



Recycling Panel Member Application Pack

WA Container Deposit Scheme

The opportunity

What?

The WA Government has established a state-wide container deposit scheme (**Scheme**) which has started operating on 1 October 2020.

The Scheme provides a 10 cent refund amount for each eligible container returned for recycling at one of the many refund points established across Western Australia.

Why?

The Scheme is an important initiative that helps to:

- Increase the recovery and recycling of empty beverage containers;
- Reduce the number of empty beverage containers that are littered or disposed of to landfill;
- Ensure the manufacturers of beverage products meet their product stewardship responsibility in relation to their beverage products;
- Provide opportunities for social enterprises, and benefits for community organisations; and
- Complement existing collection and recycling activities for recyclable waste.

How?

The Scheme has a network of more than 200 refund points, which are locations across Western Australia where members of the public can return eligible containers in exchange for payment of a 10 cent refund amount.

Eligible containers returned to refund points are diverted to processors who process and bale the containers for recycling. These processed materials follow strict purity standards and are available for sale to members of the panel of recyclers approved by WA Return Recycle Renew Ltd (**WARRRL**) in its role as Coordinator of the Scheme (**Recycling Panel**) via an online recycling material sales platform (**Online Recycling Material Platform**).

In order to capture containers placed in kerbside recycling bins and containers collected from commercial businesses, operators of materials recovery facilities (**MRFOs**) also partake in the Scheme. Materials are available to members of the Recycling Panel via pre-existing MRFO output streams and are available for sale to members of the Recycling Panel via the Online Recycling Material Sales Platform.

The Online Recycling Material Sales Platform is a marketplace for Scheme-related waste output streams in Western Australia. The only buyers with access to the Online Recycling Material Sales Platform will be members of the Recycling Panel.

Who?

Interested businesses, including domestic and international recycling companies, domestic scrap traders and waste exporters, are all encouraged to apply for Recycling Panel membership.

WARRRL encourage applications from applicants who:

- are interested in purchasing either Processor / Scheme materials;
- have existing relationships with MRFOs and will continue to purchase MRFO output streams containing eligible materials; and
- can demonstrate alignment with the Scheme objectives, including to minimise waste going to landfill through recycling eligible materials.

If you are interested in becoming a Recycling Panel member, read this Application Pack to find out more.

1. Introduction

Western Australia's Container Deposit Scheme

In March 2019, the *Waste Avoidance and Resource Recovery Act (2007) (WA) (Act)* was amended to provide for the introduction of the Scheme. The Scheme commenced on 1 October 2020. The Scheme aims to increase the rate of recycling and to reduce the impact of beverage container litter on the natural environment. The Scheme also provides opportunities for social enterprises and benefits to the community.

WARRRL has been appointed as the Coordinator of the Scheme under the Act.

It is estimated that approximately 1,800 million beverage containers were used in Western Australia in 2017¹. The Scheme aims to encourage the collection and recycling of beverage containers by providing incentives in the form of a refund amount (initially 10 cents) (**Refund Amount**) on the return of a container that is eligible for payment of the Refund Amount (**Eligible Container**) to a collection point for empty containers (**Refund Point**). The Scheme follows the introduction of similar schemes in South Australia, Northern Territory, New South Wales, ACT and Queensland. Victoria, Tasmania have since started their own Container Deposit Scheme.

The Scheme applies to most beverage containers between 150mL and 3L in size.

Under section 47Z(2)(g) of the Act, one of the functions of WARRRL, as Coordinator of the Scheme, is to ensure arrangements are in place for recycling containers. Regulations made under the Act, the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019 (Regulations)*, provide that:

- The Coordinator must approve persons as persons to whom containers may be sold for recycling (each an approved recycler).
- The Coordinator may cancel the approval of a person as an approved recycler.
- If the Coordinator refuses to approve a person as an approved recycler, or cancels a person's approval as an approved recycler, the Coordinator must provide the person with written reasons for the decision.
- The chief executive officer of the Department of Water and Environmental Regulation (**CEO**) may review any decision made by the Coordinator in relation to approved recyclers.

