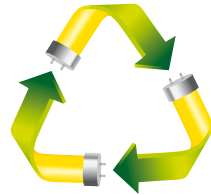




Australian Government



Lighting Council
AUSTRALIA



FluoroCycle

SIGNATORY MANUAL

How to meet the requirements of FluoroCycle





FluoroCycle

SIGNATORY MANUAL

How to meet the requirements of FluoroCycle

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



EPHC
Environment Protection and Heritage Council



FluoroCycle

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Role of the Signatory Manual

The purpose of the Signatory Manual is to assist businesses and organisations to decide if they wish to join FluoroCycle. It also provides advice on how to meet the commitments of a participant.

The Manual should be read in conjunction with the FluoroCycle Guidelines 2010 and the Signatory Guide to FluoroCycle Branding as these are the foundation documents for the scheme. These two documents take precedence over the Signatory Manual where there is any inconsistency.

The Manual explains:

- the commitments that apply to different types of participants in the FluoroCycle scheme
- how these commitments can be met
- how to prepare an application, including an Action Plan where one is required, and
- the audit requirements, including what documentation should be kept for audit purposes.

The FluoroCycle Administrative Committee approved the Manual on 16 July 2010 and will amend it from time to time. The FluoroCycle website will be used to announce any updates and make new versions of the Manual available.

Before making any decisions about FluoroCycle, it is important that businesses and organisations refer to the FluoroCycle Guidelines and the latest version of the Manual.

Background information on mercury, mercury-containing lamps and the arrangements that can be put in place to recycle them is provided on the FluoroCycle website. This information may be useful for businesses and organisations that have no experience of recycling fluorescent lamps – and any other lamps that contain mercury – but are interested in joining FluoroCycle and doing the right thing to protect the environment.

Note that, in the context of FluoroCycle, ‘lamp’ means the glass component of a light fitting, eg the globe or fluorescent tube.

How to find your way around this Manual

Important note: You do not need to read the entire Manual to understand what the FluoroCycle scheme means for your business or organisation. The table below will help you find the information that is relevant to you.

Question	Answer
A. What's the scheme about?	<ul style="list-style-type: none"> • Go to Section 1.
B. Who can join?	<ul style="list-style-type: none"> • Go to Section 2. • Decide whether your business/organisation is a Commercial User or a Facilitator. Then: <ul style="list-style-type: none"> - If a Commercial User, go to C below. - If a Facilitator, read Section 2.2 to decide what Category or Categories apply. Then go to D below.
C. What are the commitments for a Commercial User?	<ul style="list-style-type: none"> • Go to Section 6 and read carefully. • Then go to E below.
D. What are the commitments for a Facilitator?	<ul style="list-style-type: none"> • Go to Section 9 to find out about the commitments that apply to all of the Categories of Facilitators. • Read the relevant Section for the additional commitments that apply to Categories: <ul style="list-style-type: none"> - for Collectors, go to Section 10 - for Contractors, go to Section 11 - for Government, go to Section 12 - for Media partners, go to Section 13 - for Peak bodies, go to Section 14 - for Recycling companies, go to Section 15 - for Suppliers, go to Section 16 - for Trainers, go to Section 17 • Then go to F below.
E. How does a Commercial User apply?	<ul style="list-style-type: none"> • First read Section 3 and decide which type of application applies to you – Type A or Type B. • Then: <ul style="list-style-type: none"> - Go to Section 4 for a Type A application. - Go to Section 5 for a Type B application.
F. How does a Facilitator apply?	<ul style="list-style-type: none"> • Go to Section 8.

PART A – INTRODUCING FLUOROCYCLE

1. FluoroCycle

1.1 What is the FluoroCycle scheme?

FluoroCycle is a national, voluntary scheme that is based on cooperation between industry and government. Its objective is to reduce the amount of mercury entering the environment from waste mercury-containing lamps by continuously increasing the recycling of these lamps.

Businesses and organisations can apply to participate in the scheme, receiving public recognition for becoming ‘Signatories’ and making a commitment to:

- (a) recycle all their waste mercury-containing lamps, and/or
- (b) promote the scheme and its objective in other ways.

FluoroCycle is designed to:

- recruit Signatories to the scheme
- work directly with Signatories, and potential Signatories, to develop recycling programs for waste mercury-containing lamps that are appropriate to their business models.

1.2 How does FluoroCycle work?

This Section provides an overview of the FluoroCycle scheme. More detail is available in the FluoroCycle Guidelines 2010.

Who runs FluoroCycle?

Lighting Council Australia has been appointed as the FluoroCycle Administrator and administers the scheme. A dedicated Project Manager manages the scheme and is based in Canberra. The contact details for the Administrator are at the front of this document, together with the FluoroCycle website address.

The scheme relies heavily on its website and electronic communications. For example, the preference is for applications to join the scheme to be lodged online or by email.

The governance arrangements for FluoroCycle are set out in Section 4.2 of the FluoroCycle Guidelines 2010.

What sectors does FluoroCycle target?

FluoroCycle targets the users of commercial and public lighting because, between them, they account for approximately 90 per cent of all lighting waste. Lighting waste from these sectors is generated by:

- public lighting (eg streets, roads and parks)
- commercial and government buildings (eg office blocks and shopping malls)
- industrial operations (eg mines, industrial facilities and warehouses), and
- institutions (eg universities, hospitals, schools and sports venues).

In this context, the term ‘commercial and public lighting’ means all lighting in Australia except for household lighting. A national scheme for the recycling of household lamps that contain mercury, eg compact fluorescent lamps (CFLs) and fluorescent tubes, may be considered in the future.

Who can become a Signatory?

Any business or other organisation can become a Signatory to FluoroCycle, provided they meet the scheme’s requirements. Refer to Section 2 for further details.

What are the requirements?

All Signatories are required to make commitments to the scheme and these are different for different kinds of Signatories.

There are two groups of Signatories – ‘Commercial Users’ and ‘Facilitators’. ‘Commercial Users’ make a commitment to recycle all of their waste mercury-containing lamps. ‘Facilitators’ make a commitment to promote the scheme. Section 2 describes the classification of Signatories.

Details of the commitments of all Signatories are set out in the FluoroCycle Guidelines 2010. This Manual gives more detail on what the commitments mean and what Signatories need to do to meet them.

1.3 What does Signatory status mean for my business/organisation?

What are the benefits of joining FluoroCycle?

The key benefit is for the environment by keeping mercury out of landfill. By doing this, a Signatory business or organisation can demonstrate that it is environmentally responsible.

When your business or organisation becomes a Signatory, it receives public recognition through:

- listing on the FluoroCycle website, including links to Signatories’ homepages
- an award acknowledging Signatory status, that can be framed and put on display, and
- use of the FluoroCycle logo and publications.

The requirements for using the FluoroCycle logo and publications are set out in the Signatory Guide to FluoroCycle Branding.

How much does it cost?

There are no fees for joining FluoroCycle, being listed on the FluoroCycle website or using the scheme’s logo and publications. At this early stage, there are no plans to introduce a fee although this does not mean that a fee will not be introduced in the future.

There are costs associated with the collection, transport and processing of waste mercury-containing lamps. This means that businesses and organisations that are already recycling their waste mercury-containing lamps will not incur any additional costs for recycling if they become Signatories. However, where a business or organisation is not already recycling its waste mercury-containing lamps and then chooses to do so, the collection and recycling of these waste lamps will have associated costs that will be new to that business or organisation.

How much time will be involved?

The FluoroCycle scheme is designed to impose a minimal burden on Signatories.

Signatories are required to make commitments to the scheme during the application process and to submit an annual statement that they are still meeting their commitments. This arrangement is called ‘self certification’.

As part of their commitments, collectors and recycling companies are required to provide data and other information as set out in Part C.

What are the implications for my business?

