

# Product stewardship accreditation guide for applicants: Voluntary products



Ministry for the  
**Environment**  
*Manatū Mō Te Taiao*



**Te Kāwanatanga o Aotearoa**  
New Zealand Government

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# Glossary

Term	Definition
Benefits	(As defined in the section, 5(2)(a), Waste Minimisation Act 2008 (WMA)) benefits expected from implementing regulations, or from reduction, reuse, recycling, recovery, or treatment of a product, include both monetary and non-monetary benefits
Circular economy	Linked to the low-carbon economy, a system designed to build a sustainable society. It is based on three principles: eliminate waste and pollution, keep products and materials in use, and regenerate natural systems
Closed-loop recycling	A process where waste is collected and recycled, and all the recovered materials is used to make product(s) that can be recycled
Co-design	In this context, the process of working groups designing schemes for managing priority products to meet the Ministerial Guidelines and be eligible to apply for accreditation. The working groups include significant stakeholders (eg, industry, recyclers, local government, iwi) who would be affected by a regulated product stewardship scheme.
Date of accreditation	The date the Minister signs and approves the scheme
End of life	At the end of useful product life
Environment	Has the same meaning as in section 2(1) of the Resource Management Act 1991
Free-rider	In this context, a person or company that obtains the benefits of a product stewardship scheme without paying their fair share towards costs of stewarding their products
Legacy product	Product that entered the market before being covered by a product stewardship scheme and has an owner or producer
Linear economy	An economy which takes resources, makes products, and then disposes of them to the environment. This results in pollution to air, water and land; climate change; release of persistent toxic substances; unsustainable rates of harvest for food and materials; and loss of species, habitats and ecosystems
Low-emissions/low-carbon economy	An economy based on power sources and processes that have low output of carbon dioxide and other greenhouse gas emissions into the atmosphere
Minister	The Minister for the Environment
Ministerial Guidelines	In this context, the <a href="#">General Guidelines for Product Stewardship Schemes for Priority Products Notice 2020</a>
Open-loop recycling	A process where waste is collected, recycled and used to make a new product that cannot be recycled again and will eventually have to 'leave the loop' and end up as waste in landfill
Orphan product	A product that entered the market before being covered by a product stewardship scheme and has been abandoned by an owner or producer
Product life cycle	The product life cycle, in relation to a product, means the time for which the product is in existence from (and including) its manufacture or importation to its disposal
Product stewardship	When people and businesses take responsibility for the life cycle impacts of products, either voluntarily or in response to regulations
Priority product	A product declared to be a priority under section 9, WMA. The list of priority products and definition can be found here <a href="https://gazette.govt.nz/notice/id/2020-go4533">https://gazette.govt.nz/notice/id/2020-go4533</a>

Term	Definition
Producer	<p>This includes manufacturers, brand owners and importers of a priority product.</p> <p>Note, the definition from the WMA says:</p> <p>producer means a person who—</p> <ul style="list-style-type: none"> <li>(a) manufactures a product and sells it in New Zealand under the person’s own brand; or</li> <li>(b) is the owner or licence holder of a trademark under which a product is sold in New Zealand; or</li> <li>(c) imports a product for sale in New Zealand; or</li> <li>(d) manufactures or imports a product for use in trade by the person or the person’s agent.</li> </ul>
Product stewardship organisation (PSO)	The organisation which implements an accredited product stewardship scheme
Recovery	<p>(As defined in WMA)</p> <p>Means extraction of materials or energy from waste or diverted material for further use or processing; and includes making waste or diverted material into compost</p>
Regulated product stewardship	Product stewardship covered by WMA regulations to ensure that responsibility for reducing end-of-life product impacts is shared by the producers, brand owners, importers, retailers and consumers rather than the wider community, and accredited schemes are cost-effective and accountable
Sale in accordance with a scheme	<p>There must be an agreement with the PSO for the priority product(s) to be sold in the New Zealand market.</p> <p>The use of this agreement can be regulated under WMA 22(1)(a).</p>
Scheme starting date	The date the scheme is operational (this will be after the date of accreditation)
Scheme manager	<p>Under the Waste Minimisation Act 2008 the scheme manager is</p> <ul style="list-style-type: none"> <li>a) the primary contact person for the Ministry for the Environment, and</li> <li>b) has authority to sign on behalf of the product stewardship organisation (PSO).</li> </ul>
Scheme participants	The persons/groups who have agreed to participate in a product stewardship scheme and there has been responsibility formally assigned to them to meet the scheme’s objectives.
Scheme users	The classes of person involved in the design, manufacture, sale, use, servicing, collection, recovery, recycling, treatment, and disposal of the product (e.g., public, retailers, producers, medical professionals).
Second-life product	When a product reaches the end of its useful life, the product can be used again in another application or product.
Second-life repurposer	A person or business that takes waste products and upgrades them to allow another product life.
Sellers and distributors	<p>Under the WMA (section 5) ‘sale’ is defined as “an offer for sale” as well as “distribution or delivery, whether or not for valuable consideration (including delivery to an agent for sale on consignment)”.</p> <p>This is relevant as the ‘participation obligation’ regulation option (WMA, section 22(1)(a)), if used, would prohibit sale of a priority product except in accordance with an accredited scheme for that product.</p>
Service network	A service network is a structure that brings together several entities to deliver a particular service. For instance, one organisation may sub-contract another organisation to deliver after-sales services to a third party. The buyer may use more than one supplier.

Term	Definition
Take-back	An initiative by a 'producer' to collect used products from consumers. Options include collective responsibility for depots, collection from businesses and take-back at individual retail outlets.
Treatment	(As defined in the WMA) Means subjecting waste to any physical, biological or chemical process to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment; but does not include dilution of waste.
Voluntary product stewardship	Voluntary actions by producers and other stakeholders to reduce the impact of products, whether under an accredited scheme or not
Waste minimisation	The reduction of waste, and the reuse, recycling and recovery of waste and diverted material
WAB	Waste Advisory Board
WMA	Waste Minimisation Act 2008
WMF	Waste Minimisation Fund – derived under the WMA from 50 per cent of the waste disposal levy, the balance of the levy going to district and city councils

# Introduction

## About product stewardship accreditation

New Zealand is taking steps towards a circular economy. Our current linear economy involves taking resources and making products, then discarding the product when there is no longer use for it. Under a circular economy, used goods and products are not disposed or discarded as waste products, but returned to the system through reuse, repair, repurposing or recycling.

