Recycling and Waste Reduction (Product Stewardship—Televisions and Computers) Rules 2021

made under subsection 188(1) of the *Recycling and Waste Reduction Act 2020* and item 1 of Schedule 3 to the *Recycling and Waste Reduction (Consequential and Transitional Provisions) Act 2020*

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About this compilation

This compilation

This is a compilation of the *Recycling and Waste Reduction (Product Stewardship—Televisions and Computers) Rules 2021* that shows the text of the law as amended and in force on 1 July 2026 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au).

Application, saving and transitional provisions

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Presentational changes

The *Legislation Act 2003* provides for First Parliamentary Counsel to make presentational changes to a compilation. Presentational changes are applied to give a more consistent look and feel to legislation published on the Register, and enable the user to more easily navigate those documents.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. Any modifications affecting the law are accessible on the Register.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part 1—Preliminary

1 Name

This instrument is the *Recycling and Waste Reduction (Product Stewardship—Televisions and Computers) Rules 2021*.

3 Authority

(1) Subject to subsection (2), this instrument is made under the *Recycling and Waste Reduction Act 2020*.

(2) Division 1 of Part 6 is made under item 1 of Schedule 3 to the *Recycling and Waste Reduction (Consequential and Transitional Provisions) Act 2020*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:
(a) administrator;
(b) approved co-regulatory arrangement;
(ba) CEO;
(c) constitutional corporation;
(d) liable party;
(e) product;
(f) waste material.

In this instrument:

ABN has the meaning given by section 41 of the *A New Tax System (Australian Business Number) Act 1999*.

ACN has the meaning given by section 9 of the *Corporations Act 2001*.

Act means the *Recycling and Waste Reduction Act 2020*.

ASGS means the document titled *Australian Statistical Geography Standard (ASGS): Volume 5 - Remoteness Structure*, published by the Australian Statistician.

AS/NZS 5377 means the Australian/New Zealand Standard *Collection, storage, transport and treatment of end-of-life electrical and electronic equipment*, published jointly by, or on behalf of, Standards Australia and Standards New Zealand.

collection service: see section 8.

comprehensively recycled has a meaning affected by subsection 7(2).

computer means a product with a product code mentioned in Part 2 of Schedule 1, but does not include imported waste material.

computer part or peripheral means a product with a product code mentioned in Part 4 of Schedule 1, but does not include imported waste material.

conversion factor for a kind of television or computer product means the number mentioned for a product of that kind in column 3 of a table in Schedule 1.

converted weight of a number of units of a kind of television or computer product means the number obtained by multiplying the number of units by the conversion factor mentioned for a product of that kind in column 3 of a table in Schedule 1.

import declaration has the same meaning as in the *Customs Act 1901*.

imported: a product is ***imported*** at a time if, at that time, the product:

(a) is the subject of an import declaration; and

(b) is entered for home consumption under subsection 68(3A) of the *Customs Act 1901* in respect of that import declaration.

Note: Section 4A provides for certain changes of import declarations not to be taken into account for certain purposes.

import or manufacture share: see section 11.

inner regional area: an area is an ***inner regional area*** for a financial year if the area is described as Inner Regional Australia in the ASGS as the ASGS exists on the most recent finalised census day for the financial year.

kind of television or computer product means a television or computer product with a distinct product code.

Example: Scanners weighing not more than 1 kg that are imported or manufactured in Australia on or after 1 July 2018 have the distinct product code 8471.60.00.65. They are a kind of television or computer product.

manufacture a computer includes assemble the computer.

material recovery target means the proportion of television or computer products to be sent after recycling for processing into usable materials in a particular financial year, worked out under section 16.

metropolitan area: an area is a ***metropolitan area*** for a financial year if the area is described as Major Cities of Australia in the ASGS as the ASGS exists on the most recent finalised census day for the financial year.

most recent finalised census day for a financial year means the Census day (within the meaning of the *Census and Statistics Act 1905*) for the Census of Population and Housing most recently published on the website of the Australian Bureau of Statistics before the start of the financial year.

outcome year for an approved co-regulatory arrangement means a financial year starting on or after:

(a) 1 July 2021; or

(b) if the arrangement is approved under section 85 of the Act after 1 July 2021—the first 1 July after the approval.

outer regional area: an area is an ***outer regional area*** for a financial year if the area is described as Outer Regional Australia in the ASGS as the ASGS exists on the most recent finalised census day for the financial year.

percentage target for a financial year means the percentage target set out in Schedule 2 for the financial year.

printer means a product with a product code mentioned in Part 3 of Schedule 1, but does not include imported waste material.

product code for a product means the code mentioned for the product in the document titled the *Combined Australian Customs Tariff Nomenclature and Statistical Classification*.

Note: The document could in 2021 be viewed on the Australian Border Force's website (https://www.abf.gov.au). The document refers to tariff classifications in the *Customs Tariff Act 1995*.

reasonable access: see section 9.

recycle a television or computer product means process the product for the purpose of recovering usable materials, and includes disassemble or shred the product.

recycling target: see section 11.

registered auditor means:

(a) a person that is a registered company auditor under section 1280 of the *Corporations Act 2001*; or

(b) a company that is registered as an authorised audit company under section 1299C of that Act.

remote area: an area is a ***remote area*** for a financial year if the area is described as Remote Australia or Very Remote Australia in the ASGS as the ASGS exists on the most recent finalised census day for the financial year.

scheme target: see section 11.

service provider in relation to a co-regulatory arrangement includes:

(a) an overseas facility that receives whole units of the products exported from Australia under the co-regulatory arrangement; and

(b) if the administrator of the co-regulatory arrangement provides services in relation to the co-regulatory arrangement beyond the role of being administrator—the administrator in its capacity of providing those services.

small business: a business is a small business for a financial year if it satisfies at least 2 of the following paragraphs:

(a) the consolidated revenue of the business and any entity it controls was $25 million or less in the financial year;

(b) the value of the consolidated gross assets of the business and any entity it controls was $19 million or less at the end of the financial year;

(c) the business and any entities it controls had fewer than 50 employees at the end of the financial year.

television means a product with a product code mentioned in Part 1 of Schedule 1, but does not include imported waste material.

television or computer product means:

(a) a television; or

(b) a computer that was manufactured outside Australia; or

(c) a printer; or

(d) a computer part or peripheral.

waste arising: see section 11.

whole unit of a television or computer product means a unit of a television or computer product that has not been recycled.

