for the domestic and international markets;
- engage with government, industry and the community in promoting, developing and implementing end-of-life tyre (and related products) technologies and the interests of the Australian research and development community;
- provide a forum to discuss ideas and promote multidisciplinary research and institutional collaboration; and
- do all other things as may be incidental or ancillary to the attainment of these objectives.

C2.1 Implementing and Administering the Scheme

Constitution and Governance

TSA's Constitution details the rules governing the management and operation of TSA, including certain rights and duties of directors and other officers and its members. It is a contract between TSA and its members.

The Constitution is available for review or download on the TSA website.

C2.2 Promoting the Scheme

TSA promotes the Scheme through a broad range of activities such as advocacy, education, industry development, engagement and other activities it determines necessary from time to time. The purposes of such activities are to:

- increase awareness of the effects of EOLT disposal and encourage participation in the Scheme;
- encourage greater recognition and responsibility to be custodians of our own waste;
- increase the adoption and commitment to circularity principles; and
- achieve and deliver other outcomes consistent with the Scheme objects and relevant government policies.

The TSA website is also used to promote the Scheme to the public with lists of Contributors and/or other Participants.

C2.3 Supporting Market Development

TSA allocates a portion of its funds to support initiatives and projects which:

- increase the consumption of Australian TDM from locally generated EOLT;
- contribute to market research, development and commercialisation activities;
- support growth in skills, expertise and capacity in the Australian EOLT and associated end user markets; and
- support other outcomes consistent with the Scheme Objectives.

TSA convenes a Market Acceleration Committee to provide advice and recommendations to the Board in relation to priority areas for support and assessment of applications for funding.

Further information about the Market Development Fund, decision making criteria, eligibility requirements, application processes and related matters can be found on the TSA website.

C3 Funding

TSA is primarily funded by the Levy which is imposed on tyres when they are first sold into the Australian domestic market. The Levy is paid by Contributors (being Importers / Manufacturers) and is set out in detail in Part D on page 19 (below).

TSA may use the funds generated by the Levy:

- for the purposes of carrying out, furthering and promoting the objectives of the Scheme set out in B2;
- to improve product stewardship and the circularity in the tyre industries;
- for organisational management costs;
- for implementation of its strategy for handling EOLT;
- to administer and operate the Scheme, including accreditation and audit of Contributors and Participants and reporting and the ongoing operational costs of TSA;
- to promote the Scheme and to fund marketing and consumer education of the Scheme, TSA and the tyre industries;
- to fund market development and research projects and activities; and
- to do all such acts and things as are incidental or subsidiary to all or any of the above.

Audited financial statements are published annually in TSA's Annual Report. A copy of the latest Annual Report is available on the TSA website for review or download.

C4 Amending the Guidelines

Except where expressly provided otherwise, TSA may vary or amend these Guidelines in its absolute discretion from time to time with the variation or amendment becoming effective on the date specified by TSA, which must not be before the date which is 60 days after notice is provided to Contributors and Participants of the variation or amendment. Notice of a variation or amendment to these Guidelines may be made by publishing the varied or amended Guidelines on the TSA website. If a Contributor or Participant does not agree with a variation or amendment to these Guidelines they are entitled to resign from the Scheme in accordance with G2.4.

Part D The Levy

D1 Structure

D1.1 Basis

The Levy is payable on each tyre that is first sold or consigned into the Australian domestic market and is determined based on the Equivalent Passenger Units per tyre and the Levy Rate.

Each category of tyres is assigned an EPU per tyre as determined by TSA. The number of EPU assigned to each tyre category (being the EPU per tyre) is detailed in Appendix A.

As at [finalised date], the Levy Rate for each tyre is $0.25 excluding GST.

The Levy for each tyre is calculated by multiplying the Levy Rate by the EPU for that tyre.

The Levy Rate and EPU are subject to amendment or adjustment as permitted in these Guidelines.

D1.2 Goods and Services Tax

The Levy is a taxable supply for GST purposes and all figures detailed in these Guidelines are exclusive of GST.

D2 Who Pays the Levy?

D2.1 Obligation to pay the Levy

Each Contributor must pay to TSA the Levy for each tyre when that tyre is first sold or consigned into the Australian domestic market by, or on behalf of, the Contributor.

Circumstances in which a tyre may be first sold or consigned into the Australia domestic market include:

- direct to warehouse shipments;
- drop-shipments;
- cross docking; and
- arrangement where title to the tyre changes from one person to another person.

D2.2 Payment of the Levy

The Levy will be collected on behalf of TSA by a third party nominated by TSA and the Contributors must pay the Levy to the nominated third party. The third party is used by TSA to collect payment of the Levy and to help protect confidential information pertaining to each Contributor. The third-party collector is selected and appointed by TSA and Contributors may be required to enter into an agreement or deed with the relevant third party in respect of the collection of the Levy.

D3 Amending the Levy

D3.1 When can the Levy be amended?

Downward at any time

With the approval of the Board and after giving due consideration to industry, economic and other factors, TSA may amend the Levy downward at any time and for any period it determines appropriate in its sole discretion. This provides TSA with the flexibility to recognise extraordinary events which may have a detrimental effect on Contributors and/or Participants.

