

**From:** [REDACTED]  
**Sent:** Thursday, 29 March 2018 8:35 AM  
**To:** s22 Gray, Harriet  
**Subject:** RE: ACCC Takata compulsory recall - state/territory RTAs - Draft guidance to suppliers on obtaining vehicle contact details ; [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Thanks Harriet, the second draft looks very good.

[REDACTED]  
Director | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards Branch | Surface Transport Policy Division  
Department of Infrastructure, Regional Development and Cities  
PO Box 594, Canberra ACT 2601

s22

[REDACTED] [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** Gray, Harriet <harriet.gray@accc.gov.au>  
**Sent:** Wednesday, 28 March 2018 8:39 PM  
**Subject:** RE: ACCC Takata compulsory recall - state/territory RTAs - Draft guidance to suppliers on obtaining vehicle contact details ; [DLM=For-Official-Use-Only]

[REDACTED] - thank you, comment were very helpful. Hope I've incorporated all the changes in the second draft but don't hesitate to say if I've missed something.

**From:** [REDACTED] <[REDACTED]@infrastructure.gov.au>  
**Sent:** Wednesday, 28 March 2018 10:42 AM  
**To:** Gray, Harriet <harriet.gray@accc.gov.au>  
**Cc:** !Takata Taskforce <!TakataTaskforce@accc.gov.au>; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>; Matthew, Neville <neville.matthew@accc.gov.au>; Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Pearsall, Paula <paula.pearsall@accc.gov.au>; Vagg, Elisabeth <ev@accc.gov.au>; Prendergast, Matthew <matthew.prendergast@accc.gov.au>; [REDACTED]  
**Subject:** RE: ACCC Takata compulsory recall - state/territory RTAs - Draft guidance to suppliers on obtaining vehicle contact details ; [DLM=For-Official-Use-Only]

all s22

Hi Harriet

Thanks for the opportunity to review the draft guidance to suppliers. As promised in our meeting yesterday, please find attached our comments/suggestions. Please feel free to contact me if you wish to discuss.

Thanks



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**From:** Gray, Harriet <[harriet.gray@acc.gov.au](mailto:harriet.gray@acc.gov.au)>  
**Sent:** Tuesday, 27 March 2018 7:36 AM  
**To:** NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>

s47F

**Subject:** ACCC Takata compulsory recall - state/territory RTAs - Draft guidance to suppliers on obtaining vehicle contact details ; [DLM=For-Official-Use-Only]

Hi Sharon and s22

Thanks again for sending through the voluntary recall protocol on contacting RTAs. I've used the DIRDAC documents to develop the attached draft ACCC guidance for suppliers on obtaining vehicle owner contact details.

I'll forward the draft to NEVDIS and RTAs tomorrow for comment (the tight timing is because suppliers are required to submit their communication and engagement plans to the ACCC by 3 April).

Is there any chance that you could cast your eyes over the attached draft before it goes to NEVDIS and RTAs tomorrow? No worries if the timing doesn't work – changes can still be made as part of the NEVDIS/RTA step. (I should also note that Tim, Glenn and our legal advisers are still to review the attached draft).

Thanks  
Harriet

**From:** Gray, Harriet  
**Sent:** Monday, 26 March 2018 9:58 AM

s47F



**Cc:** 'NYAKUENGAMA Sharon';

Taskforce;

**Subject:** ACCC Takata compulsory recall - state/territory RTAs [DLM=For-Official-Use-Only]

Thank you for the catch-up on Friday.

## **Recall: Background**

Below is a link to the compulsory recall notice issued by the Commonwealth Minister Sukkar under the Australian Consumer Law on 27 February 2018:

[Consumer Goods \(Motor Vehicles with Affected Takata Airbag Inflators and Specified Spare Parts\) Recall Notice 2018](#)

The legal instrument is a dense 38 pages long. More user-friendly guidance is at:

<https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall>. The Product Safety website includes a link to the ABC Checkout segment - which is an excellent (and entertaining) overview of the recall: <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/about-the-compulsory-takata-airbag-recall>. The ACCC would also be very happy to meet with each jurisdiction individually to talk through the recall notice, and discuss the issues impacting on each state/territory road transport authority (RTA).

Also attached is the ACCC's letter of 7 December 2017 which the Department of Infrastructure, Regional Development and Cities (DIRDAC) circulated to the Transport and Infrastructure Senior Officials' Committee (TISOC). The letter raises issues relevant to RTAs. Just to complete the picture, I note:

- the ACCC attended meetings with the Strategic Vehicle Safety and Environment Group (SVSEG) on 22 November 2017, and National Exchange of Vehicle and Driver Information System (NEVDIS) on 23 November 2017; and
- on 2 March 2018, Mitsubishi Motors wrote to ministers proposing that owners be prohibited from registering their vehicles if they have failed to take any action within six months of the third letter having been sent.

## **State/territory replacement rates**

As mentioned on Friday, the recall notice requires suppliers to provide the ACCC with:

- a monthly Completion Report (first one due by 14 May 2018) containing the total number of vehicles affected; broken down by state/territory; and
- a monthly VIN Status Report (first one due by 13 July 2018) containing all vehicles affected broken down by VIN. This will specify the state or territory of vehicle registration (if known) among a range of other fields (e.g. whether it's an Alpha, passenger or driver airbag).

We are currently working with ACCC IT on how to manage the volume of data required from suppliers (~4 million records, updated monthly), and developing templates for reports that we can provide to RTAs on recall rates by jurisdiction.

## **Registration**

On the registration and insurance issue, the ACCC's FAQs currently advise:

Does the recall affect my vehicle registration or insurance?



The recall of the airbag in a vehicle does not make the vehicle unroadworthy or unregistrable. Contact your state or territory vehicle registration authority for further information regarding registration of an affected vehicle.

The recall should not affect your insurance. If your insurer tells you otherwise, you should seek confirmation of your insurer's position in writing so that you may seek advice from the Insurance Council of Australia and/or the ACCC. If the issue is not resolved, please report it to us and provide a copy of the advice you have received from the insurer.

This follows advice from:

- the Insurance Council of Australia that a recall will not impact on insurance unless it renders the vehicle unroadworthy for the purposes of registration with an RTA; and
- DIRDAC at the SVSEG meeting on 22 November 2017 that a recalled vehicle with a Takata airbag is considered to comply with the applicable Australian Design Rules.

However, as discussed at the SVSEG meeting and on Friday, I gather that it may still be open to RTAs to issue defect notices or to refuse to register or renew, or suspend or cancel the registration of an un-remedied recalled vehicle. I'll get in touch later this week to progress these issues but, in the meantime, please do not hesitate to say if any changes need to be made to the ACCC's FAQs.

### **Next steps for ACCC**

As planned on Friday, the ACCC will:

1. using DIRDAC's approach to the voluntary recalls, develop a protocol for suppliers to obtain vehicle owner contact information from RTAs – I'll circulate a draft for comment early this week;
2. progress the ideas discussed on Friday for RTAs to promote consumer awareness including the issue of registration.

Thanks again for all the assistance in implementing this recall. If there are any issues that I've missed, let me know. As mentioned above, we would also like to meet with each RTA to discuss these issues.

Kind regards  
Harriet

**Harriet Gray**

Director | Strategy | Consumer, Small Business and Product Safety Division  
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The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

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Any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information by persons



**From:** [REDACTED] all s22  
**Sent:** Wednesday, 28 February 2018 8:42 PM  
**To:** Probyn, Glenn; NYAKUENGAMA Sharon; [REDACTED]  
**Cc:** Grimwade, Timothy; Matthew, Neville; Vagg, Elisabeth; Attrill, Natalie; Ford, Mandy  
**Subject:** RE: ACCC Takata Messaging [DLM=For-Official-Use-Only]

For-Official-Use-Only

Thank you Glenn. Please let us know if you would like to discuss arrangements regarding transition of data ahead of our next weekly meeting.

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**From:** Probyn, Glenn <glenn.probyn@accc.gov.au>  
**Date:** Wednesday, 28 Feb 2018, 3:45 pm  
**To:** NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>, [REDACTED]  
**Cc:** Grimwade, Timothy <timothy.grimwade@accc.gov.au>, Matthew, Neville <neville.matthew@accc.gov.au>, Vagg, Elisabeth <ev@accc.gov.au>, Attrill, Natalie <natalie.attrill@accc.gov.au>, Ford, Mandy <mandy.ford@accc.gov.au>  
**Subject:** ACCC Takata Messaging [DLM=For-Official-Use-Only]

Hi Sharon, [REDACTED]

As discussed at our catch-up yesterday, attached is the ACCC's internal guidance material and FAQ's for the Takata airbags recall for your information.

Information we have made available to the public is located on our website at:

- About the recall: <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/about-the-compulsory-takata-airbag-recall>
- Suppliers: <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/what-suppliers-should-do>
- Consumers: <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/what-drivers-should-do>

With regard to the reporting requirements for industry with the transition from voluntary to compulsory recall, we recommend the following advice be provided to industry where guidance is sought:

- The transition from voluntary to mandatory recall will not impact how suppliers notify the ACCC of initiating new recalls or the mandatory injury reporting on the Product Safety Australia website. It will be the same process, but there will be a transition period from voluntary monthly reporting to DIRDC to the compulsory monthly reporting to the ACCC ensure no gaps in the recalls data.



- The ACCC in conjunction with DIRDC will be in touch with suppliers about the timing for this transition.
- The ACCC will be providing some initial instructions to suppliers on the form of reports required for the reporting obligations under the Recall Notice. The ACCC will also develop more detailed guidance and instructions to assist suppliers on the practicalities of how reports are to be completed and submitted to the ACCC.
- Initially, all reporting requirements including notification for misdeployments under the Recall Notice will need to be submitted by email to the [TatakaRecall@accc.gov.au](mailto:TatakaRecall@accc.gov.au) with the view for the ACCC enabling ongoing reporting to be provided via the PSA website.

Please let me know if you require any further information.

Many thanks,

Glenn.

### Glenn Probyn

Director | Takata Task Force | Consumer Product Safety Branch

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# Takata recall

## About the recall

Assistant Minister to the Treasurer, the Hon Michael Sukkar, has issued a Recall Notice for a compulsory recall of all vehicles with faulty Takata airbags. This is the key information you need to know. FAQs are available to address any queries you might receive about the [compulsory recall announcement](#). You can read the Recall Notice [here](#). There are also FAQs on the [Takata webpage](#).

Information for suppliers of Affected Takata Airbag Inflators has also been published on our [website](#). Suppliers who have questions about their obligations under the compulsory recall can contact the ACCC at [takatarecall@accc.gov.au](mailto:takatarecall@accc.gov.au).

Approximately 2.3 million vehicles are currently fitted with faulty Takata airbags in Australia and will be subject to the compulsory recall. The compulsory recall includes all vehicles that were voluntarily recalled previously (and have not already been fixed) and additional vehicles that were not voluntarily recalled. Ford, GM Holden, Mercedes Benz, Tesla, Jaguar, Land Rover, Volkswagen, Audi and Skoda have not previously conducted voluntary recalls, but have approximately 860,000 vehicles that will be subject to the compulsory recall.

The makes and models of the affected vehicles will be made public once the supplier initiates recall action for them and/or their Recall Initiation Schedule is published. "Initiation of recall action" means when the supplier contacts affected consumers to notify them that they can bring their vehicle into a workshop for replacement. Recall action will not be initiated for all vehicles at the same time due to a global shortage of replacement parts, but vehicles will be prioritised for replacement so that the most dangerous vehicles receive a replacement first.

The compulsory recall takes effect immediately and requires vehicle suppliers to:

- Recall all affected vehicles on a rolling basis and replace the airbags, with priority given to those that present the highest safety risk.
- Recalls must be initiated as soon as practicable after the ACCC approves the supplier's **communication and engagement plan**. "Recall initiation" is when a supplier takes steps to notify consumers that they can present their vehicle to a dealer workshop for a replacement airbag. It is likely that **not all vehicles will have recalls initiated at once**. If a supplier is not able to initiate recall action for all vehicles by 2 April 2018, they must provide the ACCC with a Recall Initiation Schedule that sets the dates on which recall action will be initiated for different categories of vehicle.
- Publish a recall database (similar to a VIN look up tool) on their website by 1 July 2018 that allows consumers to identify if their vehicle is affected by the recall and if so, when recall action will be initiated and the inflator can be replaced. When recall action is initiated, this is called an *active recall*
- Complete all replacements by **31 December 2020**, unless varied by application to the ACCC.



- Notify the ACCC via the Product Safety Website when a recall is initiated.
- Contact consumers directly when recall action is initiated for their vehicle.
- Make arrangements for towing or transporting a vehicle or providing loan or hire vehicles during the replacement process in [certain circumstances](#)

### When will vehicles be recalled?

The recall notice takes effect immediately. Vehicles that were voluntarily recalled are automatically recalled under the compulsory recall. These will be classified as **active** recalls.

For other vehicles, suppliers must recall vehicles as soon as possible and on a rolling basis, with priority given to those that present the highest safety risk.

#### **For vehicles fitted with alpha inflators:**

All vehicles fitted with alpha inflators are already under recall.

Suppliers must replace an alpha inflator within five days of the part arriving at a dealership nominated by the consumer, with two weeks allowed for transport of the part to the dealership from the consumer's request.

Due to the serious safety risk posed by alpha inflators, consumers are advised not to drive their vehicles.

Suppliers must offer to arrange for the vehicle to be towed to the place of replacement or for a qualified technician to travel to the location of the vehicle so that the consumer need not drive the vehicle to the dealership if they feel unsafe.

#### **For all other vehicles fitted with faulty Takata airbag/s:**

It is likely that not all vehicles will be under active recall right away which means consumers will not be able to immediately identify whether their vehicle is subject to recall. This is because there is likely to be a transition period between the date the recall notice commences, and the time suppliers initiate recall action for vehicles and finalise their Recall Initiation Schedule. This is particularly likely for suppliers that did not voluntarily recall vehicles – Ford, GM Holden, Mercedes Benz, Tesla, Jaguar, Land Rover, Volkswagen, Audi and Skoda.

The recall notice requires suppliers to:

- **Initiate recall action** as soon as practicable and on a rolling basis to allow for completion of replacement by 31 December 2020 (or such other date approved by the ACCC). If a supplier cannot initiate recall action for all vehicles immediately, it must submit a Recall Initiation Schedule to the ACCC by no later than 2 April 2018. The ACCC will publish these on the Product Safety Australia Website.
- **Replace the faulty Takata airbags** as soon as practicable, and in any event by 31 December 2020 (unless otherwise approved by the ACCC), with priority



given to vehicles that present a higher safety risk. Suppliers must also meet quarterly replacement targets specified in the Quarterly Completion Schedule.

When suppliers initiate recall action for a certain make and model of vehicle, they are required to notify the ACCC via the Product Safety Website. Consumers should subscribe to the ACCC Product Safety Australia website to receive notification of vehicle recalls.

Suppliers must publish their Recall Initiation Schedule (RIS) and a Recall Database on their website by no later than 1 July 2018 to enable consumers to identify if and when their vehicle will be recalled (note RIS must be submitted by 2 April 2018 if applicable and will also be published on PSA website). As not all vehicles will be recalled at the same time, the Recall Database will allow consumers to search for their individual vehicle using their VIN and identify if their vehicle is subject to either **active** or **future** recall.

- **Active recall** means the supplier has initiated recall action for the vehicle and has contacted, or soon will contact, the consumer directly to arrange to have the airbag(s) replaced.
- **Future recall** means that the vehicle is fitted with a faulty Takata airbag, but will be recalled in the future. Consumers will be able to identify when their vehicle will be recalled once the supplier publishes their Recall Initiation Schedule on their website.

### Quarterly Completion schedule

The Recall Notice requires suppliers to complete a certain percentage of replacements each quarter (at a minimum). This is known as the Default Quarterly Completion Schedule:

#### Default Quarterly Completion Schedule

Quarter	Q3/2018	Q4/2018	Q1/2019	Q2/2019	Q3/2019	Q4/2019	Q1/2020	Q2/2020	Q3/2020	Q4/2020
<b>Period</b>	1 July 2018 - 30 September 2018	1 October 2018 - 31 December 2018	1 January 2019 - 31 March 2019	1 April 2019 - 30 June 2019	1 July 2019 - 30 September 2019	1 October 2019 - 31 December 2019	1 January 2020 - 31 March 2020	1 April 2020 - 30 June 2020	1 July 2020 - 30 September 2020	1 October 2020 - 31 December 2020
<b>Required Completion Rate</b>	15%	25%	35%	45%	55%	65%	75%	85%	95%	100%

Some suppliers may not be able to replace the required percentage of vehicles each quarter outlined in the Default Quarterly Completion Schedule. If this is the case, suppliers may apply to the ACCC for an alternative Quarterly Completion Schedule.



Suppliers must publish their Quarterly Completion Schedule on their website no later than 1 July 2018.

### Who is a 'supplier'?

A **supplier** is the first person to supply a vehicle with a faulty Takata airbag into Australia. In most cases this will be the Australian head office of the vehicle manufacturer, (also known as Original Equipment Manufacturers or OEMs). Another type of supplier is a business that imports and supplies vehicles from overseas that are not generally available for purchase in Australia, known as 'grey' or parallel imports.

Grey and parallel importers are generally small businesses and are exempt from some of the administrative requirements under the recall notice. They are not required to publish a VIN look up tool on their website if it is unreasonable to do so and they don't have to appoint an independent auditor.

A dealer is not a supplier for the purposes of the compulsory recall obligations, but an OEM/vehicle manufacturer may use its dealer network to perform its obligations under the Recall Notice.

The compulsory recall also puts obligations on other suppliers of vehicles and spare parts containing faulty Takata airbags:

- Second-hand vehicle dealers **cannot** sell vehicles that are under **active** recall
- Second-hand vehicle dealers **can** sell vehicles subject to **future** recall, but must communicate prior to sale orally and in writing about the risk associated with the vehicle and that it will be subject to recall in the future.
- Suppliers of spare parts (i.e. wrecking yards) must check to see whether they have any faulty Takata airbags in their possession and if so they must notify the head office or dealer of the manufacturer of a vehicle that the part came from or could be installed in. The vehicle manufacturer will make arrangements for the spare part to be safely retrieved, quarantined and destroyed. The vehicle manufacturer will pay associated costs of retrieval.

### Other key dates in the recall:

- **31 December 2018** – Suppliers cannot sell new or demonstration vehicles with a faulty Takata Airbag in any circumstances after 31 December 2018. If new or demonstration vehicles containing faulty Takata airbags are sold to consumers before this date, the supplier must advise the consumer verbally and in writing of the safety risk and that the vehicle will be subject to future recall prior to sale. They must also put a notice on the vehicle's windscreen and in the engine bay stating that a future recall is required.
- **31 December 2019** – Suppliers cannot use new faulty Takata Airbags as replacements (also known as "like for like" replacements) after 31 December 2019. If a 'like for like' replacement is used prior to this date, there are certain obligations suppliers must meet in regard to communicating the risk to consumers [[hyperlink to information below re like for like](#)].



- **31 December 2020** – Suppliers must complete all replacements of faulty Takata Airbags by no later than 31 December 2020, unless otherwise approved by the ACCC.
- **Ongoing** – Suppliers have an ongoing obligation to identify vehicles with affected Takata Airbags that are presented to their dealership network and seek to replace Affected Takata Airbags vehicles when identified. This obligation extends beyond 31 December 2020 until the supplier can demonstrate to the ACCC that it has achieved 100% actual replacement.

### Which vehicles get priority?

Due to a global shortage of replacement parts and workshop capacity constraints, a staggered recall timetable has been necessary.

This means that not all vehicles may be under 'active recall' straight away. However, suppliers must prioritise the replacement of airbags in vehicles that are considered to pose the greatest safety risk to consumers. The priority factors are:

1. the geographical location of the vehicle in Australia, with first priority given to vehicles currently registered in areas of high heat and humidity (or which are known to the Supplier to have been registered in such an area);
2. the age of the vehicle (or in the case of a Vehicle where an Affected Takata Airbags has been used as a replacement, the date of replacement), with first priority given to older vehicles, and particularly those that are older than 6 years, as the best evidence indicates that risk of harm manifests after a vehicle reaches 6 years post manufacture and increases with age thereafter; and
3. the location of the Affected Takata Airbags in the Vehicle, with first priority given to driver side inflators. The driver-side inflator is located closer to the driver, which increases the risk of serious injury/death if a rupture does occur.

### Frequently Asked Questions

#### When will I be contacted?

The recall notice requires suppliers to communicate directly with consumers once they initiate recall action for their vehicle. At this point the vehicle is under 'active recall'.

Unless a vehicle is under **active** recall, suppliers may choose not to communicate directly with consumers until they initiate recall action.



## My vehicle was not recalled under the previous voluntary recall, when will I find out if my vehicle is subject to the recall?

It is likely that not all recalls will be initiated right away. When recalls are initiated, suppliers must contact consumers directly and also notify the ACCC via the Product Safety Australia Website.