About WARRRL

WARRRL has been appointed as the Coordinator under Act to deliver the Scheme. As Coordinator, WARRRL is responsible for:

- Scheme accessibility – Establishing a network of Refund Points to provide communities in Western Australia with access to collection points to return Eligible Containers;

¹ Department of Water and Environmental Regulation – Western Australia Container Deposit Scheme – Decision Regulation Impact Statement (July 2019)

- Product stewardship – Ensuring that all First Responsible Suppliers (as defined in the Act) fund the Scheme, with part of the Scheme being the establishment and maintenance of a process for approval of eligible containers that are supplied into Western Australia;
- Scheme payments – Setting and facilitating payments under the Scheme;
- Scheme awareness – Promoting the Scheme and managing complaints with respect to both members of the public who return containers for payment of the Refund Amount and Scheme participants;
- Recycling – Ensuring ongoing, efficient and effective arrangements are available in Western Australia for empty Eligible Containers to be collected, sorted, processed and recycled; and
- Scheme Integrity – Ensuring payments and reporting are verified and the Scheme is free from fraud.

Definition of Recycling and Recyclers

Section 47M of Act prohibits the Coordinator from disposing of, or allowing the disposal of, a collected or returned container in a prohibited manner. The Act and the Regulations provide that a container is disposed of in a prohibited manner if the container is disposed of:

- at disposal premises (i.e. premises used for the purpose of receiving waste and in respect of which the occupier is required to hold a licence under the Environmental Protection Act 1986); or
- by burial; or
- in contravention of the *Environmental Protection Act 1986* Part V Division 1; or
- by burning or incinerating,

but does **not** include:

- disposing of a glass container by processing the container and using the output material:
 - as a substitute for sand or aggregate in the construction of roads, asphalt or concrete; or
 - as a substitute for sand for bedding of pipework or cables; or
 - as a bedding for slab and footpath construction; or
 - as abrasive blast material; or
 - for water purification or drainage; or
- disposing of a container by processing the container and using the output material for a purpose approved by the CEO.

Therefore, for the purpose of the Scheme, recycling of a container is where the materials are diverted from landfill and / or litter. For example, glass sold through the Online Recycling Material Sales Platform may be recycled to create products such as glass containers, glass fines for use in road base and building applications or fibreglass. Likewise, plastics may be pelletised and used in the production of new plastic products or recycled into 3D printing filament.

WARRRL will consider any applicant (be they a recycler, trader, or exporter) who can demonstrate that Scheme materials purchased will be recycled. Recyclers can demonstrate this by outlining current business operations. Traders can demonstrate this by outlining what happens to materials post-sale.

Exporters can demonstrate this by outlining what happens to materials post-export (for example, plastics are shipped to an offshore location for cleaning and pelletising prior to re-sale).

In order to be approved to be a Recycler within the Scheme and if so approved, adhere to the Scheme requirements and obligations as outlined in the Recycling Panel Agreement, an applicant must be able to demonstrate evidence that the materials have been either recycled or if the applicant is a broker, received by an end recycler accompanied by a statutory declaration every quarter outlining to whom it was recycled, country of destination volumes and other information as outlined in the Agreement. In the application process, each applicant has the opportunity to share their corporate responsibility policy, environmental policy, or recycling effectivity data to assist in demonstrating the applicant's alignment with the Scheme Objectives, including: recovery and recycling of eligible containers; reducing litter and reducing the number of eligible containers disposed to landfill; complementing existing collection and recycling activities; providing opportunities for social enterprise and benefits for community organisations.

Purpose of this Application Pack

WARRRL invites interested businesses, including domestic and international recycling companies, domestic scrap traders, and waste exporters, to apply to become a Recycling Panel member through this application process to participate in the successful delivery of the Scheme.

