

Tyre Stewardship Australia

Industry Advisory Committee - Off-the-Road Tyres & Conveyor Belts Segment

Terms of Reference

About the Tyre Product Stewardship Scheme and TSA

Tyre Stewardship Australia (TSA) is a not-for-profit company established to implement the national Tyre Product Stewardship Scheme ([the Scheme](#)) – an ACCC-authorized industry framework to reduce the environmental, health and safety impacts of the 67 million equivalent passenger tyres which reach their end-of-life in Australia each year. TSA is an Australian Government accredited voluntary product stewardship scheme.

TSA works with the entire tyre supply chain, industry, government, businesses and consumers to minimise waste, increase resource recovery, drive increasingly circular solutions and support an economically viable industry.

Purpose

The role of the Advisory Committee facilitates the exchange of information and provides advice on issues impacting the off-the-road tyres and conveyor belts (OTR & CB) industry value chain, within the remit of the Scheme. It provides a setting where Scheme and industry matters can be considered and addressed collaboratively with stakeholders.

Scope

The Advisory Committee is a consultation body, providing advice, specialist skills, experience and knowledge of the OTR & CB industry value chain to:

- assist TSA by providing feedback and guidance on the effectiveness and efficiency of the Scheme administration and its activities, including market development, research and advocacy
- provide insights into operational issues facing the tyre and conveyor belt industry value chain, including trends, challenges and opportunities
- discuss and provide technical advice on policy and regulatory developments relevant to the industry.

The Advisory Committee is an advisory body and not delegated decision-making authority within the TSA's governance framework. Minutes will be shared with TSA's Board and staff to inform strategy and operations; minutes may also be shared on the website for non-committee members to review and comment

Membership

Composition and appointment

Members will be appointed by TSA through expressions of interest. The Advisory Committee will consist of a cross section of businesses operating in across the experience, including:

- OTR & CB Import and Manufacturing
- OTR & CB Sales and Repair Industry – retail, wholesale, retread and repair
- OTR & CB Logistics – transport and logistics services, especially for mining and agriculture

- OTR & CB Recyclers - processing; recycling applications and value-added markets for tyre-derived materials
- Related Industries – mining, agriculture, construction, industrial,
- Relevant Associations and Peak Bodies
- Expertise Areas – procurement and ESG, tyre technology, science and research; circular economy and carbon emissions; economics and markets; government policy and regulation; social and community sentiment and engagement; global and other expertise relevant to the work program.

The Advisory Committee will be Chaired by TSA and may be supported by a third-party facilitator or co-chair. Standing observers include Advisory Committee secretariat and TSA's leadership. The Chair may invite others, including TSA staff, to attend meetings as subject matter experts or observers.

Members will be appointed for two years and published on TSA's website.

Responsibilities and Conduct

Responsibilities

Chair

With the support of the Secretariat, the Chair (or co-Chairs) will lead each meeting and guide the Advisory Committee to:

- promote full participation and collaboration from all Members
- focus discussion and deliberations of Members towards strategic issues and outcomes
- facilitate informed and evidenced-based decision-making, ensuring transparency and clarity of outcomes
- clearly articulate action, outcomes and next steps
- maintain confidentiality and avoid anti-competitive or other inappropriate conduct.

Members

Members are appointed for their personal skills and expertise, not representative or nominee of any organisation. Members do not represent TSA.

Members must:

- attend Advisory Committee meetings, or arrange a suitable proxy with written approval from the Chair
- actively participate in discussion, activities and topics, demonstrating a willingness to contribute openly and transparently in conversations and problem solving
- approach discussions with a constructive interest-based approach, be innovative and future-focused, recognising competing or different views
- foster collaboration and demonstrate mutual respect and trust amongst the Advisory Committee
- refrain from unduly influencing discussions and activities based on a strong interest or personal stance on a topic
- share insights, data and information on topics discussed, with appropriate safeguards in place
- disclose any conflicts of interest in a timely manner and maintain confidentiality
- abide by the TSA Code of Conduct.