4A Use of information in import declarations

(1) For the purposes of determining in this instrument whether a product was imported in a financial year, a change made to an import declaration must not be taken into account if:

(a) the change is made after 31 October of the financial year following the financial year in which the import declaration was made; and

(b) the change:

(i) reduces the number of television or computer products specified in the declaration; or

(ii) reduces the converted weight of any kind of television or computer product specified in the declaration.

(2) However, a change described in subsection (1) may be taken into account if the CEO is satisfied that there are exceptional circumstances that justify taking the change into account, having regard to:

(a) the matters listed in subsection (3); and

(b) any other matter the CEO considers relevant.

(3) For the purposes of paragraph (2)(a), the CEO must have regard to the following matters:

(a) the reason for the change made to the import declaration;

(b) the nature of the change;

(c) the reason why the change was not made on or before 31 October of the following financial year;

(d) whether the importer has previously made a change to an import declaration in relation to television or computer products after 31 October of the financial year following the financial year in which the import declaration was made;

(e) whether taking the change into account would unreasonably impact other liable parties or co-regulatory arrangements in relation to television or computer products;

(f) whether not taking the change into account would unreasonably distort the recycling target for a financial year, or the import or manufacture share for a financial year, of an approved co-regulatory arrangement that relates to television or computer products.

Part 2—Liable parties in relation to television or computer products

5 Authority

For the purposes of subsection 77(1) of the Act, this Part specifies persons as liable parties in relation to television or computer products.

6 Liable parties

Televisions

(1) A person is a liable party for a financial year if, in the previous financial year:

(a) the person imported or manufactured in Australia more than 5,000 televisions; or

(b) the person, and a related body corporate, imported or manufactured in Australia more than 5,000 televisions, of which more than 1,000 were imported or manufactured in Australia by the person.

Note 1: To be a liable party, the person must also be a constitutional corporation (see paragraph 77(2)(a) of the Act).

Note 2: An example of paragraph (1)(a) is a person who imported 4,000 televisions and manufactured in Australia 2,000 televisions.

Note 3: An example of paragraph (1)(b) is a person who imported 2,000 televisions when a related body corporate imported 4,000 televisions.

Computers or printers

(2) A person is a liable party for a financial year if, in the previous financial year:

(a) the person imported or manufactured in Australia more than 5,000 computers or printers; or

(b) the person, and a related body corporate, imported or manufactured in Australia more than 5,000 computers or printers, of which more than 1,000 were imported or manufactured in Australia by the person.

Note 1: To be a liable party, the person must also be a constitutional corporation (see paragraph 77(2)(a) of the Act).

Note 2: An example of paragraph (2)(a) is a person who imported 4,000 computers and manufactured in Australia 2,000 printers.

Note 3: An example of paragraph (2)(b) is a person who imported 2,000 computers when a related body corporate manufactured in Australia 4,000 printers.

Computer parts or peripherals

(3) A person is a liable party for a financial year if, in the previous financial year, the person imported or manufactured in Australia more than 15,000 computer parts or peripherals.

Note: To be a liable party, the person must also be a constitutional corporation (see paragraph 77(2)(a) of the Act).

Obligation as liable party continues

(4) If:

(a) a person is a liable party for television or computer products in a financial year; and

(b) the person is not a member of an approved co-regulatory arrangement on 30 June of the financial year;

the person continues to be a liable party, for those products, until the end of the financial year in which the person becomes a member of an approved co-regulatory arrangement, regardless of whether the person would have been a liable party in that financial year apart from this subsection.

Part 3—Outcomes for approved co-regulatory arrangements

Division 1—Outcomes

7 Outcomes

(1) For the purposes of subsection 77(1) and section 79 of the Act, the outcomes to be achieved for each outcome year by an approved co-regulatory arrangement that relates to television or computer products are as follows:

(a) reasonable access to collection services in metropolitan areas, inner regional areas, outer regional areas and remote areas must be provided in accordance with section 9;

(b) advertising of collection services occurs in accordance with section 10;

(c) the recycling target worked out under section 11 must be met;

(d) the material recovery target must be met;

(e) television or computer products that are recycled must be recycled:

(i) under an approved co-regulatory arrangement; or

(ii) by a liable party who subsequently becomes a member of a co-regulatory arrangement;

(f) television or computer products that are recycled must be recycled:

(i) by a person certified to AS/NZS 5377 (as existing at the start of the financial year in which the product is recycled) at a facility covered by that certification; and

(ii) in accordance with that standard;

(g) television or computer products that are recycled must be comprehensively recycled.

(2) Without limiting the circumstances in a which a television or computer product is ***comprehensively recycled***, if the television or computer product is in its major components or materials, it includes disassembled or shredded products.

(3) To achieve the outcomes mentioned in paragraphs (1)(a) and (c), the administrator of the approved co-regulatory arrangement in relation to television or computer products must ensure that, under the co-regulatory arrangement:

(a) a person is not charged for the collection of a television or computer product for recycling if the product was used by the person only:

(i) for personal, domestic or household purposes; or

(ii) in relation to a business that was a small business in the financial year preceding the outcome year; and

(b) collection of every kind of product covered by the definition of ***television or computer product*** must be accepted.