If a supplier cannot initiate recall action for all vehicles by 2 April 2018, it must provide the ACCC with a Recall Initiation Schedule by 2 April 2018 that sets out the dates on which it intends to initiate recall action for different categories of vehicles.

Suppliers must also publish their recall database on their website by 1 July 2018 at the latest. Once the database is published, consumers will be able to search the database using their VIN to identify whether their vehicle is subject to active or future recall.

## My vehicle is under active recall, but I've been told I have to wait to get my airbags replaced. What should I do?

Due to a global supply shortage of replacement airbags, some suppliers may not have sufficient replacement parts available to replace all vehicles under active recall immediately.

Suppliers must prioritise the replacement of airbags that present the highest safety risk and must replace all other inflators by 31 December 2020, or a later date if approved by the ACCC. If a consumer's vehicle is under active recall, is considered to present the highest safety risk and the consumer is experiencing a delay in obtaining a replacement, they should contact the manufacturer's head office in the first instance.

## Why is the VIN list on the Product Safety Australia's website different to the supplier's website?

The supplier's website may only include vehicles that are fitted with faulty Takata Airbags at the time of the compulsory recall. This means that some vehicles that had their airbags replaced under the voluntary recall may no longer appear.

Some vehicles may still appear even if they have had a replacement where:

- the replacement airbag was a "like for like" that will also need to be replaced in future; and/or
- the passenger side was replaced previously, but the driver side airbag is also affected and requires replacement (or vice versa).

Some of the VIN details on the ACCC website were provided under the voluntary recall, so may include some vehicles that had the final replacement work completed under the previous recall. This will be updated as new VIN lists are provided to the ACCC by suppliers.



## How will I know if my vehicle is fitted with a “like for like” Takata airbags?

Due to a global supply shortage of replacement airbags, it has been necessary for some suppliers to use new affected Takata airbags as replacements, even though those new airbags will also be recalled and replaced in the future to ensure long term safety ('like for like' replacement). These vehicles will be recalled again in the future.

The risk of a faulty Takata airbag rupturing may arise between 6 and 25 years after it is installed in a vehicle. In areas of high heat and humidity, the risk of rupture may arise between 6 and 9 years.

### **If the airbag was replaced prior to the compulsory recall**

Consumers should contact the supplier's head office to determine whether their vehicle was fitted with a “like for like” airbags. If the supplier has used a “like for like” replacement, the vehicle will be recalled again in the future.

Once the supplier has updated their website with the Recall Database, consumers can also check the VIN look up tool to see whether their vehicle is subject to future recall. This information must be available on the supplier's website no later than 1 July 2018.

### **If the airbag is replaced under the compulsory recall**

The compulsory recall requires dealers to communicate both orally and in writing to the consumer in situations where a “like for like” replacement is used. They must also fix a label in the windscreen and in the engine bay and make a note in the service record to alert service staff and consumers that the airbags will need future replacement.

If a consumer was not advised by the dealer that their vehicle was fitted with a “like for like” replacement, it is likely that an alternative brand was used. However, consumers should ask the supplier or dealer what type of replacement was used.

“Like for like” airbags must not be used as replacements after 31 December 2019.

## I live in a regional or remote area and am experiencing difficulties in obtaining a replacement airbag

The Recall Notice requires suppliers to provide transportation arrangements to consumers in situations where special arrangements may be warranted. The ACCC expects that in situations where the consumer is located 250 kilometres from the nearest location a replacement can occur or on an island that does not have an authorised place of repair, that the supplier either:

- tows or transports the vehicle to a place of replacement
- sends a qualified technician to perform replacement at the consumer's location or a place near the consumer's location
- makes arrangements with a mechanic near the consumer who is qualified to undertake the work



- other similar measures

### Am I eligible to have a loan/hire vehicle or alternative transport?

Suppliers are required to provide a loan vehicle or reasonable transport arrangements in the following situations:

- if the replacement process will deprive the consumer of the use of their vehicle for more than 24 hours, then, at the consumer's request, the dealership must provide a loan or hire vehicle, or offer to fund or provide reasonable alternative transportation for the duration of the replacement process;
- if the vehicle has an alpha Inflator, then the dealership must offer to arrange for the vehicle to be towed, or for a qualified technician to travel to the vehicle (or some similar arrangement so that the consumer does not need to drive the vehicle).
- where circumstances reasonably warrant *special arrangements* to facilitate the replacement, then, at a consumer's request, the dealer must make arrangements at no cost to the consumer. *Special arrangements* may include:
  - towing/transporting a vehicle to a place of replacement
  - providing a qualified technician to perform replacement at a place near the consumer's location
  - other similar measures

Examples of situations where *special arrangements* may be warranted include, but are not limited to those involving a consumer who is:

- elderly, infirm, disabled or otherwise with special needs;
- located more than 250 kilometres from the nearest place of replacement a dealer can arrange; or
- located on an island which does not have a dealer in the supplier's dealer network or another qualified place of replacement authorised by the supplier.

### Who can suppliers contact?

Suppliers who have questions about their obligations under the compulsory recall should contact [takatarecall@accc.gov.au](mailto:takatarecall@accc.gov.au)



s22

**From:** [REDACTED] s22  
**Sent:** Tuesday, 6 March 2018 1:03 PM  
**To:** 'Probyn, Glenn'; [REDACTED]  
**Cc:** Grimwade, Timothy; Matthew, Neville; NYAKUENGAMA Sharon  
**Subject:** RE: Agenda: ACCC/DIRD Takata progress meeting 6/03/2018 [SEC=UNCLASSIFIED]  
**Attachments:** Agenda - ACCC DIRD weekly Takata progress meeting 6 March 2018 v2.0.docx

Hi Glenn

No problem. Please see updated agenda attached.

Kind regards,

**From:** Probyn, Glenn [mailto:glenn.probyn@accc.gov.au]  
**Sent:** Tuesday, 6 March 2018 12:48 PM

s22

**Cc:** Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Matthew, Neville <neville.matthew@accc.gov.au>; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>  
**Subject:** RE: Agenda: ACCC/DIRD Takata progress meeting 6/03/2018 [SEC=UNCLASSIFIED]

Hi [REDACTED] s22

Apologies for the late notice but can we please add the following to the agenda for the meeting this afternoon:

- Transition (DIRD to ACCCC) for OEMs for monthly reporting
- ACCC to write to 131 RAWs grey imports about differing expectations on reporting requirements (noting a comprehensive Communications and Engagement Plan is not necessary in most cases)
- Aust Roads / NEVDIS – ACCC to draft a recommendation to our minister attaching letter from him to State and Territory Road Authorities on additional voluntary strategies to help with the effectiveness of the compulsory recall – requesting both RTAs and NEVDIS assistance

Thanks [REDACTED] s22

Glenn.

## Glenn Probyn

Director | Takata Task Force | Consumer Product Safety Branch  
**Australian Competition & Consumer Commission**  
 Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000  
 T: + 61 3 9290 1978  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.



From: [REDACTED] <[REDACTED]@infrastructure.gov.au>

Sent: Monday, 5 March 2018 4:15 PM

To: Probyn, Glenn <glenn.probyn@accc.gov.au>; [REDACTED]

s22

Cc: Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Matthew, Neville <neville.matthew@accc.gov.au>; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>

Subject: Agenda: ACCC/DIRD Takata progress meeting 6/03/2018 [SEC=UNCLASSIFIED]

Dear All

Please find attached an agenda for use during tomorrow's teleconference. Please let me know if you would like anything included and I will update and re-circulate.

We have added a new standing agenda item for *Roles and responsibilities*.

Sharon sends her apologies.

Regards,

[REDACTED] s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

s22

[REDACTED] | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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## Weekly progress meeting - Takata recall

### Australian Competition and Consumer Commission (ACCC) & Department of Infrastructure, Regional Development and Cities (Infrastructure)

#### Agenda

3:00pm to 4:00pm | Tuesday, 6 March 2018 | Teleconference

Dial 1800 991 166 then enter PIN [REDACTED] s22

#### Standing Items

1. Recommendations to the Minister for Small and Family Business, the Workplace and Deregulation
2. Planning for release of the Notice – stakeholder and media engagement
3. Communications including scripts
4. Roles and responsibilities

#### Open items

1. *Update on ACCC's proposed engagement with State and Territory Registration Authorities* Infrastructure  
Infrastructure to provide update.
2. *Definition of "supplier" in the context of the voluntary recalls framework* ACCC  
ACCC to provide update.

In addition to the definition of supplier in the compulsory recall notice, the term "supplier" is important for Infrastructure to determine who they should engage with to negotiate voluntary recalls. "Who" they approach should be consistent with the entity that would have obligations if a compulsory recall notice were to be issued.

In the RAWs and New Low Volume, it is possible that a RAW or Low Volume approval holder may be essentially contracted by third party to facilitate the importation of a vehicle for a third party. In this scenario, RAWs and Low Volume approval holders have argued that they have not actually supplied the vehicle.

Infrastructure proposes to advise RAWs and New Low Volume scheme approval holders that they can be considered a supplier if they have agreed to supply the vehicle. It is however noted that there may be another entity that should be first considered the supplier for recall purposes having regard to the circumstances. In this context, a vehicle would be considered a consumer good, and the party that has sold, exchanged, leased or hired the vehicle, is considered to be the supplier in Australia.

[REDACTED] s47G

ACCC



New items

1. ***Transition of OEM monthly reporting (Infrastructure to ACCC)*** ACCC  
ACCC to lead discussion on this item.
2. ***ACCC to correspond with RAWs*** ACCC  
ACCC to lead discussion on this item.

The ACCC are going to write to 131 RAWs grey imports about differing expectations on reporting requirements (noting a comprehensive Communications and Engagement Plan is not necessary in most cases)

3. ***Austroads/NEVDISS*** ACCC  
ACCC to lead discussion on this item.

ACCC to draft a recommendation to our minister attaching letter from him to State and Territory Road Authorities on additional voluntary strategies to help with the effectiveness of the compulsory recall – requesting both RTAs and NEVDIS assistance



**From:** [REDACTED]  
**Sent:** Friday, 27 April 2018 2:07 PM  
**To:** all s22 Matthew, Neville; Probyn, Glenn; elisabeth.vagg@accc.gov.au; [REDACTED]  
**Cc:** NYAKUENGAMA Sharon  
**Subject:** RE: Agenda: ACCC/Infrastructure Takata teleconference [SEC=UNCLASSIFIED]  
**Attachments:** Agenda - ACCC DIRD weekly Takata progress meeting 27 April 2018.docx

Hi All

Apologies, agenda attached this time!

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22

[REDACTED]@infrastructure.gov.au | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** [REDACTED]  
**Sent:** Friday, 27 April 2018 1:58 PM  
**To:** Matthew, Neville <neville.matthew@accc.gov.au>; 'Probyn, Glenn' <glenn.probyn@accc.gov.au>; 'elisabeth.vagg@accc.gov.au' <elisabeth.vagg@accc.gov.au>; [REDACTED]  
**Cc:** NYAKUENGAMA Sharon <sharon.nyakuengama@infrastructure.gov.au>  
**Subject:** Agenda: ACCC/Infrastructure Takata teleconference [SEC=UNCLASSIFIED]

all s22

All

Please find attached the agenda for our meeting this afternoon as well as copies of associated correspondence.

Kind regards,

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

[REDACTED]@infrastructure.gov.au | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)



## Weekly progress meeting - Takata recall

### Australian Competition and Consumer Commission (ACCC) & Department of Infrastructure, Regional Development and Cities (Infrastructure)

#### Agenda

3:00pm to 4:00pm | Friday, 27 April 2018 | Teleconference

Dial in 1800 991 166 then enter PIN [REDACTED] s22

#### Standing Items

##### **1. Communications including scripts**

- a. RAWS correspondence
- b. RACVS – ACCC request for a list of participants
- c. Takata Misemployment Incident Report Form

##### **2. Roles and responsibilities**

- a. PRA 2017/15950 – Toyota recall and TRW Inflators
- b. Transition of monthly performance reporting to ACCC

#### Open items

##### **1. ACCC engagement with State and Territory Registration**

ACCC

###### **Authorities**

The ACCC have proposed that a teleconference be scheduled for the week beginning Monday, 14 May 2018.

##### **2. Deactivation of airbags by [REDACTED] 47G**

ACCC

ACCC to provide update.

Refer to attached correspondence.

#### New Items

s47G

##### **1. [REDACTED] Overseas Vehicle sales**

ACCC

ACCC have request for further information regarding disablement of airbags.

##### **2. [REDACTED] 47G voluntary recall made in error**

ACCC

##### **3. Engagement with suppliers of non-consumer vehicles fitted with Takata airbags**

ACCC



s22

Document 45

s22

**From:** [REDACTED]  
**Sent:** Tuesday, 16 January 2018 2:32 PM  
**To:** O'Connor, Fay  
**Subject:** RE: Confirming dial in details - weekly Takata recall meetings [SEC=UNCLASSIFIED]

Thanks Fay

At this stage, all meetings, including the one scheduled for 23 January, will be conducted by teleconference. If this changes from our perspective, I will let you know ASAP.

Kind regards,

[REDACTED]  
Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

www.infrastructure.gov.au

**From:** O'Connor, Fay [mailto:Fay.O'Connor@accs.gov.au]

**Sent:** Tuesday, 16 January 2018 1:33 PM

**To:** [REDACTED] infrastructure.gov.au>

**Subject:** Confirming dial in details - weekly Takata recall meetings [SEC=UNCLASSIFIED]

Hi, here is the summary for you to do all the invites, luckily it is the same dial in and Pin. Can you call me and let me know if they change their minds and want to actually come over here, as I will have to arrange a car spot. Need to know asap especially if 23 Jan is to be a dial in, please let me know asap.

Dial 1800 991 166 Enter Vmeeting Pin [REDACTED]

23 January  
30 January  
6 February  
20 February  
27 February  
6 March  
13 March  
20 March  
27 March

Regards

Fay



Fay O'Connor

Executive Assistant to Neville Matthew | General Manager | Consumer Product Safety Branch

Australian Competition & Consumer Commission

23 Marcus Clarke Street Canberra ACT 2601

[www.accc.gov.au](http://www.accc.gov.au) | [www.productsafety.gov.au](http://www.productsafety.gov.au)

T: +61 2 6243 1391

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s22

**From:** [REDACTED]@infrastructure.gov.au]

**Sent:** Monday, 8 January 2018 3:44 PM

**To:** O'Connor, Fay

**Subject:** Re-establishment of weekly Takata recall meetings [SEC=UNCLASSIFIED]

Good afternoon Fay

We would like to re-establish weekly Takata recall meetings (by teleconference) with the ACCC, hopefully commencing next week. Could you please advise whether Neville is available next Tuesday, 16 January 2018 between 3 and 4pm?

Many thanks,

s22

[REDACTED]  
Recall Reform Manager | Regulatory Policy, Risk and Compliance

Vehicle Safety Standards | Surface Transport Division

Department of Infrastructure, Regional Development and Cities

GPO Box 594, Canberra ACT 2601

[REDACTED]  
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s22

**From:** [REDACTED]  
**Sent:** Tuesday, 20 March 2018 1:35 PM  
**To:** Vagg, Elisabeth  
**Cc:** s22 Grimwade, Timothy; Probyn, Glenn; Pearsall, Paula; Matthew, Neville; Gray, Harriet; NYAKUENGAMA Sharon; [REDACTED] Joly, Lauren; Miller, Karen  
**Subject:** RE: DIRDC and ACCC - regulator catch up - list of action items [SEC=UNCLASSIFIED]  
**Attachments:** 985\_Takata Airbag\_DG signed.pdf; NTs response to letter from ACCC Chair concerning Takata.docx; ACTs response to letter from ACCC Chair concerning Takata.docx

Hi Liz

In response to item one below, the Department is happy with the approach proposed to enable OEMs to access owner contact details. OEM requests for VIN lists may be directed to the [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) mailbox. They must include the following information when making their request:

- Confirmation that the request is in relation to the compulsory recall, and an undertaking to limit use of the information for that purpose
- Make
- Model
- Year of manufacture.

In response to item 4, we are yet to hear back from all of the State and Territory Vehicle Registrars invited by Sharon to participate in a teleconference. Can you please advise if Tim is unavailable on any of the dates and/or times proposed by Sharon? The agenda and dial in details are yet to be settled. We'll advise in due course.

Please find attached correspondence referenced below from WA, NT and ACT in relation to Mr Simms correspondence.

Kind regards,

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22  
[recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** Vagg, Elisabeth <ev@accc.gov.au>

**Sent:** Monday, 19 March 2018 3:32 PM

[REDACTED]@infrastructure.gov.au

s22

**Cc:** Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Probyn, Glenn <glenn.probyn@accc.gov.au>; Pearsall, Paula <paula.pearsall@accc.gov.au>; Matthew, Neville <neville.matthew@accc.gov.au>; Gray, Harriet <harriet.gray@accc.gov.au>; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>; [REDACTED] Joly, Lauren <lauren.joly@accc.gov.au>; Miller, Karen [REDACTED]



Hi [REDACTED] s22

Thanks for discussing action items following on from previous DIRDC/ACCC catch ups. Just confirming with senior staff away at interstate meetings, tomorrow's catch up has been postponed until next week and I can assist in progressing anything else that may arise with you as necessary. I've put items in purple that I need DIRDC's response/direction from and am happy to discuss any of this via phone too if that helps.

1. Mitsubishi Motors (MMAL) – **attached** letter dated 28 February 2018 regarding grey imports.
  - Their letter requests assistance in identifying Mitsubishi brand vehicles which have been supplied into Australia by anyone besides MMAL (RAWs or personal imports). They note NEVDIS have refused to provide details as they don't have the VINs and they are not under recall by MMAL.
  - An initial discussion with a contact at Austroads (NEVDIS) has identified a work around solution to the issue. If DIRDC are able to provide OEMs on request vehicle VINs for their brand imports (or for Japanese vehicles DIRDC's '6U9' number which added to the chassis number gives a VIN). Then the OEMs can submit the VINs with NEVDIS, and they can provide the OEMs with the owner contact details.
    - Please confirm if DIRDC are comfortable with this approach? Then I can then confirm this approach with Austroads and help draft a response/develop supplier FAQ guidance for OEMs in line with this for the PSA website.
    - Please advise if there are any practicalities OEMs should be aware of in approaching DIRDC for assistance and I can work with you/Austroads on the FAQ guidance.
2. Takata Product Safety Australia website updates
  - Update: We have updated responsible regulator along with providing links to OEMs VIN lookup for all Alpha recalls, with recalls team updating the remaining beta recalls this week.
  - Update: We are also in the process of settling a suggested template Communications and Engagement Plan and Recall Initiation Schedule for Suppliers. We plan to distribute an email to all affected OEMs we have contact details for + RAWs participants list we have attaching these and providing a hyperlink to our website where these forms can be found. We expect to have this done within the next couple of days and will provide you with the weblink once its published to refer from the Raws Website <http://raws.infrastructure.gov.au/>. This is where all the reporting guidance/requirements and templates will sit on the PSA website once developed.
3. Takata voluntary and re-recalls
  - Update: Hino and Volvo Trucks recalls were not carried across to the Compulsory recalls page, as there have different responsibilities attaching to these voluntary recalls. However, we are currently progressing with our recalls and communications area creating a 'Related Takata recalls link' referring to Hino and Volvo truck and other Takata re-recalls from incorrectly installed inflators which require further recall.  
<https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/takata-airbag-recalls-list>
4. Teleconference with S&T RTAs – **attached** email to TSIOC Members
  - A few dates were proposed 23, 27, 28 March, is there any update on teleconference date/time and any other details of attendees/agenda/dial in details.
  - Also I understand there were a couple of jurisdictions that responded to the letter (ACT, NT and WA) are we please able to have a copy of the correspondence.

5 [REDACTED]

s47G



6. BMW incident – **attached** email Fairfax article

- Update: we are investigating the incident that occurred in May 2014 (approx 4 years ago) involving a suspected airbag misdeployment in a 2005 BMW 330Ci under recall, occasioning injury to the passenger with both the individual complainant and BMW. This incident was noted in media over the weekend.

Thanks  
Liz

**Liz Vagg**

Director Operations | Takata Task Force | Consumer Product Safety Branch

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1355

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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Government of Western Australia  
Department of Transport

Your ref: PRJ1002365

CWS ref: 985

Enquiries: [REDACTED]

s47F

Ms J Zeilke PSM  
Deputy Secretary  
Department of Infrastructure, Regional Development and Cities  
111 Alinga Street  
CANBERRA ACT 2600  
Sharon.nyakuengama@infrastructure.gov.au

  
Dear Ms Zeilke PSM

**Takata Airbag Recall: State and Territory Road Transport Authorities (RTAs)**

Thank you for your letter dated 11 January 2018 regarding Takata Airbag Recall: State and Territory Road Transport Authorities (RTAs).

I acknowledge the genuine challenges being faced by the vehicle manufacturing industry that were brought to light through submissions to the Australian Competition and Consumer Commission (ACCC) in response to the Draft Recall Notice (DRN).