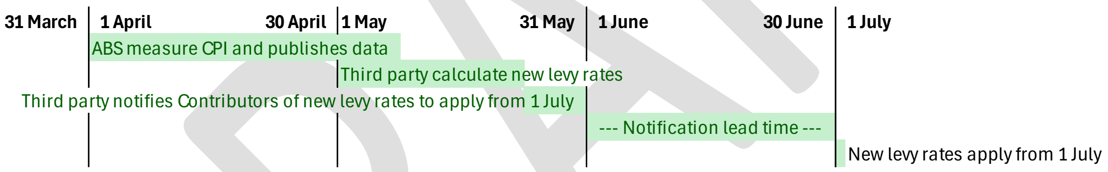
Any such amendments must be applied equally to all Contributors.

Annual CPI Adjustment

TSA may adjust the Levy with effect on and from the 1st of July in each year (being the **adjustment date**).

On each adjustment date, the Levy may be amended by TSA by adjusting the Levy Rate by not more than the annual percentage movement in CPI during the 12 months to the end of March prior to the adjustment date.

The following illustrates the sequence of events for clarity:



D3.2 No obligation to amend

Notwithstanding the processes described above in D3.1, TSA may, after any review and in its discretion:

- amend the Levy by an amount less than the maximum increase permitted under these Guidelines; or
- set a timeline or schedule for the introduction of any amended Levy.

D3.3 No Consultation

TSA is not required to consult with Contributors and/or Participants in respect of any amendment to the Levy made in accordance with these Guidelines.

D3.4 Notice and effectivity

TSA must give no less than 30 days' notice of a change to the Levy, or any component of the Levy, by using reasonable efforts to send a notice in writing to each Contributor and Participant.

D3.5 Prior agreement as to levy changes

Each Contributor agrees TSA may amend the Levy in the ways detailed in these Guidelines.

Part E General Commitments

The general commitments detailed in this section apply to all Contributors and Participants who must:

Supporting the Scheme

- Support the Scheme and act consistently with the objectives of the Scheme;
- Promote the Scheme to the community and other persons; and
- Give priority to dealing with other Participants and Contributors in relation to tyres.

Ethical Dealing and integrity

- Deal transparently, ethically and professionally with TSA, other Contributors, Participants or other persons involved in the supply chain of tyres, including Consumers;
- Comply with relevant laws including environmental and occupational health and safety laws;
- Adhere to the TSA Code of Conduct as published on the TSA website from time to time;
- Not do anything, and ensure that their Key Personnel and employees do not do anything, which may result in TSA being in breach of the authorisation granted by the ACCC in respect of the conduct under the Scheme;
- Maintain, and ensure that Key Personnel maintain, a high level of integrity;
- Ensure Key Personnel remain of good character and reputation, act in compliance with all laws and do not conduct themselves in an unprofessional or offensive way;
- Act honestly, in good faith and not make any statements which are misleading or deceptive or are likely to mislead or deceive TSA, a Contributor, a Participant and/or any member of the public, and do not do or omit anything to cause such statements to be made; and
- Not engage, and ensure that their Key Personnel do not engage, in any illegal or corrupt practices.

Cooperation

- Provide any data or information reasonably requested by TSA;
- Permit TSA to use the information and data provided by Contributors and Participants to administer the Scheme; and
- Permit TSA to share anonymised and summarised information and data with other persons to further the objectives of the Scheme, to meet legal obligations or for related purposes. This may include government departments and agencies.

Other

- Advise TSA in relation to all matters arising in respect of the Scheme which are or are likely to be material to TSA or the Scheme;
- Comply with the Scheme Branding Guidelines and any directions or instructions given to the Contributor or Participant by TSA with respect to the use of any TSA Logos;
- Comply with any reasonable directions or instructions given to the Contributor or Participant by TSA regarding their participation in the Scheme;
- Not engage, and must ensure that the Key Personnel do not engage, in any conduct or activity which is unbecoming or which does or may prejudice the interest of, have a material adverse effect on, or reflect unfavourably on TSA, the Scheme or any Contributor or Participant, including bringing TSA, the Scheme or any Contributor or Participant into disrepute, contempt, scandal or ridicule;

- Obtain written approval from TSA prior to release of any press release or other public announcement concerning the Scheme or TSA; and
- Comply with the requirements under G1.3.

E1.1 Relationships

Participants can help ensure they meet their ongoing Scheme commitments to give priority to dealing with other Participants by formalising arrangements with other Participants for the disposal of EOLT through entering contractual arrangements with such other Participants.

Such arrangements play a key role in the implementation of the Scheme. They help ensure EOLT are managed, collected, transported, stored and reused or recycled in accordance with the objectives of the Scheme and Commonwealth and State legislation and local by-laws.

E1.2 Reporting

In addition to its other obligations under these Guidelines, each Contributor and Participant must:

- provide to TSA such reports and information in a form as reasonably requested by TSA from time to time; and
- ensure that any reports and information provided under or in connection with these Guidelines or the Scheme are complete and accurate in all material respects.

