



Australian Government



Lighting Council
AUSTRALIA



FluoroCycle

FLUOROCYCLE GUIDELINES 2010





FluoroCycle

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Lighting Council Australia is the Administrator of FluoroCycle, a scheme sponsored by the Environment Protection and Heritage Council.



About this document

These Guidelines outline the operation of the FluoroCycle scheme in general terms. They provide a description of how the scheme works, its objective, principles and scope. They also outline the roles and commitments of Signatories, how the scheme is administered and how performance is measured. They are intended to serve as the central reference point for all stakeholders involved in FluoroCycle, and those considering involvement in the scheme¹.

There are two key documents that form the FluoroCycle scheme and are applicable to all Signatories. These are the FluoroCycle Guidelines 2010 and the Signatory Guide to FluoroCycle Branding. Signatories are obliged to adhere to the requirements of these documents. Information on how to meet the requirements of these two documents is provided in the Signatory Manual.

These Guidelines were approved by the Environment Protection and Heritage Standing Committee on 20 April 2010.

Acknowledgement

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¹ The Guidelines are not of themselves intended to create any legal or binding relationships between the parties. The Guidelines only become enforceable against a Signatory by the Administrator upon it signing the Signatory Commitment. The Guidelines do not restrict any power or discretion available under any law nor should be construed as establishing any cause of action as between Signatories or in favour of any third parties whether against Signatories or otherwise.

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Glossary

Applicant

An Applicant is a business, company or organisation that has applied to become a Signatory to FluoroCycle.

Recycling

- (a) The preparation of recovered items and pieces so that they may be used directly (eg, in direct remelt) or sent for reclamation.
- (b) The series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use in the form of raw materials in the manufacture of new products, other than fuel for producing heat or power by combustion.

All references to ‘recycling’ in these Guidelines (including attachments) are to be read as references to recycling that is carried out in accordance with the legislative and regulatory requirements of the jurisdiction where the recycling occurs.

Service Provider

A Service Provider is a business, company or organisation that offers services for the collection or processing of waste mercury-containing lamps.

Signatory Guide to FluoroCycle Branding

The document called *Signatory Guide to FluoroCycle Branding*, as amended from time to time, is the style guide developed for use by Signatories in developing publications relating to the scheme.

Signatory Manual

The document called *Signatory Manual*, as amended from time to time, is the manual developed for use by Signatories.

Waste

Substance or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provision of the law applicable to the relevant jurisdiction.

FluoroCycle Guidelines 2010

Introduction

In Australia, an estimated 95 per cent of waste mercury-containing lamps currently end up in landfill each year. They are the largest single category of products that contain mercury, and their disposal contributes significantly to Australia's total annual emissions of mercury².

On 22 May 2009, with the support of the Environment Protection and Heritage Council, the Minister for Environment Protection, Heritage and the Arts, the Hon Peter Garrett, AM MP, announced FluoroCycle. The scheme is intended to reduce the amount of mercury entering the environment from the disposal of waste mercury-containing lamps. The Australian Government has currently committed \$600,000 to support the scheme's development.

The initial focus of FluoroCycle is on the commercial and public lighting sectors, which currently account for approximately 90 per cent of all lighting waste. A national scheme for the recycling of household compact fluorescent lamps (CFLs) may be considered in the future. The number of CFLs entering the waste stream from households can be expected to increase significantly between 2012 and 2014. This expectation is based on the normal life-span of CFLs, which is projected to be between 3 and 5 years, and the fact that, from November 2009, incandescent lamps that do not meet the standard for minimum efficiency performance can not be sold in Australia.

About FluoroCycle

The objective of FluoroCycle is to reduce the amount of mercury entering the environment from waste mercury-containing lamps by continuously increasing the recycling of these lamps.

The objective will be achieved through:

- The establishment of a national, voluntary scheme to be joined by businesses and organisations that commit to recycling of their waste lamps.
- An active outreach program targeting industry associations and individual companies to:
 - recruit members to the scheme
 - work directly with members to develop recycling programs appropriate to their business models. Members are given access to technical advice, tools and networks to help them participate in lamp recycling.
- Implementation of a promotional and recognition strategy to highlight the commitments and achievements of members.

² Mercury-containing lamps are estimated to contribute an additional 2-3% to Australia's total annual emissions of mercury relative to emissions reported to the National Pollutant Inventory.

The scheme is administered by Lighting Council Australia which reports via the Administrative Committee³ to the Environment Protection and Heritage Council. The intention is to establish the basis for a continuing scheme that will be run by industry.

International context

Australia is a Party to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. The Basel Convention contains obligations regarding hazardous waste, including mercury. These obligations include protecting human health and the environment, minimising the use of hazardous substances and safely managing waste and disposal.

In February 2009, in response to growing international concern about the global effects of mercury, the United Nations Environment Programme (UNEP) Governing Council decided to negotiate a legally binding instrument for the international control of mercury. The scope of this instrument is likely to include provisions for the disposal of waste consumer products that contain mercury.

These international activities provide impetus for Australia in relation to the environmentally sound disposal of waste that contains mercury.

Mercury-containing lamps

Some of the more common mercury-containing lamps are:

- compact fluorescent lamps (CFLs) used mostly in homes and hotels and, under a new Australian Standard, containing no more than 5 milligrams (mg) of mercury
- high intensity discharge (HID) lamps, including mercury vapour lamps used for street lighting, containing between 50 and 1000 mg of mercury
- linear fluorescent tubes used in most commercial and public buildings and, under an Australian Standard, containing less than 15 mg of mercury.

There are no manufacturers of mercury-containing lamps in Australia.

According to Australian Bureau of Statistics data for lamp imports, approximately 19.2 million fluorescent tubes, 3.7 million HID lamps and 28.8 million CFLs were imported into Australia in 2008. Based on current practices, most of these will eventually be disposed to landfill. Less than 4 per cent of mercury-containing lamps are currently recycled in Australia each year.

There is sufficient recycling infrastructure in Australia to process all of the country's waste mercury-containing lamps. This capacity means that, potentially, all of Australia's waste mercury-containing lamps can be diverted from landfill and recycled safely, efficiently and effectively.

³ The governance arrangements are set out in Section 4.2.

1. Objective, Principles and Scope

1.1 Objective

The objective of the FluoroCycle scheme is to reduce the amount of mercury entering the environment from waste mercury-containing lamps by continuously increasing the recycling of these lamps.

1.2 Principles

The FluoroCycle scheme is a cooperative arrangement between industry and government that:

- is an element of the national response to global action to reduce the amount of mercury entering the environment
- is based on voluntary participation
- in the interests of it being sustainable, is designed to be as simple as possible, with minimal associated costs in terms of administration and participation, and imposing the minimum burden on participants in the scheme, eg reporting requirements
- initially focuses on the commercial and public lighting sectors while recognising the importance and essential service provided by these sectors
- complements relevant policies and regulations and supports compliance with relevant laws and practices, including those that apply to occupational health and safety
- is supported by a current commitment to a contribution of up to \$600,000 from the Australian Government, to be made available over 3 years for the services provided by the FluoroCycle Administrator⁴
- contributes to the National Waste Policy.

1.3 Scope

The FluoroCycle scheme and Guidelines apply only to waste mercury-containing lamps. Based on the numbers of waste lamps generated and the levels of mercury content, the initial priorities for the scheme are the commercial and public lighting sectors. Collectively, these sectors are the major generators of waste mercury-containing lamps in relation to:

- public lighting (including streets, roads, parks)
- commercial and government buildings (including offices, retail outlets, hotels and entertainment venues)
- industrial operations (including mines, industrial facilities and warehouses), and
- institutions (including universities, hospitals, schools and sports venues).