I am supportive of my agency assisting the industry with increasing replacement rates, when issued with a recall notice, by encouraging vehicle owners to respond to a recall notice. To this end, I can release the information of the vehicle owners, to vehicle manufacturers, that may not be contactable due to limitations in National Exchange of Vehicle and Driver Information System NEVDIS data. A submission to release the required information can be made by contacting the Release of Information section of my agency at [REDACTED]@transport.wa.gov.au.

In your letter, you propose that the RTAs act on behalf of the vehicle manufacturers when the manufacturers face difficulties in encouraging or convincing some consumers to present their vehicle for a replacement inflator once contacted. This proposal needs further consideration as this would cause additional burden on my agency's resources. It is likely to require setting up of administrative processes, system capabilities and compliance mechanisms. Given the public sector operates on a cost recovery basis; I would be willing to give further consideration to this aspect of your proposal on an understanding that the manufacturing industry will recompense the incurred costs.



The existing legislative provisions provide me with the ability to refuse to licence or renew, or suspend or cancel the licence of an un-remedied recalled vehicle on the grounds that a vehicle no longer has all of its parts in a serviceable condition.

If you require further information please contact 

s47F

Yours sincerely



Director Général

29 / 11 / 2018



**From:** [REDACTED]

**Date:** Tuesday, 06 Mar 2018, 6:21 pm

**To:** NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>

**Subject:** Takata airbag recall [SEC=UNOFFICIAL]

Afternoon Sharon

I refer to Judith Zielke's email of 10 January 2018 regarding the above. I apologise for the delay in responding.

The following comments are provided from the ACT government.

The ACT has led the way in making sure consumers, dealers and manufacturers are informed of the product recall, and that cars fitted with Takata airbags are taken in for replacement. Access Canberra, ACT Government and the Minister for Consumer Affairs have stressed the importance of informing the public of the recall, ensuring community safety. Access Canberra has utilised a combination of communications and media efforts, educational programs, and appropriate information sharing to assist in the recall.

1. Information sharing

- a. Due to the limitation in the NEVDIS data available to car manufacturers, and in order to contact a larger amount of vehicle owners, the ACT government has sought advice and established a process and protocol to release select personal information.
- b. The ACT has taken proactive action to increase response rates to the notice by providing vehicle registration data to assist manufacturers to notify vehicle owners, in accordance with the legislation and territory privacy principles.
- c. Following a request from Nissan Australia, Access Canberra released to them the details (name, mailing address, and vehicle registration) of 74 people from the ACT.
- d. Access Canberra ensured that a guarantee was sought and agreed to by Nissan, and subsequently other manufacturers, that the information requested was due to safety concerns and that it would not be used for any other purpose. This was obtained prior to personal information being released.
- e. Access Canberra provided manufacturers with the owner names, phone numbers and email address for each VIN affected by the recall campaign.

2. Communications/media

- a. Access Canberra issued a media release on 18 August 2017 on the Takata airbag recall, urging the public to check the recall notice and contact their dealer, manufacturer or Access Canberra for assistance. The release provided the public with a list of effected car makes and models, as well as product safety information and contacts. The Minister urged vehicle owners to check the safety of their car.
- b. Another media release was issued 14 September 2017, stating that Access Canberra had written to all motor vehicle dealers (MVD). The letter had reminded dealers to check that their vehicles affected by the recall are not sold without the airbag replaced. Access Canberra and manufacturers have previously provided warnings to the community, noting the importance of recalling the vehicles efficiently.



### 3. Education

- a. Access Canberra wrote to all MVDs, clarifying and reminding them of their obligations under the ACL to comply with recall notices and consumer guarantees, stressing the importance of an effective recall program to community safety.
- b. The letter provided MVDs with a full list of makes and models affected, and also reminded them to be transparent by recording relevant actions taken.

Please let me know if you require anything further

Thanks

Helen

[Redacted]

s47F

Office of the Director-General | Transport Canberra and City Services Directorate | ACT Government  
12 Wattle Street, Lyneham | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)



From: [REDACTED]

Sent: Thursday, 15 February 2018 3:19 PM

To: NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>

Subject: FW: TAKATA AIRBAG RECALL

Dear Sharon,

I received an email from Judith Zielke on 10 January 2018 which requested I provide comments to you in regard to issues raised by the Australian Competition and Consumer Commission (ACCC). The issues relate to the Takata airbag recall. The ACCC is seeking the assistance of the Transport and Infrastructure Senior Officials' Committee (TISOC) to progress three specific issues.

*(a) address the limitations in NEVDIS data and to assist manufacturers to notify a vehicle owner of the recall*

- A significant body of work is required to rectify the limitations with the National Exchange of Vehicle and Driver Information System (NEVDIS) and the way it interfaces with end users. NEVDIS data capacity and ability to process real-time updates is deficient in certain areas. For example NEVDIS only has capacity to record a physical address field while this Department's Motor Vehicle Registry System (MOVERS) also records mailing addresses. The utilisation of physical addresses becomes problematic when Australia Post does not offer a delivery service in remote locations.
- Officers in this Department are providing assistance to analyse data discrepancies between NEVDIS and NT registration data.

*(b) take action to increase response rates to recall notices*

- The first recorded serious injury in Australia as a result of the mis-deployment of a Takata airbag inflator occurred in the Northern Territory in April 2017, followed by a fatality in New South Wales in July 2017. These two incidents led to a national approach to establish protocols for vehicle manufacturers to seek owner records from registration authorities.
- This Department has published a bulletin to raise awareness of the Takata Airbag Recall which has been circulated to all NT vehicle inspectors and peak body motoring organisations.
- To date this Department has worked with a number of vehicle manufactures to provide NT vehicle owner records including Toyota Motor Corporation, Nissan Motor Corporation, Subaru Australia, Honda Australia and Lexus Australia.
- At present, the Department can respond to data requests within a few days.
- Under the current arrangements, there is no cost to vehicle manufacturers for NT data.

*(c) clarify the operation of State and Territory road transport laws where a vehicle is recalled (voluntary or under a compulsory recall notice under section 122 of the Australian Consumer Law (ACL)), specifically*

- *whether an un-remedied recalled vehicle still satisfies the roadworthiness tests including the requirements for registration*
  - The Northern Territory does consider a recalled vehicle to still be roadworthy.
  - In the case of airbags we do not know if an airbag is defective or not without an inspection.



- The Northern Territory therefore does not support a restriction on vehicle registration as a means of capturing un-remedied vehicles.
- The Northern Territory defects vehicles that are considered to be a danger or nuisance to the public or likely to damage public streets (s.128A Motor Vehicles Act). It could be argued that doesn't give the power to defect a vehicle that is only dangerous to the driver of that vehicle (for example a defective airbag) as they are not "the public". A vehicle has to be on a public street to be defected.
- *how the prohibition in section 127 of the ACL on the sale of a recalled vehicle impacts on the registration by an RTA of the transfer of ownership*
  - The prohibition in s.127 of the ACL relates to vehicles sold "in trade or commerce". That captures dealers (whether licensed or not) and probably business sales where a vehicle is included in the sale. Regardless of who sells the vehicle, if a person has paid for it, registration can only be denied if we can confidently say that particular vehicle doesn't meet the Standards. s.127 is a sale prohibition, not a purchase prohibition or a registration prohibition.
  - The Northern Territory therefore considers that providing current vehicle owner information to vehicle manufacturers is the most appropriate assistance that can be offered by registration authorities.

If you would like any further information regarding the Northern Territory's response to the Takata airbag recall, please contact [REDACTED] or [REDACTED]

Regards

[REDACTED]  
Chief Executive  
Department of Infrastructure, Planning and Logistics  
Northern Territory Government

Level 5, Energy House, 18-20 Cavenagh Street, Darwin  
GPO Box 2520, Darwin NT 0801

[REDACTED] s47F

w ... [www.nt.gov.au](http://www.nt.gov.au)



**From:** [REDACTED] s22  
**Sent:** Wednesday, 21 March 2018 9:15 AM  
**To:** 'Joly, Lauren'  
**Subject:** RE: DIRDC and ACCC - regulator catch up - list of action items [SEC=UNCLASSIFIED]

Thanks Lauren – appreciate it.

Kind regards,

[REDACTED] s22

**From:** Joly, Lauren [mailto:lauren.joly@accc.gov.au]  
**Sent:** Tuesday, 20 March 2018 5:26 PM  
[REDACTED]  
**Subject:** RE: DIRDC and ACCC - regulator catch up - list of action items [SEC=UNCLASSIFIED]

s22

Hi [REDACTED]

I am just waiting for a couple of confirmations of Meeting IDs for some of the DIRDC and ACCC catch-ups. I have been in contact with the Videoconferencing booking team re this today. As soon as I find out I will send you through the details.

Kind regards  
Lauren

Lauren Joly

Executive Assistant to Neville Matthew | General Manager | Consumer Product Safety Branch  
**Australian Competition & Consumer Commission**  
Level 1, 23 Marcus Clarke Street, Canberra ACT 2601  
T: +61 2 6243 1218  
[www.accc.gov.au](http://www.accc.gov.au) | [www.productsafety.gov.au](http://www.productsafety.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

**From:** [REDACTED]@infrastructure.gov.au] s22  
**Sent:** Tuesday, 20 March 2018 1:35 PM  
**To:** Vagg, Elisabeth <ev@accc.gov.au>  
**Cc:** Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Probyn, Glenn <glenn.probyn@accc.gov.au>; Pearsall, Paula <paula.pearsall@accc.gov.au>; Matthew, Neville <neville.matthew@accc.gov.au>; Gray, Harriet <harriet.gray@accc.gov.au>; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au> [REDACTED]  
[REDACTED] Joly, Lauren <lauren.joly@accc.gov.au>; Miller, Karen <karen.miller@accc.gov.au>  
**Subject:** RE: DIRDC and ACCC - regulator catch up - list of action items [SEC=UNCLASSIFIED]

Hi Liz



In response to item one below, the Department is happy with the approach proposed to enable OEMs to access owner contact details. OEM requests for VIN lists may be directed to the [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) mailbox. They must include the following information when making their request:

- Confirmation that the request is in relation to the compulsory recall, and an undertaking to limit use of the information for that purpose
- Make
- Model
- Year of manufacture.

In response to item 4, we are yet to hear back from all of the State and Territory Vehicle Registrars invited by Sharon to participate in a teleconference. Can you please advise if Tim is unavailable on any of the dates and/or times proposed by Sharon? The agenda and dial in details are yet to be settled. We'll advise in due course.

Please find attached correspondence referenced below from WA, NT and ACT in relation to Mr Simms correspondence.

Kind regards

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

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**From:** Vagg, Elisabeth <[ev@accc.gov.au](mailto:ev@accc.gov.au)>

**Sent:** Monday, 19 March 2018 3:32 PM

**Cc:** Grimwade, Timothy <[timothy.grimwade@accc.gov.au](mailto:timothy.grimwade@accc.gov.au)>; Probyn, Glenn <[glenn.probyn@accc.gov.au](mailto:glenn.probyn@accc.gov.au)>; Pearsall, Paula <[paula.pearsall@accc.gov.au](mailto:paula.pearsall@accc.gov.au)>; Matthew, Neville <[neville.matthew@accc.gov.au](mailto:neville.matthew@accc.gov.au)>; Gray, Harriet <[harriet.gray@accc.gov.au](mailto:harriet.gray@accc.gov.au)>; NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>; [karen.miller@accc.gov.au](mailto:karen.miller@accc.gov.au)

**Subject:** DIRDC and ACCC - regulator catch up - list of action items [SEC=UNCLASSIFIED]

Hi

Thanks for discussing action items following on from previous DIRDC/ACCC catch ups. Just confirming with senior staff away at interstate meetings, tomorrow's catch up has been postponed until next week and I can assist in progressing anything else that may arise with you as necessary. I've put items in purple that I need DIRDC's response/direction from and am happy to discuss any of this via phone too if that helps.

1. Mitsubishi Motors (MMAL) – **attached** letter dated 28 February 2018 regarding grey imports.

- Their letter requests assistance in identifying Mitsubishi brand vehicles which have been supplied into Australia by anyone besides MMAL (RAWs or personal imports). They note NEVDIS have refused to provide details as they don't have the VINs and they are not under recall by MMAL.



- An initial discussion with a contact at Austroads (NEVDIS) has identified a work around solution to the issue. If DIRDC are able to provide OEMs on request vehicle VINs for their brand imports (or for Japanese vehicles DIRDC's '6U9' number which added to the chassis number gives a VIN). Then the OEMs can submit the VINs with NEVDIS, and they can provide the OEMs with the owner contact details.
  - Please confirm if DIRDC are comfortable with this approach? Then I can then confirm this approach with Austroads and help draft a response/develop supplier FAQ guidance for OEMs in line with this for the PSA website.
  - Please advise if there are any practicalities OEMs should be aware of in approaching DIRDC for assistance and I can work with you/Austroads on the FAQ guidance.

## 2. Takata Product Safety Australia website updates

- Update: We have updated responsible regulator along with providing links to OEMs VIN lookup for all Alpha recalls, with recalls team updating the remaining beta recalls this week.
- Update: We are also in the process of settling a suggested template Communications and Engagement Plan and Recall Initiation Schedule for Suppliers. We plan to distribute an email to all affected OEMs we have contact details for + RAWs participants list we have attaching these and providing a hyperlink to our website where these forms can be found. We expect to have this done within the next couple of days and will provide you with the weblink once its published to refer from the Raws Website <http://raws.infrastructure.gov.au/>. This is where all the reporting guidance/requirements and templates will sit on the PSA website once developed.

## 3. Takata voluntary and re-recalls

- Update: Hino and Volvo Trucks recalls were not carried across to the Compulsory recalls page, as there have different responsibilities attaching to these voluntary recalls. However, we are currently progressing with our recalls and communications area creating a 'Related Takata recalls link' referring to Hino and Volvo truck and other Takata re-recalls from incorrectly installed inflators which require further recall.  
<https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/takata-airbag-recalls-list>

## 4. Teleconference with S&T RTAs – **attached** email to TSIOC Members

- A few dates were proposed 23, 27, 28 March, is there any update on teleconference date/time and any other details of attendees/agenda/dial in details.
- Also I understand there were a couple of jurisdictions that responded to the letter (ACT, NT and WA) are we please able to have a copy of the correspondence.

## 6. BMW incident – **attached** email Fairfax article

- Update: we are investigating the incident that occurred in May 2014 (approx 4 years ago) involving a suspected airbag misdeployment in a 2005 BMW 330Ci under recall, occasioning injury to the passenger with both the individual complainant and BMW. This incident was noted in media over the weekend.

Thanks  
Liz

**Liz Vagg**

Director Operations | Takata Task Force | Consumer Product Safety Branch  
Australian Competition & Consumer Commission  
23 Marcus Clarke Street Canberra 2601  
T: +61 2 6243 1355



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**From:** [REDACTED]  
**Sent:** s22 Monday, 26 February 2018 10:33 AM  
**To:** Takata  
**Cc:** [REDACTED]; Probyn, Glenn; Matthew, Neville; Miley, Benjamin; Ford, Mandy; Hotchkis, Katie  
**Subject:** RE: DIRDC attendance at briefing [SEC=UNCLASSIFIED]

Fantastic – thanks Liz.

Kind regards,

[REDACTED]  
Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

[REDACTED] infrastructure.gov.au | w www.infrastructure.gov.au

**From:** Takata [mailto:Takata@acc.gov.au]  
**Sent:** Monday, 26 February 2018 10:28 AM  
s22 [REDACTED] infrastructure.gov.au; Takata <Takata@acc.gov.au>  
[REDACTED] infrastructure.gov.au; Probyn, Glenn <glenn.probyn@acc.gov.au>;  
Matthew, Neville <neville.matthew@acc.gov.au>; Miley, Benjamin <benjamin.miley@acc.gov.au>; Ford, Mandy  
<mandy.ford@acc.gov.au>; Hotchkis, Katie <katie.hotchkis@acc.gov.au>  
**Subject:** RE: DIRDC attendance at briefing [SEC=UNCLASSIFIED]

Hi [REDACTED] s22

We look forward to seeing you and [REDACTED] in our Canberra office, once at reception if your able to call Ben Miley ext.1346 he will be able to escort you to the room.

I'll be in Canberra too along with Mandy Ford and Katie Hotchkis.

Let me know if you have any questions.

Thanks  
Liz

**Liz Vagg**

Assistant Director | Takata Task Force | Consumer Product Safety Branch  
Australian Competition & Consumer Commission  
23 Marcus Clarke Street Canberra 2601  
T: +61 2 6243 1355  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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**From:** [REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)  
**Sent:** Monday, 26 February 2018 10:18 AM  
**To:** Takata <[Takata@accc.gov.au](mailto:Takata@accc.gov.au)> s22  
([\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au))  
**Subject:** DIRDC attendance at briefing [SEC=UNCLASSIFIED]

Dear Glenn

[REDACTED] and I will attend this afternoons supplier briefing, in person, at your Canberra offices.

Many thanks,

[REDACTED]  
Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

[REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** s22 [redacted] th  
**Sent:** Wednesday, 10 January 2018 12:16 PM  
**To:** O'Connor, Fay  
**Subject:** RE: DIRDC attendees at weekly Takata progress meetings commencing 23/1/2018 [SEC=UNCLASSIFIED]

Will do – thanks again.

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

infrastructure.gov.au | w www.infrastructure.gov.au

**From:** O'Connor, Fay [mailto:Fay.O'Connor@accc.gov.au]

**Sent:** Wednesday, 10 January 2018 12:15 PM

infrastructure.gov.au>

**Subject:** RE: DIRDC attendees at weekly Takata progress meetings commencing 23/1/2018 [SEC=UNCLASSIFIED]

s22

Hi [redacted], just to clarify the dial in details for the DIRD people will be as below. Can you make sure they all have this.

Dial 1800 991 166 Vmeeting Pin is [redacted], then press #

Fay

**Fay O'Connor**

Executive Assistant to Neville Matthew | General Manager | Consumer Product Safety Branch

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra ACT 2601

[www.accc.gov.au](http://www.accc.gov.au) | [www.productsafety.gov.au](http://www.productsafety.gov.au)

T: +61 2 6243 1391

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**From:** [REDACTED]@infrastructure.gov.au] s22  
**Sent:** Wednesday, 10 January 2018 12:03 PM  
**To:** O'Connor, Fay  
**Subject:** RE: DIRDC attendees at weekly Takata progress meetings commencing 23/1/2018 [SEC=UNCLASSIFIED]

Sorry Fay! That's correct.

[REDACTED]  
[REDACTED]  
Recall Reform Manager | Regulatory Policy, Risk and Compliance  
s22 Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

[REDACTED]@infrastructure.gov.au | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** O'Connor, Fay [mailto:Fay.O'Connor@acc.gov.au]  
**Sent:** Wednesday, 10 January 2018 11:58 AM  
[REDACTED]@infrastructure.gov.au>  
s22 **Subject:** RE: DIRDC attendees at weekly Takata progress meetings commencing 23/1/2018 [SEC=UNCLASSIFIED]

[REDACTED] I am assuming their email address is @infrastructure.gov.au?

Fay

**Fay O'Connor**

Executive Assistant to Neville Matthew | General Manager | Consumer Product Safety Branch  
**Australian Competition & Consumer Commission**  
23 Marcus Clarke Street Canberra ACT 2601  
[www.accc.gov.au](http://www.accc.gov.au) | [www.productsafety.gov.au](http://www.productsafety.gov.au)  
T: +61 2 6243 1391

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**From:** [REDACTED]@infrastructure.gov.au] s22  
**Sent:** Wednesday, 10 January 2018 11:58 AM  
**To:** O'Connor, Fay  
**Subject:** DIRDC attendees at weekly Takata progress meetings commencing 23/1/2018 [SEC=UNCLASSIFIED]

Hi Fay



I undertook yesterday to send you a list of people from DIRDC who will routinely participate in the weekly Takata progress meetings commencing Tuesday, 23 January 2017, 3-4 pm.

They are:

- Sharon Nyakuengama, General Manager, Vehicle Safety Standards Branch
- [REDACTED], Director, Regulatory Policy, Risk and Compliance Section
- [REDACTED], Manager, Regulatory Policy, Risk and Compliance Section (until start February 2018)
- [REDACTED], Manager, Regulatory Policy, Risk and Compliance Section (from start February 2018)
- [REDACTED], Manager, Regulatory Policy, Risk and Compliance Section

Let me know if you need any further information in order to schedule the series of meetings.

Thanks for your help.