Without limiting any other section of these Guidelines, each Contributor and Participant must provide TSA with any information which TSA:

- is required to provide to the ACCC or any government or government body or authority (including a Minister);
- requires in order to comply with any requirement of the ACCC, the authorisation of the Scheme or any law or regulation; or
- requires in order to complete any report or independent review of the Scheme.

E1.3 Meetings

Contributors and Participants must attend all meetings as reasonably required by TSA to discuss the Scheme and compliance with these Guidelines.

Part F Contributors and Participants

F1 Categories and Definitions

TSA may establish different categories, types or classes of Contributors and Participants at any time and prescribe the:

- qualifications, criteria and conditions to be eligible to become a Contributor or Participant of a certain type or class; and
- the rights, privileges, obligations and commitments of a Contributor or Participant of a certain type or class.

F1.1 Contributors

TSA may determine that certain categories of persons are Contributors. Contributors are persons who have been accredited by TSA under the Scheme as a Contributor. Amongst other things, Contributors are required to pay the Levy.

As at [finalised date] the following categories of persons are classified as Contributors:

- Importers; and
- Manufacturers.

F1.2 Participants

TSA may determine that certain categories of persons are Participants. Participants are persons who have been accredited by TSA under the Scheme as a Participant.

As at [finalised data] Participants include the following categories:

- Retailers;
- Commercial Generators;
- Collectors;
- Processors / Recyclers; and
- Exporters.

F1.3 Multiple Categories

A person may simultaneously be:

- a Contributor in one or more Contributor categories;
- a Participant in one or more Participant categories; and/or
- a Contributor and a Participant (including in multiple Contributor and/or Participant categories);

F2 Importers / Manufacturers

F2.1 Definition

Importers / Manufacturers are persons who supply tyres to the Australian domestic market for the first time and who meets any other qualifications, criteria and conditions specified by TSA to be considered an Importer / Manufacturer.

For clarity, this definition applies regardless of whether the tyre was:

- sold into Australia; or
- manufactured in Australia.

Further, in the case of tyres, this definition applies regardless of whether the tyre was supplied:

- loose (i.e. as a replacement product); or
- fitted to a vehicle.

For the purposes of these Guidelines, Importers / Manufacturers are Contributors.

F2.2 Specific Commitments

In addition to the general commitments in Part E General Commitments (above), Importers / Manufacturers must:

- supply or sell into Australia or manufacture only tyres compliant with the relevant Australian standards;
- contribute funds to support the administration and activities of TSA by paying the Levy (as defined in Part D on page 19 (above) and as detailed in Appendix A;
- at times and in a form required by TSA, accurately report to TSA (or a designated third party) the quantity of tyres, by category, first introduced to the Australian domestic market by the Importer / Manufacturer;
- provide to TSA any data it may reasonably require to accurately review and amend the number of EPUs applicable to any category of tyres;
- retain and, on request, provide to TSA all such records and statements necessary to verify the reported quantities and weights of tyres; and
- promote participation in the Scheme to business and other organisations to which the Importer / Manufacturer supplies tyres.

F2.3 Guidance

What 'sell into Australia' means

The phrase 'sell into Australia' includes all forms of sales and supplies into Australia including, but not limited to:

- direct to warehouse shipments;
- drop-shipments;
- cross docking; and
- an arrangement where title to the tyre changes from one person to another person.

F3 Retailers

F3.1 Definition

Retailer means a person offering tyres for sale to others by any means including but not limited to in physical stores regardless of size or format, online, or by cross-docking or drop shipment and who meets any other qualifications, criteria and conditions specified by TSA to be considered a Retailer.

For the purposes of these Guidelines, Retailers are Participants.

F3.2 Specific commitments

In addition to the general commitments in Part E General Commitments (above), Retailers must:

- ensure the best Fate for EOLT left with the Retailer by consumers and others, regardless of whether replacement products were purchased from the Retailer or not;
- deal only with Collectors and Processors / Recyclers who are accredited Scheme Participants and to cease using the same where the collector or processor ceases to be a Scheme Participant for any reason;
- only where dealing solely with accredited Participants is not possible:
  - ensure that non-accredited Participants so engaged are required to ensure the best Fates for EOLT; and
  - keep such documentation justifying the use of any non-accredited collectors and processors / recyclers;
- undertake regular reviews of arrangements with Collectors and Processors / Recyclers;
- always deal ethically and transparently with Consumers and other purchasers of tyres, but specifically in relation to the fees and charges associated with EOLT disposal including whether such fees and charges are included in the price of the product or charged separately;
- accurately report to TSA the quantity of tyres, by category, consigned to Collectors and Processors / Recyclers (or to other methods of disposal) at times and in a form required by TSA; and
- in respect of each invoice provided by the Retailer to a Consumer, include a consumer facing message relating to the Retailers participation in the Scheme. The suggested wording of the message is detailed in the relevant handbook.