The expectation is that smaller users in these sectors will progressively participate in the scheme.

⁴ FluoroCycle does not provide any funds for other activities, such as disposal fees or the installation of infrastructure.

The scheme does not apply directly to householders. However, it does recognise businesses and organisations that collect and recycle waste mercury-containing lamps generated by households. In addition, the FluoroCycle website provides information relevant to householders.

1.4 Performance measures

From commencement, the performance of the FluoroCycle scheme in achieving its objective is to be measured by the following means:

- (1) the number of Signatories
- (2) the recycling rate of mercury-containing lamps that can be attributed to FluoroCycle; and the national recycling rate of mercury-containing lamps as a surrogate measure⁵, and
- (3) the numbers of: inquiries by phone and email, downloads from the FluoroCycle website, publications distributed, media inquiries and articles printed, as proxy measures of the level of awareness of the need to recycle mercury-containing lamps and the FluoroCycle scheme. The numbers of email inquiries and downloads are to be based on unique user identity or internet address.

The performance measures and data requirements will be refined with experience in order to improve understanding of the scheme's performance and recycling rates and inform any decisions on the scheme's strategic direction.

1.5 Review

The Administrative Committee will initiate a review of all aspects of FluoroCycle that will commence two years after the scheme's commencement. The review will be undertaken in preparation for the next phase when it is anticipated that industry will have assumed the full management and funding of the scheme.

2. Signatories

Signatories to the FluoroCycle scheme are businesses and organisations that make a commitment to adhere to these Guidelines and contribute to the achievement of the scheme's objective. At this point, there are no fees charged for becoming a Signatory, but a fee may be determined in the future once the scheme has matured.

⁵ A benchmark for the recycling rate will be established upon commencement of the scheme and, after 6 to 12 months, it will be possible to establish quantitative performance measures for the scheme, based on sound data and experience gained. The recycling rate will be based on sales data obtained through a survey conducted in 2009 by Lighting Council Australia, on behalf of the Department. The survey is intended to be repeated on an annual basis.

2.1 Categories of Signatories

Section 4.3 sets out the process that Applicants for Signatory status are required to complete.

There are two groups of Signatories to the FluoroCycle scheme - 'Commercial Users' and 'Facilitators'. A Signatory can be both a Commercial User and a Facilitator.

A 'Commercial User' is a business or organisation that has committed to recycle all the waste mercury-containing lamps generated by one or more specified sites over which it exercises operational control. In this context, 'site' refers to a building, factory, industrial facility, institution, retail space or location. A householder is not a Commercial User.

Facilitators have a range of roles in ensuring that waste mercury-containing lamps are recycled, ie collected and processed. A 'Facilitator' belongs to one or more Categories. The list of Categories, which may be expanded or amended over time, is provided below:

- 'Collectors' meaning: companies and other arrangements for collection of waste mercury-containing lamps including retail outlets and service clubs
- 'Contractors' meaning: electrical contractors
- 'Government' meaning: Australian, state, territory and local government portfolios, departments and agencies
- 'Media partners' meaning: media outlets that promote the scheme through, eg, free advertisements or editorial
- 'Peak bodies' meaning: associations and other bodies that have a representative role in the private sector
- 'Recycling companies' meaning: companies that are licensed under applicable legislation to process waste mercury-containing lamps and separate their components for re-use in other products
- 'Suppliers' meaning: the manufacturers of mercury-containing lamps, or their representatives in Australia; and the importers, wholesalers and retailers of such lamps, and
- 'Trainers' meaning: educational institutions, businesses and organisations that provide, or facilitate, training to relevant personnel including apprentice electricians, qualified electricians, builders, renovators, retrofitters, demolition workers.

A Facilitator that is, for example, a 'Contractor', 'Government' or 'Supplier', is encouraged to take steps to become a Commercial User.

2.2 Recognition of Signatory status

Signatories receive recognition through:

- listing on the FluoroCycle website

The entry for a Signatory is listed under one or more Categories and consists of: a description of the Signatory's business or organisation; any services offered that relate to the collection or recycling of mercury-containing lamps; and contact details, including website address. The expectation is that the listing will facilitate contact with relevant service providers and strengthen the networks that have an important role in increasing the recycling of waste mercury-containing lamps.

- an award issued by the Administrator acknowledging Signatory status
- use of the FluoroCycle logo

Signatories can use the logo in accordance with the Signatory Guide to FluoroCycle Branding and the Signatory Manual either by itself, eg as a sticker on a receptacle of waste mercury-containing lamps or on the side of a collection vehicle, or on stationery or in publications.

In addition, Signatories:

- can reproduce the materials used in the Outreach Strategy in their publications and electronic presentations produced for the purposes of the organisation or business (**Section 3** provides details of the Outreach Strategy.), and
- may be the subject of case studies in newspaper and journal articles and in media releases, when the opportunities arise.

2.3 Commitments

Guidance on meeting commitments, and any pre-requisite that must be met before achieving Signatory status, is available on the FluoroCycle website (www.fluorocycle.org.au) and in hard copy in the Signatory Manual.

Commercial Users

There are two types of Applicant for Signatory status as a Commercial User:

- Type A is already recycling all waste mercury-containing lamps, and
- Type B is not already recycling all waste mercury-containing lamps.

A Type A Applicant for Signatory status as a Commercial User is required to demonstrate that ongoing arrangements to recycle all waste mercury-containing lamps are in place and are consistent with these Guidelines and the Signatory Manual. The Type A application form for Signatory status as a Commercial User is at Appendix 1.

A Type B Applicant for Signatory status as a Commercial User is required:

- to provide, in the application, information about the arrangements to recycle all waste mercury-containing lamps that will be in place within 3 months of becoming a Signatory
- within 6 months of becoming a Signatory, to provide documentation to the Administrator as evidence that those arrangements are in place, and
- within 6 months of becoming a Signatory, to adhere to the Signatory commitments of Commercial Users as set out below.

The Type B application form for Signatory status as a Commercial User is at Appendix 2.

When the application has been approved, an Applicant for Signatory status as a Commercial User is required to provide a signed statement of commitment as a condition of becoming a Signatory. The template for the statement of commitment is at Appendix 3.

A Commercial User is to meet the following commitments to the FluoroCycle scheme:

- have a requirement in relevant contracts for all waste mercury-containing lamps to be recycled
- adhere to the Signatory commitments set out in these Guidelines and the Signatory Guide to FluoroCycle Branding
- cooperate with surveys that are undertaken from time to time, and with random or risk-based audits, as instigated by the Administrator, and
- provide accurate, annual statements using the template at Appendix 4 that self certify compliance with the commitments that apply to Commercial Users, the first annual statement being due 12 months from the date on which Signatory status was awarded.

Facilitators

No pre-requisite applies to an Applicant for Signatory status as a Facilitator, other than a recycling company. As a pre-requisite, a recycling company applying for Signatory status as a Facilitator is required to self certify and, if required by the Administrator, to demonstrate that it is licensed to recycle mercury-containing waste and operates under the relevant licence conditions.

An Applicant for Signatory status as a Facilitator is required to submit an application accompanied by a simple Action Plan. The Action Plan outlines the timeline and the steps that the Applicant proposes to undertake to meet the commitments of the Category/ies nominated by the Applicant.