Division 2—Collection

8 Collection services

A ***collection service*** is any of the following:

(a) a program under which consumers may submit for recycling any product of a kind covered by the definition of ***television or computer product*** by mail or courier;

(b) an event at which consumers may submit for recycling any product of a kind covered by the definition of ***television or computer product***;

(c) a collection station established solely for consumers to submit for recycling any product of a kind covered by the definition of ***television or computer product***;

(d) a location where consumers may submit for recycling any product of a kind covered by the definition of ***television or computer product*** (even if the location is also used for other purposes);

(e) a program for collection of any product of a kind covered by the definition of ***television or computer product*** registered by consumers for collection at a place.

Examples for paragraph (d): Retail outlets, local governments, not-for-profit organisations.

Example for paragraph (e): Registration through a toll-free number or online.

9 Reasonable access—general requirements

(1) For the purposes of paragraph 7(1)(a) (about the outcome of an approved co-regulatory arrangement), access to collection services is reasonable in an outcome year if access is provided in accordance with this section.

(2) In this section:

(a) a reference to a distance is a reference to a distance by road; and

(b) a reference to the population of an area or town is a reference to the population of the area or town as determined in the Census of Population and Housing most recently published on the website of the Australian Bureau of Statistics before the start of the outcome year; and

(c) a reference to the centre point of a town is a reference to the point whose latitude and longitude are identified as the location of the town in the *Gazetteer of Australia*, published by Geoscience Australia and existing on the most recent finalised census day for the outcome year.

Metropolitan areas

(3) In the outcome year, the number of collection services provided for each metropolitan area must at least equal the population of that area divided by 250,000 and rounded up to the closest whole number.

Inner regional areas

(4) In the outcome year, at least one collection service must be provided for every town with a population of at least 10,000 in an inner regional area.

(5) A service is provided for a town mentioned in subsection (4) if the service is available within 100 kilometres of the centre point of that town.

Outer regional areas

(6) In the outcome year, at least one collection service must be provided for every town with a population of at least 4,000 in an outer regional area.

(7) A service is provided for a town mentioned in subsection (6) if the service is available within 150 kilometres of the centre point of that town.

Remote areas

(8) In the outcome year or the immediately preceding financial year, at least one collection service must be provided for every town with a population of at least 2,000 in a remote area.

(9) A service is provided for a town mentioned in subsection (8) if the service is available within 200 kilometres of the centre point of that town.

External Territories

(10) Despite anything else in this section, a collection service need not be provided in an external Territory.

10 Advertising collection services

(1) For the purposes of paragraph 7(1)(b) (about advertising collection services), the administrator of an approved co-regulatory arrangement in relation to television or computer products must advertise the existence and location of each collection service in the following areas:

(a) metropolitan areas;
(b) inner regional areas;
(c) outer regional areas;
(d) remote areas.

(2) Advertising must be reasonably appropriate for the purpose of notifying members of a local community about the type and location of a collection service, and may include, but is not limited to, advertising in the following ways:

(a) on a social media service (within the meaning of the *Enhancing Online Safety Act 2015*);
(b) on a website that promotes recycling;
(c) on signage placed in close proximity to a collection service;
(d) on a poster or notice placed on a community billboard;

(e) on leaflets or pamphlets distributed to homes;

(f) in a local newspaper or magazine.

(3) Advertising may be undertaken alone or jointly with the provider of a collection service.

Division 3—Recycling

11 Working out recycling target

(1) The ***recycling target*** of an approved co-regulatory arrangement for a financial year is the scheme target for that year multiplied by the co-regulatory arrangement's import or manufacture share for that year.

(2) The ***scheme target*** is the percentage target for a financial year (see Schedule 2) multiplied by the waste arising.

(3) ***Waste arising*** is worked out using the following method statement:

Method statement

Step 1. For all televisions:

(a) identify the total converted weight of all televisions imported or manufactured in Australia in the last 3 financial years; and

(b) work out the annual average total converted weight of all televisions imported or manufactured in Australia by dividing the result of paragraph (a) by 3; and

(c) multiply the result of paragraph (b) by 0.9.

Step 2. For all computers:

(a) identify the total converted weight of all computers imported in the last 3 financial years; and

(b) work out the annual average total converted weight of all computers imported by dividing the result of paragraph (a) by 3; and

(c) multiply the result of paragraph (b) by 0.72.

Step 3. For all printers:

(a) identify the total converted weight of all printers imported or manufactured in Australia in the last 3 financial years; and

(b) work out the annual average total converted weight of all printers imported or manufactured in Australia by dividing the result of paragraph (a) by 3; and

(c) multiply the result of paragraph (b) by 0.71.

Step 4. For all computer parts and peripherals:

(a) identify the total converted weight of all computer parts and peripherals imported or manufactured in Australia in the last 3 financial years; and

(b) work out the annual average total converted weight of all computer parts and peripherals imported or manufactured in Australia by dividing the result of paragraph (a) by 3; and

(c) multiply the result of paragraph (b) by 0.88.

Step 5. Add together the results of steps 1 to 4. The result is the waste arising.

(4) The ***import or manufacture share*** of an approved co-regulatory arrangement for a financial year (the ***current financial year***) is worked out using the following method statement (taking account of subsection (5) and sections 12 and 13 if relevant):

Method statement

Step 1. For each kind of television or computer product, identify the total number of units imported or manufactured in Australia, in the previous financial year, by all liable parties who are members of the co-regulatory arrangement during the current financial year.

Step 2. Multiply that number by the conversion factor for that kind of product.

Step 3. For each kind of television or computer product, identify the total number of units exported, in the previous financial year, by all liable parties who are members of the co-regulatory arrangement on 15 September of the current financial year.

Step 4. Multiply that number by the conversion factor for that kind of product.

Step 5. For each kind of television or computer product, take the result of step 2 and subtract the result of step 4.

Step 6. For all televisions:

(a) add together the results of step 5; and

(b) identify the total converted weight of all televisions imported or manufactured in Australia by all liable parties in the previous financial year; and

(c) from the number identified in paragraph (b), deduct the total converted weight of all televisions reported under section 14 as being exported; and

(d) divide the result of paragraph (a) by the result of paragraph (c); and

(e) divide the result of paragraph (c) of step 1 of the method statement in subsection (3) by the result of step 5 of that method statement; and

(f) multiply the result of paragraph (d) of this step by the result of paragraph (e) of this step.