To move towards this circular economy the environmental impacts of manufactured products need to be reduced. Through the Waste Minimisation Act 2008 (WMA) we can achieve this through product stewardship.

Product stewardship increases the responsibilities of manufacturers, importers, retailers and consumers/users to better manage end-of-life products and create incentives for circular resource use. The WMA provides for accreditation of schemes by the Minister for the Environment, focusing on waste reduction and measuring environmental impact.<sup>1</sup>

Under the WMA, product stewardship may be voluntary or regulated, and the term 'product' can include classes or products and products packaging.

### Voluntary product stewardship

Voluntary product stewardship is when producers, brand owners, importers, retailers and consumers voluntarily choose to take responsibility for reducing waste and/or reducing the environmental harm to better manage their end-of-life products.

The WMA does not require accredited schemes for voluntary products to divert or minimise specific quantities of waste, but it does require schemes to show that some reduction in environmental harm (with an emphasis on waste minimisation) is achieved through the operation of the scheme.

### Regulated product stewardship

Regulated product stewardship means a product stewardship scheme that will need one or more WMA regulations for effective operation. It can level the playing field, by requiring all producers of a specific product to participate in a scheme, reducing the 'free-rider' issues typically experienced by voluntary schemes.

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<sup>1</sup> Part 2 of the WMA states the purpose of product stewardship is to encourage (and in certain circumstances, require) the people and organisations involved in the life of a product to share responsibility for (a) ensuring there is effective reduction, reuse, recycling, or recovery of the product; and (b) managing any environmental harm arising from the product when it becomes waste.

## Priority products

In July 2020, the Government declared six products to be priority products under section 9 of the WMA to be managed under regulated product stewardship schemes and the Ministerial Guidelines for schemes managing the priority products.<sup>2</sup>

The first declared priority products are:

- tyres
- electrical and electronic products
- agrichemicals and their containers
- refrigerants and other synthetic greenhouse gases
- farm plastics
- plastic packaging.

Read more about [product stewardship](#).

If a priority product(s) will be included in your proposed scheme you will need to complete the [Product stewardship accreditation application form: Priority products](#).

Please contact Ministry for the Environment at [psaccreditation@mfe.govt.nz](mailto:psaccreditation@mfe.govt.nz) to discuss further.

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<sup>2</sup> [Declaration of Priority Products Notice 2020 \(updated 29 September 2020\)](#) and [General Guidelines for Product Stewardship Schemes for Priority Products Notice 2020](#).

# About this guide

This guide assists the reader on how to apply for product stewardship scheme accreditation for voluntary product(s) under the Waste Minimisation Act 2008 (WMA). It outlines:

- the requirements your scheme needs to meet
- the application and assessment process
- the information you will be asked for if you apply.

If you are applying for priority product stewardship accreditation, please see the [Product stewardship accreditation guide for applicants: Priority products](#).

## Intended audience

This guide is for Scheme Managers and/or anyone interested in seeking accreditation for a voluntary product stewardship scheme.

## How to use this guide

Use this guide in conjunction with the [Product stewardship accreditation application form: Voluntary products](#).

We recommend you read this guide in full and complete the self-assessment checklist before you start your application.

**Green** information boxes contain important information for applicants.

## Contact us

Contact the Product Stewardship team if you have any questions.

Email: [psaccreditation@mfe.govt.nz](mailto:psaccreditation@mfe.govt.nz)

# Application process

## Accreditation

Accreditation of a product stewardship scheme is a form of endorsement by the Government and means that the scheme has been assessed and conforms to the WMA and those specific requirements relating to the life cycle of a product and reduction in environmental harm have been met.

To accredit a product stewardship scheme, the Minister for the Environment must be satisfied that the scheme:

- is likely to promote waste minimisation, or
- will reduce the environmental harm from disposing of the product and
- does not cause greater environmental harm throughout the product life cycle.

Table 1 outlines the process for accreditation.

**Table 1: The high-level process for product stewardship accreditation**

<b>Step 1</b>	<b>Plan your scheme</b> Please read this guide in full before you start your application. Plan your scheme, gather supporting evidence and meet all the requirements in the self-assessment checklist ( <a href="#">Appendix A</a> ) before you submit your application.
<b>Step 2</b>	<b>Download the application form</b> Download and complete the applicable application form
<b>Step 3</b>	<b>Submit the application form and supporting documentation</b> Submit the application by sending all application documents in one email to <a href="mailto:psaccreditation@mfe.govt.nz">psaccreditation@mfe.govt.nz</a> . Applications must be received electronically.
<b>Step 4</b>	<b>Assessment</b> The application is reviewed and assessed ahead of recommendations being provided to the Minister. The Ministry for the Environment (the Ministry) may contact the applicant to clarify details or request further information.
<b>Step 5</b>	<b>Ministerial decision</b> The Ministry briefs the Minister, based on the assessor's recommendations and, if necessary, seeks advice from the Waste Advisory Board. If the Minister is satisfied the scheme meets the requirements in the WMA, the scheme will be accredited. The applicant will receive notification from the Minister on the outcome of the application: <ul style="list-style-type: none"><li>• approved applicants will receive a letter and certificate of accreditation signed by the Minister</li><li>• declined applicants will receive a letter outlining reasons why the scheme was not accredited.</li></ul>

# What will the assessor be looking for?

Submitted applications are reviewed and assessed before recommendations are provided to the Minister. An example of the assessment criteria is listed in table 2.