The application form is at Appendix 5; a template for the Action Plan appears at Appendix 6; and advice on how to complete the Action Plan is available on the FluoroCycle website and in hardcopy in the Signatory Manual.

When the application has been approved, an Applicant for Signatory status as a Facilitator is required to provide a signed statement of commitment as a condition of becoming a Signatory. The template for the statement of commitment is at Appendix 7.

A Facilitator, upon becoming a Signatory, is required to meet the following commitments to the FluoroCycle scheme:

- provide information about FluoroCycle and promote the scheme to suppliers, customers or members, and potential suppliers, customers or members, contributing to the Outreach Strategy described in **Section 3**
- perform the activities set out in the accepted Action Plan submitted with the Application for Signatory status
- adhere to the Signatory commitments set out in these Guidelines and the Signatory Guide to FluoroCycle Branding
- cooperate with surveys that are undertaken from time to time, and with random or risk-based audits, as instigated by the Administrator
- provide accurate, annual statements using the template at Appendix 8 that self certify compliance with the commitments that apply to Facilitators, the first annual statement being due 12 months from the date on which Signatory status was awarded, and
- provide annual updates of the Action Plan, to accompany the statements self certifying compliance.

In addition, each Category of Facilitator is required to fulfil the commitments specified below and as explained in the Signatory Manual:

Category	Commitments
Collectors	<ul style="list-style-type: none"> - Encourage customers and potential customers to take appropriate action to become Signatories to the scheme. - Liaise with the Administrator on the verification of information provided by Applicants as to recycling action being taken. - For the purposes of reporting on the performance of FluoroCycle, provide the following information to the Administrator: <ul style="list-style-type: none"> o the number of clients who are Signatories, and o the total amount of waste mercury-containing lamps received from clients who are Signatories. - Treat information relating to Applicants and Signatories, and designated by them as confidential, that is received from, and provided to, the Administrator as private and confidential.

Contractors	<ul style="list-style-type: none"> - Encourage clients to include a requirement in relevant contracts for the recycling of waste mercury-containing lamps, thereby assisting clients to become eligible as Signatories to FluoroCycle. - Where a contract requires recycling, ensure that all waste mercury-containing lamps generated through relamping are recycled.
Government	<ul style="list-style-type: none"> - Encourage establishment and implementation of a policy to recycle waste mercury-containing lamps generated in government-owned or -leased buildings and street or road lighting. - Contribute to the Outreach Strategy by providing information and encouraging other agencies to establish and implement policies to recycle waste mercury-containing lamps. - Contribute to the Outreach Strategy by providing information or resources to encourage organisations and businesses in relevant networks to recycle mercury-containing lamps and to become Signatories to FluoroCycle.
Media partners	Make a significant contribution to the promotion of the scheme.
Peak bodies	Encourage members to take appropriate action to become Signatories to the scheme.
Recycling companies	<ul style="list-style-type: none"> - Encourage customers and potential customers to take appropriate action to become Signatories to the scheme. - Operate in compliance with licence conditions. - Recycle all collected mercury-containing lamps and do not dispose of any such lamps to landfill. - To the extent that it is practical and cost effective, ensure that all materials recovered from recycled mercury-containing lamps are reused. - Liaise with the Administrator on the verification of information provided by Applicants as to recycling action being taken. - For the purposes of reporting on the performance of FluoroCycle, provide the following information to the Administrator: <ul style="list-style-type: none"> o the number of clients who are Signatories o the total amount of waste mercury-containing lamps received from clients who are Signatories, and o the total amount of mercury-containing lamps processed to allow the calculation of the national recycling rate. - Treat information relating to Applicants and Signatories, and designated by them as confidential, that is received from, and provided to, the Administrator as private and confidential.

Suppliers	Provide information about recycling to customers in accompanying documentation.
Trainers	Provide relevant training that promotes the objective of FluoroCycle or ensure all relevant employees receive such training.

Different roles within an organisation

The individual elements of an organisation such as a bank, supermarket chain, mining company or government portfolio can be either a Commercial User or Facilitator, or both.

For example, a central office undertakes a Facilitator role when it establishes a policy for the organisation as a whole to recycle its waste mercury-containing lamps **and** takes steps to ensure that its business units take appropriate action to implement the policy. Examples of business units are the branches of a bank, retail outlets, mines and entities in a government portfolio.

When the business units take action to recycle their waste mercury-containing lamps, they are undertaking the role of a Commercial User. An individual business unit can apply for recognition as a Signatory to FluoroCycle. Even if an organisation does not have such a policy in place, an individual business unit can apply to become a Signatory if it is eligible.

2.4 Revocation of Signatory status

The Administrative Committee (see **Section 4**), acting reasonably, may revoke Signatory status giving 30 calendar days notice, where a Signatory has:

- materially breached these Guidelines or the Signatory Guide to FluoroCycle Branding
- failed to self certify as required by these Guidelines, or
- come under one of the forms of external administration referred to in Chapter 5 of the *Corporations Act 2001* (Cth) or equivalent provisions in legislation of the States and Territories pertaining to incorporated associations or in the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth).

2.5 Resignation of Signatory

A Signatory may resign from the scheme by giving 30 calendar days notice in writing to the Administrator.

2.6 Termination of FluoroCycle

The FluoroCycle scheme can be terminated at the direction of the Environment Protection and Heritage Council and Signatories will be given a minimum of 60 calendar days notice in such an event.

Upon termination, the scheme will end and Signatories will have no claim for compensation or otherwise from the Administrator, Lighting Council Australia, the Department of the Environment, Heritage and Arts or any other person or entity.

3. Outreach Strategy

The Outreach Strategy, which is delivered by the Administrator and Facilitators, aims to increase:

- participation in the FluoroCycle scheme
- the recycling of waste mercury-containing lamps, and
- the capacity of Signatories to change current practices for themselves and their clients or members.

The Outreach Strategy is designed to build capacity by extending and strengthening existing networks within the supply and disposal chains by increasing awareness and facilitating communications both between Signatories as well as between Signatories and potential Signatories.

Key elements of the Outreach Strategy are the communication tools that have been designed to:

- raise awareness of the FluoroCycle scheme and its objectives
- provide practical suggestions on the steps that need to be taken to recycle waste mercury-containing lamps, and
- provide ready access to the service providers to make appropriate arrangements for collection and recycling of waste.

3.1 Communication tools

The communication tools include:

- a website with an important role in:
 - the application process
 - providing information through online publications, and
 - listing Signatories by Category, thereby supporting strengthened networks and providing contact details for Service Providers
- a logo to be used extensively on, for example, stationery and publications as well as on receptacles to identify them as collection points for waste mercury-containing lamps
- technical guidelines that provide information on a range of topics including: the different types of mercury-containing lamps and their mercury content; the end products of the recycling process; and a break-down of the costs of recycling these lamps
- a PowerPoint presentation explaining the FluoroCycle scheme
- a series of fact sheets on a range of relevant topics, and
- others as necessary.

More detail on the communication tools is provided at Appendix 9.

Although the Outreach Strategy is not designed to target householders, information and fact sheets are provided on the website to raise awareness about FluoroCycle, in particular

the FluoroCycle logo and the advantages of recycling mercury-containing lamps. A link to the DEWHA website provides ready access to information about the safe disposal of intact and broken lamps.

3.2 Use of the Signatory Guide to FluoroCycle Branding

All Signatories may use the FluoroCycle logo and may reproduce the text of all of the communication tools as specified in the Signatory Guide to FluoroCycle. They also make a commitment to comply with the Signatory Guide to FluoroCycle Branding when using the scheme's communication tools, including the FluoroCycle logo.