Step 7. For all computers:

(a) add together the results of step 5; and

(b) identify the total converted weight of all computers imported by all liable parties in the previous financial year; and

(c) from the number identified in paragraph (b), deduct the total converted weight of all computers reported under section 14 as being exported; and

(d) divide the result of paragraph (a) by the result of paragraph (c); and

(e) divide the result of paragraph (c) of step 2 of the method statement in subsection (3) by the result of step 5 of that method statement; and

(f) multiply the result of paragraph (d) of this step by the result of paragraph (e) of this step.

Step 8. For all printers:

(a) add together the results of step 5; and

(b) identify the total converted weight of all printers imported or manufactured in Australia by all liable parties in the previous financial year; and

(c) from the number identified in paragraph (b), deduct the total converted weight of all printers reported under section 14 as being exported; and

(d) divide the result of paragraph (a) by the result of paragraph (c); and

(e) divide the result of paragraph (c) of step 3 of the method statement in subsection (3) by the result of step 5 of that method statement; and

(f) multiply the result of paragraph (d) of this step by the result of paragraph (e) of this step.

Step 9. For all computer parts and peripherals:

(a) add together the results of step 5; and

(b) identify the total converted weight of all computer parts and peripherals imported or manufactured in Australia by all liable parties in the previous financial year; and

(c) from the number identified in paragraph (b), deduct the total converted weight of all computer parts and peripherals reported under section 14 as being exported; and

(d) divide the result of paragraph (a) by the result of paragraph (c); and

(e) divide the result of paragraph (c) of step 4 of the method statement in subsection (3) by the result of step 5 of that method statement; and

(f) multiply the result of paragraph (d) of this step by the result of paragraph (e) of this step.

Step 10. Add together the results of steps 6 to 9. The result is the co-regulatory arrangement's import or manufacture share.

(5) For the purposes of subsection (4), the approved co-regulatory arrangement:

(a) must use the same conversion factor for steps 2 and 4; and

(b) if the conditions in subsection 6(1) are satisfied—must count all products that satisfy those conditions; and

(c) if the conditions in subsection 6(2) are satisfied—must count all products that satisfy those conditions; and

(d) if the conditions in subsection 6(3) are satisfied—must count all products that satisfy those conditions; and

(e) if the conditions in subsection 6(2) are satisfied but the conditions in subsection 6(3) are not satisfied—must count:

(i) all products that satisfy the conditions in subsection 6(2); and

(ii) all computer parts or peripherals imported or manufactured in Australia by the liable party in the previous financial year; and

(f) if the conditions in subsection 6(3) are satisfied but the conditions in subsection 6(2) are not satisfied—must count:

(i) all products that satisfy the conditions in subsection 6(3); and

(ii) all computers or printers imported or manufactured in Australia by the liable party or a related body corporate in the previous financial year.

Example: If a person imported 6,000 televisions and 6,000 computers in a financial year, the televisions and the computers must be taken into account when working out the import or manufacture share.

However:

(a) if a person imported 6,000 televisions and 2,000 computers (i.e. less than the number of computers mentioned in subsection 6(2)) in a financial year, only the televisions must be counted when working out the import or manufacture share; and

(b) if a person imported 7,000 computers and 14,000 computer parts or peripherals (i.e. less than the number of computer parts or peripherals mentioned in subsection 6(3)), all of those products must be counted when working out the import or manufacture share; and

(c) if a person imported 17,000 computer parts or peripherals and 4,000 computers (i.e. less than the number of computers mentioned in subsection 6(2)), all of those products must be counted when working out the import or manufacture share.

12 Import or manufacture share—no co-regulatory membership on 30 June

(1) This section applies if a person:

(a) is a liable party in a financial year because of television or computer products that were imported or manufactured in Australia before the financial year; and

(b) is not a member of an approved co-regulatory arrangement on 30 June of the financial year; and

(c) becomes a member of an approved co-regulatory arrangement at a later time.

(2) For the purposes of subsection 11(4), a proportion of the products are taken to have been imported or manufactured in Australia in the financial year immediately before the year in which the person becomes a member of the approved co-regulatory arrangement, as worked out according to the following formula:

$$\frac{\text{Non-membership days}}{\text{Number of days in year}} \times \text{Number of products}$$

where:

non-membership days means the number of days in the financial year, immediately before 30 June, for which the liable party was not a member of an approved co-regulatory arrangement.

number of days in year means the number of days in the financial year.

number of products means the number of television or computer products mentioned in paragraph (1)(a).

(3) Section 13 (which allows proportioning of the products) does not apply to those products.

Example: A person imported 20,000 web cameras in the 2021-2022 financial year, and therefore is a liable party in the 2022-2023 financial year. The person is not a member of an approved co-regulatory arrangement in the 2022-2023 financial year, and does not become a member of an approved co-regulatory arrangement until the 2023-2024 financial year.

The approved co-regulatory arrangement must count all of the 20,000 web cameras as if the web cameras had been imported in the 2022-2023 financial year, even if the liable party is not a member of the approved co-regulatory arrangement for the whole of the 2023-2024 financial year.

(4) Subsection (2) does not affect the import or manufacture share of co-regulatory arrangements in the financial year mentioned in paragraph (1)(a).

13 Import or manufacture share—co-regulatory membership for part of year

(1) This section applies if:

(a) an approved co-regulatory arrangement is working out its import or manufacture share of a kind of television or computer products, for a financial year; and

(b) a liable party was a member of the co-regulatory arrangement for only part of the financial year.

(2) For the purposes of subsection 11(4), the approved co-regulatory arrangement must count only a proportion of the kind of television or computer products that were imported or manufactured in Australia by the member, as worked out using the following formula:

$$\frac{\text{Membership days}}{\text{Number of days in year}} \times \text{Number of products}$$

where:

membership days means the number of days in the financial year for which the liable party was a member of the approved co-regulatory arrangement.

number of days in year means the number of days in the financial year.

number of products means the number of that kind of television or computer product imported or manufactured in Australia by the liable party in the year before the financial year.