Conduct

Each Member should conduct themselves in line with the policies and values of their respective organisations. Members are required to sign and abide by these Terms of Reference and the TSA Code of Conduct.

Conflicts of Interest, Confidentiality and Competition Laws

Conflicts of Interest

Members agree to make written annual conflict of interest declarations to the Chair in writing, and avoid and advise the Chair of any real, potential, or perceived conflicts of interest in a timely manner. The Chair will assess all conflicts of interest and may request a Member abstain from certain discussions or activities.

Confidentiality and Disclosures

To achieve the objectives of the Advisory Committee, Members agree to maintain strict confidentiality on discussions or activities. Members must declare any disclosure, inadvertent or otherwise, to the Chair in a timely manner.

Competition Laws and Commercially Sensitive Information

All meetings are conducted in compliance with Australia's Competition and Consumer Act 2010 (Cth) (CCA), as enforced by the ACCC, and all other applicable competition laws.

Meetings may include Members that are competitors and discuss issues facing the industry, as well as actions to overcome barriers or market inefficiencies. Discussion must not include sharing commercially sensitive information that could significantly reduce competition in the market.

Conduct or behaviour must not breach, or create perception of breaching, competition laws, including during meetings, breaks, social events, conference calls, electronic communications or similar, related to the meetings.

Additional Procedures for Ensuring Compliance

All Members must read and sign the TSA Code of Conduct and Terms of Reference cover Members' outlining their compliance obligations.

At the start of each meeting, the Chair will declare previous, and call for any new, conflicts of interest and reiterate obligations to comply with competition laws and confidentiality.

If the Chair or any Member raises concerns during a meeting, the Chair end discussions and have the minutes note the concern raised. The Chair will consider the concern raised and decide whether the discussion may resume or cease indefinitely. If a concern is raised outside of a meeting, the Chair will decide any actions that need to be taken. Decisions and any further action, such as seeking legal advice or reporting to the ACCC, will be recorded.

TSA may choose to have a legal representative present at the meetings.

Resignations and Termination

Resignations must be made in writing to the Chair.

A Member's tenure may be terminated in writing by the Chair for failing their responsibilities including attendance requirements or inappropriate conduct, including but not limited to a TSA Code of Conduct breach, bad faith behaviour, violation of competition laws or commercial confidentialities, modifications to the Scheme's operations or other operational considerations.

Operations

Frequency and Attendance

Meetings will be held at least twice per calendar year, for 2-4 hours and will typically be hybrid (online via Zoom or Microsoft Teams and in person). Meeting locations will vary and be advised in advance. The Chair may require a meeting be held in person, with prior written notice.

Matters may be raised outside of meeting times to consult on specific issues or urgent matters.

Members must attend at least two meetings per calendar year. Proxies are generally not accepted. However, the Chair may approve written requests for a proxy received no later than 5 business days before the scheduled meeting. Failure to attend two consecutive meetings without priority written approval from the Chair may result in termination from the Advisory Committee.

No quorum is required as this is not a decision-making body.

Public Communication

For the purpose of furthering the objectives of the Advisory Committee and operation of the Scheme, topics raised in the Advisory Committee meetings may be publicly shared on the TSA website or other similar online platform. The Chair will advise Members of information that will be shared publicly. The information shared will not breach confidentiality, disclosure or competition laws. Non-committee members may comment on this information.

Remuneration

Members are not remunerated for their role on the Advisory Committee and all expenses related to membership is borne by Members. Any mandatory travel may be reimbursed with written prior permission from the Chair.

Variations

The Terms of Reference may be varied at any time and will be reviewed at least every 12-months. Any variations will be made after consultation with the Members and endorsement by the TSA.

Version History

Version	Date	Approver	Comments
V0.1	tbc		Draft provided to Advisory Committee Members for consideration ahead of approval.
V1.0	tbc		Final approved