Kind regards,

[REDACTED]  
Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

[REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** Cooper, Wendy <wendy.cooper@accc.gov.au>  
**Sent:** Monday, 5 March 2018 2:16 PM  
**To:** s22  
**Subject:** RE: Heavy Vehicle Recalls [SEC=UNCLASSIFIED]

That is correct s22. We don't have a recall notification for Iveco for Takata inflators.  
 Wendy

### Dr Wendy Cooper

Assistant Director, Hazard Analysis & Management | Consumer Product Safety | Consumer Small Business and Product Safety  
**Australian Competition & Consumer Commission**  
 23 Marcus Clarke Street Canberra 2601  
 T: + 61 2 6243 4907  
 E: [wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Please note – I do not work on Fridays.

recalls inbox [Recalls@accc.gov.au](mailto:Recalls@accc.gov.au)  
 Recalls hotline +61 2 6243 1262

**From:** s22@infrastructure.gov.au  
**Sent:** Monday, 5 March 2018 2:14 PM  
**To:** Cooper, Wendy <wendy.cooper@accc.gov.au>  
**Subject:** RE: Heavy Vehicle Recalls [SEC=UNCLASSIFIED]

Thanks Wendy, we have a request in relation to heavy vehicle not related to the compulsory recall. I was just double checking numbers of vehicles.

I have the details of the vehicle you mentioned but there was an Iveco Daily recall reported on in the Australian Transport News and we have not been notified, neither have you yet by the looks of it.

Regards,

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Policy  
 Department of Infrastructure and Regional Development  
 GPO Box 594, Canberra ACT 2601

e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** Cooper, Wendy [mailto:[wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)]  
**Sent:** Monday, 5 March 2018 1:49 PM

**Subject:** RE: Heavy Vehicle Recalls [SEC=UNCLASSIFIED]

s22

I'm not sure what you are looking for. We have Takata recalls for trucks from Hino and Volvo only.



Wendy

**Dr Wendy Cooper**

Assistant Director, Hazard Analysis & Management | Consumer Product Safety | Consumer Small Business and Product Safety  
**Australian Competition & Consumer Commission**  
23 Marcus Clarke Street Canberra 2601  
T: + 61 2 6243 4907  
E: [wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Please note – I do not work on Fridays.

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**From:** [REDACTED] <sup>s22</sup>[\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)  
**Sent:** Monday, 5 March 2018 1:45 PM  
**To:** Cooper, Wendy <[wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)>  
**Cc:** Ford, Mandy <[mandy.ford@accc.gov.au](mailto:mandy.ford@accc.gov.au)>  
**Subject:** RE: Heavy Vehicle Recalls [SEC=UNCLASSIFIED]

Thanks Wendy,

So nothing else in the light duty truck market?

Regards,

[REDACTED]  
Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure and Regional Development  
GPO Box 594 Canberra ACT 2601

<sup>s22</sup> e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** Cooper, Wendy [<mailto:wendy.cooper@accc.gov.au>]  
**Sent:** Monday, 5 March 2018 1:42 PM  
[REDACTED] <[\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)>  
**Cc:** <sup>s22</sup> Ford, Mandy <[mandy.ford@accc.gov.au](mailto:mandy.ford@accc.gov.au)>  
**Subject:** FW: Heavy Vehicle Recalls [SEC=UNCLASSIFIED]

[REDACTED]  
There are Takata recalls for Volvo and Hino only. We have not received a recall notification for Iveco. If they have Takata airbag inflators we would expect to see a recall from Iveco.  
Wendy

**Dr Wendy Cooper**

Assistant Director, Hazard Analysis & Management | Consumer Product Safety | Consumer Small Business and Product Safety  
**Australian Competition & Consumer Commission**  
23 Marcus Clarke Street Canberra 2601  
T: + 61 2 6243 4907  
E: [wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)  
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**From:** Cooper, Wendy <wendy.cooper@accc.gov.au>  
**Sent:** Tuesday, 23 January 2018 6:06 PM  
**To:** Recalls  
**Subject:** RE: HPRM: Honda recall notification [SEC=UNCLASSIFIED]

s22

H [REDACTED]  
Yes, we have that one. It is not on the website yet, but the PRA you have quoted is correct. It looks like we received wording changes from Honda yesterday. I can see that there has been some to and fro between the ACCC assessor and Honda. Hopefully it won't be too much longer.  
Wendy

**Dr Wendy Cooper**

Assistant Director, Hazard Analysis & Management | Consumer Product Safety | Consumer Small Business and Product Safety  
**Australian Competition & Consumer Commission**  
23 Marcus Clarke Street Canberra 2601  
T: + 61 2 6243 4907  
E: [wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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**From:** Recalls [mailto:[Recalls@infrastructure.gov.au](mailto:Recalls@infrastructure.gov.au)]  
**Sent:** Tuesday, 23 January 2018 3:42 PM  
**To:** Cooper, Wendy  
**Subject:** FW: HPRM: RE: Honda recall notification [SEC=UNCLASSIFIED]

Hi Wendy,

Have you received this latest Takata recall from Honda.

Can you confirm the PRA is 2018/16523, couldn't find it on the website.

Regards

[REDACTED]  
Recalls Manager  
Regulatory Policy, Risk and Compliance Section  
Vehicle Safety Standards  
Department of Infrastructure, Regional Development and Cities  
[REDACTED]

s22

**From:** [REDACTED]  
**Sent:** Thursday, 18 January 2018 10:28 AM  
**To:** Recalls <[Recalls@infrastructure.gov.au](mailto:Recalls@infrastructure.gov.au)>

s47F

s47F

**Subject:** HPRM: RE: Honda recall notification [SEC=UNCLASSIFIED]



Good morning [REDACTED] s22

Information below, as requested.

With regard to customer communication, we are using various different methods for this recall including phone calls, SMS messages & eDM (electronic direct mail) in addition to the letters. The Jazz & Insight owners were affected by a driver's airbag recall, so we are going to call those customers that are active within our Honda dealer network. I have also attached our communication strategy for this recall, FYI.

Should you have any enquiries on the below, please let me know.

Please note that I am on annual leave from 22-30 January, so if you have any enquiries during this time, please refer them to our Technical Manager [REDACTED] who has been cc'd on this email.

s22

Country	Model	Model code	Model Year	Frame		Production date	
				From	To	From	To
Australia	ACCORD	CU2	2013	JHMCU2540DC201128	JHMCU2680DC209634	30/01/2012	29/05/2013
Australia	JAZZ	GE8	2013	MRHGE8860DP040031	MRHGE8860DP040090	19/04/2013	20/04/2013
Australia	JAZZ Hybrid	GP1	2013	MRHGP1830DP010001	MRHGP1830DP010540	08/11/2012	16/07/2013
Australia	JAZZ	GE6	2013	JHMGE6750DS201089	JHMGE6850DS206597	21/11/2012	22/07/2013
Australia	JAZZ	GE8	2013	JHMGE8850DS200379	JHMGE8850DS203132	21/11/2012	30/07/2013
Australia	INSIGHT	ZE2	2013	JHMZE2850DS200083	JHMZE2870DS200311	08/11/2012	27/12/2012

Regards,

**HONDA**

s47F

W: [www.honda.com.au/cars](http://www.honda.com.au/cars)



Our dream is to leave blue skies for our children - please consider the environment before printing this email

From: "Recalls" <[Recalls@infrastructure.gov.au](mailto:Recalls@infrastructure.gov.au)>

Date: 18/01/2018 09:35 AM

Subject: RE: Honda recall notification [SEC=UNCLASSIFIED]

s47F



Good morning [REDACTED]

s47F

Thank you for your email. Could you advise and provide the appropriate documents below:

Manufactured date range of affected vehicles

Model of each vehicle including the total number of each model

A copy of the customer letter

A copy of the technical bulletin

Regards

[REDACTED] s22

Recalls Administration Officer | Regulatory Policy Risk and Compliance Section  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601  
t 02 6274 6274 |  
e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

From: [REDACTED]

Sent: Monday, 15 January 2018 9:12 AM

To: Recalls <[Recalls@infrastructure.gov.au](mailto:Recalls@infrastructure.gov.au)>

s47F

Subject: Honda recall notification

Dear sir/madam,

Please find attached, information for a new Takata passenger airbag recall. This recall has been entered on the ACCC website & has PRA number 2018/16523.

Please advise if you have any questions. Thank you.

Regards,

**HONDA**

[REDACTED] s47F

W: [www.honda.com.au/cars](http://www.honda.com.au/cars)



n s22

**From:** Probyn, Glenn <glenn.probyn@accc.gov.au>  
**Sent:** Thursday, 5 April 2018 8:22 AM  
**To:** [REDACTED] All s22  
**Cc:** NYAKUENGAMA Sharon; [REDACTED] Matthew, Neville; [REDACTED]  
 [REDACTED] Joly, Lauren; Vagg, Elisabeth; Klaver, Jan  
**Subject:** RE: Incorrect Fitment of Takata Passenger Side Airbag Inflators [DLM=For-Official-Use-Only]

Hi [REDACTED] s22

Thanks for your email. This is an interesting issue and I look forward to discussing at our next catch-up. I will discuss with the team and provide questions in advance if there is anything we need to clarify.

Thanks [REDACTED]

Glenn.

### Glenn Probyn

Deputy General Manager (a/g) | Takata Task Force | Consumer Product Safety Branch

**Australian Competition & Consumer Commission**

Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000

T: + 61 3 9290 1978

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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**From:** [REDACTED]@infrastructure.gov.au  
**Sent:** Thursday, 5 April 2018 8:14 AM All s22  
**To:** Probyn, Glenn <glenn.probyn@accc.gov.au>  
**Cc:** NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au> [REDACTED]  
 [REDACTED] Matthew, Neville <neville.matthew@accc.gov.au> [REDACTED]  
 [REDACTED]; Joly, Lauren <lauren.joly@accc.gov.au>; Vagg, Elisabeth  
 <ev@accc.gov.au>  
**Subject:** RE: Incorrect Fitment of Takata Passenger Side Airbag Inflators [DLM=For-Official-Use-Only]

Good morning Glenn,

In light of the recent recall by Toyota for the incorrect fitment of passenger side airbag inflators (PRA 2018/16664), we recognised that we had seen this issue late last year with Subaru (PRA 2017/16483) and wanted to bring it to your attention. The Toyota recall is specifically to catch inflators that have been fitted incorrectly. The Subaru recall is to replace the like for like inflators with a replacement permanent inflator but has the inadvertent effect of capturing incorrectly fitted parts.

Normally motor vehicle parts such as airbags are asymmetrical and can only be fitted one way but these inflators are symmetrical and can be fitted in reverse. In this instance both manufacturers, rather than replacing the whole unit complete with airbag, are disassembling the unit and replacing just the inflator. This is as different practice to normal as an airbag replacement for any other reason than a Takata related



recall includes the inflator, housing, dash pad etc. as these are all the things that are damaged in the event of a deployment.

Both suppliers have reported that incorrectly fitted inflators pose a different risk to the original recall; the airbag will not inflate correctly reducing the occupant protection.

On review of their technical documentation, it shows that both passenger airbags have a similar housing design. My guess is the housing has a common design or has common features guided by Takata to suit the inflator as a standardised item.

As a cross check, I have also reviewed the technical information supplied by Nissan for recall PRA 2017/15940 and they are using a similar inflator with a slightly different variation on the housing. In that bulletin, it appears that the inflator can be fitted in reverse as well. I will note that this instruction does have additional fitting parameters which may ensure that the inflator is fitted in the correct position but there is no explicit warnings about what will happen if it has been fitted wrong.

My concern is, there now is two manufacturers which have found this issue and it appears that there is some commonality in the inflator housing design for more than just these two suppliers. This means that it is possible that other suppliers may be at risk of incorrectly fitting inflators (which may then require another recall in the future if that risk eventuates). We'll put this on the agenda for the next catch up we have so that we can discuss strategies for any engagement with suppliers on this issue.

At this stage there are no recorded field complaints, the inconsistencies have been discovered through the companies quality assurance practices. Subaru found a small number of vehicles in their campaign to change like for like inflators to TRW inflators and Toyota found out through the due diligence of a technician who noticed another technician had fitted the inflator incorrectly.

Here are some pictures of the inflator housings:

s47G





While the Nissan does have the greatest variation in its housing design, it appears to be the same style which can allow incorrect fitment of the inflator.

I am going to put together a paper for the meeting to show how the inflator can be fitted incorrectly. I will attach that to the meeting request for your review.

If you have some questions before the meeting please don't hesitate to contact me.



Regards,

s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

s22

e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** [REDACTED]  
**Sent:** Tuesday, 10 April 2018 4:04 PM **All s22**  
**To:** Gray, Harriet  
**Cc:** Grimwade, Timothy; Klaver, Jan; Cooper, Wendy; !Takata Taskforce [REDACTED]  
 [REDACTED] NYAKUENGAMA Sharon; [REDACTED]  
**Subject:** RE: [REDACTED] - for comment: draft email re Takata heavy vehicle recalls [SEC=UNCLASSIFIED]

Hi Harriet,

That will be fine.

Regards,

s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Policy  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22

e recalls@infrastructure.gov.au | w www.infrastructure.gov.au

**From:** Gray, Harriet <harriet.gray@acc.gov.au> **All s22**  
**Sent:** Tuesday, 10 April 2018 3:20 PM  
**To:** [REDACTED] infrastructure.gov.au>  
**Cc:** Grimwade, Timothy <timothy.grimwade@acc.gov.au>; Klaver, Jan <jan.klaver@acc.gov.au>; Cooper, Wendy <wendy.cooper@acc.gov.au>; !Takata Taskforce <!TakataTaskforce@acc.gov.au>; [REDACTED]  
 [REDACTED]; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>; [REDACTED] infrastructure.gov.au>  
**Subject:** RE: [REDACTED] - for comment: draft email re Takata heavy vehicle recalls [SEC=UNCLASSIFIED]

Thanks [REDACTED]

I've just been talking to Wendy C (via email) – why don't we aim to move back to suppliers notifying Infrastructure at the same time as the ACCC? How about this revised version (changes tracked in attached document)?

**From:** [REDACTED] infrastructure.gov.au>  
**Sent:** Tuesday, 10 April 2018 12:38 PM  
**To:** Gray, Harriet <harriet.gray@acc.gov.au>  
**Cc:** Grimwade, Timothy <timothy.grimwade@acc.gov.au>; Klaver, Jan <jan.klaver@acc.gov.au>; Cooper, Wendy <wendy.cooper@acc.gov.au>; !Takata Taskforce <!TakataTaskforce@acc.gov.au>; [REDACTED]  
 [REDACTED] infrastructure.gov.au>; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>;



Subject: RE: [REDACTED] - for comment: draft email re Takata heavy vehicle recalls [SEC=UNCLASSIFIED]

Good Afternoon Harriet,

We do have a couple of comments for the letter.

There is a step missing from the process. In a voluntary recall situation such as this, the manufacturer contacts the ACCC and then they notify the Department with all the relevant details for us to be able to monitor the recall such as technical details, target numbers, customer letter etc.

It also infers that Infrastructure assess the recall notification concurrently with the ACCC. This is not the case. Normally the ACCC receives a notification first then its published. Infrastructure receives the additional information for assessment after that.

s22

[REDACTED] noted that the wording "it would be desirable for voluntary recalls of commercial vehicles to be conducted consistently with the timelines and other requirements" may be too forceful for a voluntary recall. She has suggested the following wording:

"However, given the safety hazards associated with Takata airbags, Infrastructure and the ACCC encourage you to familiarise yourself with the measures in the compulsory recall notice as application of these measures will support the rectification of affected vehicles as soon as possible. ~~consider that it would be desirable for voluntary recalls of commercial vehicles to be conducted consistently with the timelines and other requirements set out in the compulsory recall notice for passenger vehicles (with Infrastructure, and not the ACCC, being the relevant agency).~~ Further guidance on the compulsory recall can be found on the Product Safety Australia website."

Finally, can we please change the wording in the contact section from "administration" to "monitoring"?

That's is for the moment, if you wish to discuss it further, please feel free to contact me.

Regards,

s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

s22

e recalls@infrastructure.gov.au | w www.infrastructure.gov.au

From: Gray, Harriet <harriet.gray@accc.gov.au>

Sent: Thursday, 5 April 2018 3:41 PM

To: [REDACTED]@infrastructure.gov.au

Cc: Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Klaver, Jan <jan.klaver@accc.gov.au>; Cooper, Wendy <wendy.cooper@accc.gov.au>; !Takata Taskforce <!TakataTaskforce@accc.gov.au>; [REDACTED]

s22



[redacted]@infrastructure.gov.au>; NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>;

[redacted]@infrastructure.gov.au>

**Subject** [redacted] - for comment: draft email re Takata heavy vehicle recalls [SEC=UNCLASSIFIED]

Hi [redacted] All s22

Below is a draft email from Glenn to the suppliers who have notified voluntary recalls of commercial vehicles.

Are there any changes that need to be made? It might be worth a phone call to bounce ideas around as to how, in practice, the compulsory recall requirements could be adapted by Infrastructure for the voluntarily recalled commercial vehicles.

Also: Just to let you know: The guidance for suppliers on vehicle owner contact details is almost finalised. I'm just following up NSW.

Any concerns, don't hesitate to call.

Thanks  
Harriet

**Harriet Gray**

Director | Strategy | Consumer, Small Business and Product Safety Division  
**Australian Competition & Consumer Commission**

23 Marcus Clarke Street, Canberra ACT 2601

T: + 61 2 6243 1283 s47F

[www.accc.gov.au](http://www.accc.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

Dear [insert name]

I understand [company X] has commenced a voluntary recall for commercial vehicles that are fitted with certain Takata airbag inflators.

Vehicles intended for commercial use are not covered by the compulsory recall issued on 28 February 2018 under the Australian Consumer Law (Consumer Goods (Motor Vehicles with Affected Takata Airbag Inflators and Specified Spare Parts) Recall Notice 2018). The compulsory recall applies only to 'a motor vehicle that is supplied in Australia and that is intended to be used, or is of a kind that is likely to be used, for personal, domestic or household use or consumption, and that has an Affected Takata Airbag Inflator installed'.

The process for a voluntary recall of a commercial vehicle continues to be:

- the supplier notifies the recall by submitting the webform on the Product Safety Australia website [www.productsafety.gov.au/contact-us/for-retailers-suppliers/submit-a-recall](http://www.productsafety.gov.au/contact-us/for-retailers-suppliers/submit-a-recall)
- the ACCC and Department of Infrastructure, Regional Development and Cities (Infrastructure) assess the recall notification, and the ACCC publishes the recall on the Product Safety Australia website
- Infrastructure oversees the voluntary recall.





However, given the safety hazards associated with Takata airbags, Infrastructure and the ACCC consider that it would be desirable for voluntary recalls of commercial vehicles to be conducted consistently with the timelines and other requirements set out in the compulsory recall notice for passenger vehicles (with Infrastructure, and not the ACCC, being the relevant agency). Further guidance on these requirements can be found on the Product Safety Australia website.

For queries about the publication of the voluntary recall on the Product Safety Website, contact:

Dr Wendy Cooper  
Assistant Director, Hazard Analysis & Management  
Consumer Product Safety Branch  
Australian Competition & Consumer Commission  
23 Marcus Clarke Street Canberra 2601  
T: + 61 2 6243 4907  
E: [wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)

For queries on the administration of the voluntary recall, contact:

  
Recalls Manager A/g  
s22 Vehicle Safety Standards  
Department of Infrastructure and Regional Development  
GPO Box 594 Canberra ACT 2601  
  
E: [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au)

For queries about the operation of the compulsory recall notice, please feel free to contact me.

Regards,

**Glenn Probyn**

Deputy General Manager (a/g) | Takata Task Force | Consumer Product Safety Branch  
Australian Competition & Consumer Commission  
Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000  
T: + 61 3 9290 1978  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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Dear [insert name]

I understand [company X] has commenced a voluntary recall for commercial vehicles that are fitted with certain Takata airbag inflators.

Vehicles intended for commercial use are not covered by the compulsory recall issued on 28 February 2018 under the Australian Consumer Law (Consumer Goods (Motor Vehicles with Affected Takata Airbag Inflators and Specified Spare Parts) Recall Notice 2018). The compulsory recall applies only to 'a motor vehicle that is supplied in Australia and that is intended to be used, or is of a kind that is likely to be used, for personal, domestic or household use or consumption, and that has an Affected Takata Airbag Inflator installed'.

Field C

The process for a voluntary recall of a commercial vehicle continues to be:

- the supplier notifies the recall by submitting the webform on the Product Safety Australia website [www.productsafety.gov.au/contact-us/for-retailers-suppliers/submit-a-recall](http://www.productsafety.gov.au/contact-us/for-retailers-suppliers/submit-a-recall)
- at the same time, the supplier notifies the Department of Infrastructure, Regional Development and Cities (Infrastructure) of the recall
- the ACCC and Department of Infrastructure, Regional Development and Cities (Infrastructure) assess the recall notification, and the ACCC publishes the recall on the Product Safety Australia website
- Infrastructure oversees the voluntary recall.

Field C

However, given the safety hazards associated with Takata airbags, Infrastructure and the ACCC encourage you to familiarise yourself with the measures in the compulsory recall notice as application of these measures will support the rectification of affected vehicles as soon as possible~~consider that it would be desirable for voluntary recalls of commercial vehicles to be conducted consistently with the timelines and other requirements set out in the compulsory recall notice for passenger vehicles (with Infrastructure, and not the ACCC, being the relevant agency).~~ Further guidance on the compulsory recall ~~se~~ requirements can be found on the Product Safety Australia website.