Example: A liable party imported 36,500 web cameras in the year before the financial year. The liable party was a member of a co-regulatory arrangement for 100 days of the financial year.

The co-regulatory arrangement must count only 10,000 of the web cameras when working out its import or manufacture share for the financial year.

The number of 10,000 web cameras to be counted is worked out using the formula:

$$\frac{100}{365} \times 36{,}500$$

(3) For the purposes of subsection (2), if the liable party:

(a) becomes a member of an approved co-regulatory arrangement after 1 July in a financial year; and

(b) has not previously been a member of another approved co-regulatory arrangement in the financial year;

the liable party is taken to be a member of the approved co-regulatory arrangement from 1 July of the financial year.

Example: A liable party is not a member of an approved co-regulatory arrangement between 1 July 2021 and 31 August 2021, when the liable party becomes a member of approved co-regulatory arrangement ABC. The liable party remains a member of approved co-regulatory arrangement ABC until 30 June 2022.

The liable party is taken to have been a member of approved co-regulatory arrangement ABC from 1 July 2021 to 30 June 2022.

(4) For the purposes of subsection (2), if a liable party:

(a) becomes a member of an approved co-regulatory arrangement (the ***previous co-regulatory arrangement***) in a financial year; and

(b) becomes a member of another approved co-regulatory arrangement (the ***later co-regulatory arrangement***) later that financial year;

the liable party is taken to be a member of the later co-regulatory arrangement from the day after the liable party stopped being a member of the previous co-regulatory arrangement.

Example 1: A liable party was a member of co-regulatory arrangement ABC from 1 July 2021 until 31 August 2021. The liable party becomes a member of co-regulatory arrangement XYZ on 1 December 2021 and remains a member until 30 June 2022.

For the purposes of subsection (2), the liable party is taken to be a member of co-regulatory arrangement XYZ between 1 September 2021 and 30 June 2022.

Example 2: A liable party became a member of co-regulatory arrangement ABC on 1 July 2021 and stopped being a member on 31 August 2021. The liable party becomes a member of co-regulatory arrangement XYZ on 1 August 2021 (i.e. before the liable party stopped being a member of co-regulatory arrangement ABC) and remains a member until 30 June 2022.

For the purposes of subsection (2), the liable party is taken to be a member of co-regulatory arrangement XYZ between 1 September 2021 and 30 June 2022.

14 Import or manufacture share—counting exported products

(1) This section applies if:

(a) a liable party was a member of an approved co-regulatory arrangement on 15 September of a financial year (the ***current financial year***); and

(b) the liable party exported television or computer products in the previous financial year.

(2) The approved co-regulatory arrangement, when working out its import or manufacture share for the current financial year, may count the exported products only if the administrator of the arrangement, on or before 15 September of the current financial year, gives the CEO:

(a) a report that states:

(i) the total number of units of each kind of television or computer product (identified by product code) exported by members in the previous financial year; and

(ii) the total converted weight of each kind of television or computer product exported by members in the previous financial year; and

(iii) evidence that each product was imported or manufactured in Australia no more than 1 year before the product was exported; and

(b) a report, prepared by a registered auditor, that states the report mentioned in paragraph (a) is accurate.

15 How recycling targets may be met

When target is exceeded in a financial year

(1) If a recycling target is exceeded in a particular financial year by a particular amount (the ***excess amount***), all or part of the excess amount may be used to meet the recycling target in a subsequent financial year.

(2) However, only up to 25% of the recycling target for a subsequent financial year may be met from the excess amount.

When target is not reached in a financial year

(3) If a recycling target is not achieved by an approved co-regulatory arrangement in a particular financial year:

(a) the co-regulatory arrangement is taken not to have achieved the outcomes for the arrangement in the financial year; and

(b) the amount by which the co-regulatory arrangement fell short of the recycling target for that financial year must be added to the recycling target for the arrangement for the next financial year.

Division 4—Material recovery from recycling

16 Material recovery target

The material recovery target is 90% of television or computer products, based on weight.

Part 4—Matters to be dealt with by co-regulatory arrangements

17 Matters to be dealt with by co-regulatory arrangements

For the purposes of subsection 80(1) of the Act, a co-regulatory arrangement that relates to television or computer products must deal with the following matters:

(a) governance systems, including systems for:

  (i) achieving the outcomes and meeting the requirements in this instrument; and

  (ii) managing risk; and

  (iii) resolving disputes; and

  (iv) replacing the administrator;

(b) financial arrangements and funding to achieve the outcomes and requirements in this instrument;

(c) procedures in relation to membership of the arrangement, including:

  (i) requirements related to becoming, or ceasing to be, a member; and

  (ii) maintenance of confidential information about members;

(d) communicating information to the public about the arrangement, including the activities of the arrangement and how its services can be accessed;

(e) assessing the adequacy of the environmental, health and safety policies and practices in relation to the collection, storage, transportation or recycling of television or computer products undertaken under the co-regulatory arrangement.

Part 5—Giving reports and keeping records

Division 1—Giving reports to CEO

Subdivision A—Authority and scope

18 Authority for, and scope of, this Division

This Division is made for the purposes of subsection 83(1) of the Act (which is about requirements to give reports to the CEO) relating to:

(a) the administrator of an approved co-regulatory arrangement in relation to television or computer products; and

(b) a liable party in relation to television or computer products.

Subdivision B—Reports to be given by administrator

19 Yearly report about membership of co-regulatory arrangement

(1) The administrator must, by 8 September each year, give the CEO a report about the membership of the approved co-regulatory arrangement as at 1 September of that year.

(2) The report must include:

(a) the number of members of the co-regulatory arrangement; and

(b) the name, and the trading name (if any), of each member; and

(c) the ABN or ACN of each member; and

(d) the day each member became a member; and

(e) for each liable party that is no longer a member of the co-regulatory arrangement—the day the liable party ceased to be a member.