**Table 2: Summary of assessment criteria**

Assessment criteria	Does the scheme meet this requirement?
Have the information requirements as stated in sections 14 and 15 of the WMA been met?	Yes/no
Is it clear how the scheme will: <ul style="list-style-type: none"> <li>• promote waste minimisation</li> <li>• reduce the environmental harm from disposing of the product</li> <li>• not cause greater environmental harm throughout the product life cycle.</li> </ul>	Yes/no
Does the scheme demonstrate examples of industry best practice?	Yes/no
Are the stated objectives and targets SMART – specific, measurable, achievable, relevant and time-bound.	Yes/no
Does the scheme address the relevant legislation? <ul style="list-style-type: none"> <li>• <a href="#">Waste Minimisation Act 2008</a></li> <li>• <a href="#">Declaration of Priority Products Notice 2020</a> (updated 29 September 2020)</li> <li>• <a href="#">Ministerial Guidelines (General Guidelines for Product Stewardship Schemes for Priority Products Notice 2020)</a></li> </ul>	Yes/no

Accreditation endorses the scope of the scheme as defined in the application form. It does not endorse any activity outside the declared scope of the scheme.

The applicant is responsible for meeting the costs of preparing the application. The accredited product stewardship organisation (PSO) is responsible for the costs of administering and operating the scheme.

Duty of care/due diligence: evidence should be provided to show the scheme’s auditing processes and/or check of suppliers and service suppliers to show they are meeting their duty of care as well as international and environmental obligations.

### Confidentiality of information

If a Scheme Manager for product stewardship accreditation considers a matter should be kept confidential, the Scheme Manager must clearly identify that information and include an explanation of why this information should be kept confidential.

The Scheme Manager must also provide a non-confidential summary of the information identified as confidential which the Minister or the Ministry for the Environment may include in any public statement about the scheme.

Except as required by the Official Information Act, or other legislation, parliamentary, Crown or governmental obligations, the Ministry will use all reasonable endeavours to ensure that information is not to be used for any purpose other than assessing the application for accreditation or made available to persons (other than the scheme assessor) who may or may not be employees of the Ministry.

## Reaccreditation of accredited scheme

The accreditation term of a product stewardship scheme is either the date specified in the scheme accreditation application or seven years after the date of accreditation.

Accreditation can be approved for a maximum term of seven years.

If the accredited scheme is to continue beyond the seven-year term, the Scheme Manager must apply for reaccreditation no later than six months before the scheme's expiry date. The Scheme Manager can use information from the original accreditation to support a new application to the Minister.

The process to apply for reaccreditation is the same process as applying for accreditation (see [table 1](#)).

## Variation of accredited scheme

An accredited scheme may be varied under WMA section 16.

If the variation is a substantial change to the scheme, then reaccreditation under WMA section 15 is required.

If the variation does not adversely affect the scheme's objectives or the ability of the scheme to meet the objectives in the original timeframe, then reaccreditation is not required.

Reaccreditation is not required if one or more brands or participants are added to the scheme, if this does not adversely affect the scheme's objectives or its ability to meet timeframes set in the scheme. For a variation of this kind to be recognised, the Scheme Manager needs to notify the Minister within five working days of the scheme being varied.

# How to apply

## Before you start your application

### Application guide

We want your application to be successful. Please read this guide in full before you start your application. This will help you have the right information to answer the questions. Table 3 below provides an outline of the information required.

**Table 3: Overview of the information categories in the application forms**

Part	Title	Description
A	Applicant details	Information about your organisation, including legal name, legal entity status and contact details
B	Scheme details	Information about the scheme, including the scheme name, what product(s) the scheme will address, life of the scheme and how the scheme operates
C	Scheme objectives	Outlines what the scheme will achieve (ie, what difference the scheme will make to New Zealand and New Zealanders) and the measures year on year you will use to show the scheme is on track to achieve success
D	Participants	Outlines all the groups and individuals who will be impacted and/or involved in the scheme and identifies where formal agreements are held
E	Governance	Outlines the leadership and decision-making and how the governance group will carry out its duties and responsibilities in accordance with the highest professional standards
F	Communications and reporting	Outlines how you will communicate and promote this scheme to the industry and public, including public reporting, how you will self-audit and the date you will submit your annual report to the Ministry for the Environment
G	Environmental impact	Detailed information about the product life cycle and how the scheme aims to improve the environmental impacts
H	Funding	Outlines how the scheme is funded
I	Supporting information	Evidence and documentation which supports your application for accreditation
J	Declaration	Declaration requirements

### Plan your scheme

Consider how your scheme will:

- encourage (or require) people and organisations involved in the product life cycle to share responsibility for ensuring its effective waste minimisation
- manage the environmental harm when product(s) becomes waste
- address what products and/or specific brands will be included in your scheme
- collect products and what the scheme's operational range
- manage other 'like products' that may be presented for collection but not covered under your scheme

- monitor and evaluate the performance of your scheme (eg, suppliers, data and information management, education, and consumer awareness)
- be funded.

## Self-assessment checklist

We recommend you meet all the requirements in the self-assessment checklist ([appendix A](#)) before you submit your application. Schemes that do not meet all the requirements are unlikely to be successful.

## Supporting evidence

We recommend you gather evidence to support your application before starting your application eg, examples of service agreements, examples of compliance, monitoring and enforcement actions, communications and marketing plan.

## Work in partnership with the Ministry for the Environment

We recommend you contact the Ministry to talk through your scheme as you start the process. We are here to help. Contact us at [psaccreditation@mfe.govt.nz](mailto:psaccreditation@mfe.govt.nz).

### Important

The Ministry for the Environment cannot provide specific guidance on the content of your application but can help with:

- advising what information to include in the application
- confirming the process for assessing applications.

**Assessment and accreditation are limited to the scope of the scheme as defined in the application form.**

## Application form

Complete the application for priority products ONLY if your product has been declared a priority, otherwise you can complete the *Product stewardship accreditation application form: Voluntary products*.