The Signatory Guide to FluoroCycle Branding allows Signatories to incorporate text in their own publications and to use the FluoroCycle logo.

Examples of Outreach activities

Signatories to FluoroCycle are free to determine the strategies that suit their organisation or business best in terms of reaching their members, customers, or potential members or customers, to encourage them to become Signatories or to encourage them to recycle mercury-containing lamps.

Examples of such activities are: mail-outs of information about FluoroCycle; uploading information onto websites or providing a link to the FluoroCycle website; raising the issue or making a presentation about FluoroCycle at meetings or conferences.

An important aspect of the Outreach Strategy is relevant training provided for apprentice electricians, in-service electricians and other trades such as renovators and demolition workers.

4. Administration of the Scheme

4.1 Administrator

Lighting Council Australia is the Administrator of FluoroCycle. The Administrator's functions include:

- day to day project management, administration and implementation of the scheme
- recruitment of Signatories and delivery of the Outreach Strategy described in **Section 3**
- as necessary, induction of Signatories
- liaison with industry bodies and the Department of the Environment, Water, Heritage and the Arts
- preparation of reports for submission to the Environment Protection and Heritage Council (EPHC) through the Administrative Committee as described in Section 4.2 below
- financial management of the scheme's resources
- oversight of annual Signatory self certification process
- ensure confidentiality of information about Applicants and Signatories is maintained and their privacy is protected

- conduct random or risk based monitoring and audit of adherence to these Guidelines and the Signatory Guide to FluoroCycle Branding, and
- contribute to the review described in **Section 1.5**.

The decisions of the Administrator are to be overseen in accordance with the Governance arrangements set out below. In exercising its functions, the Administrator must also comply with the terms of the funding agreement between Lighting Council Australia and the National Environment Protection Council Service Corporation.

4.2 Governance arrangements

The Administrator reports to the Administrative Committee which, in turn, reports to the Environment Protection and Heritage Council through the Environment Protection and Heritage Standing Committee.

The Administrative Committee takes advice from the FluoroCycle Stakeholder Advisory Group and, as required, from individual experts.

Appendix 10 provides the terms of reference and membership of the Administrative Committee and the Stakeholder Advisory Group. Appendix 11 provides a flow chart setting out the relationships between the various parties involved in the delivery of the FluoroCycle scheme.

4.3 Application and approval process

The application process consists of the following steps:

- An Applicant submits an application form online on the FluoroCycle website or by email or mail. Application forms for Commercial Users are at Appendix 1 (for Type A Applicants) and Appendix 2 (for Type B Applicants); and the application form for Facilitators is at Appendix 5.
- The Administrator assesses the application and may contact third parties and verify information supplied in the application form.
- The Administrator assesses the Action Plan submitted with an application for Signatory status as a Facilitator and may require amendments to the plan before giving approval.
- When satisfied with the application and the Action Plan, where an Action Plan is required, the Administrator gives approval for the Applicant to be given Signatory status.
- When the application is approved, the Administrator invites the Applicant to become a Signatory by forwarding a ‘statement of commitment’ to be signed by the most senior person in the business or organisation, eg the Chief Executive Officer. The intention is to ensure that there is organisational commitment to the scheme and to compliance with these Guidelines and the Signatory Guide to FluoroCycle Branding. Such commitment is a condition of approval of the application.

- The template of the statement of commitment for a Commercial User is at Appendix 3; and the template for a Facilitator is at Appendix 7.
- The Applicant mails the signed statement to the Administrator.
- The Administrator responds with a welcome pack that includes:
 - for Commercial Users, an award acknowledging Signatory status
 - for Facilitators, an award acknowledging Signatory status and the Category/ies
 - an electronic template for the new Signatory's entry in the relevant list/s on the FluoroCycle website
 - a template for notification of any change of Signatory details, including any change in Service Provider, and
 - a template for annual self certification.

4.4 Verification and audit

Verification

Verification is carried out when the Administrator assesses an application for Signatory status as a Commercial User. The application must provide the details of the collector engaged to collect and recycle the waste mercury-containing lamps from the Applicant's business. The Administrator will contact the collector to verify the information provided in the application.

Thereafter, on a regular basis, the Administrator will liaise with Service Providers to ensure that the arrangements for collection and recycling of waste mercury-containing lamps are still in place. If a Service Provider advises that a Signatory is no longer a customer, the Administrator will contact the Signatory to seek an explanation. If the explanation is not satisfactory, then the Signatory status and benefits may be revoked by the Administrative Committee.

To ensure that information about Signatories that is held by the Administrator, and the content of the website listing, remain current, Signatories should inform the Administrator of any changes at the earliest opportunity.

If a Commercial User changes Service Provider, then the Administrator should be advised of this at the earliest opportunity.

Audits

As one of their commitments, Signatories are required to cooperate with audits that will be undertaken in reasonable business hours and after reasonable notice.

The Administrator may undertake random or risk based audits of the activities of Signatories to ensure compliance with commitments to FluoroCycle. This means that, in any one year, a subset of Signatories are likely to be audited. An audit includes an assessment of adherence with these Guidelines and the Signatory Guide to FluoroCycle Branding.

In the case of a Facilitator, an audit includes an assessment of the steps taken to implement the Facilitator's Action Plan and a visual inspection of evidence that FluoroCycle has been promoted adequately, eg through publications or reports.

A Signatory who fails to cooperate with an audit will be asked to explain why their Signatory status should not be revoked. An explanation which is either insufficient or inappropriate will result in action that may include revocation of the Signatory status. (See **Section 2.4.**)

Confidentiality and privacy

The Administrator has measures in place to protect the privacy of Applicants and Signatories and to maintain the confidentiality of information obtained through the processes of verification and audit.

Members of the Administrative Committee also maintain the confidentiality of information relating to Applicants and Signatories.

4.5 Process for amendment

These Guidelines may be amended from time to time.

For a major amendment, where there are potential impacts on Signatories, a consultation process is to be undertaken on the proposed amendment and comments sought. Major amendments require approval from the Environment Protection and Heritage Standing Committee. The eventual amendment is to be announced on the FluoroCycle website.

For a minor amendment, where there are no or minor potential impacts on Signatories, an announcement of the amendment may be made on the FluoroCycle website with the authority of the FluoroCycle Administrative Committee.

The FluoroCycle Administrative Committee determines whether an amendment is minor or major.

FluoroCycle Signatory Application - Commercial User - Type A

Important note:

There are two types of Applicants for Signatory status as a Commercial User.

If your business or organisation already has arrangements in place for recycling all of its waste mercury-containing lamps, then you should use this application form.

If your business or organisation does not yet have such arrangements in place, but plans to do so within 3 months of becoming a Signatory, then you should use the application form at Appendix 2.

Instructions:

Before submitting this application, you should refer to the Guidelines, the Signatory Guide to FluoroCycle Branding and the Signatory Manual to become familiar with the commitments that apply to Commercial Users. These documents are available on the FluoroCycle website and in hardcopy. (See contact details below.)

