

4. COMMERCE ACT ISSUES

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Corporate Plan Output: Regional Landfill	

The purpose of this report is to brief the Subcommittee on recent Commerce Act developments.

BACKGROUND

In November 1999 legal advice was requested from Buddle Findlay on whether Commerce Act issues arise from:

- The entering into joint venture arrangements and the formation of a joint venture company, TransWaste Canterbury Ltd, and
- The giving of effect to the joint venture agreements in the future, including TransWaste Canterbury Ltd's acquisition and operation of a new 30 year regional landfill.

The advice recommended that application of Commerce Act issues be kept under review, and that TransWaste Canterbury Ltd in due course give consideration to making application to the Commerce Commission for clearance or authorisation.

Independently, on 5 February 2000 representatives of the Commerce Commission visited Christchurch City Council for informal discussions about the nature of the waste market in the city. All territorial local authorities that are partners in the regional landfill project have now also received a letter from the Commerce Commission requesting information. Individual responses have been sent to the Commerce Commission.

THE WAY FORWARD

No action is required at present.

Chairman's

Recommendation: That the information be received.