A wide range of businesses and organisations are potential Signatories to FluoroCycle and the implications of joining FluoroCycle will vary considerably. The potential benefits are set out above – and the significance of the benefits will vary.

A business or organisation that is considering whether it should join the FluoroCycle scheme will need to give some consideration to the implications of joining.

When signing up to the scheme, the most senior person in a business or organisation, eg the Chief Executive Officer, is required to sign a document that sets out several commitments and statements. The person signing the document is the most senior, Australian-based, person in the business or organisation.

The document to be signed includes a statement that the business or organisation has carried out its own investigations and due diligence to satisfy itself about the implications of joining the FluoroCycle scheme.

To review the content of this statement, please refer to Appendix 3 and Appendix 7 of the FluoroCycle Guidelines 2010.

What checks are carried out?

FluoroCycle aims to achieve a balance between the burden on a business or organisation and the credibility of the scheme. In other words, the scheme would quickly lose credibility if it was too easy to join and remain a participant.

The information provided in an application is verified by the scheme’s Administrator and audits are carried out to ensure that commitments are being met. The verification and audit requirements as they apply to different kinds of Signatories are explained further in Parts B and C.

Under what circumstances would Signatory status not continue?

The scheme allows for a business or organisation to lose its Signatory status if it does not meet its commitments. This is necessary to protect the credibility of the scheme. It would not be appropriate if a Signatory continues to benefit from what the scheme has to offer – but does not meet its obligations.

A Signatory has the option to resign from the scheme, giving 30 calendar days notice. If, for some reason, the FluoroCycle scheme ceases to operate, Signatories will be given 60 calendar days notice of this.

2. Classification of Signatories

FluoroCycle is designed to recognise the efforts of all parties that play a role in increasing the recycling rates of mercury-containing lamps. The parties involved include generators, manufacturers, suppliers, collectors, facility managers and owners, associations that represent the interests of these groups and businesses and organisations that promote recycling of waste lamps.

Signatories to FluoroCycle are either ‘Commercial Users’ or ‘Facilitators’. ‘Commercial Users’ are the generators of the waste mercury-containing lamps and ‘Facilitators’ are all the other parties that make a contribution to increasing the recycling of these lamps.

A business or organisation can be a Commercial User **and** a Facilitator. This is strongly encouraged.

2.1 Commercial Users

The Guidelines define a Commercial User as ‘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’.

Commercial Users are recruited from the commercial and public lighting sectors. The scheme targets businesses and organisations that own or manage premises such as retail outlets, shopping malls, apartment blocks, office blocks, industrial facilities, mines, road and street lighting, hospitals and sporting venues.

It is important for the scheme to recruit as many Commercial Users as possible because they make the waste lamps available for recycling.

There are two types of applicants for Signatory status as a Commercial User, as described in Section 3.

2.2 Facilitators

Facilitators also have an important role to play in FluoroCycle. They are involved in at least one of the following activities:

- promotion of the scheme, raising awareness of FluoroCycle and the need to recycle mercury-containing lamps
- the collection and processing of waste mercury-containing lamps, and
- the supply of new mercury-containing lamps.

The different Categories of Facilitators are listed below and more detail about each Category is provided in Part C.

Facilitators have a range of roles in ensuring that waste mercury-containing lamps are recycled. A Facilitator belongs to one or more of the following Categories:

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

PART B – COMMERCIAL USERS

3. Choosing the right application form

Important advice: Before making an application, businesses and organisations should be aware of the commitments of Commercial Users as set out in Section 2.3 of the FluoroCycle Guidelines and explained in Section 6 of the Manual.

There are two types of businesses or organisations that can apply for Signatory status as a Commercial User:

- Type A applicants are **already recycling** all waste mercury-containing lamps, and
- Type B applicants are **not already recycling** all waste mercury-containing lamps.

Type A

The application from a Type A applicant needs to show that ongoing arrangements to recycle all waste mercury-containing lamps are in place and are consistent with the FluoroCycle Guidelines 2010 and this Manual.

Type B

There are different requirements for a Type B applicant:

- The application from a Type B applicant needs to include information about the arrangements that will be in place within 3 months of becoming a Signatory to recycle all waste mercury-containing lamps from one or more sites.

Sites are explained below.

- Within 6 months of becoming a Signatory, a Type B applicant will provide documentation to the Administrator as evidence that those arrangements are in place.
- Within 6 months of becoming a Signatory, a Type B applicant will meet all the commitments of a Commercial User.

The terms ‘Type A’ and ‘Type B’ are only used to describe the two different sorts of applicant. Once the applications are successful, both types of applicants become Signatories as Commercial Users. The key difference is a Type B applicant is given 6 months to meet the Signatory commitments and provide documentation to the Administrator demonstrating that appropriate arrangements for recycling have been put in place.

See Part B of this Manual for a description of the commitments of Commercial Users.

4. Preparing a Type A application

A business or organisation that already has arrangements in place to recycle all of its waste mercury-containing lamps and is applying to be a Commercial User is a Type A applicant

The Type A application form is available on the FluoroCycle website and in Appendix 1 in the FluoroCycle Guidelines, together with a description of the application process.

Private or confidential information

You may wish to include private or confidential information as part of the application. If that is the case, that information should be provided in a separate document, or documents, clearly marked 'private' or 'confidential'.

The Administrator treats all information provided by applicants as private and confidential. When assessing the application, the Administrator may decide to verify the information with a Collector or Recycling company. Where information in an application is marked 'private' or 'confidential', Collectors and Recycling companies are required to handle the information appropriately and maintain privacy and confidentiality.

Find out more about verification in Sections 10 and 15.

Specifying the sites

The application relates only to sites where arrangements are in place to collect and recycle all of the waste mercury-containing lamps. The application needs to specify where these sites are. Signatory status relates only to the sites specified in the application.

There are different ways of specifying the sites. Some examples are:

- Where the site is a single building, the application could simply provide the address of that building.
- For a bigger concern, say a supermarket chain or a nationwide bank, the application needs to state which specific outlets or offices the application applies to.
- If a supermarket chain or nationwide bank has a policy in place and is confident that all waste mercury-containing lamps from all of its premises are recycled, then the application can contain a statement to that effect and does not need to specify each site or branch.
- Some organisations, eg government portfolios, may be responsible for several buildings in the one city or scattered across a state or nationwide. Arrangements may be in place to recycle the waste mercury-containing lamps generated by only some of these buildings and these should be identified in the application.

Important note:

When Signatory status is awarded to a Commercial User, that status applies only to the sites that were specified in the application and accepted by the Administrator. It is important to keep this in mind when a business or organisation represents its Signatory status, eg through claims or statements about its involvement with FluoroCycle.

For example, a national business needs to avoid giving the impression that waste lamps from all of its offices or outlets are recycled if this is not the case. On the other hand, any size business or organisation that recycles all waste lamps from its entire operations can claim that it is a Signatory in its entirety.

For a Commercial User, the sites that are relevant to Signatory status are specified on:

- the certificate awarded on first joining the scheme, and
- the listing on the FluoroCycle website.

Documentation of recycling

The application should be accompanied by copies of documents that prove that all waste mercury-containing lamps from the specified sites are being recycled. Relevant documents include contracts, invoices, receipts or consignment notices.

The Administrator will contact the applicant if there are any questions about the documentation.

5. Preparing a Type B application

A business or organisation that is **not already recycling** all of its waste mercury-containing lamps can apply as a Type B applicant. This is to encourage generators of waste lamps to put arrangements for recycling in place and join the scheme.

The application form for Commercial Users Type B is available on the FluoroCycle website and at Appendix 2 in the FluoroCycle Guidelines, together with a description of the application process.

You may wish to include private or confidential information as part of the application. If that is the case, you should provide the information in a separate document, or documents, clearly marked 'private' or 'confidential'.