Field C

For queries about the publication of the voluntary recall on the Product Safety Website, contact:

Dr Wendy Cooper  
Assistant Director, Hazard Analysis & Management  
Consumer Product Safety Branch  
Australian Competition & Consumer Commission  
23 Marcus Clarke Street Canberra 2601  
T: + 61 2 6243 4907  
E: [wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)

Field C

For queries on the monitoring administration of the voluntary recall, contact:

Recalls Manager A/g  
Vehicle Safety Standards  
Department of Infrastructure and Regional Development  
GPO Box 594, Canberra ACT 2601  
E: [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au)

Field C



For queries about the operation of the compulsory recall notice, please feel free to contact me.

Regards,

**Glenn Probyn**

Deputy General Manager (a/g) | Takata Task Force | Consumer Product Safety Branch

**Australian Competition & Consumer Commission**

Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000

T: + 61 3 9290 1978

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Field C

Field C



s22

**From:** Matthew, Neville <neville.matthew@accc.gov.au>  
**Sent:** Friday, 12 January 2018 12:41 PM  
**To:** s22 Probyn, Glenn;  
**Cc:** Vagg, Elisabeth; NYAKUENGAMA Sharon; O'Connor, Fay  
**Subject:** RE: MLIT visit to the ACCC - Takata - outline of measures to not renew vehicle inspection certificates [SEC=UNCLASSIFIED]

Thx - if you contact Fay O'Connor on x 1391 you can be guided to the VCU.

s22

cheers

### Neville Matthew

Executive General Manager [A/g] | Consumer Small Business Product Safety Division

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1066

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Executive Assistant – Fay O'Connor – +61 2 6243 1391

**From:** s22 @infrastructure.gov.au] s22  
**Sent:** Friday, 12 January 2018 12:19 PM  
**To:** Probyn, Glenn;  
**Cc:** Vagg, Elisabeth; NYAKUENGAMA Sharon; Matthew, Neville  
**Subject:** RE: MLIT visit to the ACCC - Takata - outline of measures to not renew vehicle inspection certificates [SEC=UNCLASSIFIED]

Thanks Glenn. Sharon and I are intending to join in on the meeting via video conference at the ACCC. We'll arrive just ahead of 2pm. Can you please advise who we should contact on our arrival?

Thanks

s22

Director | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards Branch | Surface Transport Policy Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22

| w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** Probyn, Glenn [<mailto:glenn.probyn@accc.gov.au>]  
**Sent:** Wednesday, 10 January 2018 3:08 PM  
**To:** s22 nfrastucture.gov.au> all s22  
**Cc:** Vagg, Elisabeth <[ev@accc.gov.au](mailto:ev@accc.gov.au)>; nfrastucture.gov.au>; NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>; Matthew, Neville <[neville.matthew@accc.gov.au](mailto:neville.matthew@accc.gov.au)>



**Subject:** RE: MLIT visit to the ACCC - Takata - outline of measures to not renew vehicle inspection certificates  
[SEC=UNCLASSIFIED]

Hi [REDACTED] s22

Thanks for your email. Meeting details as follows:

Tuesday 16 January  
2:00 – 4:00pm  
Level 17  
2 Lonsdale Street Melbourne (Casselden Place)

Looking forward to seeing you next week.

Thanks [REDACTED] s22

Glenn.

### Glenn Probyn

Director | Takata Task Force | Consumer Product Safety Branch  
**Australian Competition & Consumer Commission**  
Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000  
T: + 61 3 9290 1978  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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**From:** F [REDACTED] @infrastructure.gov.au]  
**Sent:** Monday, 8 January 2018 3:55 PM  
**To:** Probyn, Glenn s22  
**Cc:** Probyn, Glenn; Vagg, Elisabeth; [REDACTED] n; NYAKUENGAMA Sharon; Matthew, Neville  
**Subject:** RE: MLIT visit to the ACCC - Takata - outline of measures to not renew vehicle inspection certificates  
[DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Good Afternoon Glenn,

I will be in Melbourne next week for other business, My understanding is that the meeting is likely to be on the afternoon of Tuesday 16<sup>th</sup> January, can you please confirm the time and place as soon as you can.

Regards

[REDACTED]  
Recalls Manager  
Regulatory Policy, Risk and Compliance Section  
Vehicle Safety Standards  
Department of Infrastructure, Regional Development and Cities

s22



**From:** Matthew, Neville [<mailto:neville.matthew@accc.gov.au>]

**Sent:** Monday, 8 January 2018 8:36 AM

**To:** NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>

**Cc:** Probyn, Glenn <[glenn.probyn@accc.gov.au](mailto:glenn.probyn@accc.gov.au)>; Vagg, Elisabeth <[ev@accc.gov.au](mailto:ev@accc.gov.au)>; [REDACTED]

s22

**Subject:** RE: MLIT visit to the ACCC - Takata - outline of measures to not renew vehicle inspection certificates  
[DLM=For-Official-Use-Only]

Hi Sharon

Thanks for that – Glenn is overseeing arrangements and I'd be happy for us to engage an interpreter. As it turns out, I am unable to travel that day (too many other meetings already) so I will attend by video. I envisage that Glenn will lead the main part of the presentation in Melbourne.

Cheers

Neville

**Neville Matthew**

Executive General Manager [A/g] | Consumer Small Business Product Safety Division

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1066

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Executive Assistant – Fay O'Connor - +61 2 6243 1391

---

**From:** NYAKUENGAMA Sharon [<mailto:Sharon.Nyakuengama@infrastructure.gov.au>]

**Sent:** Saturday, 6 January 2018 9:42 AM

**To:** Matthew, Neville

**Cc:** Probyn, Glenn; Vagg, Elisabeth; [REDACTED]

s22

**Subject:** RE: MLIT visit to the ACCC - Takata - outline of measures to not renew vehicle inspection certificates  
[DLM=For-Official-Use-Only]

For-Official-Use-Only

Hello Neville

Thanks for your email inviting us to participate in the meeting with MLIT. We would like to attend and propose that [REDACTED] travels to Melbourne to participate in person and that [REDACTED] and/or I join by videoconference.

s22

Also, if haven't already done so, can I suggest that you consider arranging an interpreter who also has some technical/scientific qualifications. When [REDACTED] met with MLIT officials in Japan previously our embassy arranged for an interpreter to attend and even though the Japanese officials had relatively good English, everyone found that having the interpreter available was helpful.

Regards  
Sharon



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**From:** Matthew, Neville <[neville.matthew@acc.gov.au](mailto:neville.matthew@acc.gov.au)>  
**Date:** Tuesday, 02 Jan 2018, 8:52 am  
**To:** NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>  
**Cc:** Probyn, Glenn <[glenn.probyn@acc.gov.au](mailto:glenn.probyn@acc.gov.au)>, Vagg, Elisabeth <[ev@acc.gov.au](mailto:ev@acc.gov.au)>  
**Subject:** FW: MLIT visit to the ACCC - Takata - outline of measures to not renew vehicle inspection certificates [DLM=For-Official-Use-Only]

Hi Sharon

I imagine you've already been told by s22 that MLIT are planning to come and visit you in January – and expect to meet in Melbourne 16<sup>th</sup>.

MLIT have confirmed that the following two officials will be visiting the ACCC in Melbourne:

- s47F - Mr [REDACTED] Special Assistant to the Director of the Division, Recall Enforcement Office, Road Transport Bureau [REDACTED]
- Mr [REDACTED], Chief of the Section, Defects Investigation Office, Road Transport Bureau [REDACTED]

They've also advised that from their side they propose to provide an explanation about:

- Japan's recall system
- Situation in Japan in relation to Takata and measures taken in response
- An overview of measures to not renew vehicle inspection certificates

I'd propose to cover the same broad issues – and just wanted to see if you wanted to participate. I'll probably go to Melbourne, but others would join by video so that's an option for you too.

Cheers

Neville

#### Neville Matthew

General Manager | Consumer Product Safety Branch  
Australian Competition & Consumer Commission  
23 Marcus Clarke Street Canberra 2601  
T: +61 2 6243 1066  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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s22

**From:** [REDACTED]  
**Sent:** Monday, 26 March 2018 10:04 AM  
**To:** Ford, Mandy  
**Cc:** Vagg, Elisabeth; Probyn, Glenn  
**Subject:** RE: Monthly Takata Statistics [DLM=For-Official-Use-Only]

Hi Mandy,

My apologies for this, we had the same issues with Nissan last week and we received the corrected information but it seems that this one was not forwarded to me as an anomaly.

I have sent Mazda an email to get back to me ASAP. As soon as I know I will forward to you.

Regards,

s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Policy  
 Department of Infrastructure and Regional Development  
 GPO Box 594, Canberra ACT 2601

s22

e recalls@infrastructure.gov.au | w www.infrastructure.gov.au

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**From:** Ford, Mandy <mandy.ford@acc.gov.au>  
**Sent:** Friday, 23 March 2018 4:22 PM  
**To:** [REDACTED]@infrastructure.gov.au  
**Cc:** Vagg, Elisabeth <ev@acc.gov.au>; Probyn, Glenn <glenn.probyn@acc.gov.au>  
**Subject:** FW: Monthly Takata Statistics [DLM=For-Official-Use-Only]

Hi [REDACTED]

Are you able to advise why Mazda's total number of recalled vehicles has decreased by 52,500 vehicles? The decrease relates to PR2016/15521 which had a total number of 197,274 in January 2018 and only 144,774 in February 2018.

Mazda has not advised the ACCC that they were removing any vehicles from this recall.

Kind regards

Mandy



## Mandy Ford

Senior Safety Investigator | Takata Task Force | Consumer Product Safety Branch

Australian Competition & Consumer Commission

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1112

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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From: [REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)

All s22

Sent: Tuesday, 20 March 2018 12:22 PM

To: Pearsall, Paula <[paula.pearsall@accc.gov.au](mailto:paula.pearsall@accc.gov.au)>

Cc: Probyn, Glenn <[glenn.probyn@accc.gov.au](mailto:glenn.probyn@accc.gov.au)>; [REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au);

[REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)>

Subject: Monthly Takata Statistics [DLM=For-Official-Use-Only]

Hi Paula and Glenn,

Here are the monthly Takata stats that the department is still receiving from the affected suppliers.

We normally receive these by the 14<sup>th</sup> of each month but we were waiting for Nissan to provide us an update. They have provided but there are issues with the total target numbers that I need to sort out so they are only current to February.

I will send the updated sheet as soon as I sort it.

Regards,

[REDACTED]  
Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure and Regional Development  
GPO Box 594, Canberra ACT 2601

[\[REDACTED\]@recalls@infrastructure.gov.au](mailto:[REDACTED]@recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** [REDACTED]  
**Sent:** Tuesday, 27 March 2018 10:38 AM  
**To:** Ford, Mandy  
**Cc:** Recalls  
**Subject:** RE: Monthly Takata Statistics [DLM=For-Official-Use-Only]  
**Attachments:** RE: HPRM: Mazda recall completion as of end February 2018 [DLM=For-Official-Use-Only]

Hi Mandy,

Here is the explanation that [REDACTED] has given us about the figures. It's a lot messy this one as they have been chopping and changing these recalls quite a bit. They have however stated that the "missing" vehicles are accounted for.

Probably best to use this as a guide and get some firm figures from them moving forward.

Regards,

s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Policy  
 Department of Infrastructure and Regional Development  
 GPO Box 594, Canberra ACT 2601

e recalls@infrastructure.gov.au | w www.infrastructure.gov.au

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**From:** Ford, Mandy <mandy.ford@accg.gov.au>  
**Sent:** Friday, 23 March 2018 4:22 PM s22  
**To:** [REDACTED] frastructure.gov.au>  
**Cc:** Vagg, Elisabeth <ev@accg.gov.au>; Probyn, Glenn <glenn.probyn@accg.gov.au>  
**Subject:** FW: Monthly Takata Statistics [DLM=For-Official-Use-Only]

Hi [REDACTED] s22

Are you able to advise why Mazda's total number of recalled vehicles has decreased by 52,500 vehicles? The decrease relates to PR2016/15521 which had a total number of 197,274 in January 2018 and only 144,774 in February 2018.

Mazda has not advised the ACCC that they were removing any vehicles from this recall.

Kind regards



Mandy

## Mandy Ford

Senior Safety Investigator | Takata Task Force | Consumer Product Safety Branch

Australian Competition & Consumer Commission

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1112

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

**From:** [REDACTED]@infrastructure.gov.au]

**Sent:** Tuesday, 20 March 2018 12:22 PM

All s22

**To:** Pearsall, Paula <[paula.pearsall@accc.gov.au](mailto:paula.pearsall@accc.gov.au)>

**Cc:** Probyn, Glenn <[glenn.probyn@accc.gov.au](mailto:glenn.probyn@accc.gov.au)>; [REDACTED]@infrastructure.gov.au>; [REDACTED]@infrastructure.gov.au>

**Subject:** Monthly Takata Statistics [DLM=For-Official-Use-Only]

Hi Paula and Glenn,

Here are the monthly Takata stats that the department is still receiving from the affected suppliers.

We normally receive these by the 14<sup>th</sup> of each month but we were waiting for Nissan to provide us an update. They have provided but there are issues with the total target numbers that I need to sort out so they are only current to February.

I will send the updated sheet as soon as I sort it.

Regards,

[REDACTED] s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance

Vehicle Safety Standards | Surface Transport Policy

Department of Infrastructure and Regional Development

GPO Box 594 Canberra ACT 2601

[REDACTED] s22

e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** s47F [redacted]@mazda.com.au>  
**Sent:** Tuesday, 27 March 2018 7:58 AM  
**To:** Recalls  
**Subject:** RE: HPRM: Mazda recall completion as of end February 2018 [DLM=For-Official-Use-Only]  
**Attachments:** Mazda R201604.xlsx

Good morning s22

I have attached the summary of how the numbers progressed to the final figure of 144,744 (see rows 1 to 4 of the attached).

Also, I found the source of the 197,274 figure (see rows 11 to 19 of attached). Originally it was planned to place BT-50, B Series and RX-8 passenger-side into R201604. This would have made a total of 197,274. However these VINs were placed in other recall numbers as indicated in the attachment.

I hope this helps.

Regards



s47F [redacted] d Technical Publications & Campaigns Specialist  
National Customer Support  
Mazda Australia, 211A Wellington Road, Mulgrave, VIC 3170  
[redacted] [www.mazda.com.au](http://www.mazda.com.au)

**From:** Recalls [mailto:Recalls@infrastructure.gov.au]

**Sent:** Monday, 26 March 2018 11:25 AM

s47F **To:** [redacted] Recalls

**Subject:** RE: HPRM: Mazda recall completion as of end February 2018 [DLM=For-Official-Use-Only]

Thanks s47F

Can you please confirm that is the original target number? I have it recorded in SIRS as 144,744 so I am trying to work out where the 197 number came from.

I don't have the original recall notice as the recall was submitted in our transitional phase with records management. I have an electronic file but its empty.

Regards,

s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure and Regional Development  
GPO Box 594, Canberra ACT 2601



s22

e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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From: [REDACTED]@mazda.com.au>

Sent: Monday, 26 March 2018 11:04 AM

s47F To: Recalls <[Recalls@infrastructure.gov.au](mailto:Recalls@infrastructure.gov.au)>


Subject: RE: HPRM: Mazda recall completion as of end February 2018 [DLM=For-Official-Use-Only]

Good morning [REDACTED] s22

I have checked our report for end Jan and it still indicates 144,744 (see attached screen image).

Can you please recheck and advise?

Regards

s47F  [REDACTED] Technical Publications & Campaigns Specialist  
National Customer Support  
Mazda Australia, 211A Wellington Road, Mulgrave, VIC 3170  
[REDACTED] [www.mazda.com.au](http://www.mazda.com.au)

From: Recalls [<mailto:Recalls@infrastructure.gov.au>]

Sent: Monday, 26 March 2018 10:01 AM

s47F To: [REDACTED]@mazda.com.au>

Cc: Recalls <[Recalls@infrastructure.gov.au](mailto:Recalls@infrastructure.gov.au)>

Subject: FW: HPRM: Mazda recall completion as of end February 2018 [DLM=For-Official-Use-Only]

Good morning [REDACTED]

Recall ref R201604 had a target number in January of 197,274, this changed in the March report to 144,744.

Can you please advise ASAP what the change was? The Department is still assisting the ACCC with these figures for the moment and this one slipped through the cracks.



Regards,

[REDACTED]  
Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure and Regional Development  
GPO Box 594, Canberra ACT 2601

all s22

[REDACTED]  
e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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**From:** [REDACTED]@mazda.com.au>  
**Sent:** Thursday, 8 March 2018 9:45 AM  
**To:** Recalls <[Recalls@infrastructure.gov.au](mailto:Recalls@infrastructure.gov.au)>  
**Subject:** HPRM: Mazda recall completion as of end February 2018

Good Morning,

Please find attached our monthly progress report for recall completion as of end February 2018, for active recall programs released by Mazda Australia within the last 3 years.

Kind Regards,



[REDACTED] Publications & Campaigns Assistant  
National Customer Support  
Mazda Australia, 211A Wellington Road, Mulgrave, VIC 3170  
[REDACTED] [www.mazda.com.au](http://www.mazda.com.au)

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If this is a commercial electronic message within the meaning of the Spam Act, you may indicate that you do not wish to receive any further commercial electronic messages from Mazda Australia by sending an e-mail to <mailto:privacy@mazda.com.au>

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Date	No. of VINs added	Model
16/09/2016	35,190	Mazda6 (GG10*1)
10/03/2017	105,966	Mazda2 (DE10Y*)
22/09/2017	3,618	Mazda2 (DE10Y*)

<b>R201604 - Passenger-side Air Bag Inflator</b>		
	No. involved	No. activated on Mazda Systems
Mazda6 GG/GY series one	35,190	35,190
Mazda2 (JM0 DE10Y*)	94,072	94,072
Mazda2 (MM0 DE10Y1)	11,894	11,894
B Series	513	0
BT-50 (UN)	49,207	0
RX-8 (FE1&2)	6,398	0
Totals	<b>197,274</b>	<b>35,190</b>



<b>Cumulative Total</b>	
	35,190
	141,156
	<b>144,774</b>

---

<b>Comment</b>
These VINs went to R201703
These VINs were added to R201702



s22

**From:** [REDACTED]  
**Sent:** Wednesday, 28 February 2018 2:25 PM s22  
**To:** Probyn, Glenn  
**Cc:** [REDACTED] Vagg, Elisabeth  
**Subject:** RE: Proposed website content regarding the compulsory recall [SEC=UNCLASSIFIED]

Great – thanks Glenn

Kind regards,

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22

www.infrastructure.gov.au

**From:** Probyn, Glenn [mailto:glenn.probyn@accc.gov.au]  
**Sent:** Wednesday, 28 February 2018 1:52 PM

All s22

Vagg, Elisabeth <ev@accc.gov.au>

**Subject:** RE: Proposed website content regarding the compulsory recall [SEC=UNCLASSIFIED]

Hi [REDACTED]

Thanks for your email. The proposed wording below is fine to be uploaded to the DIRD website. Please note I am currently drafting an email to Sharon, [REDACTED] and yourself re guidance material and I'll have something to you this afternoon.

Thanks [REDACTED]

Glenn.

## Glenn Probyn

Director | Takata Task Force | Consumer Product Safety Branch  
 Australian Competition & Consumer Commission  
 Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000  
 T: + 61 3 9290 1978  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.



From: [REDACTED]@infrastructure.gov.au]

s22

Sent: Wednesday, 28 February 2018 12:27 PM

To: Probyn, Glenn <glenn.probyn@accc.gov.au>

Subject: Proposed website content regarding the compulsory recall [SEC=UNCLASSIFIED]

Hi Glenn

I'm updating our website to advise that Minister Sukkar has issued the compulsory notice concerning Takata airbags. The following is the text I propose using. I'd be grateful if you could review please and let me know if there are any concerns.

---

#### Compulsory recall

On 28 February 2018, the Assistant Minister to the Treasurer, the Hon Michael Sukkar MP, issued a compulsory recall for all vehicles with defective Takata airbags.

Minister Sukkar decided to issue a compulsory recall because, based on evidence provided to him by the Australian Competition and Consumer Commission (ACCC), it appeared to him that:

- a reasonably foreseeable use of vehicles with defective Takata airbags may cause injury to drivers and/or passenger, and
- one or more suppliers of vehicles with defective Takata airbags have not taken satisfactory action to prevent those vehicles causing injury to drivers and/or passengers.

Under the *Competition and Consumer Act 2010*, the ACCC is responsible for administering the compulsory recall. Further information about the compulsory recall is available on the [Product Safety Australia](http://www.productsafety.gov.au) website. This is a significant safety recall and drivers are urged to check if their make and model of vehicle is affected by visiting [www.productsafety.gov.au](http://www.productsafety.gov.au).