For the purposes of clarity, nothing in these specific commitments prevents a Retailer from passing on to Consumers any Levy which is passed on or charged to the Retailer by a Contributor provided that the Levy (or any part of the Levy) may only be passed on to Consumers by a Retailer if:

- the Retailer has genuinely incurred the cost of the Levy and has not otherwise been compensated or been reimbursed for this cost;
- the Levy is passed on at its cost; and
- the relevant invoice to the Consumer accurately and clearly reflects the amount of the Levy which is being passed on to the Consumer.

Further information may be found in the Accredited Tyre Retailers Handbook which is available on the TSA website for review or download.

F3.3 Guidance

Disposal fees and charges

Regardless of whether a disposal fee (where charged) is included in the price of the replacement product, or charged separately per the specific commitments above, the Retailer must also provide information as to the charge and the fact that it is associated with achieving the best Fates:

- on the invoice provided to the purchaser; and
- at the point of sale such as displaying a poster or information board, online or in a printed catalogue.

Recommended wording is provided in the relevant Handbook which is available on the TSA website for review or download.

Documentation

Retailers must retain copies of all documents, dockets and receipts from collectors and Processors / Recyclers necessary to meet the audit requirements detailed in these Guidelines and in compliance with any other relevant local, state or federal regulation or legislation. In addition to hard copies, digitised copies or electronic systems holding the required data also meet this requirement.

Engaging non-accredited collectors and Processors / Recyclers at the time of accreditation

It is possible that, at the time a Retailer applies for accreditation under the Scheme, they have arrangements in place with non-accredited collectors and processors / recyclers. TSA acknowledges that it may not be possible to immediately withdraw from such arrangements.

As part of its accreditation review TSA will consider an Applicant's then current collection and processing arrangements and reasonably consider the availability and capacity of accredited Collectors and Processors / Recyclers in determining the outcome of the Application.

F4 Commercial Generators

F4.1 Definition

Commercial Generators are persons which use tyres in commercial quantities (other than as part of the business of an Importer, Manufacturer, Retailer, Collector, Processor or Exporter) and meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered a Commercial Generator. Such Commercial Generators may or may not return all such products at end of life to a Retailer. Where they do not return products to a Retailer at end of life, the Commercial Generator has responsibility for the disposition of EOLT not so returned.

For the sake of clarity, this definition:

- includes, but is not limited to, such persons as fleet operators, miners, farmers, and heavy machinery operators; and
- does not consider ownership or business structure. It may, therefore, apply equally to public or privately owned businesses, any level of government, or a government agency or department.

For the purposes of these Guidelines, Commercial Generators are Participants.

F4.2 Specific commitments

In addition to the general commitments in Part E General Commitments (above), Commercial Generators must:

- ensure the best Fate for EOLT for which it retains disposition responsibility;
- deal only with Collectors and Processors / Recyclers who are accredited Scheme Participants and to cease using the same where the Collector or Processor ceases to be a Scheme Participant for any reason;
- only where dealing solely with accredited Collectors, Processors / Recyclers or Retailers is not possible:
  - ensure that non-accredited collectors and Processors / Recyclers so engaged are required to ensure the best Fates for EOLT; and
  - keep such documentation justifying the use of non-accredited collectors and processors / recyclers.
- undertake regular reviews of arrangements with collectors and processors / recyclers;
- accurately report to TSA the quantity of tyres, by category, and Fate, disposed of by the Commercial Generator, consigned to Collectors and Processors / Recyclers (or to other methods of disposal) at times and in a form required by TSA.

F4.3 Guidance

Documentation

Commercial Generators must retain copies of all documents, dockets and receipts from collectors and Processors / Recyclers necessary to meet the audit requirements detailed in these Guidelines. In addition to hard copies, digitised copies or electronic systems holding the required data also meet this requirement.

F5 Collectors

F5.1 Definition

Collector means a person who collects, is a collection point for, and/or transports EOLT in any part of Australia, to another Collector, or to Processors / Recyclers for intended recycling, reuse, processing, or disposal and meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered a Collector. For the purposes of these Guidelines a Collector includes waste transfer stations and waste transport companies transporting EOLT.

For the purposes of these Guidelines, Collectors are Participants.

F5.2 Specific commitments

In addition to the general commitments in Part E General Commitments (above), Collectors must:

- ensure all EOLT collected by the Collector from any source, whether a recycling gate fee is applied to such collections or not, are consigned only to other accredited collectors or processors / recyclers, or otherwise consigned to the best Fate;
- always deal ethically and transparently with Consumers and other purchasers, but specifically in relation to the fees and charges associated with EOLT disposal; and
- accurately report to TSA the quantity of tyres, by category, collected by the Collector from any source at times and in a form required by TSA.

F5.3 Guidance

Documentation

Collectors must retain copies of all documents, dockets and receipts from retailers or any other source necessary to meet the TSA audit requirements detailed in these Guidelines. In addition to hard copies, digitised copies or electronic systems holding the required data also meet this requirement.

Demonstrating best Fates

Collectors who are accredited Participants must gather and retain such information to explain and justify any claims made to retailers or other source from which they collect tyres in respect of the disposal or consignment of such products to best Fate.

TSA may include a review of such documentation as part of its audits of accredited Collectors.