20 Annual report

(1) The administrator must, for each financial year, give the CEO a report (the ***annual report***) relating to the operation of the approved co-regulatory arrangement in the financial year, in accordance with this section.

(2) The annual report must be given to the CEO:

(a) by 30 October in the next financial year; and

(b) in a manner approved by the CEO.

(3) The annual report must:

(a) be in the form approved by the CEO; and

(b) include the information required by the form; and

(c) be accompanied by any documents required by the form.

21 Quarterly report

(1) The administrator must give the CEO a report (the ***quarterly report***) relating to the operation of the approved co-regulatory arrangement for each period of 3 months starting on 1 July, 1 October and 1 January in accordance with this section.

(2) The quarterly report must be given to the CEO within 6 weeks after the end of the period to which the report relates.

(3) The quarterly report must:

(a) be in the form approved by the CEO; and

(b) include the information required by the form; and

(c) be accompanied by any documents required by the form; and

(d) be given in a manner approved by the CEO.

22 Audit report

(1) The administrator must, for each financial year, give the CEO a report (the ***audit report***) relating to an audit of the operation of the approved co-regulatory arrangement in the financial year, in accordance with this section.

(2) The audit report must be prepared by:

(a) a registered company auditor (within the meaning of the *Corporations Act 2001*); or

(b) an authorised audit company (within the meaning of the *Corporations Act 2001*).

(3) The audit report must:

(a) accompany the annual report; and

(b) include the matters set out in section 23; and

(c) be given in a manner approved by the CEO.

23 Matters to be included in audit report

The audit report must include:

(a) an audit of the financial statements setting out the revenue and expenditure of the approved co-regulatory arrangement; and

(b) an audit of the performance of the approved co-regulatory arrangement in relation to each outcome to be achieved under Part 3; and

(c) a statement from the person preparing the audit that the audit was conducted in accordance with any standard issued by the Auditing and Assurance Standards Board that applies to the audit, as in force from time to time; and

(d) a statement from the person preparing the audit in relation to whether the annual report for the financial year is accurate and complies with section 20.

Subdivision C—Reports to be given by liable parties

24 Report about number of products manufactured in Australia

(1) A liable party in relation to television or computer products must give the CEO, by 1 September each year, a report that sets out how many (if any) television or computer products of each kind of television or computer product (identified by product code) the liable party manufactured in Australia in the previous financial year.

(2) The report must be given in a manner approved by the CEO.

25 Report about products imported or manufactured in Australia by related bodies corporate

(1) This section applies if a related body corporate of a liable party imported or manufactured in Australia televisions, computers or printers in a financial year.

(2) The liable party must give the CEO, before 1 September in the next financial year, a report that sets out the following information about the related body corporate:

(a) the name, and the trading name (if any), of the related body corporate;

(b) the ABN or ACN of the related body corporate;

(c) the day or days the related body corporate became a related body corporate of the liable party;

(d) the day or days the related body corporate ceased to be a related body corporate of the liable party, if applicable.

Division 2—Keeping records

26 Administrator to make and retain records

(1) This section is made for the purposes of subsection 142(1) of the Act.

(2) The administrator of an approved co-regulatory arrangement in relation to television or computer products must make and retain accurate records relating to the administration or operation of the arrangement, including technical data, certifications and inspection records relating to the following:

(a) the outcomes to be achieved by the co-regulatory arrangement specified in Part 3;

(b) the matters to be dealt with by the co-regulatory arrangement under Part 4;

(c) reporting requirements under this Part.

(3) The administrator must retain each record for 5 years from the day the record is made.

Part 6—Application, saving and transitional provisions

Division 1—Provisions for this instrument as originally made

27 Retaining old records

(1) This section is made for the purposes of item 1 of Schedule 3 to the *Recycling and Waste Reduction (Consequential and Transitional Provisions) Act 2020*.

(2) Subsection 26(3) applies to records made under regulation 5.01 of the *Product Stewardship (Televisions and Computers) Regulations 2011* (applying because of the *Product Stewardship Act 2011* or the *Recycling and Waste Reduction (Consequential and Transitional Provisions) Act 2020*), as well as to records made under subsection 26(2) of this instrument.

Schedule 1—Television or computer products, product codes and conversion factors from 1 July 2018

Note: See section 4.

Part 1—Televisions

Division 1—Colour

Colour televisions—product codes and conversion factors

Item	Column 1 Description	Column 2 Product code	Column 3 Conversion factor (kg)
1.1	Colour televisions:		
	(a) weighing less than 3 kg	8528.72.00.01	2.4
	(b) weighing 3 kg or more but less than 5 kg	8528.72.00.02	4.2
	(c) weighing 5 kg or more but less than 8 kg	8528.72.00.03	6.7
	(d) weighing 8 kg or more but less than 10 kg	8528.72.00.04	8.8
	(e) weighing 10 kg or more but less than 12 kg	8528.72.00.05	11.1
	(f) weighing 12 kg or more but less than 14 kg	8528.72.00.06	13.0
	(g) weighing 14 kg or more but less than 16 kg	8528.72.00.07	14.7
	(h) weighing 16 kg or more but less than 18 kg	8528.72.00.08	17.2
	(i) weighing 18 kg or more but less than 20 kg	8528.72.00.09	18.4
	(j) weighing 20 kg or more but less than 25 kg	8528.72.00.63	23.0
	(k) weighing 25 kg or more but less than 30 kg	8528.72.00.64	28.0
	(l) weighing 30 kg or more but less than 40 kg	8528.72.00.65	35.2
	(m) weighing 40 kg or more	8528.72.00.66	46.6
1.2	Other	8528.72.00.93	46.6

Division 2—Black and white or other monochrome

Black and white or other monochrome—product codes and conversion factors

Item	Column 1 Description	Column 2 Product code	Column 3 Conversion factor (kg)
2.1	Black and white or other monochrome	8528.73.00.35	1.0