The Administrator treats all information provided by applicants as private and confidential. When assessing the application, the Administrator may decide to verify the information with a Collector or Recycling company. Where information in an application is marked 'private' or 'confidential', Collectors and Recycling companies are required to handle that information appropriately and maintain privacy and confidentiality.

Find out more about verification in Sections 10 and 15.

In an application for a Commercial User Type B, you need to:

- A. identify each of the sites where arrangements are to be put in place for all waste mercury-containing lamps to be collected and recycled, and
- B. for each of these sites, include a plan setting out the steps you will take to put the arrangements in place within 3 months of becoming a Signatory.

Identifying sites and organising collection

If you are submitting a Type B application, you will need to identify the specific sites where it will be feasible to collect all waste mercury-containing lamps for recycling. Signatory status applies to the sites specified in the application.

There are different types of sites that can be specified. Some examples are:

- Where the site is a single building, the application could simply provide the address of that building.
- For a bigger concern, say a supermarket chain or a nationwide bank, the application needs to state which specific outlets or offices the application applies to.
- If a supermarket chain or nationwide bank has a policy in place and is confident that all waste mercury-containing lamps from all of its premises are recycled, then the application can contain a statement to that effect and does not need to specify each site or branch. In this instance, Signatory status applies to the entire business or organisation.
- Some organisations, eg government portfolios, may be responsible for several buildings in the one city or scattered across a state or nationwide. Arrangements may be in place to recycle the waste mercury-containing lamps generated by only some of these buildings and these should be nominated in the application.

There are some important issues to consider when deciding which sites should be nominated in the application:

- If recycling of waste lamps is not occurring at all at a site, it will be important to check on the current arrangements for relamping the sites and see if a requirement to recycle all of the waste lamps can be put into a standing contract or other form of arrangement with a property manager or electrical contractor.

- For some sites, it may be that some of the waste lamps are being recycled, but not all. This can occur where replacement of lamps at the sites is carried out through a combination of periodic relamping and ad hoc replacement of lamps that have reached their end of life. The waste lamps from periodic relamping might be recycled, eg in accordance with a contract with a relamping firm, and the waste lamps from ad hoc replacements are going to landfill. In such a situation, steps will need to be taken to ensure that all of the waste lamps are collected and recycled. A dedicated storage box or stillage may need to be installed to hold the ad hoc waste lamps for collection and recycling.
- For some sites, particularly in remote or regional areas, it may be important to determine whether a waste collection company is available that can ensure that the waste lamps are recycled. Sites that cannot be serviced in this way cannot be specified in the application.

Information about waste collection companies, including electrical contractors, that are available to service the sites under consideration can be found in the Yellow Pages or by searching the Internet. Over time, the FluoroCycle website will provide a valuable source of information about collectors and electrical contractors that are Signatories to the scheme.

Important note:

When Signatory status is awarded to a Commercial User, that status applies only to the sites that were specified in the application and accepted by the Administrator. It is important to keep this in mind when a business or organisation represents its Signatory status, eg through claims or statements about its involvement with FluoroCycle.

For example, a national business needs to avoid giving the impression that waste lamps from all of its offices or outlets are recycled if this is not the case. On the other hand, any size business or organisation that recycles all waste lamps from its entire operations can claim that it is a Signatory in its entirety.

For a Commercial User, the sites that are relevant to Signatory status are specified on:

- the certificate awarded on first joining the scheme, and
- the listing on the FluoroCycle website.

Preparing a plan

As part of the application, you need to provide a plan that sets out the steps being taken to put appropriate arrangements in place to recycle all of the mercury-containing lamps from each site specified. The content of the plan will vary from applicant to applicant and will depend on how advanced the planning is and what steps they have in mind.

If you already know what the arrangements will be, but have not yet put them in place, the application could include some or all of the details, eg the name, address and contact details of the waste collector to be engaged for each specified site.

On the other hand, you may be considering what options are available for collection services or you may want to conduct a tender process. The plan could provide information on what options you are considering or some detail about the tender process, eg the timeline for selecting a collection or relamping service.

It is important to remember that the Administrator will be looking for assurance that the arrangements will be in place within 3 months of Signatory status being awarded.

Steps after the application is lodged

The Administrator may contact you to clarify any information provided in the application or plan.

If the Administrator is satisfied with the information, you can be awarded Signatory status on the basis that the arrangements for recycling, as set out in the plan in the application, will be in place within 3 months.

You should advise the Administrator if there are substantive changes to the plan provided in the application, particularly if the timeline changes.

Within 6 months of becoming a Signatory, as a Type B applicant, you are required to provide evidence that arrangements are in place to recycle all of the waste mercury-containing lamps from each site nominated in the application. The evidence to be provided is copies of relevant documentation, such as contracts or other forms of agreement, invoices, receipts, consignment notices.

If the documentation is provided within 6 months of becoming a Signatory, the Administrator will contact the Signatory if there are any questions about the documentation.

If the documentation is not provided within 6 months of becoming a Signatory, the Administrator will follow-up this up. If the Signatory has not put the arrangements in place, or has only partially achieved what was set out in the application, the Administrator may make reasonable inquiries about the reasons for this. If the Administrator is not satisfied with the response, revocation of Signatory status may be considered.

If, for some reason, it has not been possible to put these arrangements in place for all of the sites originally nominated, then the Signatory status will be adjusted to relate only to the sites where it has been possible to put the arrangements in place.

6. Commitments of Commercial Users

The commitments of Commercial Users are that they:

- a) have a requirement in relevant contracts for all waste mercury-containing lamps to be recycled
- b) adhere to the Signatory commitments set out in these Guidelines and the Signatory Guide to FluoroCycle Branding
- c) cooperate with surveys that are undertaken from time to time, and with random or risk-based audits, as instigated by the Administrator, and
- d) 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.

Further explanation of each of these commitments follows:

6.1 Relevant contracts

- a) *Have a requirement in relevant contracts for all waste mercury-containing lamps to be recycled*

Businesses or organisations, including facility owners or managers, often have contracts or other arrangements in place for the removal of waste from premises. These contracts or arrangements may be ongoing – or they may relate to one-off situations such as a refurbishment of the premises.

This commitment means that, where there is a contract in place for the collection of waste mercury-containing lamps from a nominated site, eg with a waste collection company or an electrical contractor, then that contract needs to specify that the lamps are to be recycled. This is to ensure that the collector disposes of the waste lamps in such a way that they are collected and transported using services that ultimately deliver the waste lamps to a processor for extraction of the mercury.

Example:

It would be highly desirable for local councils responsible for relamping of street and road lighting to have standard clauses in relevant tender documentation and contracts requiring all of the waste mercury-containing lamps collected to be recycled.

6.2 Commitments in the Guidelines and Signatory Guide to FluoroCycle Branding

- b) Adhere to the Signatory commitments set out in these Guidelines and the Signatory Guide to FluoroCycle Branding*

Commercial Users are required to comply with the commitments set out in the Guidelines, as they apply to them.

The Signatory Guide to FluoroCycle Branding sets out the requirements that apply when Signatories use the logo or communication tools made available to them to promote the scheme.

Commercial Users are not required to use the logo. However, if they do, then they must adhere to the conditions that are set out in the Guide. Refer to Section 7 for advice on how adherence to the Guide will be checked in an audit.

6.3 Surveys

- c) cooperate with surveys that are undertaken from time to time, and with random or risk-based audits, as instigated by the Administrator*

Commercial Users are required to cooperate with the surveys that may be conducted by the Administrator. These surveys are overseen by the Administrative Committee. They are not frequent and are designed to impose a minimal burden on a business or organisation and all information provided is treated as confidential.

The surveys may apply to all Signatories or to a subset of Signatories and may relate to sales data that will provide input to the calculation of the national recycling rate of mercury-containing lamps. There may be surveys on other topics.