F6 Processors / Recyclers

F6.1 Definition

Processor / Recycler means a person who, by any means including mechanical, chemical and/or thermal processing:

- transforms TDM and/or EOLT into
  - crumb rubber;
  - component materials such as rubber, steel and fabrics;
  - derived compounds, chemicals or other materials; or
  - fuel for use in certain industrial applications.
- retreads or repairs tyres;
  - into a form suitable for recycling or reuse; or
- who otherwise meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered a Processor / Recycler.

For the purposes of these Guidelines Processors / Recyclers are Participants.

F6.2 Specific commitments

In addition to the general commitments in Part E General Commitments (above), Processors / Recyclers must:

- ensure all EOLT are consigned to the best Fate or to other accredited Collectors and Processors / Recyclers;
- obtain and maintain the minimum equipment necessary to produce products from EOLT which complies with all relevant legislation whether in Australia or as is applicable in any market to which the Processor exports; and
- accurately report to TSA the quantity and weight of tyres received, by category and EPU rates as detailed in Appendix B, their Fate and actual weight and destination of any products derived from EOLT, sold or exported by it at times and in a form required by TSA.

Further information may be found in the Collectors and Processors / Recyclers Audit Handbook which is available on the TSA website for review or download.

F6.3 Guidance

Documentation

Processors / Recyclers must retain copies of all documents, dockets and receipts from Collectors or any other source necessary to meet the TSA audit requirements detailed in these Guidelines. In addition to hard copies, digitised copies or electronic systems holding the required data also meet this requirement.

Where a collector or other source does not provide such documentation, the Processor should use the TSA Standard Scheme Docket which is available on the TSA website.

It should be noted that use of the Standard Scheme Docket does not replace or supersede any obligation to complete a waste tracking certificate where this is required by a state or territory environment agency or other competent authority. The requirements and use of the Standard Scheme Docket is detailed in the applicable handbook.

Equipment

For the purposes of clarity, Processors / Recyclers must demonstrate they own and maintain in sound operating condition, the required equipment necessary to meet the specific commitments above and the relevant local and foreign applicable regulations.

F7 Exporters

F7.1 Definition

Exporter means a person who, in respect of TDM, TDF, whole tyres for reuse and/or tyre casings for retread:

- connects buyers and sellers engaged in international trade;
- whose operations may include arranging shipments, customs clearances, and the necessary export and import licences;
- and meets any other qualifications, criteria and conditions specified by TSA for a Participant to be considered an Exporter.

For the sake of clarity, this definition applies equally to persons who do not take ownership of the goods or products being traded.

For the purposes of these Guidelines Exporters are Participants.

F7.2 Specific commitments

In addition to the general commitments in Part E General Commitments (above), Exporters must:

- ensure all shipments of EOLT are consigned to the best Fate;
- provide data and otherwise assist TSA for the purposes of TSA's Foreign Market Verification program in respect of any materials it exports; and
- accurately report to TSA the quantity, and the actual source, actual destination and Fate of any products derived from EOLT and exported by it at times and in a form required by TSA.

F7.3 Guidance

Intended versus actual destination

Exporters can alter the actual destination of shipments whilst the latter are in transit. Consequently, the intended and actual destination may differ.

For the purposes of the Scheme it is critical the actual destination and Fate of shipments is known so that TSA can accurately and efficiently conduct Foreign End Market Reviews.

Part G Managing Accreditation

G1 Accreditation Process

G1.1 Applications

An Application for accreditation to become a Contributor or a Participant must be made using the application form approved by TSA from time to time (the current form may be accessed from TSA's website) and each Application must:

- specify the type or category (or categories) of Contributor or Participant for which the Applicant wishes to be accredited as; and
- contain the signature of the Applicant, or such other form of authentication (electronic or otherwise) approved by TSA from time to time.

Before submitting an Application the Applicant must undertake due diligence to satisfy itself of the implications of becoming a Contributor or Participant in the Scheme. The TSA website sets out further details of the accreditation and Application process.

By submitting an Application, the Applicant agrees to be bound by these Guidelines, including:

- acting consistently with the Scheme's objectives;
- acting in a manner which promotes and advances the Scheme;
- complying with the Scheme's general commitments;
- complying with the specific commitments in the relevant Contributor or Participant classes or categories; and
- if the Applicant is applying to be a Contributor, paying the Levy.

G1.2 Assessment and Determination of Application

After receipt of an Application, TSA will determine whether to approve the Application and, if approved, the type(s) or class(es) of Contributor and/or Participant to which the Accreditation applies. TSA may:

- approve, reject or withhold approval of any Application and for any reason in its absolute discretion;
- determine the type(s) or class(es) of Contributor and/or Participant for each Applicant which is accepted as a Contributor or Participant of the Scheme.

