



Our ref: CB10000478
Contact officer: Luke Griffin
Contact phone: (02) 6243 1114

8/02/2021

www.accc.gov.au

Dear Sir/Madam

Collective Bargaining Notification CB10000478 lodged by Charitable Recycling Australia & Ors—interested party consultation

The Australian Competition and Consumer Commission (the **ACCC**) received a collective bargaining notification from the National Association of Charitable Recycling Australia Limited & Ors (**CRA**) on 29 January 2021.

On behalf of current and future member charities CRA, proposes to engage in a joint tender for the collection and disposal of waste and commingled recycling from retail stores or warehouses managed by member charities in NSW. The current members of Charitable Recycling Australia include Anglicare, Lifeline Direct, Lifeline Macarthur, St Vincent de Paul Society NSW, St Vincent de Paul Society ACT, Save the Children, Ted Noffs Foundation and the Salvation Army.

There are 265 charity sites across NSW which the proposed joint tender will cover. Under the proposed joint tender the charities will seek to acquire the collection and disposal of general waste and commingled recycling under a weight based billing system. This type of billing will allow charities in NSW to apply for the charitable levy exemptions contained in the *Protection of the Environment Operations (Waste) Regulation 2014* which is administered by the Environmental Protection Authority of NSW.

CRA does not intend to engage in a collective boycott.

CRA intends to engage in the notified conduct for a period of up to 6 years.

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.

Please see the ACCC's publication [Small Business Collective Bargaining Guidelines](#) for a summary of the collective bargaining notification process. Legal protection automatically commences 14 days after the notification is validly lodged, unless the ACCC objects within this period.

A copy of the notification is available on the [ACCC's public register](#).

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

29 January 2021 Collective bargaining notification lodged.

8 February 2021 Public consultation process commences.

2 March 2021	Closing date for submissions on the notification.
16 March 2021	CRA responds to any issues raised in submissions.
March/April 2021	ACCC decision to either issue a draft notice to revoke the notification or to take no further action and allow the notification to stand.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and the likely effect on competition, or any other public detriment, from the proposed arrangements. Submissions on the notification should be provided by **2 March 2021**. Submissions should be emailed to exemptions@acc.gov.au with the subject "CB10000478 – CRA – submission".

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](#).

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the ACCC's review of the notification. Please nominate a 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 notification.

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 Luke Griffin on (02) 6243 1114 or via email luke.griffin@acc.gov.au.

Yours sincerely



Danielle Staltari
Director
Competition Exemptions

Interested Parties List

Environmental Protection authority (EPA) NSW

Bingo

JJ Richards

JR Richards

Veolia

Cleanaway

Remondis

Grasshopper

SWS

Wanless

WMRR

WCRA