For a business or organisation interested in joining the FluoroCycle scheme, the process is as follows:

- You should complete the application form in this Appendix and submit it either online or by email or mail to the Administrator.
- If you consider that any information provided in the application is private or confidential, you should provide that information in a separate document/s and clearly indicate that it is private or confidential.
- The Administrator assesses your application and may verify the information provided in the application.
- Once the Administrator has approved your application, a letter is forwarded to you inviting your business or organisation to become a Signatory to FluoroCycle.
- The most senior person in your business or organisation signs a statement (see Appendix 3) agreeing to meet a number of commitments and stating that occupational health and safety policies and practices are in place, in compliance with relevant legislation, standards and guidelines.
- The signed statement is then posted to the Administrator.
- The Administrator forwards an award confirming the Signatory status of the business or organisation as a Commercial User.
- The Administrator also forwards an electronic package containing:
 - a template for the new Signatory's entry in the relevant list/s on the FluoroCycle website, to be complete as soon as possible and returned to the Administrator
 - a template for notifying any future change of Signatory details, including any change in Service Provider, and
 - a template for annual statements for the purposes of self certification, and
 - the FluoroCycle logo and other communication tools.

Contact details for the FluoroCycle Administrator

FluoroCycle Administrator
c/- Lighting Council Australia
PO Box 7077
Yarralumla ACT 2600

Phone: 02 6247 8011
Email: administrator@fluorocycle.org.au
Website: www.fluorocycle.org.au

FluoroCycle

SIGNATORY APPLICATION – COMMERCIAL USER – TYPE A

Business name:	
Business ABN:	
Business street address:	Street: Town/City: Postcode:
Business postal address:	PO Box: Town/City: Postcode:
Nature of business:	
Name and title of most senior person in the business (in Australia):	Name: Title:
Business contact person:	Name: Email: Phone:
Relevant site/s, as defined in Section 2.1 of the Guidelines:	[Please specify the site/s that are the subject of this application.]
Information on waste collection arrangements IMPORTANT NOTE: The Administrator may contact the collector to verify the information provided in this application.	[For each site specified, please provide copies of evidence, eg certificates, that you currently recycle all of your business's waste mercury-containing lamps. For advice on this, refer to the Signatory Manual.]

Contact details for the FluoroCycle Administrator

FluoroCycle Administrator
c/- Lighting Council Australia
PO Box 7077
Yarralumla ACT 2600

Phone: 02 6247 8011
Email: administrator@fluorocycle.org.au
Website: www.fluorocycle.org.au

FluoroCycle

Signatory Application – Commercial User – Type B

Important note: There are 2 types of Applicants for Signatory status as a Commercial User. If your business or organisation does not yet have arrangements in place for recycling all of its waste mercury-containing lamps, but plans to do so within 3 months of becoming a Signatory, then you should use this application form. Within 6 months of becoming a Signatory, you are required to provide evidence to the Administrator that those arrangements are in place for each site nominated in your application.

If your business or organisation already has such arrangements in place, then you should use the application form at Appendix 2.

Instructions:

Before submitting this application, please refer to the Guidelines, the Signatory Guide to FluoroCycle Branding and the Signatory Manual to become familiar with the commitments that apply to Commercial Users. These documents are available on the FluoroCycle website and in hardcopy. (See contact details below.)

For a business or organisation interested in joining the FluoroCycle scheme, the process is as follows:

- You should complete the application form in this Appendix and submit it either online or by email or mail to the Administrator. A plan for putting arrangements in place to recycle all mercury-containing lamps from proposed sites should be attached to the application form.
- If you consider that any information provided in the application is private or confidential, you should provide that information in a separate document/s and clearly indicate that it is private or confidential.
- The Administrator assesses your application, including the plan, and may contact you to discuss the plan. .
- Once the Administrator has approved your application and plan, a letter is forwarded to you inviting your business or organisation to become a Signatory to FluoroCycle.
- The most senior person in your business or organisation signs a statement (see Appendix 3) agreeing to meet a number of commitments and stating that occupational health and safety policies and practices are in place, in compliance with relevant legislation, standards and guidelines.
- The signed statement is then posted to the Administrator.
- The Administrator forwards an award confirming the Signatory status of the business or organisation as a Commercial User.
- The Administrator also forwards an electronic package containing:
 - a template for the new Signatory's entry in the relevant list/s on the FluoroCycle website, to be completed and returned to the Administrator
 - a template for notifying any future change of Signatory details, including any change in Service Provider
 - a template for annual statements relating to self certification, and
 - the FluoroCycle logo and other communication tools.

Contact details for the FluoroCycle Administrator

FluoroCycle Administrator
c/- Lighting Council Australia
PO Box 7077, Yarralumla ACT 2600

Phone: 02 6247 8011
Email: administrator@fluorocycle.org.au
Website: www.fluorocycle.org.au

FluoroCycle

APPLICATION FOR SIGNATORY STATUS – COMMERCIAL USER – TYPE B

Business name:	
Business ABN:	
Business street address:	Street: Town/City: Postcode:
Business postal address:	PO Box: Town/City: Postcode:
Nature of business:	
Name and title of most senior person in the business (in Australia):	Name: Title:
Business contact person:	Name: Email: Phone:
Relevant site/s, as defined in Section 2.1 of the Guidelines:	[Please specify the site/s that are the subject of this application, or the site/s under consideration.]
Plan for recycling waste mercury-containing lamps	[Please attach a plan setting out the steps to be taken to put arrangements in place to recycle all of the waste mercury-containing lamps from the site/s under consideration. Refer to the Manual or website for advice on preparing the plan.]

Contact details for the FluoroCycle Administrator

FluoroCycle Administrator
c/- Lighting Council Australia
PO Box 7077
Yarralumla ACT 2600

Phone: 02 6247 8011
Email: administrator@fluorocycle.org.au
Website: www.fluorocycle.org.au

FluoroCycle

Signatory Commitment

Commercial User

(Insert name of business/organisation)

To: The FluoroCycle Scheme and to all FluoroCycle Entities⁶
C/- The FluoroCycle Administrator
PO Box 7077
Yarralumla ACT 2600

The undersigned entity agrees and acknowledges that:

1. it will adhere to the FluoroCycle Guidelines (as explained by the Signatory Manual), the Signatory Guide to FluoroCycle Branding and any policies, processes and procedures issued under the FluoroCycle Scheme from time to time, as they apply to Commercial Users;
2. it will make all necessary alterations to its policies, processes and procedures and provide any induction and training of staff necessary to ensure adherence to this commitment, the FluoroCycle Guidelines (as explained by the Signatory Manual) and the Signatory Guide to FluoroCycle Branding, as they apply to Commercial Users;
3. it will indemnify and keep indemnified⁷, individually and collectively, all of the FluoroCycle Entities from and against all liability, demands, loss, costs, expenses actions, complaints, suits, proceedings, claims, counter-claims, contributions, setoff and demands incurred or sustained by:
 - a. any of its agents, contractors, employees or invitees; or
 - b. any FluoroCycle Entity,in any way arising from or in connection with it considering becoming or becoming a Signatory to the FluoroCycle Scheme;
4. it will release, discharge and forever hold harmless⁸ all of the FluoroCycle Entities from and against any liability, demands, loss, costs, expenses, actions, complaints, suits, proceedings, claims, counter-claims, contributions, setoff and demands which it has now, or may have had against any of the FluoroCycle Entities, but for this commitment, arising out of or in any way arising from or in connection with it considering becoming or becoming a Signatory to the FluoroCycle Scheme;

⁶ "**FluoroCycle Entities**" includes the Commonwealth represented by the relevant Department and any of the administrative bodies or persons involved in the administration or oversight of the FluoroCycle Scheme.