In assessing each Application, TSA may:

- require the Applicant to give such further information and documentation as it requires before approving or refusing the admission of an Applicant as a Contributor or Participant;
- contact the Applicant or third parties to verify or clarify information provided as part of the Application and the suitability of the Applicant to be accepted as a Contributor or Participant of the Scheme;
- undertake site audits of relevant sites owned or operated by the Applicant;
- consider whether an Applicant has demonstrated both a capacity and genuine willingness to meet the general commitments and applicable specific commitments in all facets of their business operations (including in related bodies corporate), among other factors; and/or

- admit a person as a Contributor or Participant subject to that person meeting certain conditions specified by TSA and, if such conditions are specified, the Applicant will only become a Contributor or Participant upon the satisfaction (or waiver by TSA) of those conditions.

An Applicant will be admitted as a Contributor or Participant of the Scheme upon TSA approving the Application and notifying the Applicant accordingly.

Without limiting its rights to reject an Application, TSA may reject an Application if it determines that the results of any site audit are not satisfactory or if it considers any Key Personnel of the Applicant is not:

- of good reputation and character; or
- a fit and proper person to be associated with the Scheme and to perform the duties and/or undertake the role they hold with the Applicant.

Multi-category applications

A person may meet the definition of more than one of the categories defined in Part F Contributors and Participants. In such cases, Applicants should apply for accreditation for each site and every Contributor and Participant category which applies to the Applicant. TSA may require Applicants to amend applications to ensure completeness and accuracy.

Examples of multi-category applicants

Some examples of multi-category Applicants include:

- a person who collects end-of-life tyre and then processes them into some other form may meet the definition of Collector or Processor / Recycler;
- a Processor who also imports tyres may meet the definition of an Importer;
- a local council who maintains its own fleet of vehicles and a waste transfer station may meet the definition of both Commercial Generator and Collector; and
- a retailer who also imports tyres directly from offshore markets, may meet the definition of Retailer and Importer / Manufacturer.

TSA may require certain Applicants to apply for accreditation in multiple categories of Contributor and/or Participants before assessing the Applicant’s Application.

Group Entities

Where an Applicant is part of a Group and one or more entities in that Group also meet the requirements for accreditation as a Contributor or Participant , TSA reserves the right to :

- require some or all the Group entities which meet the requirements for accreditation as a Contributor or Participant (**Relevant Related Entities**) make an Application for accreditation as a Contributor or Participant in the relevant categories;
- not accredit the Applicant, unless and until all Relevant Related Entities have also made an Application for accreditation as a Contributor or Participant (as applicable); and/or
- make it a condition of the Applicant accreditation as a Contributor or Participant that each Relevant Related Entity is also accredited as a Contributor or Participant.

TSA also reserves the right to remove or revoke the accreditation of any person in a Group if any other person in the Group meeting the requirements for accreditation as a Contributor or Participant:

- fails to make an Application to become a Contributor or Participant when required to do so by TSA;
- fails to become accredited as a Contributor or Participant when required to make an Application by TSA;
- has their accreditation as a Contributor or Participant removed or revoked for any reason; or
- otherwise fails to comply with the general commitments and the specific commitments of the applicable category.

This requirement is aimed at ensuring consistency across a Group and to prevent confusing, misleading or deceiving consumers or other market participants. Compliance with the Scheme across the Group (to the extent that the relevant entities are eligible) is consistent with the Scheme objectives.

The requirements above apply regardless of when a person becomes a member of the relevant Group (including after the Contributor or Participant is accredited under the Scheme).

Assessment advice

TSA will notify the Applicant in writing to advise if the Application has been accepted or rejected.

- TSA is not required to provide any reasons as to why it has accepted or rejected an Application.
- Where TSA rejects an Application, it may (but is not obliged to) provide guidance on the actions and activities the Applicant should undertake to help improve their chances of being accepted in a subsequent Application.

Notification of change in qualifications

If any qualifications, criteria and conditions are prescribed for any Contributor or Participant each such Contributor or Participant must promptly notify TSA of any change in the qualification, criteria and condition of that Contributor or Participant to be part of the Scheme.

Notification of change in business operations

Contributors and Participants must immediately inform TSA in writing of any changes to their business operation, including:

- the Contributor's or Participant's business moving to a new location and/or setting up an additional operation at a new location;
- a change of ownership of the Contributor or Participant, sale of any part of the Contributor or Participant's business or if the Contributor or Participant ceases to trade or is otherwise insolvent;
- the commissioning of equipment and/or changes to operations of the Contributor or Participant;
- significant business disruptions to the Contributor or Participant (such as, but not limited to, disasters including fire or flooding, or equipment damage or malfunction) that will inhibit the operations of the Contributor or Participant;
- any Regulatory Breach (and must provide a copy of any notice relating to the Regulatory Breach); and

- if arrangements for the collection and recycling of EOLT change with respect to the use of Contributor or Participant.

If there is a material change to the Contributor or Participant's business (including the circumstances listed above) as provided for in the Contributor or Participant's Application then TSA may suspend or revoke the Contributor or Participant's accreditation.

G1.3 Obligation for ongoing advice

Contributors and Participants must immediately notify TSA of any material changes in their ability to meet any of the General or the applicable Specific Commitments including, but not limited to, any material changes in the arrangements for the collection and processing of tyres.

G2 Enforcement and Compliance

G2.1 Verification

TSA may verify information provided by the Contributor or Participant in its Application, or at any later time, to determine if the Contributor or Participant is still capable and willing to meet the general commitments and specific commitments applicable to it.