Structure of the Application Pack

This Application Pack comprises of the following sections:

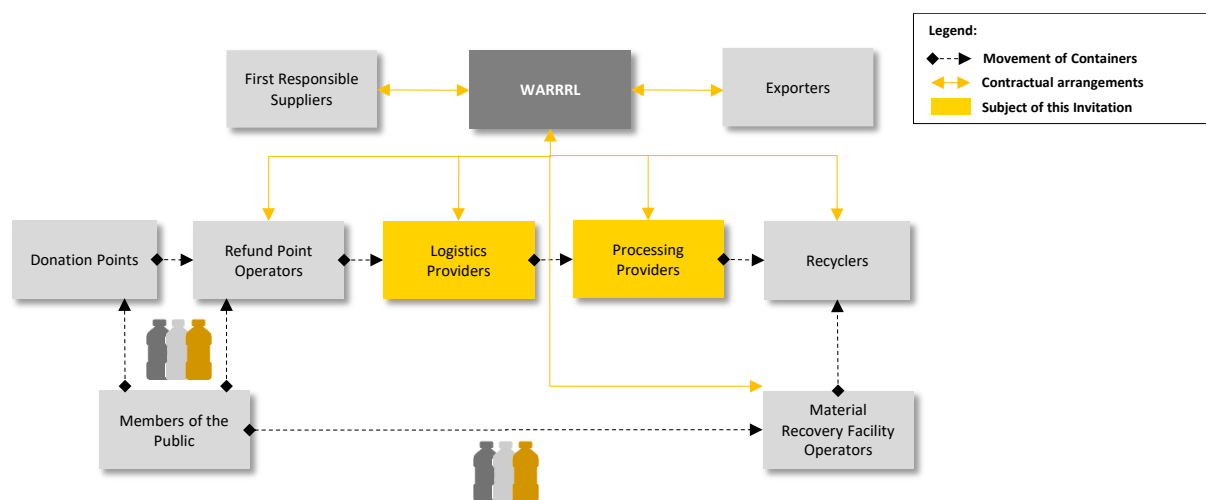
- **Section 1:** This introduction
- **Section 2:** Provides a brief overview of the structure of the Scheme;
- **Section 3:** Describes the responsibilities and obligations of members of the Recycling Panel;
- **Section 4:** Sets out how interested parties should apply to become a Recycling Panel member; and
- **Section 5:** Contains the Terms and Conditions applying to the Application Pack and the Application Process.

2. Scheme structure

The Scheme has been designed to facilitate the active participation of small businesses, community groups and charities.

The figure below provides an overview of how the Scheme operates, demonstrating the flow of Eligible Containers through the Scheme from members of the public to different Scheme participants, before exiting the Scheme via approved members of the Recycling Panel (**Recyclers**).

Figure 1: Scheme structure



The activities undertaken by members of the public and each of the Scheme participants in the figure above include:

- **Members of the public** may return eligible containers by either:
 - presenting eligible containers at Refund Points in exchange for Refund Amounts; or
 - placing eligible containers in kerbside bins (no Refund Amounts paid to the members of the public); or
 - gifting eligible containers to donation points (no Refund Amounts paid to the members of the public).
- **Refund Point Operators** are responsible for the operation of Refund Points, including:
 - paying Refund Amounts to members of the public who return eligible containers;
 - counting and sorting the collected Containers; and
 - preparation of Containers for collection by Logistics Providers (described below) from a single point (**Aggregation Point**).
- **Donation Points** are organisations that accept gifts of Containers from the community. There is no contract between WARRRL and Donation Points. Donation Points will return the collected Containers to Refund Points in exchange for the Refund Amount.
- **Logistics Providers** are responsible for picking up Containers from Refund Points and transporting them to Processing Providers (described below).

-
- **Processing Providers** are responsible for verifying the number of Containers received from Refund Points, preparing the Containers for recycling and listing the processed materials for sale to Recyclers via the Online Recycling Material Sales Platform.
 - **Recyclers** facilitate the processing of the materials into new products. This may mean directly manufacturing back into the same product (e.g. bottle to bottle), processing to a specification for use in other applications (e.g. road construction, drainage material) or sourcing markets that can undertake the repurposing of the material.
 - **Material Recovery Facilities Operators (MRFs)** collect Containers through kerbside recycling bins. This material is then available for sale to Recyclers via the Online Recycling Material Sales Platform.
 - **First Responsible Suppliers and Exporters** are responsible for funding the costs of the Scheme in accordance with their product stewardship obligations under the Act.

The focus of this Application Pack is to support the identification and appointment of Recycling Panel members.