Part 2—Computers

Computers—product codes and conversion factors

Item	Column 1 Description	Column 2 Product code	Column 3 Conversion factor (kg)
3.1	Automatic data processing machines and units, magnetic or optical readers, machines for transcribing data onto data media in coded form, and machines for processing the data:		
	(a) portable automatic data processing machines, weighing not more than 10 kg, consisting of at least a central processing unit, a keyboard and a display:		
	(i) laptops, notebooks, palmtops and tablets:		
	(A) weighing not more than 1 kg	8471.30.00.31	0.4
	(B) weighing more than 1 kg but not more than 2 kg	8471.30.00.35	1.7
	(C) weighing more than 2 kg but not more than 3 kg	8471.30.00.36	2.5
	(D) weighing more than 3 kg but not more than 10 kg	8471.30.00.34	3.5
	(ii) other	8471.30.00.90	3.0
	(b) other automatic data processing machines, comprising in the same housing at least a central processing unit and an input and output unit, whether or not combined:		
	(i) weighing not more than 1 kg	8471.41.00.22	0.4
	(ii) weighing more than 1 kg but not more than 2 kg	8471.41.00.23	1.6
	(iii) weighing more than 2 kg but not more than 5 kg	8471.41.00.24	3.2
	(iv) weighing more than 5 kg but not more than 8 kg	8471.41.00.25	6.3
	(v) weighing more than 8 kg but not more than 12 kg	8471.41.00.26	9.3
	(vi) weighing more than 12 kg	8471.41.00.27	15.5
	(c) other automatic data processing machines, presented in the form of systems:		
	(i) weighing not more than 1 kg	8471.49.00.31	0.9
	(ii) weighing more than 1 kg but not more than 5 kg	8471.49.00.32	3.7
	(iii) weighing more than 5 kg	8471.49.00.33	10.7
	(d) processing units other than those mentioned in paragraphs (b) and (c), whether or not containing in the same housing one or 2 storage units, input units or output units:		
	(i) weighing not more than 1 kg	8471.50.00.41	0.1
	(ii) weighing more than 1 kg but not more than 5 kg	8471.50.00.42	4.6
	(iii) weighing more than 5 kg but not more than 10 kg	8471.50.00.43	9.5
	(iv) weighing more than 10 kg but not more than 15 kg	8471.50.00.44	14.5

Computers—product codes and conversion factors

Item	Column 1 Description	Column 2 Product code	Column 3 Conversion factor (kg)
	(v) weighing more than 15 kg	8471.50.00.45	28.0
3.2	Monitors and projectors, not incorporating television reception apparatus, reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus:		
	(a) cathode-ray tube monitors capable of directly connecting to and designed for use with an automatic data processing system mentioned in item 3.1	8528.42.00.11	11.4
	(b) other monitors capable of directly connecting to and designed for use with an automatic data processing system mentioned in item 3.1:		
	(i) flat screen monitors:		
	(A) weighing not more than 5 kg	8528.52.00.23	3.9
	(B) weighing more than 5 kg but not more than 10 kg	8528.52.00.24	6.1
	(C) weighing more than 10 kg	8528.52.00.25	14.5
	(ii) other	8528.52.00.34	6.3

Part 3—Printers

Printers—product codes and conversion factors

Item	Column 1 Description	Column 2 Product code	Column 3 Conversion factor (kg)
4.1	Machines which perform 2 or more of the functions of printing, copying or fax transmission (with printing or copying as the principal function) capable of connecting to an automatic data processing machine or to a network:		
	(a) weighing not more than 4 kg	8443.31.00.01	3.5
	(b) weighing more than 4 kg but not more than 6 kg	8443.31.00.02	4.8
	(c) weighing more than 6 kg but not more than 10 kg	8443.31.00.03	7.9
	(d) weighing more than 10 kg but not more than 20 kg	8443.31.00.21	14.2
	(e) weighing more than 20 kg but not more than 35 kg	8443.31.00.18	23.3
	(f) weighing more than 35 kg but not more than 50 kg	8443.31.00.19	37.3
	(g) weighing more than 50 kg but not more than 100 kg	8443.31.00.23	76.6
	(h) weighing more than 100 kg but not more than 150 kg	8443.31.00.24	122.0
	(i) weighing more than 150 kg but not more than 200 kg	8443.31.00.25	152.0
	(j) weighing more than 200 kg but not more than 300 kg	8443.31.00.26	238.3
	(k) weighing more than 300 kg but not more than 500 kg	8443.31.00.27	304.0
	(l) weighing more than 500 kg	8443.31.00.28	617.2
4.2	Other printers capable of connecting to an automatic data processing machine or to a network:		
	(a) weighing not more than 1 kg	8443.32.00.27	0.2
	(b) weighing more than 1 kg but not more than 5 kg	8443.32.00.28	2.4
	(c) weighing more than 5 kg but not more than 8 kg	8443.32.00.11	5.8
	(d) weighing more than 8 kg but not more than 10 kg	8443.32.00.12	8.3
	(e) weighing more than 10 kg but not more than 20 kg	8443.32.00.32	13.5
	(f) weighing more than 20 kg but not more than 50 kg	8443.32.00.33	27.0
	(g) weighing more than 50 kg but not more than 100 kg	8443.32.00.34	77.8
	(h) weighing more than 100 kg but not more than 150 kg	8443.32.00.35	115.7
	(i) weighing more than 150 kg but not more than 200 kg	8443.32.00.36	157.7
	(j) weighing more than 200 kg but not more than 300 kg	8443.32.00.37	239.2
	(k) weighing more than 300 kg but not more than 500 kg	8443.32.00.38	384.2
	(l) weighing more than 500 kg	8443.32.00.39	551.0