Such verification may lead to a review and revocation of the Contributor or Participant's accreditation.

G2.2 Audits

TSA may, from time to time, undertake audits or investigations to help determine whether Contributors and Participants are meeting their general commitments and specific commitment obligations or otherwise complying with these Guidelines (including its compliance with the Code of Conduct and use of the TSA Logos) (**Audit**).

The relevant Handbook discusses the audit processes in further detail and is available for review or download on the TSA website.

Cooperation expected

Contributors and Participants are required to cooperate with, and participate in, any Audit undertaken by or on behalf of TSA. During an Audit, Contributors and Participants must:

- provide TSA with all data, information and supporting documents requested by TSA;
- provide TSA with access to Key Personnel, operating site and facilities; and
- otherwise facilitate the audit requirements in an efficient and effective manner.

Contributors and Participants failing to cooperate or participate will be asked to "show cause" as to their behaviour and why accreditation should not be revoked.

Should the Contributor or Participant fail to "show cause" or if TSA, acting reasonably, considers the Contributor or Participant's response to be insufficient or inappropriate, TSA may suspend and/or revoke the Contributor or Participant's accreditation. In such cases, TSA may also determine the conditions under which the Contributor or Participant may apply for re-accreditation.

Frequency

TSA may determine the frequency and timing of Audits in its discretion.

Confidential

TSA must treat and hold all confidential information provided by a Contributor or Participant to TSA during an Audit as confidential. Disclosure of such confidential information and sensitive audit findings will be restricted to audit personnel and TSA senior management. TSA will not share such information with other Contributors, Participants or the public.

G2.3 Suspension and revocation

TSA may immediately suspend or revoke a Contributor or Participant's accreditation and participation in the Scheme by notice in writing to the Contributor or Participant if:

- the Contributor or Participant or any employee, agent, officer or subcontractor of the Contributor or Participant has engaged in fraud, misleading or deceptive conduct in connection with the Scheme (including its Application) or these Guidelines;
- the Contributor or Participant commits any breach of these Guidelines or the Code of Conduct that is capable of remedy, and has failed to remedy that breach within [14] days of receiving a notice from TSA requiring the breach to be remedied;
- the Contributor or Participant commits any material breach of these Guidelines or the Code of Conduct which is not capable of remedy;
- the Contributor or Participant no longer holds a licence that the Contributor or Participant must hold to continue its business;
- the Contributor or Participant is deregistered by the Australian Securities and Investments Commission;
- the Contributor or Participant voluntarily ceases to operate its business;
- the Contributor or Participant or any employee, agent, officer or subcontractor of the Contributor or Participant is convicted of a serious office;
- the Contributor or Participant operates its business in a manner which endangers public health or safety;
- there is a material change to the Contributor or Participant's business as provided for in the Contributor or Participant's Application;
- the Contributor or Participant is in breach of any regulation and/or fails to immediately notify TSA of any such Regulatory Breach;
- the Contributor or Participant ceases to satisfy any qualification, criteria or condition for being classified as the type of Contributor or Participant for which the Contributor or Participant was accepted into the Scheme;
- the Contributor or Participant or Key Personnel of a Contributor or Participant breach one or more General Commitments;
- where a Contributor or Participant is part of a Group and one or more persons in that Group (including any new person to the Group) are also active in the supply chain but is not accredited as a Contributor or Participant in the relevant category;
- TSA considers that the Key Personnel of the Contributor or Participant is not:
  - of good reputation and character; or
  - a fit and proper person to be associated with the Scheme and to perform the duties and/or undertake the role they hold with the Contributor or Participant; or
- TSA decides to terminate, wind up or otherwise cease to operate the Scheme.

TSA may, in its discretion make the accreditation status of any Participant public via its website or by other means.

G2.4 Resignation

A Contributor or Participant may resign from their accreditation and participation in the Scheme by giving no less than 30 days' notice in writing to TSA of its intention to resign and upon the expiration of that period of notice, the Contributor or Participant shall cease to be a Contributor or Participant of the Scheme.

G2.5 Effect of resignation and revocation

Following the resignation or revocation of a Contributor or Participant's accreditation and participation in the Scheme in accordance with G2.3 or G2.4, the Contributor or Participant:

- will cease to be a Contributor or Participant of the Scheme;
- must cease to represent that it is a Contributor or Participant in the Scheme; and
- must cease all use of the TSA Logos and any materials or documentation of TSA.

G2.6 Effect of suspension

Following the suspension of a Contributor or Participant's accreditation and participation in the Scheme in accordance with G2.3 and until the Contributor or Participant is reinstated as a Contributor or Participant in the Scheme under G2.7 (if at all) the Contributor or Participant must:

- not participate in the activities of the Scheme;
- must cease to represent that it is a Contributor or Participant in the Scheme;
- cease all use of the TSA Logos and any other materials or documentation of TSA.