Material Types

Refund Point Operators are required to sort the collected Eligible Containers into 12 material types and record the count of the number of Eligible Containers of each material type. The material types are:

- Glass Mixed
- Glass Amber;
- Glass Flint;
- Glass Green;
- PET Clear;
- PET Coloured or White;
- High-density polyethylene (HDPE);
- Aluminium;
- Steel;
- Liquid paper board; and
- Collectively, all materials other than those described above, which are deemed to all be of a single material type known as 'Other'.

Processing Providers are required to provide sufficient collection infrastructure to each Aggregation Point from which it receives containers to ensure that each Material Type can be separately stored and transported. Processing Providers lists saleable quantities of specific Material Types for sale on the Online Recycling Material Sales Platform.

3. Role of Recycling Panel Members

Overview

Membership on the Recycling Panel provides you with access to the Online Recycling Material Sales Platform, where you may choose to bid on and purchase quantities of processed materials for recycling purposes. The panel is open to interested businesses, including domestic and international recycling companies, domestic scrap traders and waste exporters, provided the applicant can show evidence the purchased materials will be recycled as described in Section 1 above.

This section provides commentary around the conditions of membership on the Recycling Panel. These conditions include execution of, and compliance with, a standard form Recycling Panel Agreement which provides for:

- Handling of purchases responsibly and in keeping with the Scheme objectives, either by directly recycling those materials or on-selling those materials to a recycler;
- The timely collection of and payment for purchased materials;
- Handling of transport and export requirements effectively and responsibly, which includes ensuring all relevant terms of trade and requirements under the GST legislation for GST-free exports are met;
- Reporting of export and end use data to WARRRL, including all data required for payment, audit and verification purposes;
- Cooperation with WARRRL, Processing Providers, and MRFOs to promote the efficient operation of the Scheme;
- Any activities required to comply with relevant legislative or regulatory requirements; and
- Assistance with WARRRL's audit and verification activities.

More detail on the specific criteria an applicant is required to meet in order to be approved as a Recycler with the Scheme under Regulation 9 (3) of the Waste Avoidance and Resource Recovery (Container Deposit Scheme) is outlined in the enclosed document '*Recyclers - Reg 9 (3) - criteria for approval, refusal and cancellation*'.

It should be noted that membership on the Recycling Panel provides panel members with access to the Online Recycling Material Sales Platform. Panel members may choose to bid at their discretion.

There are no membership or application costs and there is no obligation to purchase.

Purchasing

The Recycler are provided with access to the Online Recycling Material Sales Platform, enabling the Recycler to bid on and purchase materials in accordance with their business requirements. The Recycler who is the highest bidder at the end of the auction (if the highest bid is over reserve), is party to a binding sales agreement with WARRRL upon the fall of the hammer.

The successful purchaser is required to collect the materials from the Processor or MRFO at a time to be agreed between both parties, within the latter of five business days of the auction closing date or five business days of the material availability date.

Prior to collection, the Recycler must enter destination data (comprising initial delivery location and then the final destination) into the online system made available by WARRRL. If the goods are intended for export, within 60 days the Recycler is responsible for providing WARRRL with export data and adhering to the relevant terms of trade and requirements under the GST legislation for GST-free exports.

At time of delivery, the Processor or MRFO establish the actual weight of the materials and enter that data into the manifest. Saving the manifest in the online system triggers the invoice to the Recycler (based on actual weight in tonnes multiplied by bid price per tonne).

All invoices must be paid within five business days of issue.

To enable the delivery process, the Recycler is provided with the information of the Processors or MRFO that is effecting the delivery (noting delivery may be by way of collection by the Recycler or delivery by the Processor or MRFO to the Recycler, depending on the terms of auction of the processed material concerned). For each location, this includes:

- Business name;
- Address; and
- Contact number.

Please note the Processor or MRFO also receive the successful purchaser's contact details.

It is WARRRL's expectation that Recyclers work proactively with Processors and MRFOs to schedule deliveries of purchased materials in an efficient and effective manner (to ensure the needs of all parties are met).

Audit and Reporting

The accuracy of reporting is critical to the success and integrity of the Scheme. WARRRL has implemented a range of Scheme-wide audit and verification activities, including data collection, data analysis and onsite data verification activities.