Part 4—Computer parts and peripherals

Computer parts and peripherals—product codes and conversion factors

Item	Column 1 Description	Column 2 Product code	Column 3 Conversion factor (kg)
5.1	Automatic data processing machines and units, magnetic or optical readers, machines for transcribing data onto data media in coded form, and machines for processing the data:		
	(a) input or output units, whether or not containing storage units in the same housing:		
	(i) keyboards	8471.60.00.55	0.8
	(ii) joysticks and game pads	8471.60.00.91	0.6
	(iii) mouses and trackballs	8471.60.00.92	0.1
	(iv) scanners:		
	(A) weighing not more than 1 kg	8471.60.00.65	0.2
	(B) weighing more than 1 kg but not more than 5 kg	8471.60.00.66	3.2
	(C) weighing more than 5 kg	8471.60.00.67	6.9
	(v) other:		
	(A) weighing not more than 500 g	8471.60.00.87	0.2
	(B) weighing more than 500 g but not more than 1 kg	8471.60.00.88	0.7
	(C) weighing more than 1 kg but not more than 5 kg	8471.60.00.94	1.8
	(D) weighing more than 5 kg	8471.60.00.97	8.6
	(b) storage units:		
	(i) compact disc drives (including burners)	8471.70.00.20	1.0
	(ii) digital video disc drives (including burners)	8471.70.00.25	0.5
	(iii) hard drives	8471.70.00.74	0.4
	(iv) other:		
	(A) weighing not more than 500 g	8471.70.00.51	0.2
	(B) weighing more than 500 g but not more than 1 kg	8471.70.00.52	0.7
	(C) weighing more than 1 kg but not more than 5 kg	8471.70.00.53	1.8
	(D) weighing more than 5 kg	8471.70.00.54	8.6
5.2	Parts for machines mentioned in item 3.1:		
	(a) cards (including network, sound, video, IDE, SCSI, and other similar cards)	8473.30.00.62	0.1
	(b) motherboards	8473.30.00.68	0.8
	(c) other:		
	(i) weighing not more than 1 kg	8473.30.00.71	0.1

Computer parts and peripherals—product codes and conversion factors			
Item	**Column 1 Description**	**Column 2 Product code**	**Column 3 Conversion factor (kg)**
	(ii) weighing more than 1 kg but not more than 5 kg	8473.30.00.72	1.8
	(iii) weighing more than 5 kg	8473.30.00.73	6.5
5.3	Electrical transformers, static converters (for example, rectifiers and inductors)—static converters—separately housed units, designed to be housed in the same cabinet as the central processing unit of machines mentioned in item 3.1	8504.40.30.59	0.7
5.4	Web cameras	8525.80.10.15	0.1

Schedule 2—Percentage targets

Note: See the definition of ***percentage target*** in section 4.

Item	Financial year	Percentage target
1	2021-2022	70%
2	2022-2023	72%
3	2023-2024	74%
4	2024-2025	76%
5	2025-2026	78%
6	2026-2027	80%
7	2027-2028	80%
8	2028-2029	80%
9	2029-2030	80%
10	2030-2031	80%
11	2031-2032	80%
12	2032-2033	80%
13	2033-2034	80%
14	2034-2035	80%

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history

Abbreviation key—Endnote 2
The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4
Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes
The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments
A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted
am = amended
amdt = amendment
C[x] = Compilation No. x
ch = Chapter(s)
cl = clause(s)
cont. = continued
def = definition(s)
Dict = Dictionary
disallowed = disallowed by Parliament
div = Division(s)
ed = editorial change
exp = expires/expired or ceases/ceased to have effect
gaz = gazette
LA = *Legislation Act 2003*
LIA = *Legislative Instruments Act 2003*
(md) = misdescribed amendment can be given effect
(md not incorp) = misdescribed amendment cannot be given effect
mod = modified/modification
No. = Number(s)
Ord = Ordinance
orig = original
p = page(s)
para = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
pres = present
prev = previous
(prev…) = previously
pt = Part(s)
r = regulation(s)/Court rule(s)
reloc = relocated
renum = renumbered
rep = repealed
rs = repealed and substituted
s = section(s)/subsection(s) /rule(s)/subrule(s)/order(s)/suborder(s)
sch = Schedule(s)
SLI = Select Legislative Instrument
SR = Statutory Rules
sub ch = Sub-Chapter(s)
sub div = Subdivision(s)
sub pt = Subpart(s)
underlining = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Recycling and Waste Reduction (Product Stewardship—Televisions and Computers) Rules 2021	25 May 2021 (F2021L00624)	1 July 2021 (s 2(1) item 1)	
Recycling and Waste Reduction (Product Stewardship—Televisions and Computers) Amendment (Imported Products) Rules 2021	22 Oct 2021 (F2021L01458)	23 Oct 2021 (s 2(1) item 1)	—
Recycling and Waste Reduction (Product Stewardship—Televisions and Computers) Amendment (Imported Products) Rules 2022	14 Sept 2022 (F2022L01203)	15 Sept 2022 (s 2(1) item 1)	—
Environment Protection Reform Legislation Amendment (Consequential Amendments) Rules 2026	26 June 2026 (F2026L00843)	sch 1 (items 161-174): 1 July 2026 (s 2(1) item 1)	—

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
s 2	rep LA s 48D
s 4	am F2021L01458; F2026L00843
	ed C3
s 4A	ad F2021L01458
	am F2022L01203; F2026L00843
Part 3	
Division 3	
s 14	am F2026L00843
Part 5	
Division 1	
Division 1 heading	am F2026L00843
Subdivision A	
s 18	am F2026L00843
Subdivision B	
s 19	am F2026L00843
s 20	am F2026L00843
s 21	am F2026L00843
s 22	am F2026L00843
Subdivision C	
s 24	am F2026L00843
s 25	am F2026L00843

Endnote 5—Editorial changes

In preparing this compilation for registration, the following kinds of editorial change(s) were made under the *Legislation Act 2003*.

Section 4 (note to heading)

Kind of editorial change

Reordering of provisions

Details of editorial change

The note to the heading of section 4 does not appear immediately after the heading.

This compilation was editorially changed to move the note to appear below the section 4 heading.