---

Many thanks,

[REDACTED] s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

[REDACTED] s22

[REDACTED]@infrastructure.gov.au | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** Vagg, Elisabeth <ev@acc.gov.au>  
**Sent:** Tuesday, 10 April 2018 12:34 PM  
**To:** [REDACTED] s22  
**Subject:** RE: Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

Thank you, happy if you wanted to draft anything/added material into the email too.

Thanks

Liz

s22

**From:** [REDACTED] infrastructure.gov.au>  
**Sent:** Tuesday, 10 April 2018 12:21 PM  
**To:** Vagg, Elisabeth <ev@acc.gov.au>  
**Subject:** FW: Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

Hi Liz,

With regards to the comments on the content of the email, I am consolidating our comments. I will get back to you shortly.

Regards,

[REDACTED]  
 Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Policy  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

e recalls@infrastructure.gov.au | w www.infrastructure.gov.au

**From:** Vagg, Elisabeth <ev@acc.gov.au>

**Sent:** Tuesday, 3 April 2018 2:19 PM

[REDACTED]@infrastructure.gov.au>; NYAKUENGAMA Sharon All s22

<Sharon.Nyakuengama@infrastructure.gov.au>

Matthew, Neville <neville.matthew@acc.gov.au>; Probyn, Glenn <glenn.probyn@acc.gov.au>; Gray, Harriet <harriet.gray@acc.gov.au>; Grimwade, Timothy <timothy.grimwade@acc.gov.au>

**Subject:** Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

Hi I s22



I understand this arvo's catch up has been postponed to next week. We only have the one item on the monthly reporting below and have listed a number of updates, but please let me know if you have any items you wish to raise that I can help progress/follow up on.

### For action

1. Transition from voluntary monthly reporting to compulsory monthly reporting
  - Draft email **attached** for your consideration/input to ensure suppliers are aware of transitioning arrangements. Please let me know if we're missing anyone from your reporting distribution list, hoping to send this by **COB 5 April**.
  - We're currently developing the monthly completion report template to capture same recall/replacement information as previously reported on and will be sharing this information with you once collated on a monthly basis.

### Updates

2. Mitsubishi Motors (MMAL) – letter dated 28 February 2018 regarding grey imports.
  - Their letter requests assistance in identifying Mitsubishi brand vehicles which have been supplied into Australia by anyone besides MMAL (RAWs or personal imports). They note NEVDIS have refused to provide details as they don't have the VINs and they are not under recall by MMAL.
  - Progressing this issue through the proposed draft guidance for suppliers on obtaining vehicle owner contact details for the Takata compulsory recall.
3. Takata Product Safety Australia website updates
  - We have published the **attached** guidance for auction houses, also online: [Takata recall - guidance for auction houses](#)
  - Updated all compulsory recall information relating to responsible regulator along with providing links to OEMs VIN lookups.
  - Uploaded on our website and circulated via email the Communications and Engagement Plan and Recall Initiation Schedule for Suppliers due COB today 3 April. This guidance is available online for you to update/refer to for the RAWs website (<http://raws.infrastructure.gov.au/>) <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/what-suppliers-should-do/reporting-guidance-templates>
  - We are progressing the creation of a 'Related Takata recalls link' referring to Hino and Volvo trucks and other Takata re-recalls from incorrectly installed inflators which require further recall. <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/takata-airbag-recalls-list>

s47G

Thanks  
Liz

### Liz Vagg

Director Operations (a/g) | Takata Task Force | Consumer Product Safety Branch  
Australian Competition & Consumer Commission  
23 Marcus Clarke Street Canberra 2601  
T: +61 2 6243 1355  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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s22

**From:** Vagg, Elisabeth <ev@accc.gov.au>  
**Sent:** Monday, 9 April 2018 8:36 AM  
**To:** [REDACTED] s22  
**Cc:** Probyn, Glenn  
**Subject:** RE: Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

s22 Hi [REDACTED], I've made the changes below (we will put the last point on reporting transition in detailed FAQs/reporting section off the PSA website), but just confirming Infrastructure have endorsed the email to go out to suppliers?

Let me know if you're comfortable in being copied into the email or if you prefer to be blind copied in?

Thanks

Liz

+++++

**FROM:** takatarecall@accc.gov.au;

**TO:** takatarecall@accc.gov.au; [REDACTED]@infrastructure.gov.au;  
 Sharon.Nyakuengama@infrastructure.gov.au;

s22

**BCC:**

s47F

**Subject: Transition of monthly reporting obligations from Department of Infrastructure, Regional Development and Cities (Infrastructure) to the ACCC**

Dear Manager

The *Consumer Goods (Motor Vehicles with Affected Takata Airbag Inflators and Specified Spare Parts) Recall Notice 2018* (the Recall Notice) contains a range of reporting requirements for suppliers of affected vehicles.



We are contacting you in relation to the Recall Notice's requirement for suppliers to provide the ACCC with a **Monthly Completion Report** on recall and replacement rates under section 11 of Schedule 1. This report is required to be provided to the ACCC within 10 business days of the end of each month for the preceding month. The first report for the period of April 2018 is due to [takatarecall@accc.gov.au](mailto:takatarecall@accc.gov.au) by **14 May 2018**.

In ensuring for adequate transitioning, this monthly reporting obligation for compulsory Takata related recalls will replace existing voluntary reports that you may already provide to Infrastructure. Accordingly, the last monthly voluntary report to Infrastructure will be due by 14 April 2018.

The ACCC will provide suppliers with a template and guidance in due course, which will also be available on the [Product Safety Australia](http://www.productsafety.gov.au) website.

If you have any questions in relation to this please contact us by emailing [takatarecall@accc.gov.au](mailto:takatarecall@accc.gov.au).

Yours sincerely

**From:** Vagg, Elisabeth

**Sent:** Friday, 6 April 2018 3:53 PM

**Cc:** Probyn, Glenn <[glenn.probyn@ACCC.GOV.AU](mailto:glenn.probyn@ACCC.GOV.AU)>

**Subject:** RE: Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

Hi [REDACTED] s22

Thank you for your comments below and I've incorporated these into the email. I agree with your last point and I'll progress some words for our website in Takata guidance for suppliers on notification obligations and reporting obligations to ensure its clear that the ACCC is the responsible regulator for receipt of this under the compulsory recall.

Thanks

Liz

s22

**From:** [REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)

**Sent:** Friday, 6 April 2018 1:48 PM

**To:** Vagg, Elisabeth <[ev@accc.gov.au](mailto:ev@accc.gov.au)>

**Subject:** RE: Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

Hi Liz

We're happy with the draft email concerning the transition of monthly reporting from suppliers to the ACCC with the following comments:

- There's a 'spare' word in the final sentence. I think you could delete *the*.
- Suggest amending the first sentence of the third para to read "In ensuring for adequate transitioning, this reporting obligation will replace existing voluntary reports concerning **Takata related recalls** that you may



already provide to Infrastructure" to make it expressly clear that the transition relates only to monthly reporting of Takata related recalls.

- When recalls are notified by suppliers to the ACCC, suppliers follow the FCAI code of practice and submit information to us as well. In the context of the compulsory recall, that information won't really need to come through to us following the transition of monitoring arrangements as we won't be doing anything in relation to it. That probably should be incorporated somewhere in the email, but will also need to be brought to attention more widely for any other suppliers initiating recalls as part of the compulsory recall.

Very happy to discuss before or during next week's telecom.

Kind regards,

[REDACTED]  
Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601  
+61 6 6251 5351

s22

[REDACTED]@infrastructure.gov.au | w www.infrastructure.gov.au

**From:** Vagg, Elisabeth <ev@accc.gov.au>

**Sent:** Wednesday, 4 April 2018 5:59 PM

[REDACTED]@infrastructure.gov.au>

**Subject:** FW: Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

s22

H [REDACTED]

Hope you had a good easter break, just thought I'd check in to see whether you have had a chance to review the attached draft email to suppliers on the monthly reporting. I believe we're hoping to send this out tomorrow if possible.

Happy to discuss if you have any queries.

Thanks

Liz

6243 1355

**From:** Vagg, Elisabeth

**Sent:** Tuesday, 3 April 2018 2:19 PM

[REDACTED]  
'Sharon.Nyakuengama@infrastructure.gov.au' <Sharon.Nyakuengama@infrastructure.gov.au>

s22

[REDACTED]; Matthew, Neville  
<Neville.Matthew@accc.gov.au>; Probyn, Glenn <glenn.probyn@ACCC.GOV.AU>; Gray, Harriet  
<Harriet.Gray@accc.gov.au>; Grimwade, Timothy <Timothy.Grimwade@accc.gov.au>

**Subject:** Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]



Hi [REDACTED]

I understand this arvo's catch up has been postponed to next week. We only have the one item on the monthly reporting below and have listed a number of updates, but please let me know if you have any items you wish to raise that I can help progress/follow up on.

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### Updates

2. Mitsubishi Motors (MMAL) – letter dated 28 February 2018 regarding grey imports.
  - Their letter requests assistance in identifying Mitsubishi brand vehicles which have been supplied into Australia by anyone besides MMAL (RAWs or personal imports). They note NEVDIS have refused to provide details as they don't have the VINs and they are not under recall by MMAL.
  - Progressing this issue through the proposed draft guidance for suppliers on obtaining vehicle owner contact details for the Takata compulsory recall.
3. Takata Product Safety Australia website updates
  - We have published the **attached** guidance for auction houses, also online: [Takata recall - guidance for auction houses](#)
  - Updated all compulsory recall information relating to responsible regulator along with providing links to OEMs VIN lookups.
  - Uploaded on our website and circulated via email the Communications and Engagement Plan and Recall Initiation Schedule for Suppliers due COB today 3 April. This guidance is available online for you to update/refer to for the RAWs website (<http://raws.infrastructure.gov.au/>) <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/what-suppliers-should-do/reporting-guidance-templates>
  - We are progressing the creation of a 'Related Takata recalls link' referring to Hino and Volvo trucks and other Takata re-recalls from incorrectly installed inflators which require further recall. <https://www.productsafety.gov.au/recalls/compulsory-takata-airbag-recall/takata-airbag-recalls-list>

s47G

Thanks  
Liz

**Liz Vagg**

Director Operations (a/g) | Takata Task Force | Consumer Product Safety Branch  
**Australian Competition & Consumer Commission**  
23 Marcus Clarke Street Canberra 2601  
T: +61 2 6243 1355  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)



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s22

**From:** [REDACTED]  
**Sent:** s22 Tuesday, 10 April 2018 12:59 PM  
**To:** Vagg, Elisabeth; M [REDACTED] NYAKUENGAMA Sharon  
**Cc:** [REDACTED]; Matthew, Neville; Probyn, Glenn; Gray, Harriet; Grimwade, Timothy  
**Subject:** RE: Regular catch up with ACCC/DIRD [SEC=UNCLASSIFIED]

Hi Liz,

s22

Aside from what [REDACTED] mentioned on 6 April, I think this sentence:

"Accordingly, the last monthly voluntary report to Infrastructure will be due by 14 April 2018." should read: "Accordingly, the last monthly voluntary report relating to recalls for Takata airbag replacement referred to in the Recall Notice to Infrastructure will be due by 14 April 2018." or something similar.

Just to remove any absolute ambiguity as I can see there may be an issue with someone reading "all" recall notifications need to stop being sent to Infrastructure.

We are happy to be included in the CC, rather than the BCC. The affected parties need to know we are across this advice.

This should be it but if there is anything else, please feel free to contact myself or Beth.

Regards,

s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Policy  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22

e recalls@infrastructure.gov.au | w www.infrastructure.gov.au

Duplicate emails removed - s22



s22

**From:** s22  
**Sent:** Tuesday, 27 March 2018 2:51 PM  
**To:** Probyn, Glenn; Vagg, Elisabeth; Pearsall, Paula  
**Cc:** Joly, Lauren  
**Subject:** RE: Request for input into today's agenda [SEC=UNCLASSIFIED]  
**Attachments:** Agenda - ACCC DIRD weekly Takata progress meeting 27 March 2018.docx

Thanks Glenn

Attached is the agenda for our meeting.

Kind regards,

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

infrastructure.gov.au | w www.infrastructure.gov.au

**From:** Probyn, Glenn <glenn.probyn@accc.gov.au>  
**Sent:** Tuesday, 27 March 2018 2:50 PM s22  
**To:** Vagg, Elisabeth <ev@accc.gov.au>  
**Subject:** RE: Request for input into today's agenda [SEC=UNCLASSIFIED]

Apologies for late response – I've been out of the office and Liz is on leave this week. Nothing further to add to the agenda. s22

Thanks,

Glenn.

## Glenn Probyn

Deputy General Manager (a/g) | Takata Task Force | Consumer Product Safety Branch  
 Australian Competition & Consumer Commission  
 Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000  
 T: + 61 3 9290 1978  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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**From:** infrastructure.gov.au> s22  
**Sent:** Tuesday, 27 March 2018 10:45 AM



**To:** Probyn, Glenn <[glenn.probyn@accc.gov.au](mailto:glenn.probyn@accc.gov.au)>; Vagg, Elisabeth <[ev@accc.gov.au](mailto:ev@accc.gov.au)>  
**Subject:** Request for input into today's agenda [SEC=UNCLASSIFIED]

Hi Glenn and Liz

Do either of you have agenda items that you'd like included for today's catch up? I'd like to settle the agenda by 1pm if possible.

Thanks,

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

s22

[infrastructure.gov.au](http://infrastructure.gov.au) | [www.infrastructure.gov.au](http://www.infrastructure.gov.au)



## **Weekly progress meeting - Takata recall**

**Australian Competition and Consumer Commission (ACCC) &  
Department of Infrastructure, Regional Development and Cities (Infrastructure)**

### **Agenda**

3:00pm to 4:00pm | Tuesday, 27 March 2018 |  
ACCC's New Acton premises, Level 1, Meeting Room East

#### Standing Items

1. Communications including scripts
2. Roles and responsibilities

#### Open items

1. ***Update on ACCC's proposed engagement with State and Territory  
Registration Authorities*** **Infrastructure**  
Infrastructure to provide update.
2. ***Deactivation of airbags by***   **s47G** **ACCC**  
ACCC to provide update.



s22

**From:** [REDACTED]  
**Sent:** Thursday, 1 March 2018 9:55 AM s22  
**To:** Probyn, Glenn  
**Cc:** [REDACTED]; Vagg, Elisabeth; Miley, Benjamin  
**Subject:** RE: RVCS update to suppliers regarding the compulsory recall [SEC=UNCLASSIFIED]

Hi Glenn

No problem at all.

Kind regards,

s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22

infrastructure.gov.au | www.infrastructure.gov.au

**From:** Probyn, Glenn [mailto:glenn.probyn@accc.gov.au]

**Sent:** Thursday, 1 March 2018 9:52 AM

s22

[REDACTED]@infrastructure.gov.au;

Vagg, Elisabeth <ev@accc.gov.au>; Miley, Benjamin <benjamin.miley@accc.gov.au>

**Subject:** RE: RVCS update to suppliers regarding the compulsory recall [SEC=UNCLASSIFIED]

Hi [REDACTED] s22

Thanks for your email and apologies for late response. Please circulate to suppliers via RVCS as proposed.

Many thanks,

Glenn.

## Glenn Probyn

Director | Takata Task Force | Consumer Product Safety Branch

Australian Competition & Consumer Commission

Level 17 Casselden | 2 Lonsdale Street | Melbourne Vic 3000

T: + 61 3 9290 1978

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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From: [REDACTED]@infrastructure.gov.au]

Sent: Wednesday, 28 February 2018 1:18 PM

s22

To: Probyn, Glenn <glenn.probyn@accc.gov.au>

Subject: RVCS update to suppliers regarding the compulsory recall [SEC=UNCLASSIFIED]

Hi Glenn

We would like to provide an update to suppliers via our RVCS system about the compulsory recall. The following text is proposed. Please let me know if you have any questions or concerns.

---

On 28 February 2018, the Assistant Minister to the Treasurer, the Hon Michael Sukkar MP, issued a compulsory recall for all vehicles with defective Takata airbags.

The ACCC is responsible for administering the compulsory recall. A copy of the notice, and further information about the compulsory recall, is available on the [Product Safety Australia](http://www.productsafety.gov.au) website.

---

Thanks,

[REDACTED] s22

Recall Reform Manager | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

s22

[REDACTED]@infrastructure.gov.au | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** NYAKUENGAMA Sharon  
**Sent:** Thursday, 11 January 2018 12:04 AM  
**To:** Matthew, Neville  
**Cc:** s2 [REDACTED] Gray, Harriet; Probyn, Glenn  
**Subject:** RE: Takata airbag inflator recall: ACCC letter for TISOC [SEC=UNCLASSIFIED]

UNCLASSIFIED

Hi Neville

Unfortunately, despite several attempts to get this through our Executive before Christmas, it was competing for attention with the announcement of a new Departmental structure and then supporting the appointment of three new Ministers, including the DPM, to the portfolio.

It was sent out today with a request to consult within each jurisdiction with a view to holding a discussion at the next TISOC meeting scheduled for March.

Regards  
 Sharon

Sent with BlackBerry Work  
 (www.blackberry.com)

UNCLASSIFIED

**From:** Matthew, Neville <[neville.matthew@accc.gov.au](mailto:neville.matthew@accc.gov.au)>  
**Date:** Monday, 08 Jan 2018, 3:27 pm  
**To:** NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>, Gray, Harriet <[harriet.gray@accc.gov.au](mailto:harriet.gray@accc.gov.au)>, Probyn, Glenn <[glenn.probyn@accc.gov.au](mailto:glenn.probyn@accc.gov.au)>  
**Subject:** RE: Takata airbag inflator recall: ACCC letter for TISOC [SEC=UNCLASSIFIED]

Hi Sharon

Just checking in on this – are we still on track for responses by early Jan 2018 ?

Cheers

Neville

**Neville Matthew**

Executive General Manager [A/g] | Consumer Small Business Product Safety Division

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1066

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Executive Assistant – Fay O'Connor - +61 2 6243 1391



---

**From:** Matthew, Neville

**Sent:** Thursday, 14 December 2017 12:00 PM

**To:** 'NYAKUENGAMA Sharon'

**Subject:** RE: Takata airbag inflator recall: ACCC letter for TISOC [SEC=UNCLASSIFIED]  
; Gray, Harriet; Probyn, Glenn; Grimwade, Timothy

Hi Sharon – while the confidential approach as discussed and the related dates are our best estimates, I think early Jan should work – first or even second week of Jan. It would be good to be able to report on jurisdictional contacts.

Cheers

Neville

### **Neville Matthew**

General Manager | Consumer Product Safety Branch

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1066

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Executive Assistant – Fay O'Connor - +61 2 6243 1391

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---

**From:** NYAKUENGAMA Sharon [<mailto:Sharon.Nyakuengama@infrastructure.gov.au>]

**Sent:** Tuesday, 12 December 2017 7:18 PM

**To:** Matthew, Neville

**Subject:** FW: Takata airbag inflator recall: ACCC letter for TISOC [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Hi Neville,

We are about to send up our briefing to Dr Kennedy recommending that he distribute Mr Sims letter to TISOC members with a response due by Thursday 21 December.

In the context of your advice that the ACCC is providing Minister McCormack with a draft report prior to Christmas and a final report/recommendations in January, can I just confirm that responses by early Jan 2018 will fit in with your timeline.

Thanks

Sharon

---

**From:** Grimwade, Timothy [<mailto:timothy.grimwade@accc.gov.au>]

**Sent:** Thursday, 7 December 2017 4:12 PM

**To:** KENNEDY Steven <[Steven.Kennedy@infrastructure.gov.au](mailto:Steven.Kennedy@infrastructure.gov.au)>

**Cc:** NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>; !Takata Taskforce



<ITakataTaskforce@accc.gov.au>; Potter, Kayla <kayla.potter@accc.gov.au>.

**Subject:** Takata airbag inflator recall: ACCC letter for TISOC [DLM=For-Official-Use-Only]

Dear Dr Kennedy

Please find attached a letter from the ACCC Chairman, Rod Sims in relation to the Takata airbag recall. The letter seeks the assistance of DIRD in progressing, through TISOC, issues relevant to State and Territory road transport authorities.

We greatly appreciate the assistance provided by DIRD throughout this safety investigation. Please do not hesitate to contact me if you any questions.

Kind regards

**Tim Grimwade**

Executive General Manager | Consumer, Small Business & Product Safety Division

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1298 | F: +61 2 6243 1210|

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s22

**From:** Grimwade, Timothy <timothy.grimwade@accc.gov.au>  
**Sent:** Wednesday, 14 March 2018 5:22 PM  
**To:** NYAKUENGAMA Sharon  
**Cc:** s22 Vagg, Elisabeth [REDACTED] Matthew, Neville; Pearsall, Paula; Probyn, Glenn; Gray, Harriet  
**Subject:** RE: Takata airbag inflator recall: ACCC letter for TISOC [SEC=UNCLASSIFIED]

Hi Sharon

Thanks for the update. Yes – we would be delighted to participate in the proposed teleconference. Perhaps Glenn or Harriet from the Taskforce could liaise with you or [REDACTED] s22 to find a suitable time.