Estimated Weight versus Actual Weight

All lots listed on the Online Recycling Material Sales Platform are listed with an estimated weight based on the size and number of bales and the Material Type. Any Recycler wishing to purchase the material submits a bid price in dollars per metric tonne. Actual payments are calculated and invoiced based on the actual weight of the materials, with the actual weight listed on the manifest. For example, a lot may be listed with a weight of 20T, whereas the actual weight loaded might be 19.875T or 20.130T. The invoice and the manifest will reflect the bid price multiplied by the actual weight.

The relevant Processor or MRFO is responsible for determining the actual weight of materials sold. This may be done in one of the following two ways:

- The Processor or MRFO calculates the actual weight of materials by weighing each block of material as it is loaded into the container/truck used for delivery (as applicable), using a load cell or similar accurate form of weight measurement, and aggregating the block weights to identify the actual material weight; or

- Identifying the tare weight of the shipping container (if used), the weight of the unladen truck (using a weighbridge on entry), and the weight of the laden truck (using weighbridge on exit). The weight of the materials to be invoiced is the net weight remaining after the tare weight has been deducted from the gross weight. Under this option, the person collecting the materials needs to drive over a weighbridge when entering and exiting the Processor or MRFO's site.

Recyclers are required to perform collection activities in such a way that enables the Processor or MRFO to comply with the weighing methodology outlined above.

Recyclers can choose to be present during the weighing process but must arrange this in advance with the Processor or MRFO. Recyclers can also choose to verify the actual weight at a public weighbridge. Recyclers who identify a weight discrepancy and have supporting documentation have the option of lodging a dispute within ten business days of the collection date.

End Use and Export Verification

As Coordinator, WARRRL is required to report to the State on the end use and / or export destination of Scheme materials once they exit the Scheme. Recyclers must therefore provide this information via the Online Recycling Material Sales Platform at the completion of a sale and prior to the creation of the manifest.

If you are an overseas entity not registered for GST, and you record an export destination in your final destination, you will not be charged GST on your purchase.

To streamline the end use and export verification process, WARRRL provide all Recyclers with an annual report detailing the lots they have purchased and the associated destinations they have entered. The Recycler is responsible for confirming the accuracy of the final destination report by providing a statutory declaration (sworn by a director of the Recycler or the ultimate parent entity of the Recycler and the chief executive officer or equivalent of the Recycler or the ultimate parent entity of the Recycler) to that effect and bills of lading (where available). The Recycler is required to provide such a statutory declaration for the dual purpose of confirming:

1. Materials have been recycled in accordance with the Scheme objectives; and
2. Lots identified as a GST-free export were exported as required within 60 days of purchase.

As such, all Recyclers are required to complete the annual report and provide the statutory declaration, whether goods have been exported or have stayed in Australia.

Payment Terms

Recyclers must pay WARRRL for all lots purchased within five business days of the issue of the invoice for that lot.

Compliance with Laws and Policy

The Recycler is responsible for ensuring that they comply with all applicable laws, including legislation relating to the use of heavy vehicles, including chain of responsibility compliance and legislation with regard to waste management and recycling.

The Recycler is responsible for ensuring that they comply with all relevant terms of trade and requirements under the GST legislation for GST-free exports.

Cancellation or Suspension of Membership to the Recycling Panel

WARRRL may cancel or suspend a Recycler's appointment to the Recycling Panel if the Recycler fails to comply with its obligations under the Recycling Panel Agreement, including but not limited to the following obligations: to ensure any material sourced from the Scheme is recycled and not disposed of in a manner prohibited under the Act (as outlined in Section 1 above), to comply with any applicable legislation, to adhere to payments terms and to not undertake activities which are contrary to the Scheme's objectives. The grounds and process for such cancellation or suspension are set out in the Recycling Panel Agreement.

4. How to apply?

Who can apply?

Interested businesses, including domestic and international recycling companies and waste exporters, are all encouraged to apply to participate in the Recycling Panel for the Western Australia container deposit scheme.