The Guidelines require the FluoroCycle scheme to be reviewed two years after commencement. In the lead up to that review, surveys could be conducted, asking Signatories about their experience with the scheme and where improvements could be made.

Audits are explained in Section 7.

6.4 Self certification

- d) 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.*

The FluoroCycle scheme operates on the principle of self certification. This means that annually, on the anniversary of becoming a Signatory, you are required to submit a statement that the business or organisation is adhering to the requirements of the scheme.

The most senior person that is based in Australia is to sign the statement on behalf of the business or organisation. A template for these statements of self certification is at Appendix 4 of the Guidelines and is included in the package of material forwarded to new Signatories.

7. Audit requirements

The audit requirements are set out in Section 4.4 of the FluoroCycle Guidelines. The audit requirements that apply to Commercial Users are:

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 also includes an assessment of adherence with these Guidelines and the Signatory Guide to FluoroCycle Branding.

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.

Section 2.4 of the FluoroCycle Guidelines 2010 relate to revocation of Signatory status.

Audits will be used to assess whether Signatories are meeting their commitments to the scheme and whether statements of self certification are accurate. Reasonable notice of an audit will be given and the audit will take place in business hours.

As a Signatory, you need to keep all relevant documentation for 5 years, ie the same amount of time they are required to retain documents for taxation purposes. The documentation you keep needs to demonstrate adequately that all waste mercury-containing lamps are recovered, collected and recycled for each nominated site.

Documentation could include any or all of: relevant contracts or other forms of agreement, invoices, receipts, consignment notices.

Adherence to Signatory Guide to FluoroCycle Branding

Where Commercial Users have used the FluoroCycle logo and/or the communication tools made available to them, they will need to demonstrate they have adhered to the Signatory Guide to FluoroCycle Branding. Commercial Users will need to keep copies of any material used for the purposes of FluoroCycle. These materials should be kept for audit purposes for at least 2 years.

The types of materials you should keep to demonstrate adherence to the Signatory Guide to FluoroCycle Branding include:

- examples of how the logo has been used, eg in stationery and publications and on internal and external signage
- evidence of the contexts in which the logo has been used eg in photographs or site visits
- examples of publications and any other materials they have been prepared that incorporate text provided in the communication tools, eg pamphlets, flyers, bulletins and newsletters.

PART C - FACILITATORS

8. Application form and Action Plan

When you apply for Signatory status as a Facilitator, you need to submit two documents - an application form and an Action Plan.

You may wish to include private or confidential information as part of the application. If that is the case, you should provide the information in a separate document clearly marked 'private' or 'confidential'.

The Administrator treats all information provided by applicants as private and confidential. However, it may be necessary for the Administrator to share your application for the purposes of verification (Section 4.4 of the FluoroCycle Guidelines). If that occurs, then the Administrator will ensure that any information identified as 'private' or 'confidential' will be treated appropriately so that privacy and confidentiality are protected.

Refer to Section 4.4 of the FluoroCycle Guidelines 2010 for the requirements on verification.

8.1 Application form

The application form for Signatory status as a Facilitator is straightforward. It appears at Appendix 5 to the FluoroCycle Guidelines and is available on the FluoroCycle website.

The application needs to be specific in naming the applicant for Signatory status. This is particularly important where the application relates to only part of a business or organisation. For example, for national or interstate businesses or organisations, if only certain state branches or outlets are in a position to meet the commitments to FluoroCycle, then the application needs to describe which state branches or outlets the application relates to. The same principle applies to large businesses or organisations not necessarily operating on a national scale.

Important note:

When Signatory status is awarded to a Facilitator, that status applies only to the applicant specified in the application and responsible for carrying out the Action Plan that is accepted by the Administrator. It is important to keep this in mind when a business or organisation represents its Signatory status, eg through claims or statements about its involvement with FluoroCycle.

A business or organisation needs to avoid giving the impression that it has commitments to FluoroCycle when only part of that business has Signatory status and is, eg, promoting FluoroCycle or collecting waste lamps from householders.

The specific identity of a Facilitator is included on:

- the certificate awarded on first joining the scheme, and
- the listing on the FluoroCycle website.

The key decision you need to make when preparing the application is what Category or Categories the business or organisation is applying for. The Categories are listed in Section 2.2 of this Manual and are further explained in Sections 10 to 17.

Facilitators are also strongly encouraged to take steps to recycle all of their waste mercury-containing lamps and become Commercial Users as well, where this is relevant. Some Facilitators may not be in a position to be Commercial Users, particularly if they do not own or lease premises.

8.2 Action Plan

The Action Plan is submitted to the Administrator at the same time as the application form. A template for the Action Plan is at Appendix 6 of the FluoroCycle Guidelines.

The Action Plan sets out what you intend to do to meet the commitments to FluoroCycle. These commitments include those that apply to all Facilitators, as well as the specific commitments that apply to the Category, or Categories, that are nominated in the application.

In order to prepare an Action Plan, it is important for you to understand what commitments apply. In this Manual, Section 9 explains how the commitments that apply to all Facilitators can be built into an Action Plan. Sections 10 to 17 explain how the Action Plan can build in the additional commitments of each Category

9. Commitments that apply to all Facilitators

The following commitments apply to all Facilitators:

- a) 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 of the Guidelines
- b) perform the activities set out in the accepted Action Plan submitted with the Application for Signatory status
- c) adhere to the Signatory commitments set out in these Guidelines and the Signatory Guide to FluoroCycle Branding
- d) cooperate with surveys that are undertaken from time to time, and with random or risk-based audits, as instigated by the Administrator
- e) provide accurate, annual statements 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
- f) provide annual updates of the Action Plan, to accompany the statements self certifying compliance.

These commitments are set out in Section 2.3 of the FluoroCycle Guidelines 2010.
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9.1 Promotion of FluoroCycle

- a) *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 of the Guidelines*

Facilitators are required to make an active contribution to the promotion of the FluoroCycle scheme, eg to association members or to business clients. The steps that a Facilitator proposes to take to promote the scheme need to be set out in the Action Plan.

Information on what all Facilitators should consider for inclusion in the Action Plan is provided below. More detail of what each Category could do to meet its additional commitments is provided in Sections 10 to 17 of the Manual.

9.2 Action Plan for all Facilitators

- b) *Perform the activities set out in the accepted Action Plan submitted with the Application for Signatory status, and*
- f) *Provide annual updates of the Action Plan, to accompany the statements self certifying compliance.*

An application for Signatory status as a Facilitator is accompanied by an Action Plan that sets out what actions will be carried out to promote FluoroCycle once Signatory status has been awarded, and to meet any other commitments as they relate to specific Categories.

The size and content of an Action Plan will vary greatly between Categories and even within Categories. In most cases, the Action Plan will not be a large document and for some it may consist of just a couple of points. It is not necessary for a Signatory to engage a consultant to develop the Action Plan for the purposes of FluoroCycle.

In preparing their Action Plans, all applicants for Facilitator status should consider the following as a minimum and are welcome to expand on this list:

- the target groups they propose to promote FluoroCycle to
- what strategies they will use to provide information about FluoroCycle and recycling of mercury-containing lamps, eg any upcoming meetings or conferences, websites, articles for publications such as trade journals or newsletters, leaflets at point of purchase
- how the FluoroCycle logo will be used, eg where it will be placed
- what materials will be used, eg what types of publications like factsheets or flyers will be made available to their members or customers, drawing on the communication tools made available to Signatories
- what the timeline will be for carrying out these promotional activities.

A Signatory is required to update the Action Plan annually and forward it to the Administrator with the Annual Statement of Compliance. This provides an opportunity for the business or organisation to reassess how it can best promote FluoroCycle and what improvements can be made.

If a business or organisation considers that it is appropriate to continue with the same activities to promote FluoroCycle as set out in your original Action Plan, then that Action Plan can be re-submitted.