Kind regards

Tim

## Tim Grimwade

Executive General Manager | Consumer, Small Business & Product Safety Division

### Australian Competition & Consumer Commission

23 Marcus Clarke Street Canberra 2601  
 T: +61 2 6243 1298 | F: +61 2 6243 1210|  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

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**From:** NYAKUENGAMA Sharon [mailto:Sharon.Nyakuengama@infrastructure.gov.au]  
**Sent:** Tuesday, 13 March 2018 5:49 PM  
**To:** Grimwade, Timothy <timothy.grimwade@accc.gov.au> s22  
**Cc:** Vagg, Elisabeth <ev@accc.gov.au>; [REDACTED] Matthew, Neville <neville.matthew@accc.gov.au>  
**Subject:** RE: Takata airbag inflator recall: ACCC letter for TISOC [DLM=For-Official-Use-Only] [SEC=UNCLASSIFIED]

Dear Tim

I refer to my previous advice that Mr Sims' letter had been shared with State and Territory Transport Agency CEOs in early January and they'd been invited discuss the issues raised at the TISOC meeting scheduled for next week.

We have received responses from the ACT, NT and WA providing an outline of actions they have taken to date to assist manufacturers and the challenges with the accuracy of address information on NEVDIS. To date, other jurisdictions have not provided any feedback on the issues raised in Mr Sims' letter.



We have been finalising briefing material for our Secretary ahead of the meeting next week, but have just this afternoon been advised that the item has been removed from the agenda for next week's meeting. Instead, I have been asked to convene a phone hook up with state and territory vehicle registrars to:

- discuss the issues ACCC has raised
- outline the measures that some jurisdictions are taking to assist in identifying vehicle owners, communicate the seriousness of the defect and the urgency of having affected vehicles rectified, and
- encourage other jurisdictions to take similar measures.

I think this group will be best placed to commit to and carry through on any action that leverages registration data and systems to advance the progress of the recall. I am in the process of obtaining contact details for each of the registrars and will set up the phone conference as soon as possible. I would welcome your participation in that teleconference.

Regards

Sharon

**Sharon Nyakuengama**

General Manager

Vehicle Safety Standards Branch | Surface Transport Policy Division

Department of Infrastructure, Regional Development and Cities

GPO Box 594, Canberra ACT 2601

t 02 6274 7266   s47F

e [sharon.nyakuengama@infrastructure.gov.au](mailto:sharon.nyakuengama@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** Grimwade, Timothy [<mailto:timothy.grimwade@accc.gov.au>]

**Sent:** Thursday, 7 December 2017 4:12 PM

**To:** KENNEDY Steven <[Steven.Kennedy@infrastructure.gov.au](mailto:Steven.Kennedy@infrastructure.gov.au)>

**Cc:** NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>; !Takata Taskforce <[!TakataTaskforce@accc.gov.au](mailto:!TakataTaskforce@accc.gov.au)>; Potter, Kayla <[kayla.potter@accc.gov.au](mailto:kayla.potter@accc.gov.au)>

**Subject:** Takata airbag inflator recall: ACCC letter for TISOC [DLM=For-Official-Use-Only]

Dear Dr Kennedy

Please find attached a letter from the ACCC Chairman, Rod Sims in relation to the Takata airbag recall. The letter seeks the assistance of DIRD in progressing, through TISOC, issues relevant to State and Territory road transport authorities.

We greatly appreciate the assistance provided by DIRD throughout this safety investigation. Please do not hesitate to contact me if you any questions.

Kind regards

**Tim Grimwade**

Executive General Manager | Consumer, Small Business & Product Safety Division



**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1298 | F: +61 2 6243 1210|

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s22

**From:** [REDACTED] s22  
**Sent:** Friday, 23 March 2018 11:19 AM  
**To:** Gray, Harriet  
**Cc:** Vagg, Elisabeth; Probyn, Glenn; [REDACTED] s22  
**Subject:** RE: Takata airbag recall: Phone conference 23 March: ACCC attendees [SEC=UNCLASSIFIED]

Hi Harriet

I will meet you in the foyer of our 62 Northbourne Avenue building at 12:45pm and escort you to the meeting.

Kind regards,

s22

[REDACTED]  
 Recall Reform Manager | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Division  
 Department of Infrastructure, Regional Development and Cities  
 GPO Box 594, Canberra ACT 2601

s22

[REDACTED] infrastructure.gov.au | w www.infrastructure.gov.au

**From:** Gray, Harriet <harriet.gray@accc.gov.au>  
**Sent:** Thursday, 22 March 2018 2:49 PM  
**To:** NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>  
**Cc:** Vagg, Elisabeth <ev@accc.gov.au>; Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Probyn, Glenn <glenn.probyn@accc.gov.au>; Prendergast, Matthew <matthew.prendergast@accc.gov.au>; [REDACTED] s22

**Subject:** RE: Takata airbag recall: Phone conference 23 March: ACCC attendees [SEC=UNCLASSIFIED]

Agenda looks great, thanks Sharon.

s22

I'll come to the DIRDAC office at around 12.45pm tomorrow. [REDACTED] no need for car park).

**From:** NYAKUENGAMA Sharon [mailto:Sharon.Nyakuengama@infrastructure.gov.au]  
**Sent:** Thursday, 22 March 2018 2:11 PM

s22

**To:** Gray, Harriet  
**Cc:** Vagg, Elisabeth; Grimwade, Timothy; Probyn, Glenn; Prendergast, Matthew; [REDACTED]

**Subject:** RE: Takata airbag recall: Phone conference 23 March: ACCC attendees [SEC=UNCLASSIFIED]

Hi Harriet

Thanks for your email. I'll be chairing the teleconference. I sent out the attached agenda this morning and I think we have your three points covered off under items 4 and 5.



Rather than send out another message to the Registrars, can I invite you to provide an update on implementation and the rectification rates as under item 3?

I'll send through the outlook meeting request to you and Liz. You are more than welcome to join us here for the phone hook-up.

Please let my EA, [REDACTED] **s22** know if you would like us to arrange a car park.

Regards

Sharon

**From:** Gray, Harriet <harriet.gray@accc.gov.au>

**Sent:** Thursday, 22 March 2018 12:30 PM

**To:** NYAKUENGAMA Sharon <Sharon.Nyakuengama@infrastructure.gov.au>

**Cc:** Vagg, Elisabeth <ev@accc.gov.au>; Grimwade, Timothy <timothy.grimwade@accc.gov.au>; Probyn, Glenn <glenn.probyn@accc.gov.au>; Prendergast, Matthew <matthew.prendergast@accc.gov.au>

**Subject:** Takata airbag recall: Phone conference 23 March: ACCC attendees [SEC=UNCLASSIFIED]

Hi Sharon

Liz and I will attend the phone conference tomorrow (Tim and Glenn will attend another meeting that is on at the same time).

For the agenda, we're hoping to progress the following issues:

- using RTA data to assist suppliers to notify a vehicle owner of the recall e.g. ACT approach
- general education and specific reminders by RTAs to increase response rates to recall notices eg SA website
- vehicle registration options

I suspect states/territories might also be interested in:

- update from ACCC on recall implementation
- ACCC reports on replacement rates by state & territory

Who will be chairing the meeting from DIRDAC? Would it help if I came to the DIRDAC office for the meeting? Let me know what we can do to help.

Thanks

Harriet

## Harriet Gray

Director | Strategy | Consumer, Small Business and Product Safety Division

Australian Competition & Consumer Commission

23 Marcus Clarke Street, Canberra ACT 2601

T: + 61 2 6243 1283 [REDACTED] **s47F**

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-----Original Appointment-----

**From:** NYAKUENGAMA Sharon [<mailto:Sharon.Nyakuengama@infrastructure.gov.au>]

**Sent:** Wednesday, 21 March 2018 4:47 PM

**To:** NYAKUENGAMA Sharon; Simon Saunders; [REDACTED] [stategrowth.tas.gov.au](mailto:stategrowth.tas.gov.au);

s22

WERNER Stephanie; [REDACTED] Grimwade, Timothy;

**Subject:** TAKATA AIRBAG RECALL [SEC=UNCLASSIFIED]

**When:** Friday, 23 March 2018 1:00 PM-2:30 PM (UTC+10:00) Canberra, Melbourne, Sydney.

**Where:** Teleconference

With correct finish time

-----  
Thank you all for your advice on availability.

This Friday, 23 March, from 1.00pm to 2.30pm Canberra time appears to suit almost all invitees. If you are unable to participate personally, please forward this request to your nominate representative.

I will forward dial-in details and an agenda tomorrow morning.

Regards

Sharon

**Sharon Nyakuengama**

General Manager

Vehicle Safety Standards Branch | Surface Transport Policy Division

Department of Infrastructure, Regional Development and Cities

GPO Box 594, Canberra ACT 2601

\* 02 6274 7266 s47F

e [sharon.nyakuengama@infrastructure.gov.au](mailto:sharon.nyakuengama@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

-----  
**From:** NYAKUENGAMA Sharon

**Sent:** Monday, 19 March 2018 12:01 PM

s47F



<Stephanie.Werner@infrastructure.gov.au>  
'Grimwade, Timothy' <timothy.grimwade@accc.gov.au>;

s22

**Subject:** TAKATA AIRBAG RECALL - request to participate in teleconference [SEC=UNCLASSIFIED]

Dear State and Territory Vehicle Registrars,

On 10 January Ms Judith Zielke, Deputy Secretary Department of Infrastructure, Regional Development and Cities, sent the email below to State and Territory Chief Executives ahead of an anticipated discussion at this week's TISOC meeting. Since that email was sent, and some initial feedback received, the Assistant Minister to the Treasurer, the Hon Michael Sukkar, has also announced a [compulsory recall](#) of all vehicles fitted with defective Takata airbags.

While this issue is no longer on the agenda for discussion at this week's TISOC meeting, the challenges outlined in the attached letter from the ACCC Chairman, Mr Rod Sims, about accuracy of address information available to recalling vehicle manufacturers and behaviour of some vehicle owners continues to impact vehicle rectification rates. These issues have the biggest impact in relation to older vehicles and those for which ownership/registration status is uncertain (for example, due to theft or insurance write-off). As the safety risk of defective Takata airbags increases with age, implementing strategies to identify, find and rectify these vehicles is of particular importance.

I would like to invite you to participate in a telephone hook-up to discuss the measures State and Territory vehicle registration authorities have in place, or any additional measures that might be implemented, to assist recalling vehicle manufacturers in their efforts to rectify all affected vehicles within the timeframes mandated in the compulsory recall notice.

Please advise your availability to participate at the following times:

- Friday, 23 March - 1.00 pm to 2.30 pm (Canberra time)
- Tuesday, 27 March – 1.00 pm to 2.30 pm (Canberra time)
- Wednesday 28 March – 3.00 pm to 4.30 pm (Canberra time)

I will send a formal meeting request and dial-in details once we've identified a time that best suits everyone's attendance.

Regards

**Sharon Nyakuengama**  
General Manager  
Vehicle Safety Standards Branch | Surface Transport Policy Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601  
t 02 6274 7266 | s47F  
e [sharon.nyakuengama@infrastructure.gov.au](mailto:sharon.nyakuengama@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

**From:** ZIELKE Judith  
**Sent:** Wednesday, 10 January 2018 8:13 PM

s47F



Cc: KENNEDY Steven <[Steven.Kennedy@infrastructure.gov.au](mailto:Steven.Kennedy@infrastructure.gov.au)>; NYAKUENGAMA Sharon  
<[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)>; FOULDS Alex <[Alex.Foulds@infrastructure.gov.au](mailto:Alex.Foulds@infrastructure.gov.au)>;  
<[\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)>; SPENCE Pip <[Pip.Spence@infrastructure.gov.au](mailto:Pip.Spence@infrastructure.gov.au)>  
Subject: TAKATA AIRBAG RECALL [SEC=UNCLASSIFIED]

s22

Dear TISOC Members

The Department has recently received a letter from the Australian Competition and Consumer Commission (ACCC) requesting us to bring to your attention observations made by the ACCC regarding the registration of vehicles and data accuracy that impacts on recall rectification rates. A copy of the correspondence is attached for your reference.

The observations made by the ACCC reflect the Department's experience with the accuracy of registration data when used by vehicle manufacturers undertaking voluntary recalls to contact vehicle owners.

I'd appreciate it if you were able discuss the matters raised in the letter with others in your jurisdiction who have responsibility for registration related matters with a view to a discussion at TISOC when we meet in March 2018.

Could you please provide any comments you have on the letter ahead of our next meeting in March 2018 to Sharon Nyakuengama, General Manager, Vehicle Safety Standards Branch on [Sharon.nyakuengama@infrastructure.gov.au](mailto:Sharon.nyakuengama@infrastructure.gov.au).

Regards Judi

Judith Zielke PSM  
Deputy Secretary  
Department of Infrastructure, Regional Development and Cities  
111 Alinga Street  
CANBERRA ACT 2600  
Phone: 02 6274 6181  
s47F  
Email: [Judith.zielke@infrastructure.gov.au](mailto:Judith.zielke@infrastructure.gov.au)

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s22

**From:** Gray, Harriet <harriet.gray@accc.gov.au>  
**Sent:** Monday, 26 March 2018 10:08 AM  
**To:** s22 [redacted] NYAKUENGAMA Sharon  
**Cc:** Owen, Todd; Grimwade, Timothy; !Takata Taskforce  
**Subject:** RE: Takata Airbag Recall - protocol for obtaining information vehicle owner contact information from state and territory registration authorities [DLM=For-Official-Use-Only]

Hi Sharon & [redacted] s22

Todd Owen from the ACCC will be in touch about the heavy vehicle voluntary recalls. Todd is working on the letters to go to suppliers suggesting consistency with the consumer goods compulsory recall. Todd will also be able to discuss the information received by the ACCC from the voluntary recall heavy vehicle suppliers, and the process for updating the Product Safety website,

Cheers  
 Harriet

**From:** Gray, Harriet  
**Sent:** Friday, 23 March 2018 4:45 PM s22  
**To:** [redacted]  
**Cc:** NYAKUENGAMA Sharon; M [redacted] !Takata Taskforce  
**Subject:** RE: Takata Airbag Recall - protocol for obtaining information vehicle owner contact information from state and territory registration authorities [DLM=For-Official-Use-Only]

s22

[redacted] - this is great, thank you! I'll do a first draft on Monday then pass on to you & Sharon for comment before it goes to RTAs for comment. Will also cover:

- reports that the ACCC will provide to RTAs e.g. on replacement rates by jurisdiction; and
- to support further discussion: ideas for promotion (in particular, the SA approach); and a summary of RTA responses on the registration issue (particular thanks to Sharon for the heads up on the limited role of conditional registration).

Will also follow up on the heavy vehicle issue.

As mentioned, looking ahead to the enactment of the Road Vehicle Standards Bill 2018, would welcome any further thoughts you have about working arrangements with RTAs where there's a Cth vehicle recall.

Thanks again  
 Harriet

**Harriet Gray**

Director | Strategy | Consumer, Small Business and Product Safety Division  
 Australian Competition & Consumer Commission  
 23 Marcus Clarke Street, Canberra ACT 2601  
 T: + 61 2 6243 1283 | [redacted] s47F  
[www.accc.gov.au](http://www.accc.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.



From: [REDACTED] [\[REDACTED\]@infrastructure.gov.au](mailto:[REDACTED]@infrastructure.gov.au)

All s22

Sent: Friday, 23 March 2018 3:04 PM

To: Gray, Harriet <[harriet.gray@accc.gov.au](mailto:harriet.gray@accc.gov.au)>

Cc: NYAKUENGAMA Sharon <[Sharon.Nyakuengama@infrastructure.gov.au](mailto:Sharon.Nyakuengama@infrastructure.gov.au)> [REDACTED]

**Subject:** Takata Airbag Recall - protocol for obtaining information vehicle owner contact information from state and territory registration authorities [DLM=For-Official-Use-Only]

Dear Harriet

Further to our discussion following the teleconference this afternoon, the minutes to the July 2017 meeting of the Takata Airbag Working Group include some background on the initiative the Department established with state and territory registration authorities to obtain additional vehicle owner address information.

As promised, to assist you in preparing a first draft of the protocol around obtaining information from state and territory registration authorities, please find attached the contacts we have from state and territory registration authorities and the guidance provided to vehicle manufacturers under the voluntary recall to obtain state and territory data. As discussed, it is not in a template form but rather an agreed high level process.

Thanks

[REDACTED] s22

Director | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards Branch | Surface Transport Policy Division  
Department of Infrastructure, Regional Development and Cities  
GPO Box 594, Canberra ACT 2601

[REDACTED] s22

| w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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## Takata Airbag Recall Meeting –Minutes / Outcome

**19/07/2017**

**11.30-14.00**

**Location: Infrastructure House, 111 Alinga Street Canberra City**

## Attendees

- [illegible]





Current status of Takata airbag recall campaigns in Australia

Neville Matthew outlined the ACCC interest in the progress and future outlook for the recall.

The number of affected vehicles has increased by approximately 690,000 in the last 12 months, with 572,800 vehicles rectified in the same period.

	Affected Vehicles	Rectified Vehicles	Percentage
July 2016	1.66 million	279,700	23.5
July 2017	2.35 million	852,500	36.3

On average per week, approximately 8800 cars are rectified.

DIRD is satisfied that manufacturers are taking appropriate action, beyond normal procedures, to replace airbags as quickly as possible.

DIRD and the ACCC will continue to monitor this progress.

Incident in the Northern Territory

[REDACTED]  
[REDACTED] The vehicle was assembled in Japan.

s47G

Examination of components showed the inflator housing to be significantly corroded.

Manufacturers acknowledged that corrosion of the inflator housing is common in cars operating in Northern Australia.

The Northern Territory government has published a bulletin to circulate to Authorised Inspectors. The bulletin can be found at:

[https://nt.gov.au/data/assets/pdf\\_file/0020/435611/vib-23-takata-airbag-recall.pdf](https://nt.gov.au/data/assets/pdf_file/0020/435611/vib-23-takata-airbag-recall.pdf)





**Risk Analysis (Developments Overseas)**

Recent events and analysis indicates that “Beta” type airbags may pose the equivalent risk as “alpha” bags.

All participants acknowledged that the performance of ammonium nitrate has a specific lifespan.

The exact lifespan is difficult to determine with many contributing factors such as the processes and quality control implemented during the manufacture of the propellant and inflator housing, age of vehicle and climatic conditions.

A majority of manufacturers acknowledged that vehicles are prioritised by age.

DIRD has analysed reports from testing and is presently comfortable with the position that airbags produced in Freiburg Germany do not pose the level of risk as those produced in North America.

Although NHTSA has announced recalls in the US on vehicles containing Freiburg airbags, it has accepted that testing indicates that these airbags are not as susceptible to moisture ingress, and no ruptures of Freiburg airbags have been observed.

Recent research has also focused on the long term performance of desiccated airbags.

NHTSA has indicated that although field testing of these inflators using calcium sulfate as a drying agent did not result in any airbag ruptures, a pattern of propellant deterioration was still observed, pointing to a future risk of rupture. Takata indicated that this type of desiccant was used only in older airbags — newer versions use a desiccant called zeolite.

<https://static.nhtsa.gov/odi/rci/2017/RCLRPT-17E034-3982.PDF>

**Action Item 1:** Copy of the NHTSA report to be circulated to attendees. Manufacturers to investigate whether any Australian supplied vehicles contain calcium sulphate desiccant.

All manufacturers acknowledged that ammonium nitrate is being phased out, the majority of new vehicles do not contain Takata airbags or ammonium nitrate as a propellant.

**Alpha Bag Recalls**

Three manufacturers have alpha bags. Rectification rates of “alpha bags” is at 64% completion, with approximately 54,000 vehicles unrectified.

DIRD has finalised the recall information letter and has agreements with two of the affected manufacturers to supply the letter and envelopes.





Honda outlined the opportunity for a controlled test of the letter. DIRD agreed that Honda could use the letter in a plain envelope (no branding), as well as the envelopes to be provided by DIRD.

**Action Item 2:** DIRD to make arrangements with Honda for the distribution of the letter and envelopes.

Several manufacturers expressed interest in using the letter for beta bags. DIRD will consider this request.

**Process for obtaining secondary address from State and Territory Registering Authorities (STRAs)**

All parties agreed with the process in general. Some amendments to existing draft process (that is, focus on vehicles 6 years or older, where 3 recall notifications have been issued, no limitation on location) were discussed and agreed.

**Action Item 3:** DIRD to amend document, and re-distribute.

**Action Item 4:** DIRD to discuss with STRAs the possibility to also supplying manufacturers with telephone (mobile and landline) and email addresses.

**Action item 5:** Manufacturers to supply DIRD with the quantity of vehicles, sorted by State or Territory, that they will be requesting additional information for. Responses are requested by **COB 28 July 2017**.