WARRRL encourages applications from applicants who:

- Are capable of bidding on, purchasing and paying for materials through the Online Recycling Material Sales Platform;
- Are capable of taking delivery of material acquired through the Online Recycling Material Sales Platform;
- Will operate in alignment with the Scheme objectives, including to reduce waste and increase recycling; and
- Can ensure all materials purchased through the Online Recycling Material Sales Platform are either exported or recycled, in accordance with the Recycling Panel Agreement.

Step 1: Contact WARRRL

If you are interested in becoming a Recycling Panel member, we encourage you to first contact us with your:

- Contact details (name, business name, phone number and email address); and
- Proposed recycling and/or export arrangements.

Contact Details: Clementine Caron
Contract Manager Recyclers and MRFs
recycling@warrl.com.au

You can also contact us with any questions about the Scheme or the Recycling Panel.

WARRRL will then review your application against set evaluation criteria to determine if you are suitable to be a Recycling Panel member. The evaluation criteria are available for viewing on the WARRRL website.

Step 2: Review the Recycling Panel Agreement

WARRRL enters into a Recycling Panel Agreement with each Recycling Panel member.

Applicants should carefully review the Recycling Panel Agreement and seek independent legal advice before completing their Application to become a Recycling Panel member.

Step 3: Complete the Application Form

Applicants should complete the application form and return it to WARRRL by email to recycling@warrri.com.au

WARRRL will review your application and then may:

- Ask you clarification questions; and/or
- Seek to enter into a Recycling Panel Agreement with you; or
- Advise you that your application has been unsuccessful at this time and provide written reason for the refusal to approve you as a recycler for the purposes of the Scheme.

Attachments:

Recycling Panel Agreement

https://cdn.warrri.com.au/2022/03/772377683_1_W.A.-Recycling-Panel-Agreement-Credit-Limit-Template.docx#new_tab

Recyclers -Reg 9(3) - criteria for approval, refusal and cancellation

<https://cdn.warrri.com.au/2022/03/Approved-Recyclers-Reg-93-V-Final-16-09-2020-1.pdf>

Contact us

If you have any queries in relation to becoming a Recycling Panel Member, contact Clementine Caron on recycling@warrri.com.au

**Interested in finding out more?
Contact us today on 13 4CHANGE (13 42 42)**

5. Terms and Conditions

The Terms and Conditions set out in this Section are a condition of, and will apply to your participation in the Recycling Panel application process (**Application Process**). **WARRRL website**

- Access to and use of the WARRRL website www.warrrl.com.au (**Website**) (including all pages accessed via that website address) is subject the Terms of Use published on the Website. You must comply with those Terms of Use, and any applicable instructions, processes, procedures and recommendations with respect to use of the Website as advised on the Website.

Acknowledgments and warranties by you

You acknowledge and agree that, by engaging in any way in the Application Process, and whether or not you submit an application:

- You are deemed to accept, and are bound by, these Terms and Conditions; and
- You warrant that all information contained in any application you submit is true and correct, and not misleading, in all material respects.

Liability

To the extent permitted by law, WARRRL disclaims all liability, whether in contract, tort (including negligence), under statute or otherwise, arising from information contained in or omitted from any document provided to or accessed by you in connection with the Application Process.

Costs borne by you

You bear entirely and exclusively all costs and expenses incurred in any way associated with the Application Process, including developing, preparing and submitting its application, attending meetings, site visits and seeking independent legal advice. You acknowledge that under no circumstances will WARRRL reimburse any charges, costs, expenses or fees incurred by You.

No warranties by WARRRL

WARRRL makes no representation or warranty, express or implied, as to the reliability or completeness of the information contained in this document, or any information that may be provided in association with the Application Process, including any information provided by WARRRL in response to any enquiry.

Applicants to inform themselves

By submitting an Application, you are deemed to have:

- Examined and considered this document and all other information made available to you or your representatives by WARRRL in connection with the Application Process and all other necessary information which may be relevant to the risks, contingencies and other circumstances which may have an effect on your application;
- Satisfied yourself as to the correctness and sufficiency of your application; and
- Acknowledged and agreed that you do not rely on any oral or written warranty or representation by or on behalf of WARRRL.