Where Signatories have set out particular conferences or other specific strategies in the previous Action Plan and have identified new forums for promoting FluoroCycle, then the Action Plan can be updated appropriately.

9.3 Commitments in the Guidelines and Signatory Guide to FluoroCycle Branding

- c) *Adhere to the Signatory commitments set out in these Guidelines and the Signatory Guide to FluoroCycle Branding.*

All Facilitators are required to adhere to the Guidelines as they apply to their particular roles.

Facilitators are expected to use the logo and the specified communication tools, taking into account what is appropriate for their type of business or organisation.

Facilitators are required to adhere to the Signatory Guide to FluoroCycle Branding when they use the logo and the communication tools that are made available to promote the scheme.

All Signatories should become familiar with the Signatory Guide which is available on the FluoroCycle website and in hard copy.

9.4 Surveys

- d) *Cooperate with surveys that are undertaken from time to time, and with random or risk-based audits, as instigated by the Administrator.*

Facilitators are required to cooperate with the surveys that may be conducted by the Administrator. These surveys are overseen by the Administrative Committee. They are not conducted frequently and are designed to impose a minimal burden on a business or organisation. All information provided is treated as private and confidential.

The surveys can apply to all Signatories or to a subset of Signatories. For example, Suppliers may be surveyed to obtain sales data on different types of mercury-containing lamps. Such data will provide key input to the calculation of the national recycling rate of mercury-containing lamps. There may also be surveys on other topics.

The Guidelines require the FluoroCycle scheme to be reviewed two years after commencement. In the lead up to that review, surveys could be conducted, asking Signatories about their experience with the scheme and where improvements could be made.

Audits are explained in Section 9.6.

9.5 Self certification

- e) *Provide accurate, annual statements 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.*

The FluoroCycle scheme relies on self certification. This means that annually, on the anniversary of becoming a Signatory, you need to submit a statement that the business or organisation is adhering to their commitments to the scheme.

In the case of Facilitators, this statement indicates that the Action Plan has been carried out.

The most senior person that is based in Australia is to sign the statement on behalf of the business or organisation. A template for these statements of self certification is at Appendix 8 of the FluoroCycle Guidelines and is included in the package of material forwarded to new Signatories.

9.6 Audits

The audit requirements are set out in Section 4.4 of the FluoroCycle Guidelines. The audit requirements that apply to Facilitators are:

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 also 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.

Section 2.4 of the FluoroCycle Guidelines 2010 relate to revocation of Signatory status.
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Purpose of audits

Audits will be used to assess whether commitments to the scheme are being met by Signatories and whether statements of self certification are accurate. If a Signatory is to be audited, reasonable notice will be given and the audit will be undertaken in business hours.

Documentation

Signatories need to retain relevant documentation for 2 years. The documentation retained needs to be adequate to demonstrate that Action Plans have been adhered to and could include, for example, samples of promotional materials used, copies of articles printed in trade journals, newspaper articles, photographs of any relevant events.

Adherence to Signatory Guide to FluoroCycle Branding

Facilitators will also need to demonstrate their adherence to the Signatory Guide to FluoroCycle Branding if they use the logo and/or the communication tools made available to them. Different businesses and organisations will have different requirements for the logo and communication tools and will need to retain copies of any material that they have used for the purposes of FluoroCycle for the Administrator to view. These materials should be retained for audit purposes for at least 2 years.

The types of materials to be kept to demonstrate adherence to the Signatory Guide to FluoroCycle Branding are:

- examples of how the logo has been used, eg in stationery and publications and on internal and external signage
- evidence of the contexts in which the logo has been used eg in photographs or site visits
- examples of publications and any other materials they have been prepared that incorporate text provided in the communication tools, eg pamphlets, flyers, bulletins and newsletters.

Some Categories of Facilitators may be required to retain additional materials for audit purposes, as set out in Sections 10 to 17 of this Manual.

10. Collectors

10.1 Definition

‘Collectors’ are companies and other arrangements for collection of waste mercury-containing lamps including retail outlets and service clubs.

A Collector provides a service for the collection of waste mercury-containing lamps
Examples are:

- a) a company that specialises in waste collection
- b) a local council or other form of waste management authority that provides dedicated collection points for waste mercury-containing lamps
- c) a company that collects waste as part of its business, eg an electrical contractor or a builder

Example

An electrical contractor might relamp a building, collect the waste lamps and take them to a dedicated waste collection point for recycling. That electrical contractor could belong to two Categories – ‘Contractors’ and ‘Collectors’.

- d) a retail outlet such as a hardware store or supermarket that provides a collection bin for waste mercury-containing lamps to be deposited by the public and ensures that the waste lamps are recycled

Where a retail outlet provides collection bins, it is preferable it is also a Signatory as a Commercial User, and recycles all of the lamps used in its premises. Even better, the retail outlet that provides information to customers about the importance of recycling waste mercury-containing lamps can also be a Signatory as a Supplier. Becoming a Signatory as Collector, a Supplier and a Commercial User builds credibility as a recycler.

- e) a wholesaler of mercury-containing lamps that provides a collection bin for waste lamps to be deposited by customers and ensures that the waste lamps are recycled

This means that a Signatory in the Supplier category (Section 16 of this Manual) can also be a Collector.

- f) a service club that provides collection points for a community to deposit waste mercury-containing lamps and ensures the waste lamps are recycled, eg as part of a community waste collection day.

10.2 Additional commitments

Collectors need to meet the commitments that apply to all Facilitators, as explained in Section 9 of this Manual.

The additional commitments for Collectors are:

- a) Encourage customers and potential customers to take appropriate action to become Signatories to the scheme.
- b) Liaise with the Administrator on the verification of information provided by Applicants as to recycling action being taken.
- c) For the purposes of reporting on the performance of FluoroCycle, provide the following information to the Administrator:
 - o the number of clients who are Signatories, and
 - o the total amount of waste mercury-containing lamps received from clients who are Signatories.

Collectors are required to meet these additional commitments to the extent that they are relevant to the business or organisation.

Example:

Some Collectors such as service clubs, retail outlets and local councils may collect significant quantities of waste mercury-containing lamps from householders. These Collectors do not hold information on 'customers or potential customers' and are not in a position to provide the information the Administrator requires.

On the other hand, waste collection companies and larger electrical contractors do collect commercial quantities of waste lamps and have documentation identifying their customers. These companies are in a position to meet the additional commitments.

- a) *Encourage customers and potential customers to take appropriate action to become Signatories to the scheme.*

This commitment relates to the Action Plan which is explained below.

- b) *Liaise with the Administrator on the verification of information provided by Applicants as to recycling action being taken.*

This commitment is to allow the Administrator to check the information related to an application from a business or organisation that is applying to be a Commercial User.

Applications for Commercial User status

There are two types of applications for Commercial User status. (See Part B of this Manual.)

In summary, the application form for Commercial Users needs to include either:

- copies of relevant documentation, eg contracts, invoices or receipts, as evidence that all waste mercury-containing lamps are being recycled from the specified sites (a Type A application), or
- a plan setting out the steps to be taken to have arrangements in place for the collection and recycling of all waste mercury-containing lamps from the specified sites (a Type B application).

Where a business or organisation is not already recycling all of its mercury-containing lamps when it applies (a Type B application), there is an extra requirement to be met within 6 months of becoming a Signatory. This requirement is for the Signatory to demonstrate that arrangements are in place for the collection and recycling of all waste lamps from the specified sites.

The Administrator may wish to verify the information and documentation provided in an application for status as a Commercial User and, in the case of a Type B applicant, the plan submitted with the application.

In the case of a Type B applicant, the Administrator may also wish to verify the information provided 6 months after a business or organisation is awarded status as a Commercial User. In these instances, the Administrator may contact the companies named in the documentation.