- If your scheme addresses one (or more) of the priority products complete the *Product stewardship accreditation application form: Priority products*.
- If your scheme does not address a priority product complete the *Product stewardship accreditation application form: Voluntary products*

### **Important**

If any part of your scheme comes under the definition of a priority product you will need to complete a *Product stewardship accreditation application form: Priority products*. For example, if your scheme manages a product recovery scheme (eg, for oil, paint, carpet) and uses plastic packaging (eg, containers and/or shrink wrap) that is in-scope for a plastic packaging priority product, the recovery scheme would need to complete the priority product application form.

### **When writing your application:**

- Write simply and clearly when describing your scheme.
- Answer all applicable questions. Use this guide to help you if you are not sure how to answer a question.
- Ask a colleague or third party to review and proofread your application.
- Only provide supporting documentation the Ministry has specifically requested.

## **Submit your application**

Submit your application to [psaccreditation@mfe.govt.nz](mailto:psaccreditation@mfe.govt.nz).

# Completing your application form

The information and examples below will help you gather the information to complete the application form.

## PART A: Applicant details

This part provides information about your organisation, including legal name, legal entity status and contact details.

### 1. Organisation details

#### Organisation name

Provide the name of the organisation/individual who will be managing the scheme and who the Minister would be accrediting.

If this is an individual, this person should be the Scheme Manager.

#### Organisation registration number (optional)

The organisation may be registered with one or more agencies – this could include: New Zealand Business Number ([NZBN](#)), [Charity Services](#), [Companies Office website](#).

#### Addresses, telephone numbers and website

State the physical address, postal address (if different), telephone numbers, website address and social media handles (if applicable) for your organisation.

### 2. Key personnel contact details – WMA section 14(a)

The Scheme Manager is responsible for ensuring the scheme meets its obligations under the WMA.

Enter the details of the primary and secondary contacts who will manage the scheme. This includes their name, position, email and contact phone numbers. Primary and secondary contacts need to ensure they are available if the Ministry needs to contact them.

Notify the Ministry for the Environment when there are any changes to the primary and/or secondary contacts.

## PART B: Scheme details

This part provides information about the scheme. Include the scheme name, what product(s) the scheme will address, life of the scheme and how the scheme operates.

### 3. Scheme overview

Assessment and accreditation are limited to the scope of the scheme as defined in the application.

#### Product category – WMA section 14(b)

Describe the product(s) category the scheme is addressing.

#### Product stewardship scheme name (optional)

While not a WMA requirement, it would be helpful to know the scheme name. Provide a short and succinct name for the scheme. This will likely be the public name the scheme will be known as.

#### Description – WMA section 14(b)

How would you describe the scheme to others outside of your industry? Provide a brief description (approximately 200 words) of what the scheme will do, which part of the product life cycle it impacts, and how the scheme promotes waste reduction or achieves a reduction in environmental harm from disposal of the product (or both).

##### Example:

Widget X creates 50,000 tonnes of waste to landfill annually. If widget X is illegally dumped there is a high likelihood it will leak toxic and harmful chemicals into the environment (air, water, soil). The solution is to enhance the current voluntary network for recovered end-of-life widget X by establishing an accredited product stewardship scheme to provide access to a national network collection point. This would recover 95 per cent of end-of-life widget X and reduce the environmental harm caused by illegal dumping and landfill disposal of widget X.

#### Scope (what is in and out-of-scope) – WMA section 14(b)

Enter the details of what products will and will not be included in (or are exempt from) the scheme. Clearly identify:

- eligible product(s) covered by the scheme, either a specific brand or a generic description
- the ineligible product(s) not covered by the scheme (out-of-scope) and, where practicable, reasons why it is excluded
- how will your scheme manage 'like products' that are presented for collection but not included in your scheme?

Examples of 'like products' include:

- mobility scooter tyres in a scheme designed to recover passenger car tyres
- non-refillable plastic bottles in a scheme designed to recover refillable plastic bottles.

### **Expiry date – WMA section 14(g)**

The date selected must allow a reasonable timeframe to meet the scheme objectives and targets.

Under the WMA, this date cannot be longer than seven years from the date the Minister accredits the scheme (WMA section 17). If the scheme is to continue beyond seven years, the Scheme Manager will need to re-apply for accreditation, no later than six months before the scheme's expiry date.

## **4. Collection and processing network**

### **Collection and processing network – WMA section 14(f)(ii) and 15(1)(c)**

Describe the collection and processing infrastructure network required to operate the scheme. You need to clearly identify how products will be collected and what happens to them after they have been collected.

Consider:

- How will the scheme collect eligible product(s)?
- What will the scheme do with the recovered eligible product?
- Will the collection network change over the life of the scheme?
- How does the collection network encourage product management to be higher up the waste hierarchy?
- Will the scheme phase in eligible products over time? If yes, please explain what products will be phased in and include how and when they will be brought into the scheme.

#### **Example:**

- Widget x will be assessed for repairability by trained personnel and, where the repairability criteria is met, the product will be repaired and placed back on the market.
- Widget x will be included in the scheme from years two to three to allow time to build capacity in the collection and resource recovery network.

### **Location/geographical coverage of the scheme – WMA section 14(b)**

The geographical coverage of the scheme describes the locations and/or areas serviced by the scheme.

Consider:

- What region(s) of New Zealand will have access to the scheme?
- Scheme network operations on the scheme commencement date?
- Will the scheme network expand over the life of the scheme?

**Example:**

The existing collection network for widget X has been operating for more than a decade and is provided by retailers, local authorities and community recycling facilities which transport widget X to New Zealand's only onshore processor. There is sufficient capacity within the existing collection network to manage the expected end-of-life volumes of widget X.

**New Zealand's international obligations – WMA section 15(1)(d)**

A treaty is an international agreement between countries or international entities (eg, the United Nations, World Trade Organisation, or World Bank) that's legally binding under international law. New Zealand is currently party to more than 1,900 treaties, as well as many others that are not yet in force. Treaties cover issues including, but not limited to, environment, human rights, human trafficking, the rights of disabled people, refugees, trade, transport, communications and other economic issues.