Without limiting the foregoing, you are responsible for informing itself with respect to all conditions which might in any way affect the cost or the performance of your obligations under a Recycling Panel Agreement. Failure to do so will be at your sole risk and no relief can be given for errors or omissions by you.

Reservation of rights

WARRRL reserves the right to (in its absolute discretion):

- Vary or amend the Application Process, including these terms and conditions, at any time;
- Terminate the Application Process at any time;
- Select applicants to be Recycling Panel members or choose not to do so;
- Reject, or refuse to consider, any or all of the applications to be Recycling Panel members received,

subject to compliance with its obligation under the Act and the Regulations, including Regulation 9(3), which requires WARRRL to publish on the Website:

- the manner and form in which an application to be an approved recycler is to be made and the process for applying; and
- the criteria that must be met for a person to be approved as an approved recycler, and the grounds on which approval of a person as an approved recycler may be refused.

Decision making

Subject to WARRRL's decision making being consistent with the information and criteria published in accordance with Regulation 9(3) (as outlined above), WARRRL has absolute discretion in connection with any and all decisions made or actions taken, refused to be made or taken or required to be made or taken by it in connection with this Application Process.

To the extent permitted by law, WARRRL has no liability to you for any such decision, action, refusal, evaluation or selection.

The CEO may review any decision made by WARRRL in relation to approved recyclers under Regulation 9(5).

Confidential information

Any information supplied by or on behalf of WARRRL to you which is not in the public domain is the confidential information of WARRRL. You must maintain the confidentiality of that information unless WARRRL consents otherwise. Notwithstanding the forgoing, you may disclose such information to officers, employees, contractors, consultants or professional advisers for the purposes of or in connection with the Application Process. You must ensure that each such officer, employee, contractor, consultant or professional adviser preserves the confidentiality of the confidential information disclosed to it.

If any part of an application contains information that is confidential to you those parts must be clearly marked as confidential. You must only mark those parts of your application that are actually confidential. WARRRL will take reasonable steps to keep confidential those parts of an Application that are clearly marked as confidential and that actually contain confidential information, but WARRRL may disclose:

- Any part of an application (including parts containing confidential information) where that disclosure is authorised or required by law; or
- Confidential information (including any contained in any application and attachments submitted you) to its officers, employees, contractors, consultants and professional advisers and to representatives of the State of Western Australia for the purposes of assessing the application or entry into a Recycling Panel Agreement with you.

You grants WARRRL the right to make copies of or use your application for any purpose in connection with the assessment of the application or entry into a Recycling Panel Agreement with you.

Any information or documentation supplied by or on behalf of WARRRL to you or your representatives in connection with this Application remains the property of WARRRL.

At the request of WARRRL, you must return or destroy any and all such information and documentation.

Security and privacy

WARRRL may hold your personal information in either electronic or hard copy form. WARRRL will take reasonable steps to protect your personal information from misuse, interference and loss, as well as unauthorised access, modification or disclosure and WARRRL uses a number of physical, administrative, personnel and technical

measures to protect your personal information. These include using encryption technologies and deploying anti-malware and anti-virus software. However, WARRRL cannot guarantee the security of your personal information.

Reliance by WARRRL

WARRRL may, without any further communication with you, rely on all conduct and representations of any kind (whether solicited or not) by you in connection with the Application, including any representations made or information provided by you or your representatives in response to any clarification questions asked by WARRRL as part of its evaluation of you.

Legal implications of this document

This document is not an offer capable of acceptance and therefore will not form part of any contract between WARRRL and you. Contractual rights and obligations will only arise between WARRRL and you upon the execution by WARRRL and you of a Recycling Panel Agreement.

No contractual obligations, express or implied, will arise between WARRRL and you as a result of WARRRL's provision of this document, a pro forma agreement or any other document in connection with the Application Process or by your submission of an application.

To the extent permitted by law, you will have no claim against WARRRL arising out of or in connection with WARRRL's release of this document or any other document in connection with the Application Process.

Governing law

The laws of Western Australia apply to this document and the Application Process. WARRRL and you irrevocably and unconditionally submit to the non-exclusive jurisdiction of the Courts of Western Australia.