To carry out the verification, the Administrator may approach a Collector in relation to the information provided in an application that is being assessed. As an alternative, the Collector may wish to receive bundles of requests for verification on, say, a monthly basis. The timing of these requests can be negotiated with the Administrator.

c) *For the purposes of reporting on the performance of FluoroCycle, provide the following information to the Administrator:*

- *the number of clients who are Signatories, and*
- *the total amount of waste mercury-containing lamps received from clients who are Signatories.*

This commitment requires Collectors to provide information to assist in measuring the effectiveness of FluoroCycle as a scheme. The information required relates to clients that are Signatories, ie Commercial Users or other Collectors.

The Administrator will request the data at least annually and possibly more frequently in the early stages of the scheme.

At the beginning of the scheme, the expectation is that the Commercial Users that are already recycling their waste mercury-containing lamps will become Signatories. It is acknowledged that this recycling activity pre-dates FluoroCycle and cannot be attributed to FluoroCycle. This will be taken into account when reporting on the performance of the scheme.

Number of Signatory clients

Collectors are required to provide information on the number of clients that are Signatories and the total amount of waste mercury-containing lamps that is collected from these clients.

It should be straightforward to identify clients that are Signatories. The Collector will know which Signatories it recruited. Another source of information on Signatories is the FluoroCycle website. Collectors may find it useful to include a column for Signatory status in their client databases.

Data on the number of clients who are Signatories will give a general indication of the uptake of FluoroCycle and may help to indicate the geographical distribution of that uptake. Where gaps are identified, strategies can then be developed to promote FluoroCycle in these areas.

Amount of waste mercury-containing lamps collected from Signatories

Collectors will provide information to the Administrator about the amount of waste mercury-containing lamps received from Signatories. This information could be in kilograms or in total numbers of different types of waste lamps.

Information on the numbers or particular types of waste lamps collected would be useful. However, given the wide variety of lamps, there may be occasions when it is not practical to provide a number for every single type of waste lamp collected. In such cases, the Collector could record the total number of lamps and provide a short description of the mixture of lamps.

Collectors should seek the Administrator's advice on the reporting of waste lamps collected if there are any unforeseen difficulties.

The information you provide as a Collector will help to improve understanding of the effectiveness and uptake of the scheme, identify gaps in collection or identify opportunities for increasing recycling.

The calculation of the national recycling rate for mercury-containing lamps is based on information provided by the Recycling companies. (See Section 15 of this Manual.)

- d) *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.*

The Administrator provides information to Collectors to verify and the Collectors provide information to the Administrator. Where an applicant or Signatory has marked any information as private or confidential, Collectors must treat that information in an appropriate fashion and not share it with any party other than the Administrator.

This means that Collectors need to have appropriate measures in place to ensure that information marked 'private' or 'confidential' is protected appropriately. The assumption is that such measures would already in place to satisfy the confidentiality requirements in contracts with current clients.

10.3 Action Plan

The Action Plan submitted with an application form needs to take account of the topics described in Section 9.2 of this Manual – Action Plan for all Facilitators.

The Action Plan for Collectors also needs to include the actions to be taken to meet additional commitment (a) – ie 'encourage customers or potential customers to take appropriate action to become Signatories to the scheme'. The sorts of action that could be taken include:

- promoting FluoroCycle and providing information and FluoroCycle materials at least annually to established customers who are not recycling their mercury-containing lamps
- providing information about FluoroCycle to potential customers and including the costs for recycling mercury-containing lamps when quotes are given
- having recycling of waste mercury-containing lamps as a standard clause in any contracts, where possible, or encouraging customers to include such a clause in relevant contracts.

10.4 Audit requirements

In addition to the audit requirements that apply to all Facilitators, as set out in Section 9.6 of this Manual, Collectors may be asked to provide documentation that demonstrates that waste mercury-containing lamps that clients intended to be recycled have, in fact, been recycled. Documentation could be in the form of invoices from the Recycling companies.

11. Contractors

11.1 Definition

‘Contractors’ means electrical contractors, particularly electrical contractors who do relamping. Relamping is the process of replacing used lamps with new ones on a periodic basis.

For the purposes of FluoroCycle, it is important to ensure that all waste lamps are recycled, including those that result from ad hoc replacement when they reach their end of life.

Contractors have an important role in FluoroCycle because they have direct access to the businesses and organisations that generate waste mercury-containing lamps and are potential Commercial Users in the scheme.

Commonly, the lamps used for public lighting along streets and roads, or in buildings such as office blocks and shopping centres, are all replaced periodically, eg every 12 to 18 months. Recruiting Signatories from these businesses or organisations will make a significant contribution to the success of FluoroCycle.

11.2 Additional commitments

Contractors need to meet the commitments that apply to all Facilitators, as set out in Section 9 of this Manual as well as (a) and (b) below:

- a) *Encourage clients to include a requirement in relevant contracts for the recycling of waste mercury-containing lamps, thereby assisting clients to become eligible as a Signatory of FluoroCycle.*

Contractors are expected to encourage their clients to recycle all of their waste mercury-containing lamps. This can be done by suggesting how collection for recycling can be carried out to ensure that all waste lamps are collected and recycled, including waste lamps that arise from ad hoc replacement.

Contractors that offer a collection service should include this in their own promotional material and advertisements, eg in the Yellow Pages.

- b) *Where a contract requires recycling, ensure that all waste mercury-containing lamps generated through relamping are recycled.*

Contractors can also be Signatories as Collectors and they are strongly encouraged to belong to both of these Categories.

If Contractors do not offer a collection service, they need to ensure that the waste lamps that they collect are in turn collected by a company that has appropriate arrangements in place to ensure they are recycled.

11.3 Action Plan

The Action Plan submitted with an application form needs to take account of the topics described in Section 9.2 of this Manual.

For Contractors, the Action Plan should also include strategies for encouraging clients to recycle **all** waste mercury-containing lamps. For existing clients that are not recycling their waste mercury-containing lamps, an annual approach encouraging them to do so would be appropriate. Any new clients should be encouraged from the start.

11.4 Audit requirements

In addition to the documents identified in Section 9.6 of this Manual, an audit is likely to require evidence of standard wording in contracts and examples of any flyers or advertising used by the Contractor to promote FluoroCycle.

The audit may also require certificates from Collectors and Recycling companies demonstrating that recycling took place. Contractors are usually in a good position to know which of their customers required waste lamps to be recycled and the paper trail for those waste lamps would consist of documents such as invoices to the clients and certificates from Collectors and Recycling companies.

12. Government

12.1 Definition

The ‘Government’ Category covers portfolios, departments and agencies in Australian, state, territory and local governments.

12.2 Additional commitments

Signatories in the Government Category need to meet the commitments that apply to all Facilitators as set out in Section 9 of this Manual. The additional commitments are explained at (a), (b) and (c) below:

- a) *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.*

Government agencies at all levels of government (Commonwealth, state, territory and local) are in a position to put policies in place – and implement them – to ensure all waste mercury-containing lamps from premises that they own or lease are recycled. These policies may be included in the Environmental Management Systems that apply to agencies or the sites they are responsible for – or they may be adopted as standalone policies. Implementation occurs through any contracts, or other arrangements, that are in place, requiring the recycling to occur.

- b) *Contribute to the Outreach Strategy by providing information and encouraging other agencies to establish and implement policies to recycle waste mercury-containing lamps.*

At the Commonwealth level, the Government Agency Environmental Network (GAEN) provides an ideal forum for promoting FluoroCycle to agencies, encouraging them to become Signatories.

Agencies can promote their activities through inclusion in annual reporting on the sustainability of their operations.

All agencies, but particularly environment agencies, are encouraged to be pro-active in promoting FluoroCycle to other government agencies in their jurisdictions.