Where possible, provide details and supporting evidence of how your scheme meets any relevant international obligations relating to the environment, trade and human rights. Outline the scheme's ability to obtain new permits, and/or identify existing permits held, for all activities in New Zealand in relation to the processing and potential export of the product (and its parts).

Examples of supporting evidence may include but are not limited to:

- service-level agreements
- evidence of destruction certificates
- standard certificates and most recent audit report
- transfrontier movement of waste notification forms
- shipping documents (bill of lading)
- traceability of consignments once they have left New Zealand
- breakdown reports (details of recovered materials)

Examples of relevant international obligations may include but are not limited to:

- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal
- Montreal Protocol on Substances that Deplete the Ozone Layer (and amendments)
- Stockholm Convention on Persistent Organic Pollutants.

### **Example – Compliance with international obligations**

How a scheme can show that it is compliant with New Zealand’s international obligations.

If disposal by export is proposed, the proposed scheme must show how it complies with New Zealand’s international obligations.

Examples of international requirements include, but are not limited to the following:

- the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and/or equivalent schemes approved under those agreements (eg, the specific procedures provided for OECD member countries accepted under the Basel Convention) Note: In meeting this requirement, the definition of waste used in the above agreements must be complied with
- the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, if the product is or contains hazardous chemicals listed under the convention
- the Stockholm Convention on Persistent Organic Pollutants, including those for transboundary movement of the substances named under the convention for environmentally sound disposal, if the product is, or contains, hazardous chemicals listed under the convention.

Showing evidence of compliance with both domestic and international law may in some cases be required (eg, if some proportion of the product within the scheme is disposed of in New Zealand then the relevant legislative standards will need to be complied with).

## **5. Regulations – WMA section 13(2)(e)**

Regulations are a law-making action made under the delegated authority of an Act. These address matters of detail, implementation and/or matters that are technical in nature. WMA sections 22 and 23 prescribe some of the available WMA powers to create regulations to support product stewardship schemes. Further information on regulations can be found on the [Department of the Prime Minister and Cabinet website](#).

Consider if this scheme requires WMA regulations to be implemented or amended. All scheme-operation scenarios, including what would happen if the scheme were to operate under the current regulations, should be considered carefully before deciding if the scheme requires regulations to be implemented.

**Regulations are implemented nationally, which means your scheme most likely will need to be nationwide to practicably implement regulations.**

Due to the lengthy and resource-intensive process to implement and publicly consult on regulations, it is unlikely that regulations would be implemented for voluntary product stewardship schemes

- The Minister may not be able to accredit the scheme if a request for regulations is not supported.
- The Minister is not required to enact regulations to implement voluntary or priority product schemes.
- Regulations are made by Cabinet and there is no guarantee of timely or successful resolution.

**Refer to the WMA and/or talk to the Ministry for more information on regulations.**

## PART C: Scheme objectives

This part outlines what the scheme will achieve (ie, what difference the scheme will make to New Zealand and New Zealanders) and the measures year on year you will use to show the scheme is on track to achieve success.

### 6. Baseline data – WMA section 15(1)(c)

Where practicable define current levels of waste generated for this product(s) in New Zealand. This can be an estimate but, if it is an estimate, provide information on how you reached this estimate for future reporting purposes.

Measures of waste may be by weight, litres or number of units.

Baseline data should be of a quality that can be used alongside your objectives and targets to ensure the scheme is promoting waste minimisation or reducing the environmental harm from disposing of the product(s) without causing greater environmental harm over the product life cycle (WMA section 15(c)).

Consider how future data collection and monitoring will be improved to provide more accurate data for waste generated.

### 7. Objectives – WMA section 14(c), 15(1)(b)

**Objectives** are specific high-level statements describing the outcome of the scheme and align with the goal(s) of your scheme. **Targets** are the desired change expected for each objective, expressed as a quantitative measurement.

Set objectives and targets as:

- a reduction in the amount of waste being generated or disposed of
- recycling and/or other waste minimisation objective
- infrastructure development to support the scheme.

All objectives must be SMART (specific, measurable, achievable and relevant within the timeframe) for the duration of the scheme.

Set timeframes for each objective and, where practicable, have at least two to six relevant targets. The targets should be:

- able to be related to the baseline waste data provided
- expressed as a percentage of the baseline data provided, or such a percentage should be readily calculable from the figures provided
- able to demonstrate a commitment to minimised waste beyond business as usual
- delivered within these timeframes (WMA section 14(c)(ii)).

The **monitoring** of the objectives and targets should be sufficient to demonstrate progress towards meeting set objectives and targets. Things to consider:

- Methodology for measuring and monitoring targets should be consistent with how the baseline data was measured.
- If the methodology for monitoring targets is different from the baseline data methodology, then provide an explanation as to why this is necessary or better.
- If estimates were used to establish baseline data, then describe how actual data will be collected and measured against the baseline data.

When determining objectives and targets consider the implications of WMA section 16, which relates to variation of an accredited scheme. If a variation adversely affects the scheme's ability to meet its objectives within the timeframes set, reaccreditation will need to be considered.

## 8. Risk management (optional)

A risk is something that could affect the success of the scheme and needs to be managed. It is good practice to identify all concerns as early as possible. You may identify issues that can be resolved or actively managed before the scheme is implemented. Best practice is to maintain a risk register. This should be regularly updated to include any new risks, and the mitigations (if any) to deal with or actively manage them.

This is not a specified requirement of the WMA, however, it is highly recommended that you advise the Minister through your application and or as soon as practicable of any foreseen risks for the scheme and how your scheme plans to resolve or manage these risks. You may choose to provide this information as a risk assessment, risk-management plan or risk register to support your application.

## PART D: Participants

This part outlines all the groups and individuals who will be impacted and/or involved in the scheme and what formal agreements are held.