⁷ Except where predominately caused by the fraud or gross negligence of a FluoroCycle Entity in which case the indemnity shall remain in full force and effect in favour of the further remaining FluoroCycle Entities.

⁸ Except where predominately caused by the fraud or gross negligence of a FluoroCycle Entity in which case the release and discharge shall remain in full force and effect in favour of the other remaining FluoroCycle Entities.

5. it has undertaken such investigations, enquiries and due diligence that it thought necessary to satisfy itself of the implications of becoming a Signatory to the FluoroCycle Scheme, to provide these commitments and concerning the overall design and structure of the Scheme;
6. it has and will maintain adequate and suitable occupational health and safety policies and practices that comply with all relevant legislation, standards and guidelines that apply to the safe handling, collection and transport of mercury-containing lamps, as appropriate for its business.

Signed as a deed for and on behalf of [*insert full name of legal entity, example: ABC Limited ACN Number*] by

Signed:

Name:

Title:

Date:

Who certifies that he/she/they are duly authorised to execute this commitment on behalf of the Signatory

in the presence of:

Witness Signature:

Name:

Title:

Date:

FluoroCycle

Annual Statement of Compliance

Commercial User

(Insert name of business or organisation)

On behalf of this Commercial User, I state that it has adhered to its Signatory Commitment and, in particular, will continue:

- to adhere to the FluoroCycle Guidelines (as explained by the Signatory Manual), the Signatory Guide to FluoroCycle Branding and any policies, processes and procedures issued under the FluoroCycle scheme from time to time, as they apply to Commercial Users;
- to make all necessary alterations to its policies, processes and procedures and provide any induction and training of staff necessary to ensure adherence to this commitment, the FluoroCycle Guidelines (as explained by the Signatory Manual) and the Signatory Guide to FluoroCycle Branding, as they apply to Commercial Users;
- to maintain adequate and suitable occupational health and safety policies and practices that comply with all relevant legislation, standards and guidelines that apply to the safe handling, collection and transport of mercury-containing lamps, as appropriate for its business.

Signed:

Name:

Title:

Date: .../.../.....

FluoroCycle

Signatory Application – Facilitator

Instructions:

Before submitting this application, please refer to the Guidelines, the Signatory Guide to FluoroCycle Branding and the Signatory Manual to become familiar with the commitments that apply to the different Categories of Facilitators. These documents are available on the FluoroCycle website and in hardcopy. (See contact details below.)

For a business or organisation interested in joining the FluoroCycle scheme, the process is as follows:

- Complete the application, which includes an Action Plan. A template for the Action Plan is at Appendix 6.
- If you consider that any information provided in the application is private or confidential, you should provide that information in a separate document/s and clearly indicate that it is private or confidential.
- Submit your application either online or by email or mail to the Administrator of FluoroCycle.
- The Administrator assesses your application and may take steps to verify the information provided.
- Once the Administrator has approved your application, a letter is forwarded to you inviting your business or organisation to become a Signatory to FluoroCycle.
- The most senior person in your business or organisation signs a statement (see Appendix 7) agreeing to meet a number of commitments and stating that occupational health and safety policies and practices are in place, in compliance with relevant legislation, standards and guidelines.
- The signed statement is then mailed to the Administrator.
- The Administrator forwards an award confirming the Signatory status of the business or organisation as a Facilitator in one or more Categories.
- The Administrator also forwards an electronic package containing:
 - a template for the new Signatory's entry in the relevant list/s on the FluoroCycle website, to be completed and returned to the Administrator
 - a template for notifying any future change of Signatory details, including any change in Service Provider
 - a template for annual statements relating to self certification, and
 - the FluoroCycle logo and other communication tools.

Contact details for the FluoroCycle Administrator

FluoroCycle Administrator
c/- Lighting Council Australia
PO Box 7077
Yarralumla ACT 2600

Phone: 02 6247 8011
Email: administrator@fluorocycle.org.au
Website: www.fluorocycle.org.au

FluoroCycle

APPLICATION FOR SIGNATORY STATUS – FACILITATOR

Business name:	
Business ABN:	
Business street address:	Street: Town/City: Postcode:
Business postal address:	PO Box: Town/City: Postcode:
Name and title of most senior person in the business (in Australia):	Name: Title:
Business contact person:	Name: Email: Phone:
Category/ies applied for, as defined in the FluoroCycle Guidelines	<input type="checkbox"/> Collectors <input type="checkbox"/> Contractors <input type="checkbox"/> Government <input type="checkbox"/> Media partners <input type="checkbox"/> Peak bodies <input type="checkbox"/> Recycling companies <input type="checkbox"/> Suppliers <input type="checkbox"/> Trainers
Action Plan	[Please attach an Action Plan.]
IMPORTANT NOTE: The Administrator may wish to discuss the proposed Action Plan.	[The Action Plan should be based on the template provided at Appendix 6 in the FluoroCycle Guidelines. Advice on how to complete a simple Action Plan is available on the FluoroCycle website and in hardcopy in the Signatory Manual.]

Contact details for the FluoroCycle Administrator

FluoroCycle Administrator
 c/- Lighting Council Australia
 PO Box 7077
 Yarralumla ACT 2600

Phone: 02 6247 8011
 Email: administrator@fluorocycle.org.au
 Website: www.fluorocycle.org.au

Template for Action Plan

(to accompany an Application for Signatory Status as a Facilitator)

Action Plan for (insert name of business)	
Business street address:	Street: Town/City: Postcode:
Category/ies applied for, as defined in the FluoroCycle Guidelines	<input type="checkbox"/> Collectors <input type="checkbox"/> Contractors <input type="checkbox"/> Government <input type="checkbox"/> Media partners <input type="checkbox"/> Peak bodies <input type="checkbox"/> Recycling companies <input type="checkbox"/> Suppliers <input type="checkbox"/> Trainers
<p>Actions</p> <p>[The Action Plan should be a simple document. For each Category applied for, outline the actions that the business or organisation will take, and the proposed timeline for those actions, to meet the commitments that apply.</p> <p>Advice on how to complete the Action Plan is available in the Signatory Manual.]</p>	

FluoroCycle

Signatory Commitment

Facilitator

(Insert name of business/organisation)

To: The FluoroCycle Scheme and to all FluoroCycle Entities⁹
C/- The FluoroCycle Administrator
PO Box 7077
Yarralumla ACT 2600

The undersigned entity agrees and acknowledges that:

1. it will adhere to the FluoroCycle Guidelines (as explained by the Signatory Manual), the Signatory Guide to FluoroCycle Branding and any policies, processes and procedures issued under the FluoroCycle Scheme from time to time, as they apply to Commercial Users;
2. it will make all necessary alterations to its policies, processes and procedures and provide any induction and training of staff necessary to ensure adherence to this commitment, the FluoroCycle Guidelines (as explained by the Signatory Manual) and the Signatory Guide to FluoroCycle Branding, as they apply to Commercial Users;
3. it will indemnify and keep indemnified¹⁰, individually and collectively, all of the FluoroCycle Entities from and against all liability, demands, loss, costs, expenses actions, complaints, suits, proceedings, claims, counter-claims, contributions, setoff and demands incurred or sustained by:
 - c. any of its agents, contractors, employees or invitees; or
 - d. any FluoroCycle Entity,in any way arising from or in connection with it considering becoming or becoming a Signatory to the FluoroCycle Scheme;
4. it will release, discharge and forever hold harmless¹¹ all of the FluoroCycle Entities from and against any liability, demands, loss, costs, expenses, actions, complaints, suits, proceedings, claims, counter-claims, contributions, setoff and demands which it has now, or may have had against any of the FluoroCycle Entities, but for this commitment, arising out of or in any way arising from or in connection with it considering becoming or becoming a Signatory to the FluoroCycle Scheme;

⁹ "**FluoroCycle Entities**" includes the Commonwealth represented by the relevant Department and any of the administrative bodies or persons involved in the administration or oversight of the FluoroCycle Scheme.