**Takata Bankruptcy**

All manufacturers indicated that to the best of their knowledge there would be no impact on the supply of replacements.

**Testing of Australian sourced parts**



s47G





**RAWS and personal imports**

Manufacturers indicated that RAWs and personal importers can contact the relevant customer service and dealership to obtain replacement parts.

**Action Item 6:** The Department to reinforce the message that RAWs and personal importers can contact the customer care/service area to obtain replacement parts.

**Amendment to NSW Motor Dealers and Repairs Regulation 2014**

Honda has indicated that the limited number of qualified technicians in NSW is having a detrimental effect on the rectification rate and is supportive of the changes.

Toyota indicated that they would not be supporting the amendment.

**Action Item 7:** DIRD to follow up with NSW Fair Trading on the next steps and timing relating to the draft regulation amendment.

**Other Business**

Manufacturers raised a number of issues regarding NEVDIS data.

Manufacturers have requested that a NEVDIS representative be present for next working group meeting.

**Action Item 8:** DIRD to invite a representative from NEVDIS to the next meeting. Manufacturers to supply DIRD ahead of the meeting key issues to discuss.

**Next Meeting**

Parties agreed to meet in approximately 12 weeks' time.





## **PROCESS FOR OBTAINING VEHICLE OWNER INFORMATION FROM STATE AND TERRITORY REGISTERING AUTHORITIES**

### **Scope**

The purpose of the document is to set out a procedure for manufacturers to obtain a secondary mailing address from the State and Territory Registering Authorities (STRAs). The procedure is to be utilised once the normal procedures outlined in the "Code of Practice for the conduct of an Automotive Safety Recall" have been exhausted.

### **Vehicles involved**

There are approximately 1.5 million unrectified vehicles

Unrectified recalled vehicles by State (estimate, based on the percentage of total registered vehicles in that state based on ABS percentage data for all registered).

NSW	435000	29%
VIC	375000	25%
QLD	315000	21%
WA	180000	12%
SA	113000	7.5%
TAS	38000	2.5%
ACT	23000	1.5%
NT	15000	1.0%

The capacity of the STRAs to provide large amounts of data to manufacturers is unknown.

The process is to focus on higher risk vehicles, with build dates of 6 years or older.

Additional priority should be on vehicles located in the Northern Territory, Queensland, and those located in northern Western Australia.

### **Manufacturers**

Manufacturers to supply DIRD with the quantity of vehicles, sorted by State or Territory.

DIRD will notify the STRAs of the quantity of information requests they will receive, to ensure they have to capacity to process the request.

DIRD will provide feedback to the manufacturers regarding STRAs capacity to provide manufacturers with the information. Ideally, this will include addresses, telephone and email addresses.



Once agreed;

Manufacturers are to sort non-campaigned VINS by State or Territory (as provided by NEVDIS) and then send a list of those VINs (excel spreadsheet) to that STRAs for contact information.

The manufacturer will then send recall notification to the address provided by the STRAs.

The manufacturer should also make an analysis of differences between NEVDIS provided addresses and STRA provided addresses.



## State and Territory Authorities Contact Information

STRA	CONTACT	PROCESS	Comments
NSW		Email request for data to:  <a href="mailto:External_Data_Requests@rms.nsw.gov.au">External_Data_Requests@rms.nsw.gov.au</a>	
VIC		Email request for data to:  [Redacted]	
QLD		Email request for data to: Registration Policy Unit <a href="mailto:registration.policy@tmr.qld.gov.au">registration.policy@tmr.qld.gov.au</a> and Vehicle Standards Unit <a href="mailto:vehiclestandards@tmr.qld.gov.au">vehiclestandards@tmr.qld.gov.au</a>	Under Section 115 of the Registration Regulation, payment of fees applies for supplying such information and there is a reduced fee (of \$1.70 per vehicle) for a Safety Recall Agency.
SA		Email request for data to:  <a href="mailto:DPTI.Registrationpolicy@sa.gov.au">DPTI.Registrationpolicy@sa.gov.au</a>	
WA		Email request for data to:  <a href="mailto:NEVDIS@transport.wa.gov.au">NEVDIS@transport.wa.gov.au</a>	
TAS		Initial request for additional information sent to: Registrar of Motor Vehicles P.O. Box 1002 Hobart TAS 7001  [Redacted]	
ACT		Email request for data to:  [Redacted]	
NT		Email request for data to:  <a href="mailto:Wayne.lo@nt.gov.au">Wayne.lo@nt.gov.au</a> <a href="mailto:Bill.muirhead@nt.gov.au">Bill.muirhead@nt.gov.au</a>	

s47F



[REDACTED] a22

**From:** Pearsall, Paula <paula.pearsall@accc.gov.au>  
**Sent:** Tuesday, 13 March 2018 2:55 PM  
**To:** [REDACTED] a22  
**Cc:** Probyn, Glenn  
**Subject:** RE: Takata Contact List [DLM=For-Official-Use-Only]

Many thanks [REDACTED] a22

Kind regards

Paula

**Paula Pearsall**

A/g General Manager | Consumer Product Safety Branch  
**Australian Competition & Consumer Commission**  
23 Marcus Clarke Street Canberra 2601  
: +61 2 6243 1254  
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Executive Assistant – Fay O'Connor - +61 2 6243 1391

[REDACTED] a22  
**From:** [REDACTED]@infrastructure.gov.au]  
**Sent:** Tuesday, 13 March 2018 2:47 PM  
**To:** Pearsall, Paula <paula.pearsall@accc.gov.au>  
**Cc:** Probyn, Glenn <glenn.probyn@accc.gov.au>  
**Subject:** FW: Takata Contact List [DLM=For-Official-Use-Only]

Good afternoon Paula,

Last week in the catch up meeting between Infrastructure and the ACCC, Infrastructure undertook to provide the ACCC with a list of contacts to assist with the transition of responsibility in light of the compulsory recall.

So here is the list, if you need any more information please don't hesitate to contact me and I can help you out.

Regards,

[REDACTED] a22  
Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure and Regional Development  
GPO Box 594, Canberra ACT 2601  
[REDACTED] a22  
e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)



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**From:** [REDACTED]  
**Sent:** Tuesday, 13 March 2018 2:39 PM  
**To:** Matthew, Neville <[neville.matthew@acc.gov.au](mailto:neville.matthew@acc.gov.au)>  
**Cc:** 'Probyn, Glenn' <[glenn.probyn@acc.gov.au](mailto:glenn.probyn@acc.gov.au)>; [REDACTED]  
**Subject:** [DLM=For-Official-Use-Only]

All s22

Hi Neville,

As discussed in last week's meeting, here is the current list of contacts the Department has for vehicle manufacturers affected by the Takata airbag recall:

FCA (Chrysler and Jeep) [REDACTED] [@fcagroup.com](mailto:[REDACTED]@fcagroup.com)  
BMW, [REDACTED] [@bmw.com.au](mailto:[REDACTED]@bmw.com.au)  
Ferrari, [REDACTED] [@ferrari.com](mailto:[REDACTED]@ferrari.com)  
Honda, [REDACTED] [@honda.com.au](mailto:[REDACTED]@honda.com.au)  
Mazda [REDACTED] [@mazda.com.au](mailto:[REDACTED]@mazda.com.au)  
Mitsubishi, [REDACTED] [@mmal.com.au](mailto:[REDACTED]@mmal.com.au)  
Nissan, [REDACTED] [@nissan.com.au](mailto:[REDACTED]@nissan.com.au)  
Performax, [REDACTED] [@performax.com.au](mailto:[REDACTED]@performax.com.au)  
Subaru, [REDACTED] [@subaru.com.au](mailto:[REDACTED]@subaru.com.au)  
Toyota, [REDACTED] [@toyota.com.au](mailto:[REDACTED]@toyota.com.au)  
Vehicle Development Corporation, [REDACTED] [@vdc.com.au](mailto:[REDACTED]@vdc.com.au)

s47F

If you need anything else, don't hesitate to contact me.

Regards,

[REDACTED] s22

Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
Vehicle Safety Standards | Surface Transport Policy  
Department of Infrastructure and Regional Development  
GPO Box 594, Canberra ACT 2601

[REDACTED] s22

e [recalls@infrastructure.gov.au](mailto:recalls@infrastructure.gov.au) | w [www.infrastructure.gov.au](http://www.infrastructure.gov.au)

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s22

**From:** [REDACTED] s22  
**Sent:** Thursday, 25 January 2018 11:19 AM  
**To:** Ford, Mandy  
**Cc:** Hotchkis, Katie; [REDACTED] Fogarty, John s22  
**Subject:** RE: Takata graph [SEC=UNCLASSIFIED]  
**Attachments:** Number of inflators subject to the Takata airbag recall January 2015 - January 2018.docx

Hi Mandy,

Attached is updated file.

A couple of things to note:

As we have limited space on the document for text, I edited some of the previous text to get the message across in less words.

Also we refer to the car companies as "manufacturers" and the ACCC tends to use the term "suppliers".

Let me know if the document is sufficient, also as the document is a word document with overlaying graphs, and text, it needs to be view under the "edit document" mode. I think it's best to then copy it as an image to then insert into a report, as any change tends to skew the rest of the content.

Regards

s22

Recalls Manager  
 Regulatory Policy, Risk and Compliance Section  
 Vehicle Safety Standards  
 Department of Infrastructure, Regional Development and Cities

s22

**From:** Ford, Mandy [mailto:mandy.ford@accc.gov.au] s22  
**Sent:** Wednesday, 24 January 2018 4:07 PM  
**To:** [REDACTED]; Fogarty, John <john.fogarty@accc.gov.au>  
**Cc:** Hotchkis, Katie <katie.hotchkis@accc.gov.au>  
**Subject:** Takata graph [SEC=UNCLASSIFIED]

Hi [REDACTED] s22

Please see below re updates to the graphic. The current version we have is below and if possible we would like the following added to the timeline.

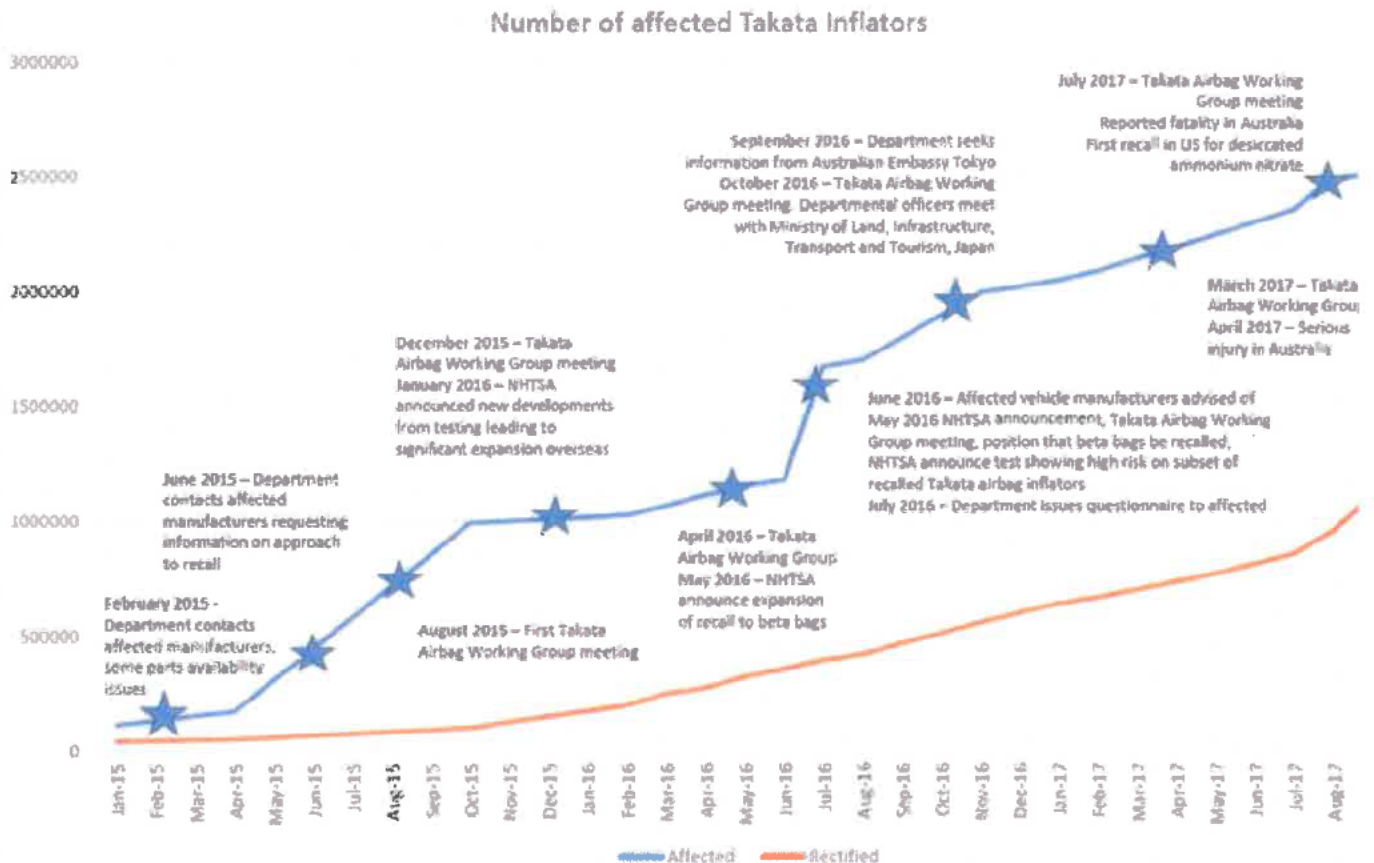
- September –Minister McCormack announces a proposed compulsory recall
- October – ACCC holds conference with suppliers to discuss the proposed compulsory recall



I will be out of the office tomorrow so if you have any questions or need more information please contact John Fogarty or Katie Hotchkis (cc'd)

John, if you have any objection to the above wording please let [REDACTED] know asap.

Number of inflators subject to the Takata airbag recall in Australia and key events from January 2015 - November 2017



## Mandy Ford

Senior Safety Investigator | Takata Task Force | Consumer Product Safety Branch

Australian Competition & Consumer Commission

23 Marcus Clarke Street Canberra 2601

T: +61 2 6243 1112

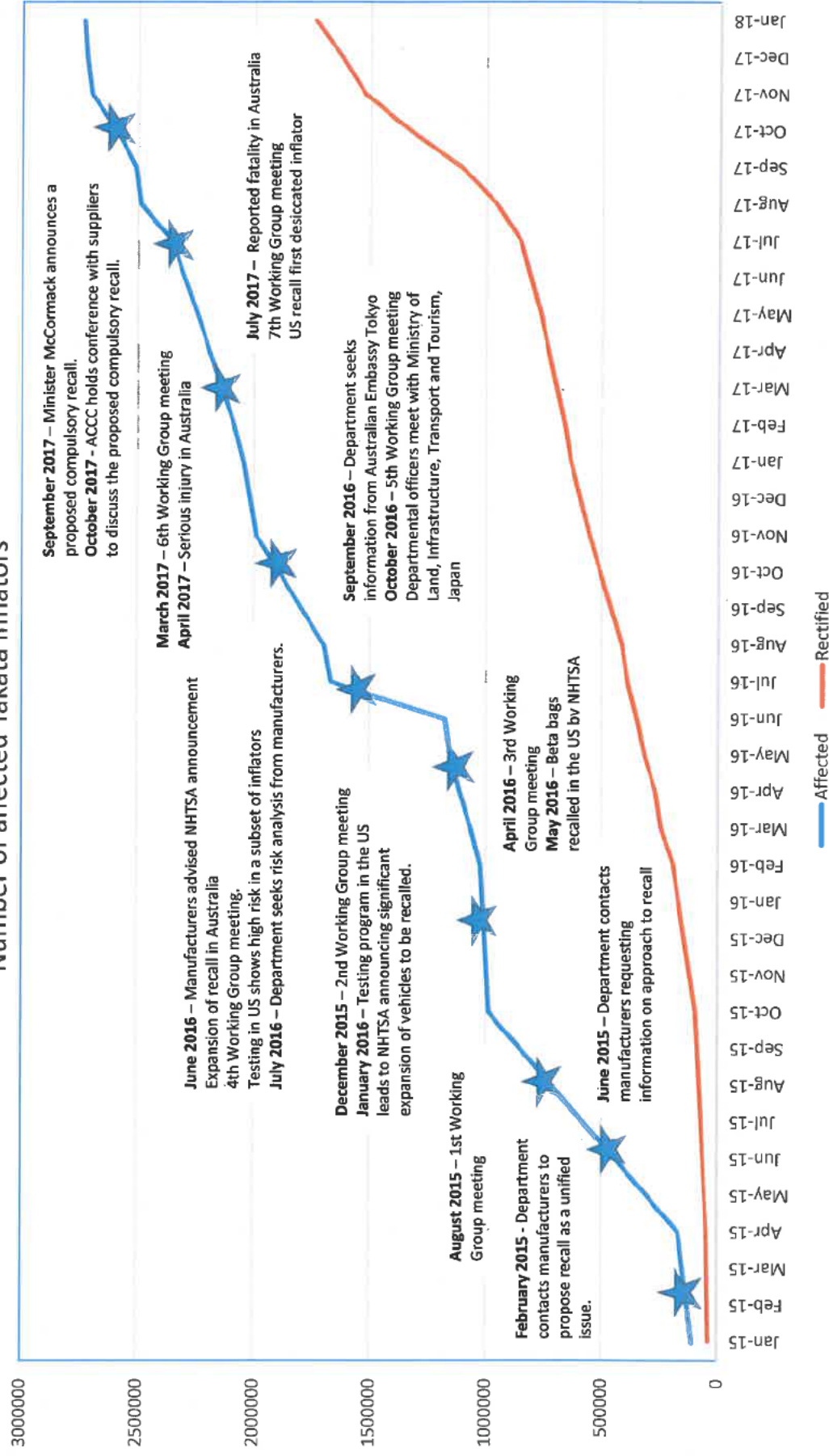
[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.



# Number of inflators subject to the Takata airbag recall in Australia and key events from January 2015 –January 2018

## Number of affected Takata Inflators





s22

**From:** [REDACTED]  
**Sent:** Thursday, 29 March 2018 12:17 PM  
**To:** Cooper, Wendy  
**Cc:** Gray, Harriet; Probyn, Glenn; Klaver, Jan; Ford, Mandy  
**Subject:** RE: Takata heavy vehicle recalls [SEC=UNCLASSIFIED]

s22

Hi Wendy,

At this stage we are working through what we need in this area. I have found some media articles stating that some manufacturers are announcing recalls (I think it was Iveco from memory) so I am going to do a review of current heavy vehicle manufacturers to see who is doing what.

As soon as I have a better picture I will be in touch.

Regards,

[REDACTED]  
 Recalls Manager A/g | Regulatory Policy, Risk and Compliance  
 Vehicle Safety Standards | Surface Transport Policy  
 Department of Infrastructure and Regional Development  
 GPO Box 594, Canberra ACT 2601

e recalls@infrastructure.gov.au | w www.infrastructure.gov.au

**From:** Cooper, Wendy <wendy.cooper@acc.gov.au>

**Sent:** Wednesday, 28 March 2018 9:36 PM

s22

**Cc:** Cooper, Wendy <wendy.cooper@acc.gov.au>; Gray, Harriet <harriet.gray@acc.gov.au>; Probyn, Glenn <glenn.probyn@acc.gov.au>; Klaver, Jan <jan.klaver@acc.gov.au>; Ford, Mandy <mandy.ford@acc.gov.au>

**Subject:** Takata heavy vehicle recalls [SEC=UNCLASSIFIED]

Hi [REDACTED] s22

I attended a meeting with some Takata colleagues today and they mentioned that Infrastructure are concerned that the ACCC may have recall-related information for heavy vehicles with Takata inflators that has not been provided to Infrastructure by suppliers. If you let me know what sort of information you are missing, we would be happy to see if this has been provided to the ACCC and share it with you.

As you are aware, recalls are notified to our Minister via the recalls portal on the ACCC website (a webform) and this information is loaded into our workflow system for queueing and assessment. Therefore, unfortunately providing you with information is not as straightforward as simply forwarding an email. Another way of checking whether the ACCC has the information you are after may be for you to visit our office and we can assist you with searching or browsing in our system for the information that you may be missing.



Wendy

**Dr Wendy Cooper**

Assistant Director, Hazard Analysis & Management | Consumer Product Safety | Consumer Small Business and Product Safety  
**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601

T: + 61 2 6243 4907

E: [wendy.cooper@accc.gov.au](mailto:wendy.cooper@accc.gov.au)

[www.accc.gov.au](http://www.accc.gov.au) [www.productsafety.gov.au](http://www.productsafety.gov.au)

Please note – I do not work on Fridays.

Recalls inbox [Recalls@accc.gov.au](mailto:Recalls@accc.gov.au)

Recalls hotline +61 2 6243 1262