### 9. Scheme users – WMA section 14(d)

Scheme users are passive participants who will help contribute to the success of the scheme. **Scheme users** referred to in the WMA as ‘classes of person’ as organisations/groups or individuals who have not signed an agreement to participate in the scheme. Scheme users can be involved directly or indirectly in any aspect of the scheme including, but not limited to design, manufacture, sale, use, servicing, collection, recovery, recycling, treatment and disposal of the product.

The scheme interacts with **scheme users** through public communication channels and public reporting. Examples could include members of the public, consumers and tradespeople.

If the scheme’s operation:

- requires involvement by the general public, identify this group as ‘public’
- targets a generic type of business or activity (eg, tyre dealers for car tyres, IT businesses for electronic waste, transport companies), these should be listed.

The application should include what role(s) the general public will have in the scheme.

Example: members of the public are expected to drop-off eligible products to the designated scheme collection point.

### 10. Scheme participants – WMA section 14(e)

The applicant must be able to show that there are scheme-participant organisations involved to ensure its success. **Scheme participants** are parties or partner organisations that are required to participate in the scheme or have opted to take part in the scheme. Examples could include, but are not limited to, importers, manufacturers, producers, retailers, collectors, and recyclers.

Identify their role(s) and responsibilities, and what tasks they need to complete to help the scheme achieve its objectives and outcomes and provide evidence of their agreements with the scheme. Details must be sufficient to enable the Minister to make a judgement on whether the scheme objectives can be met.

Agreements between the scheme and **scheme participants** may be legally binding contracts or may take the form of voluntary accords. It may be necessary for agreements to have a minimum notice period.

This application must include evidence of the scheme participant agreements.

Examples of agreement could be a:

- contract or service-level agreement
- voluntary accord
- memorandum of understanding
- declaration signed by the person or company officer.

## 11. Compliance and enforcement procedures – WMA section 14(h)

Compliance and enforcement procedures covers how the scheme plans to complete quality assurance to ensure the scheme operations are meeting scheme objectives and targets, and other obligations. Scheme Managers are responsible for ensuring monitoring and enforcing activities have been undertaken to uphold its policies and meet accreditation requirements.

Identify and describe the processes for compliance and enforcement procedures of any agreements between scheme participants. This may include:

- details of the mechanisms in place to audit and ensure scheme participant compliance
- written evidence from scheme participants
- details of any enforcement procedures that can be used in the event of non-compliance by a scheme participant.

**Voluntary and priority product Scheme Managers are responsible for the internal compliance and enforcement of their schemes.**

## PART E: Governance

This part outlines leadership and decision-making, and how the governance group will conduct its duties and responsibilities in accordance with the highest professional standards.

### 12. Governance arrangements and organisation structure – WMA section 14(f)

#### **Governance arrangements – WMA section 14(f)**

For scheme governance arrangements we want you to provide information on the direction, leadership, accountability and responsibility for strategic decision-making across the scheme. Depending on how the scheme governance arrangements are structured, it may also include processes for auditing, monitoring and reviewing the scheme. Provide information on who is responsible for the oversight of the scheme, and for ensuring it stays on track.

Consider who is responsible for:

- making decisions under the scheme
- the control and overall operation of the scheme
- keeping records and making reports under the scheme.

The type of governance required for your scheme needs to be appropriate for the complexity and duration of the scheme. Structured governance involves having an advisory board, or a board of directors or both. Further information on what type of governance could be suitable for your scheme can be found here: [What governance is and why it's important](#).

Consider here also the future governance needs of the scheme, as you may need a board of directors to manage the complexity, share the load and benefit from others' skills and experience as the scheme evolves.

#### **Organisational structure – WMA section 14(f)(i) and (ii)**

Provide information on the organisational structure of the entity operating the scheme. Include key positions, roles and responsibilities, how decisions are made and how information flows between levels within the organisation and the governance group.

You may choose to submit an organisational chart as supporting evidence as part of answering the scheme governance arrangements and organisational structure questions.

### 13. Record keeping – WMA section 14(f)(iii)

Good record-management systems include principles of accountability, transparency, integrity, protection, data security, compliance, accessibility, retention and disposal. Provide details on how data will be managed within your scheme, and the arrangements for keeping records and making reports under the scheme. Things to consider:

- Who is responsible for keeping records?
- Who is responsible for making reports?
- How is data captured, including security, storage and handling?
- Who will have access to the records?

## PART F: Communications and reporting

This part outlines how you will promote the scheme, engage with scheme users and report on the scheme's performance.

### 14. Communication strategy – WMA section 14(j) and (k)

Communication strategies are integral part of product stewardship schemes. For consumers, businesses and service providers to participate fully, they will need to know clearly what the services are, what the service rules are, why they should participate and what happens to the product/s when they are dropped off at the collection point.

Outline the high-level communication tactics that will be used to promote the scheme. Consider how scheme users and scheme participants will learn about:

- how the scheme works
- what information they need and how to find it
- how the scheme is funded
- how to find the nearest collection point
- what happens to their product after it has been collected
- how often you will communicate with specific audiences.

### How will information be provided to scheme users and scheme participants – WMA section 14(j) and (k)

Outline the strategy for publicising the scheme. Explain how information will be provided to purchasers, users and handlers of the product to which the scheme relates. Options to communicate with groups could be through a website, social media handles, promotional campaigns and publicly available reports.

### 15. Reporting – WMA section 14(i)

The WMA requires accredited schemes to submit annual reports to the Minister (through the Ministry for the Environment). The annual report is a comprehensive report detailing the scheme's activities throughout the preceding year. Its purpose is to provide information about the scheme's operations and environmental performance.

Outline the process for reporting to the Minister on scheme performance.

The following types of reports are suggestions of what you may provide:

- progress towards meeting targets, including figures showing trends and number of collection outlets operational
- financial performance (eg, ongoing financial status of the scheme, expenditure that relates to meeting scheme objectives)
- communication strategy performance (eg, the amount and type of scheme media cover, events held, examples of publication material, feedback from scheme participants)
- design improvements made
- material products or recovered
- Provision of summary information able to be made public.