G2.7 Contributor or Participant may be reinstated

If the Contributor or Participant has their accreditation and participation in the Scheme suspended in accordance with G2.3, the Contributor or Participant does not need to re-apply for accreditation and TSA may by notice in writing reinstate the Contributor or Participant's accreditation and participation in the Scheme once the non-compliance which resulted in the suspension has been rectified to TSA's satisfaction.

If the Contributor or Participant resigns their accreditation and participation in accordance with G2.4 or has their accreditation and participation revoked under G2.3, the Contributor or Participant may be reinstated as a Contributor or Participant of the Scheme at the discretion of TSA if the relevant Contributor or Participant makes an Application (but nothing obliges TSA to accept any such Application).

Where a Contributor or Participant's accreditation and participation is revoked, TSA will generally not consider any re-application for accreditation by the Contributor or Participant until at least 12 months after the date of the revocation.

As part of any revocation or suspension, TSA may provide any conditions or requirements which must first be satisfied before TSA will consider any re-accreditation or reinstatement of participation in the Scheme.

Part H TSA Logos

Subject to the Scheme Branding Guidelines and the Contributor or Participant being and remaining a Contributor or Participant (as applicable) of the Scheme and complying with its obligations under the Scheme Guidelines, TSA grants to the Contributor or Participant a revocable, non-exclusive, non-sublicensable, non-transferable and royalty-free right to use and reproduce the TSA Logos solely for the purpose of:

- performing its obligations under and in accordance with the Scheme Guidelines and the Scheme Branding Guidelines;
- promoting the Scheme to the extent permitted under the Scheme Guidelines and the Scheme Branding Guidelines; and
- communicating and describing itself as a Contributor or Participant of the Scheme.

All goodwill arising from use of the TSA Logos belongs to and vests in TSA.

TSA may, in its sole and absolute discretion, revoke or suspend the right to use the TSA Logos at any time and for any reason by written notice to the relevant Contributor or Participant. TSA is not required to provide reasons for any such revocation or suspension.

Without limiting the above, the right to use the TSA Logos under these Scheme Guidelines automatically terminates when a Contributor or Participant has their accreditation revoked or they resign from the Scheme. The right to use the TSA Logos is suspended during any period in which the Contributor's or Participant's accreditation is suspended.

Upon revocation, suspension or termination of the right to use the TSA Logos, the Contributor or Participant must immediately cease all use of the TSA Logos and destroy or return to TSA (at TSA's election) all materials bearing the TSA Logos.

Appendices

Appendix A

EPU is a standard passenger car tyre. The weight of an EPU for a new standard passenger car tyre is standardised as 9.5 kg; and the weight of an EPU for an end-of-life standard passenger car tyre is standardised as 8 kg.

The following EPU ratios reflect the potential recoverable resources from the various types of tyres.

The table in this appendix is to be used to calculate the Levy and by Contributors for reporting data to TSA as part of their specific commitments.

Reporting can be in EPUs or by weight.

EPU Rates for Reporting by Contributors (as at [finalised date])

Category of Tyre	Rim Size Range		EPU / Tyre
	From	To	
Motorcycle			0.5
Passenger Car			1
Light Truck/SUV			2
Truck small (17.5” & 19.5”)	17.5”	19.5”	3
Truck large (20” & 22.5”)	20.0”	22.5”	5
Small Specialty / Agriculture including but not limited to: skid steer, forklift and front tractor & backhoe	15.0” 8” 15”	<20.0” 15” 18”	3
Medium Specialty / Agriculture A	20”	< 24”	5
Medium Specialty / Agriculture B	24”	< 32”	8
Large Specialty / Agriculture A	32”	< 38”	20
Large Specialty / Agriculture B	38”	38” +	30
Small Earthmover	24	< 29”	50
Medium Earthmover	29”	< 35”	100
Large Earthmover	35”	35”+	200

Appendix B

EPU is a standard passenger car tyre. The weight of an EPU for a new standard passenger car tyre is standardised as 9.5 kg; and the weight of an EPU for an end-of-life standard passenger car tyre is standardised as 8 kg.

The following EPU ratios reflect the potential recoverable resources from the various types of tyres.

The table in this appendix is to be used by Processors / Recyclers for reporting data to TSA as part of their specific commitments.

Reporting can be in EPUs or by weight.

EPU Rates for Reporting by Processors / Recyclers (as at [finalised date])

Category of Tyre	EPU / Tyre
Motorcycle	0.5
Passenger	1
Light Truck	2
Super Single	5
Truck	10
Solid small (up to 0.3m high)	3
Solid medium (>0.3m up to 0.45m)	5
Solid large (>0.45 m up to 0.6m)	7
Solid extra large (>0.6m)	9
Tractor small (up to 1m high)	15
Tractor large (>1m up to 2m)	25
Fork lift small (up to 0.3m high)	2
Fork lift medium (>0.3m up to 0.45m)	4
Fork lift large (>0.45m up to 0.6m)	6
Grader	15
Earth mover small (up to 1m high)	20
Earth mover medium (>1m up to 1.5m)	50
Earth mover large (>1.5 up to 2m)	100
Earthmover extra large (>2m up to 3.0m)	200
Earthmover giant (>3 up to 4m)	400
Bobcat	2