¹⁰ Except where predominately caused by the fraud or gross negligence of a FluoroCycle Entity in which case the indemnity shall remain in full force and effect in favour of the further remaining FluoroCycle Entities.

¹¹ Except where predominately caused by the fraud or gross negligence of a FluoroCycle Entity in which case the release and discharge shall remain in full force and effect in favour of the other remaining FluoroCycle Entities.

5. it has undertaken such investigations, enquiries and due diligence that it thought necessary to satisfy itself of the implications of becoming a Signatory to the FluoroCycle Scheme, to provide these commitments and concerning the overall design and structure of the Scheme;
6. it has and will maintain adequate and suitable occupational health and safety policies and practices that comply with all relevant legislation, standards and guidelines that apply to the safe handling, collection and transport of mercury-containing lamps, as appropriate for its business.

Signed as a deed for and on behalf of [*insert full name of legal entity, example: ABC Limited ACN Number*] by

Signed:

Name:

Title:

Date:

Who certifies that he/she/they are duly authorised to execute this commitment on behalf of the Signatory

in the presence of:

Witness Signature:

Name:

Title:

Date:

Date: .../.../.....

FluoroCycle

Annual Statement of Compliance

Facilitator

(Insert name of business or organisation)

On behalf of this Facilitator, I state that it has adhered to its Signatory Commitment and, in particular, will continue:

- to adhere to the FluoroCycle Guidelines (as explained by the Signatory Manual), the Signatory Guide to FluoroCycle Branding and any policies, processes and procedures issued under the FluoroCycle scheme from time to time, as they apply to Facilitators;
- to make all necessary alterations to its policies, processes and procedures and provide any induction and training of staff necessary to ensure adherence to this commitment, the FluoroCycle Guidelines (as explained by the Signatory Manual) and the Signatory Guide to FluoroCycle Branding, as they apply to Facilitators;
- to maintain adequate and suitable occupational health and safety policies and practices that comply with all relevant legislation, standards and guidelines that apply to the safe handling, collection and transport of mercury-containing lamps, as appropriate for its business.

On behalf of this Facilitator, I state that:

- it has carried out activities in line with the Action Plan last submitted; and
- will implement the attached Action Plan covering the next 12 months.

Signed:

Name:

Title:

Date: .../.../.....

Tools for Outreach Strategy and other communications

Product	Purpose	Target groups	Promulgated by
Website	Promote the scheme; provide for application process (online or by email or mail); promote recycling of mercury-containing lamps (MCLs) by providing information and publications; give details of recyclers and collectors to facilitate cooperation; links to other websites relating to collection of MCLs.	All	Administrator
Logo	Branding for the scheme – to raise awareness of the scheme and identify waste collection points for MCLs Will be on website, stationery, publications, as stickers on waste collection bins	All	Administrator and Signatories
Labels on packaging of new MCLs	Highlight the need to dispose of correctly so that the MCLs can be recycled; also refer to FluoroCycle	Users	Sellers – retailers, wholesalers, importers
Leaflet (in a pad or loose)	Same information as labels. Can be made available in pads at check-outs or used singly eg to accompany invoices for packages of MCLs	Users	Sellers
Pamphlet on FluoroCycle	Describe the scheme – and include an application form to be submitted in hard copy	All potential Signatories	Administrator, DEWHA, Signatories
Signatory Manual	Provide advice on what is required to meet the requirements of FluoroCycle and how to complete the application form and Action Plan.	All Signatories and potential Signatories	Administrator
PowerPoint presentation	To be presented at meetings with potential Signatories and made available on the website	All potential Signatories	Administrator, DEWHA, accessible to any user of the website
CD ROM	To provide more detail than the technical guide with more detail. To be included on recyclers/collectors' own videos for distribution	Users	Administrator and Signatories

Technical guide (booklet)	To include: short background on mercury; details of different types of MCLs and their users; summary of how they work; include facts and figures on numbers used and levels of mercury; business case; advise on steps to take to recycle – how to find contacts; safety advice; information about FluoroCycle and how to join. Booklet that could be inserted in trade/industry journals – or text could be an article in journals.	Users	Administrator and Signatories
Factsheets	To provide information on the following topics: <ul style="list-style-type: none"> - FluoroCycle - How to recycle (include information on the different options for collection) - Identifying the MCLs - Advice on how to clean up after breakage + safety issues - FAQs - Mercury in the environment - Advice to householders - The business case for recycling MCLs - Training (the need for training, who should be trained, sources of training) 	Community, students at all levels	FluoroCycle website, DEWHA website
Articles for newspapers and journals	Provide wide-ranging information on the scheme, mercury and MCLs. Possibly commission a journalist to prepare.	Community & potential Signatories	Administrator
Cleared text for inclusion in newspapers, journals or media releases	To ensure accurate and consistent messages are given to the public and industry partners, eg managing expectations of the scheme	Community	Signatories
Training materials	To be developed	Relevant trades	Signatories – Training Category
Signatory Guide to FluoroCycle Branding	Provide requirements for the use of the logo and communication tools provided to Signatories	Signatories	Administrator

FluoroCycle Administrative Committee and Stakeholder Advisory Group

FluoroCycle Administrative Committee

The FluoroCycle Administrative Committee reports to the Environment Protection and Heritage Council and carries out the following functions:

- oversees the implementation of FluoroCycle and provides policy and strategic direction
- oversees the financial management of the scheme, and
- reports regularly to the Environment Protection and Heritage (EPH) Standing Committee.

In undertaking these functions, the Administrative Committee:

1. oversees the preparation, implementation and any amendment of the contract between the Administrator and the National Environment Protection Council (NEPC) Service Corporation¹²
2. approves:
 - the project plans required in the contract and other project plans as required
 - the processes that the Administrator employs in managing the scheme, other than as they relate to the internal operations of Lighting Council Australia
 - annual budgets and acquittals
 - reports submitted by the Administrator, including Progress Reports required in the contract with the NEPC Service Corporation¹³, financial reports and any additional reports and data the Committee requests
 - the content and any amendments to key supporting documents, including the Signatory Manual and Signatory Guide to FluoroCycle Branding
3. determines whether amendments to the Guidelines are major or minor, approving minor amendments and progressing major amendments to the EPH Standing Committee for approval
4. prepares reports to the EPH Standing Committee, at least annually, on the progress and performance of the scheme (See reporting protocol below.)
5. monitors the application of the Guidelines, and
6. fulfills other roles as they arise.

Note: As appropriate, day-to-day administrative matters may be dealt with by the Chair or by the Department of the Environment, Water, Heritage and the Arts.

¹² The NEPC Service Corporation is a Commonwealth statutory authority which provides project management services and administrative support to both EPHC and NEPC in the development of national environmental policy and National Environment Protection Measures.

¹³ Under the contract, payments other than that due on signing of the agreement are subject to the Administrative Committee's acceptance of a report.

Chair

The Department of the Environment, Heritage, Water and the Arts chairs the Administrative Committee.

Executive support

The NEPC Service Corporation provides support for the operations of the Administrative Committee.