### Working example:

Audience Who	Key message / desired response  What do we want them to think/do? What information does the group need?	Key promotional activity  How will information be made available?	Frequency of key promotional activity  When and how often?	Roles/responsibilities  Who is responsible for the key promotional activity?
General public	Be aware of the scheme	Website Media releases at key milestones	Ongoing as key milestones are achieved	PSO – communications and media adviser
	Return product to registered collection point	Radio and social media campaign	Initial set-up, quarterly campaigns	PSO – marketing team
	Maintain their product		2 events per region per year	Collaborative event key stakeholders and PSO team
Product collector	Promote the scheme	Website – service providers only section (password protected)	Monthly email on scheme set-up (first 12-months)  Quarterly emails on scheme updates (year 2 onwards)	Collector Communications team in collaboration with PSO marketing team.

## PART G: Environmental impact

This part provides more detailed information about the product life cycle and how the scheme aims to improve environmental impacts through the product stewardship scheme.

### 16. Environmental impact – WMA section 15(1)(c)

To accredit the scheme, the Minister must be satisfied the scheme is likely to promote waste minimisation or reduce the environmental harm from disposing of the product to which the scheme relates without, in either case, causing greater environmental harm over the life cycle of the product.

Briefly describe the current environmental impact of the product(s)., Consider all aspects of the product life cycle impacts, emphasising its impact in the New Zealand context. This could include design, manufacturing, general use and/or end-of-life

Where applicable, reference relevant research, life-cycle assessments or other reports that support your response. **Do not submit** referenced reports with your application; we can find them from the reference.

Consider the following potential environmental impact of the product(s):

- upstream and downstream negative and positive effects
- greenhouse gas emissions and ozone-depleting substances
- carbon footprint and emissions
- release of hazardous substance and/or hazardous waste
- freshwater consumption
- energy (including electricity and other fuels)
- discharges (and emissions) to water, air, land
- reduction of biodiversity
- any other environmental effects that would occur
- the social impact – are the materials sourced ethically eg, avoiding forced or child labour, poor labour conditions for workers/sub-contractors, conflict areas).

WMA section 15(1)(c) requires product stewardship scheme applicants to show continual improvement in minimising the environmental harm of a product. The aim of product stewardship is to promote waste minimisation or reduce the environmental harm from disposing of the product to which the scheme relates without, in either case, causing greater environmental harm over the life cycle of the product(s), through the responsible management of the product(s), at all stages of the product(s) lifecycle.

Typically, a product life cycle will include:

- design and manufacture of the product
- transportation and handling of the product up to the point of purchase of the product by its end-user
- operation or normal use of the product over its normally expected lifetime
- what materials (including their quantities) are used by the manufacture.

### **Example – Evidence of reduction in environmental harm**

This example describes how a scheme could demonstrate evidence of a reduction in environmental harm.

**Waste reduction** – Preventing or reducing the amount of waste generated by:

- reducing the amount of hazardous waste (eg, reduction of mercury in a light bulb and removal of lead in electronic products)
- changing or substituting the material used (eg, replacement of toxic agrichemicals with non-toxic alternatives)
- redesigning the product (eg, to increase product durability, repairability)
- changing the plastic type used in a container to recycled content plastic to decrease harm from mining or harvesting raw materials
- adapting cleaner technology in the manufacturing process, such as instigating emissions controls and reductions, increasing energy efficiency and waste efficiency
- changing product ingredients from non-biodegradable to biodegradable
- redesigning the product so the process no longer results in a harmful by-product
- changing logistics processes to decrease the amount of transportation required in the distribution of goods.

**Waste reuse** – Reusing waste by:

- coordinating waste to be redistributed (eg, phone redistribution schemes or unwanted paint schemes)
- harvesting components from use in new products (eg, electronic components reused in new equipment).

**Waste recycling** – Increasing the amount of waste recycled by:

- treating waste that is no longer usable in its present form and using it to make new products (eg, plastic products made with recycled content)
- designing for disassembly and recyclability to recover materials easily (eg, using homogeneous material, not applying paints, lacquers or glues that cannot be removed).

**Waste recovery** – Recovering waste products by using the energy from waste in other processes (eg, burning used oil).

**Waste treatment and disposal** – Treating and disposing of waste before disposal by:

- bio-treatment or physio-chemical treatment to degrade a material into a compound or mixture
- blending or mixing the waste to obtain a compound or mixture
- storing or repackaging waste
- processing the hazardous waste to convert it into a non-hazardous or less hazardous material.

## PART H: Funding

This part outlines how the scheme will be funded.

### Important:

- We recommend you do most of your preparation and modelling separately before filling out this accreditation application. This will enable you to work out how much the scheme is going to cost, based on the outputs and processes.
- Funding information must not presume the Minister, the Crown or any other arm of government will provide any funding for the scheme. If government funding has already been obtained and confirmed (eg, as a grant from funds acquired through the waste levy under the Act) this should be shown as income to the scheme.

**Confidentiality:** You may provide all or part of the scheme funding model information in confidence. Any such information must be clearly marked as 'commercial in confidence'. See note on Official Information Act for more information.

## 17. Funding model – WMA section 14(l)

Assessment of financial feasibility of voluntary product stewardship schemes will be a simple 'balance of the books' test. It will not include judgements about the business viability of the source of funding but will simply check if the costs (capital and operating) of the scheme are being met.

Provide a breakdown of the estimated scheme-related costs (expenditure) for each year of the scheme. All figures provided should be GST exclusive.

The cost breakdown should link to the answers you provided in Part B Scheme Details. Information that may help you prepare a financial model can be found here: [Financial models: Step-by-step guide — business.govt.nz](#)

Consider including summary of income and expenditure that captures the following:

- operating costs, including start-up (eg, setting up infrastructure for collection, recovery and/or disposal operations) and ongoing operational costings
- administration (including governance, monitoring and reporting)
- research and design for environmental issues, particularly in relation to waste minimisation and reduction of environmental harm
- communications and publicity
- any other information useful in explaining the scheme's financial viability.