- c) *Contribute to the Outreach Strategy by providing information, resources and/or funding to encourage organisations and businesses in relevant networks to recycle mercury-containing lamps and to become Signatories to FluoroCycle.*

Jurisdictions are encouraged to initiate or support programs or projects that increase recycling of waste mercury-containing lamps in all sectors.

12.3 Action Plan

See Section 9.2 of this Manual for information that applies to all Facilitators. The Action Plan for the Government Category should include an outline of the strategies they plan to undertake to address the additional commitments outlined above.

12.4 Audit requirements

In addition to the audit requirements that apply to all Facilitators, as explained in Section 9.6 of this Manual, Signatories in the Government Category should be able to provide copies of relevant policies and reports and documents that encourage other agencies as well as businesses and organisations to develop and implement such policies.

13. Media partners

13.1 Definition

‘Media partners’ are media outlets that promote the scheme through, for example, editorial comment, articles that promote the scheme or free advertisements.

For this Category, it is important that the application and accompanying Action Plan includes a description of the media outlet (eg radio, television, newspaper, trade journal or magazine) and the nature and size of its target audience.

Media partners could include television stations and networks; radio stations and networks; newspaper companies; and businesses and organisations that produce trade journals or other publications, including newsletters.

13.2 Additional commitments

Media partners need to meet the commitments that apply to all Facilitators, as explained in Section 9 of this Manual. The additional commitment for Media partners is that they make a significant contribution to the promotion of the scheme.

The Administrator assesses whether the contribution to the promotion of FluoroCycle is significant and warrants Signatory status, in relation to the size and nature of the media outlet and its target audience.

Examples:

If a quarterly trade journal targeting electrical contractors includes a short advertisement for FluoroCycle in each edition and a major article once or twice a year, then this would make a significant contribution to the promotion of FluoroCycle, reaching potential Signatories in the Contractor Category.

If a television or radio station has one news item on FluoroCycle, this would not be considered significant.

A newspaper could be considered for Signatory status if it promotes FluoroCycle in items during the year and publishes feature articles or supplements that target businesses and organisations that are relevant to FluoroCycle, eg the owners or managers of facilities, and promotes recycling of waste lamps.

13.3 Action Plan

You should refer to Section 9.2 of this Manual for advice that applies to all Facilitators in relation to the Action Plan. The Action Plans for Media partners will vary considerably, given the wide range of media outlets that could be in this Category. The Action Plan needs to outline what activities are planned to make a significant contribution to the promotion of FluoroCycle.

13.4 Audit requirements

Refer to Section 9.6 of this Manual for advice that applies to all Facilitators about audit requirements. Media partners would need to provide evidence that they had made a significant contribution to the promotion of FluoroCycle by providing copies of relevant materials such as articles or recordings.

14. Peak bodies

14.1 Definition

‘Peak bodies’ are associations and other bodies that have a representative role in the private sector. Examples of peak bodies closely associated with FluoroCycle are Lighting Council Australia, the Property Council of Australia and the Facility Management Association.

Peak bodies in sectors related to the purpose of the scheme can apply for Signatory status.

14.2 Additional commitments

Peak bodies need to meet the commitments that apply to all Facilitators, as set out in Section 9 of this Manual.

The additional commitment for Peak bodies restates a commitment that applies to all Facilitators and emphasises the need to encourage members to take appropriate action to become Signatories to the scheme.

Peak bodies have an important role in FluoroCycle, particularly those that represent the owners or managers of facilities such as office blocks, apartment blocks, road and street lighting, sporting venues, industrial sites, airports and institutions such as hospitals and libraries.

14.3 Action Plan

The Action Plan of a Peak body should be based on the advice provided at Section 9.2 of this Manual and identify strategies to encourage members to become Signatories to FluoroCycle.

Strategies could include:

- Circulars, newsletters and journals
- presentations at board meetings, conferences or seminars
- incorporating the recycling of all waste mercury-containing lamps into the commitments for achieving status as a ‘green’ building.

14.4 Audit requirements

Refer to Section 9.6 of this Manual for advice that applies to all Facilitators about audit requirements.

An audit of a Peak body would be looking for examples of presentations, copies of documentation that encourages members to take action and, possibly, advice on how to go about increasing recycling of mercury-containing lamps.

15. Recycling companies

15.1 Definition

‘Recycling companies’ are companies that are licensed under applicable legislation to process waste mercury-containing lamps and separate the lamp components for re-use in other products.

15.2 Pre-requisite

When applying for Signatory status as a Facilitator, a recycling company makes a statement that it is licensed to recycle mercury-containing waste and that it operates under the relevant licence conditions. The Administrator can ask the recycling company to provide certified copies of relevant documentation, if required.

There is no pre-requisite for other Facilitators.

15.3 Additional commitments

Recycling companies are required to meet the commitments that apply to all Facilitators, as set out in Section 9 of this Manual.

The following additional commitments apply to Recycling companies and are explained below:

- a) Encourage customers and potential customers to take appropriate action to become Signatories to the scheme.
- b) Operate in compliance with licence conditions.
- c) Recycle all collected mercury-containing lamps and do not dispose of any such lamps to landfill.
- d) To the extent that it is practical and cost effective, ensure that all materials recovered from recycled mercury-containing lamps are reused.
- e) Liaise with the Administrator on the verification of information provided by Applicants as to recycling action being taken.
- f) For the purposes of reporting on the performance of FluoroCycle, provide the following information to the Administrator:
 - the number of clients who are Signatories
 - the total amount of waste mercury-containing lamps received from clients who are Signatories, and
 - the total amount of mercury-containing lamps processed to allow the calculation of the national recycling rate.
- g) 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.

- a) *Encourage customers and potential customers to take appropriate action to become Signatories to the scheme.*

The customers of Recycling companies are already taking steps to recycle their waste mercury-containing lamps – and may be eligible to become Signatories to FluoroCycle as either Commercial Users or Collectors. (Refer to Part B and Section 10 of this Manual).

Recycling companies are in a position to advise customers, and potential customers, about the requirements of the FluoroCycle Guidelines, providing copies of FluoroCycle materials and guiding them on what they need to do to apply. Commercial Users need to recycle all of their waste lamps and, if the customers are not already doing this, they may need advice on how to achieve it.

Example:

A customer recycles the waste lamps resulting from the periodic relamping of an entire site, such as an office block, but waste lamps resulting from ad hoc replacement are disposed of to landfill. In order to recycle all of the waste lamps from this site, the customer may need to have a dedicated collection box installed in an appropriate location where waste lamps arising from ad hoc replacement of expired lamps can be deposited and stored, to be collected for recycling as required.

b) Operate in compliance with licence conditions

This commitment complements the pre-requisite for Recycling companies and reinforces the need to comply with the law that applies in the jurisdiction/s the companies operate in.

c) Recycle all collected mercury-containing lamps and do not dispose of any such lamps to landfill

This commitment is essential to the integrity of the scheme.

d) To the extent that it is practical and cost effective, ensure that all materials recovered from recycled mercury-containing lamps are reused.

Waste mercury-containing lamps are fully recyclable. The materials recovered by processing waste mercury-containing lamps are: mercury, phosphor, metals and glass – and these materials can all be reused. The mercury is used in dental amalgam; the phosphor is reused in fertiliser; the metals are used in the manufacture of new products; and the glass is used in the manufacture of products such as insulation.

The value of these materials is relatively low and can vary considerably over time, depending largely on the demands and markets for them. Recycling companies are required to use their best endeavours to ensure that the materials that are recovered from mercury-containing lamps, particularly mercury, are reused and not disposed of to landfill.

e) Liaise with the Administrator on the verification of information provided by Applicants as to recycling action being taken.

This commitment is to allow the Administrator to check the information related to an application from a business or organisation that is seeking Signatory status as a Commercial User.

Applications for Commercial User status

There are two types of applications for Commercial User status. (See Part B of this Manual.)