Membership

The Administrative Committee comprises representatives nominated by the jurisdictions. If the Committee requires expert advice, attendance of an expert is at the discretion of the Chair.

The following agencies are represented:

- Australian Government Department of the Environment, Water, Heritage and the Arts (Chair and member)
- Environment Protection Authority - South Australia
- New South Wales Department of Environment, Climate Change and Water

Other jurisdictions may nominate representatives as the scheme progresses.

Meetings

Meetings of the Administrative Committee have formal agendas and agenda papers (as required), and decisions are to be minuted. Except in an emergency, at least a fortnight's notice of a meeting is given and the agenda and agenda papers provided at least one week prior to the meeting.

Meetings may be face to face or by teleconference and the costs of participation are met by members' agencies.

Where a member cannot attend, a nominated proxy will be accepted. Observers may attend, at the Chair's discretion.

Confidentiality

The agendas, agenda papers, reports and discussions that relate to meetings of the Administrative Committee are confidential. Unless otherwise directed or permitted by the Chair, members must not distribute papers or discuss proceedings outside the Committee's membership.

FluoroCycle Stakeholder Advisory Group

The function of the FluoroCycle Stakeholder Advisory Group is to provide advice to the Administrative Committee on an ad hoc basis, as required.

The Administrative Committee may seek advice from the Stakeholder Advisory Group on:

1. the effectiveness of the scheme and how it can be improved, particularly in the review in 2012
2. any barriers to the uptake of the scheme
3. reporting and data requirements, and
4. any other aspect of the scheme, except for the administrative and contractual arrangements with the Administrator.

Chair

The Department of the Environment, Heritage, Water and the Arts chairs the Stakeholder Advisory Group.

Executive support

The NEPC Service Corporation provides support for the operations of the Stakeholder Advisory Group.

Meetings

Meetings of the Stakeholder Advisory Group are convened as required and may be face to face or by teleconference. Meetings have formal agendas and agenda papers (as required), and decisions are minuted. Members fund their participation in the Group.

Confidentiality

The agendas, agenda papers, reports and discussions that relate to meetings of the Stakeholder Advisory Group are confidential. Unless otherwise directed or permitted by the Chair, members must not distribute papers or discuss proceedings outside the Group's membership. Members may be required to enter into confidentiality agreements.

Membership

The Stakeholder Advisory Group comprises representatives of key industry associations, non-government organisations, companies and state, territory and local governments. If the Committee requires additional technical advice, attendance of a technical expert is at the discretion of the Chair. The Chair may invite representatives from additional organisations or businesses, as required.

The following agencies, associations and companies are represented:

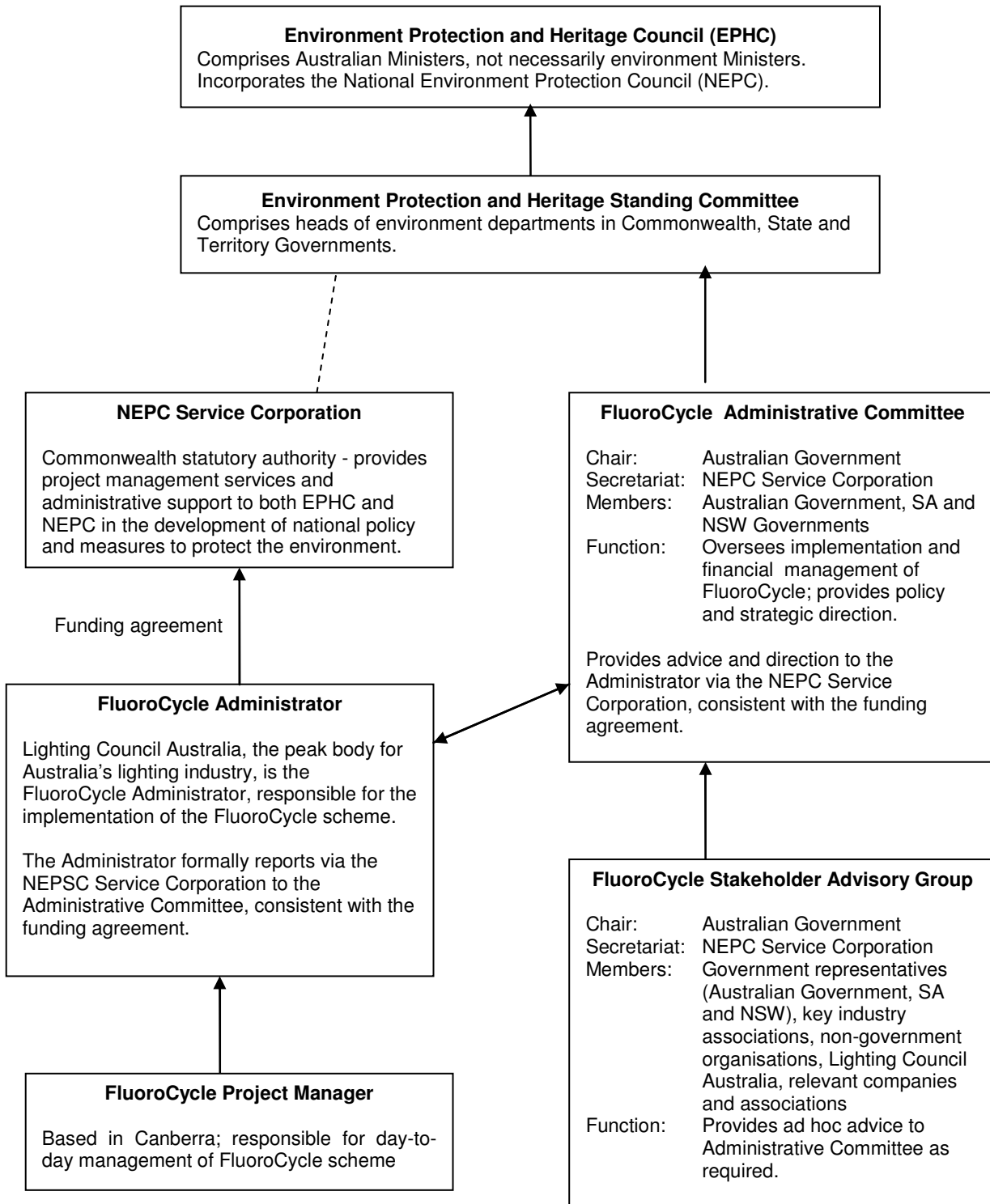
- Australian Government Department of the Environment, Water, Heritage and the Arts (Chair and member)
- NSW Department of Environment, Climate Change and Water
- Environment Protection Authority – South Australia
- Lighting Council Australia
- Australian Council of Recyclers
- Facility Management Association of Australia
- Australian Local Government Association
- Property Council of Australia
- National Electrical and Communications Association
- CMA Ecocycle
- Chemsal
- SITA
- Total Environment Centre
- Lamp Recyclers
- merCovery
- Others as required

Reporting protocol

The Administrator submits all reports required by the contract between Lighting Council Australia and the NEPC Service Corporation, or requested by the Administrative Committee, to the NEPC Service Corporation. The NEPC Service Corporation forwards these reports to the Administrative Committee via the Chair for consideration.

The Administrative Committee reports to the EPH Standing Committee at least annually and determines when additional reports are required.

GOVERNANCE ARRANGEMENTS FOR FLUOROCYCLE





Australian Government



EPHC
Environment Protection and Heritage Council



Lighting Council
AUSTRALIA



FluoroCycle