## PART I: Supporting documentation

This part outlines how supporting documentation should be provided.

### 18. Additional information

Provide additional information you consider important to your application. Supporting information must directly relate to the product stewardship scheme. Such as:

- service agreements
- examples of compliance, monitoring and enforcement actions
- communications and marketing plan
- organisational chart including governance structure
- business plan
- scheme financial model
- maps showing distribution of pick-up/drop-off locations
- diagrams to show governance structure and/or how the scheme operates

## PART J: Declaration

### Conflicts of interest

Conflicts of interest, whether actual or perceived, are important and must be managed effectively. You will be asked for information detailing any conflicts of interest that will need management.

Example: The applicant has a close association with the consultancy who may be contracted to deliver an aspect of the project. This conflict will be managed by obtaining three quotes to ensure the successful supplier provides value for money.

### Due diligence

The Ministry for the Environment needs permission from the Scheme Manager on behalf of key persons involved in the governance structure of the proposed product stewardship scheme. This is optional and not a direct requirement of the Waste Minimisation Act 2008 or associated guidelines. If permission is granted for the Ministry to undertake these checks, please respond to requests for additional information promptly. More information on how due diligence checks are conducted and why can be found [here](#).

### Declaration

The Scheme Manager is the person with the organisation's signing authority (eg, the chief executive officer or equivalent delegated authority) and must complete the declaration. Provide the name, position and signature of the person with the organisation's signing authority and include the date the declaration is signed.

**By signing the declaration in the form, you are agreeing that the contents of the declaration are true and accurate.**

# Appendix A: Self-assessment checklist for voluntary product stewardship accreditation application

Requirements for accreditation (WMA section 14)	Does the scheme meet this requirement?
(1) To qualify for accreditation, a product stewardship scheme must:	
(a) identify the Scheme Manager	
(b) provide a description of the scope of the scheme, including the product or brand of product to which it applies	
(c) set:	
(i) measurable waste minimisation, treatment, or disposal objectives for the product; and	
(ii) timeframes for meeting the objectives	
(d) list the classes of person involved in the design, manufacture, sale, use, servicing, collection, recovery, recycling, treatment and disposal of the product	
(e) list the persons who have agreed to participate in the scheme and assign responsibility to them for meeting the scheme's objectives	
(f) specify the arrangements for:	
(i) making decisions under the scheme	
(ii) the control and overall operation of the scheme	
(iii) keeping records and making reports under the scheme	
(g) specify the scheme's expiry date	
(h) identify the processes for compliance and enforcement of any agreements between participants to the scheme	
(i) provide for assessing the scheme's performance and for reporting on its performance to the Minister	
(j) set out a strategy for publication of the scheme	
(k) set out how information will be provided to purchasers, users and handlers of the product to which the scheme relates	
(l) clearly outline how the scheme is to be funded.	
Accreditation (WMA section 15)	Does the scheme meet this requirement?
(1) The Minister must accredit a product stewardship scheme if he or she is satisfied that the scheme:	
(a) meets the requirements of section 14	
(b) is likely to meet the scheme's objectives within the timeframes set in the scheme	
(c) is likely to promote waste minimisation or reduce the environmental harm from disposing of the product to which the scheme relates without, in either case, causing greater environmental harm over the life cycle of the product	
(d) is consistent with New Zealand's international obligations; and	
(e) if the scheme relates to a priority product and is consistent with any guidelines published under section 12.	

Other matters to consider	Does the scheme meet this requirement?
<p>WMA section 13(2)(e) – the application must identify whether regulations under section 22 or 23 will be required to implement the scheme.</p>	
<p>Risk Management (optional) – This is not a specified requirement of the WMA, however, it is highly recommended that you advise the Minister through your application and/or as soon as practicable of any foreseen risks for the scheme and how your scheme plans to resolve or manage these risks. You may choose to provide this information as a risk assessment, risk-management plan or risk register to support your application.</p>	

# Appendix B: Other helpful information

## Organisational entities that may be of interest to your application (not conclusive):

- Incorporated society Certificate of Registration with the Companies Office under the Incorporated Societies Act 1908
- Charitable trust Certificate of Registration with the Companies Office under the Charitable Trusts Act 1957
- Limited partnership Certificate of Registration with the Companies Office under the Limited Partnerships Act 2008
- Māori trust board declared by any enactment to be a Māori trust board within the meaning of the Māori Trust Boards Act 1955
- Limited liability company Certificate of Registration with the Companies Office under the Companies Act 1993
- Co-operative company Certificate of Registration with the Companies Office under the Co-operative Companies Act 1996

## Online resources

The following online resources will help you prepare your application and provide further support.

Resource	Website address
Ministry for the Environment	<a href="https://environment.govt.nz">environment.govt.nz</a>   <a href="#">Get funding International action</a>   <a href="#">Ministry for the Environment</a>
Health and Safety at Work	<a href="#">Health and Safety at Work Act 2015</a>
Ministry of Business, Innovation and Employment	<a href="#">Home — business.govt.nz</a> <a href="#">How to write a business plan — business.govt.nz</a> <a href="#">Financial models: Step-by-step guide — business.govt.nz</a>
Statistics New Zealand	<a href="#">Home</a>   <a href="#">Stats NZ</a>
Commerce Commission New Zealand	<a href="#">Commerce Commission - Home (comcom.govt.nz)</a>
Legislation Design and Advisory Committee	<a href="#">Legislation guidelines: 2021 edition</a>
Environmental Protection Authority	<a href="#">Shipping hazardous waste</a>
Ministry for Primary Industries	<a href="#">Animal welfare</a>
Ministry of Foreign Affairs and Trade (MFAT)	<a href="#">Treaties</a>
New Zealand Treaties Online	<a href="#">Treaties online</a>
Worksafe	<a href="#">Laws and regulations</a>