In summary, the application form for Commercial Users needs to include either:

- copies of relevant documentation, eg contracts, invoices or receipts, as evidence that all waste mercury-containing lamps are being recycled from the specified sites (a Type A application), or
- a plan setting out the steps to be taken to have arrangements in place for the collection and recycling of all waste mercury-containing lamps from the specified sites (a Type B application).

Where a business or organisation is not already recycling all of its mercury-containing lamps when it applies (a Type B application), there is an extra requirement to be met within 6 months of becoming a Signatory. This requirement is that the Signatory needs to demonstrate that arrangements are in place for the collection and recycling of all waste lamps from the specified sites.

The Administrator may wish to verify the information and documentation provided in an application for status as a Commercial User and, in the case of a Type B applicant, the plan submitted with the application.

In the case of a Type B applicant, the Administrator may also wish to verify the information provided 6 months after a business or organisation is awarded status as a Commercial User. In these instances, the Administrator may contact the companies named in the documentation.

To carry out the verification, the Administrator may approach a Recycling company in relation to the information provided in an application that is being assessed. As an alternative, a Recycling company may wish to receive bundles of requests for verification on, say, a monthly basis. The timing of these requests can be negotiated with the Administrator.

- f) *For the purposes of reporting on the performance of FluoroCycle, provide the following information to the Administrator:*
- *the number of clients who are Signatories*
 - *the total amount of waste mercury-containing lamps received from clients who are Signatories, and*
 - *the total amount of mercury-containing lamps processed to allow the calculation of the national recycling rate.*

This commitment requires Recycling companies to provide information to assist in measuring the effectiveness of FluoroCycle as a scheme. The information required relates to clients that are Signatories. The Signatory clients are Commercial Users or Collectors.

The Administrator will request the data at least annually and possibly more frequently in the early stages of the scheme.

At the beginning of the scheme, the expectation is that the Commercial Users that are already recycling their waste mercury-containing lamps will become Signatories. It is acknowledged that this recycling activity pre-dates FluoroCycle and cannot be attributed to FluoroCycle. This will be taken into account when reporting on the performance of the scheme.

Number of Signatory clients

Recycling companies are required to provide information on the number of clients that are Signatories and the total amount of waste mercury-containing lamps that is collected from these clients.

It should be straightforward to identify clients that are Signatories. The Recycling company will know which Signatories it recruited. Another source of information on Signatories is the FluoroCycle website. Recycling companies may find it useful to include a column for Signatory status in their client databases.

Data on the number of clients who are Signatories will give a general indication of the uptake of FluoroCycle and may help to indicate the geographical distribution of that uptake. Where gaps are identified, strategies can then be developed to promote FluoroCycle in these areas.

Amount of waste mercury-containing lamps collected from Signatories

Recycling companies provide information to the Administrator about the amount of waste mercury-containing lamps received from Signatories in kilograms.

The information provided by a Recycling company will help to improve the understanding of the effectiveness and uptake of the scheme, identify gaps in collection or identify opportunities for increasing recycling.

Recycling companies should seek the Administrator's advice on the reporting of waste lamps collected if there are any unforeseen difficulties.

Total amount of mercury-containing lamps processed

The Administrator will request information from the Recycling companies about the total annual amount of mercury-containing lamps processed by them, in kilograms. The information provided by each Recycling company will be treated as commercial-in-confidence.

The formula for the calculation of the national recycling rate will draw on confidential, annual sales data for new mercury-containing lamps. The numbers of mercury-containing lamps sold will be converted to weight, allowing the national recycling rate to be calculated without disclosing any commercial-in-confidence information.

- g) *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.*

The Administrator will provide information about Applicants and Signatories to Recycling companies to verify and the Recycling companies will provide information to the Administrator. Any information that applicants and Signatories have identified as private or confidential must be treated appropriately by Recycling companies and not shared with any other party.

This means that Recycling companies need to have appropriate measures in place to ensure that information marked ‘private’ or ‘confidential’ is protected appropriately. The assumption is that such measures would already in place to satisfy the confidentiality requirements in contracts with current clients.

15.4 Action Plan

The Action Plan for Recycling companies should focus on promotion of the scheme to its clients as set out for all Facilitators in Section 9.2 of this Manual.

15.5 Audit requirements

The documents needed for an audit of a Recycling company are those that apply to all Facilitators, as set out in Section 9.6 of this Manual.

The information and data that Recycling companies provide to the Administrator on an ongoing basis will also be available to an audit.

16. Suppliers

16.1 Definition

‘Suppliers’ are the manufacturers of mercury-containing lamps, or their representatives in Australia, as well as the importers, wholesalers and retailers of these lamps. Australia imports all of its mercury-containing lamps at the present time.

16.2 Additional commitments

Suppliers need to meet the commitments that apply to all Facilitators, as set out in Section 9 of this Manual. The additional commitment for Suppliers is to provide information about recycling to customers in accompanying documentation.

16.3 Action Plan

Refer to Section 9.2 for advice to all Facilitators on the Action Plan. For Suppliers, the Action Plan should focus on strategies for promoting FluoroCycle to immediate and downstream customers. Such strategies could include:

- labelling of boxes of mercury-containing lamps
- providing information about FluoroCycle in factsheets or flyers that accompany invoices or consignment notes
- including information about FluoroCycle in product catalogues, and
- providing articles for trade journals.

16.4 Audit requirements

Refer to Section 9.6 for advice to all Facilitators about audit requirements. Specifically, Suppliers should keep examples of how the FluoroCycle logo, publications and specified communication tools have been used should be held for audit purposes.

17. Trainers

17.1 Definition

‘Trainers’ are educational institutions, businesses and organisations that provide, or facilitate, training to relevant personnel including apprentice electricians, qualified electricians, builders, renovators, retrofitters and demolition workers.

17.2 Additional commitments

Trainers need to be aware of the commitments that apply to all Facilitators, as set out in Section 9 of this Manual.

In addition, Trainers are required to provide relevant training that promotes the objective of FluoroCycle or ensure all relevant employees receive such training.

Examples of Trainers are:

- educational institutions, such as technical colleges, or trade associations that deliver training and incorporate the FluoroCycle scheme and its objective into the courses provided for apprentice electricians, qualified electricians and students in other trades that could be expected to be involved with the removal and disposal of mercury-containing lamps.
- businesses or organisations that make sure that relevant staff receive the training offered by the above educational institutions.

17.3 Action Plan

Refer to Section 9.2 of this Manual for advice to all Facilitators about the content of Action Plans.

In addition, an Action Plan for the Trainer Category should include plans for promotional activities that target relevant students at educational institutions and examples of how FluoroCycle publications can be used.

In addition, the Action Plan for an educational institution should:

- name the relevant courses offered
- describe how FluoroCycle-related information is incorporated
- state how often the courses are offered, and
- estimate the number of students per course.

Copies of course material or information from a prospectus could be attached to the Action Plan.

For a business or organisation, the Action Plan should provide the number of relevant employees expected to undergo the sort of training described above, what courses they will attend and the name of the educational institution/s providing the training. Businesses and organisations may also wish to promote FluoroCycle to their clients or members, encouraging them to apply for Signatory status.

Other activities can be included in the Action Plan, particularly if they strengthen the training relevant to FluoroCycle. For example, a business may consider it appropriate to train a trainer through a higher level, relevant course and this could be included in the Action Plan.

17.4 Audit requirements

Refer to Section 9.6 of this Manual for advice on the audit requirements that apply to all Facilitators.

For the purposes of an audit, an educational institution would need to demonstrate that courses described in the Action Plan were conducted and make copies of course material available. Documents that provide information about the numbers of students attending the courses should also be made available for the audit.

Businesses or organisations would need to provide documents that prove relevant staff received such training, eg receipts for attendance at courses or certificates from the educational institutions.



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