



The Waste Minimisation Act

Information for Producers

The Waste Minimisation Act (2008) provides a new legislative framework with new tools and responsibilities for solid waste management in New Zealand. This guide provides an overview of your responsibilities under the Act, with quick hyperlink references to the legislation and other useful information.

Responsibilities under the Act

Under the Act, a **producer** includes not only those who manufacture and sell a product in New Zealand, but also the owner or licence holder of a trademark under which a product is sold in New Zealand, and those who import a product for sale in New Zealand.

Product stewardship

The Waste Minimisation Act provides a framework for **product stewardship** to reduce waste from products. Product stewardship means that producers, brand owners, importers, retailers, consumers and other parties take responsibility for the environmental effects of their products – from ‘cradle-to-grave’.

We expect that many businesses will develop voluntary schemes. These can be formally recognised under the Act by being **accredited** by the Minister for the Environment. To be accredited the scheme must meet **criteria** under the Act.

The Minister may declare a product to be a **‘priority product’**. Once a product has been declared a priority product, industry must develop a **product stewardship scheme** for the product and accreditation must be obtained. Before the Minister declares a priority product, the Ministry for the Environment must consult with those affected and the Minister must be satisfied that **statutory criteria** are met.

Following consultation, the Minister may also publish **guidelines** providing further detail on the contents and expectations of product stewardship schemes for priority products. Producers should refer to these guidelines before submitting their scheme for accreditation.

The Act also provides for regulations to be made, subject to **specific statutory criteria** and consultation requirements. For example regulations could be made prohibiting the sale of a priority product outside of an accredited product stewardship scheme. The Minister may also make **regulations in relation to products, materials and waste** whether or not they are priority products. These could include, for example, requirements for a producer to provide a take-back service for their product, or recycling the product taken back, or the labelling of products. The Ministry will consult with affected parties before such regulations are made.

Territorial authority bylaws

Territorial authorities will continue to have responsibility for waste regulation and some disposal of waste in your region. You must adhere to any waste-related **bylaws** made by your territorial authority under the Act.

Records and auditing

Those responsible for running accredited product stewardship schemes must **report** on the operation of their scheme.

You could also be asked to provide the Ministry for the Environment with **records and information** to help us monitor waste in New Zealand.

What else can I do?

- **Have your say.** Implementing the Waste Minimisation Act requires the Ministry for the Environment to seek public opinion on a number of matters. Check the [Ministry website](#) to find out about our latest consultation plans and how you can contribute.
- **Develop a voluntary product stewardship scheme.** Become familiar with examples of product stewardship schemes already operating that cover products similar to yours (either in New Zealand or overseas). Check the [requirements](#) set out in the Act and seek [accreditation](#) from the Minister.
- Where appropriate establish or commission the service of a **product stewardship organisation**. This is the body that represents a collective of producers and administers and manages the product stewardship scheme.
- Become familiar with the [provisions in the Act for product stewardship](#) so you can be prepared if your product is declared a 'priority product'.
- **Find out about the Waste Minimisation Fund.** You may be eligible to apply for the Waste Minimisation Fund. Keep an eye on the Ministry website and [re:source](#) newsletter for future updates. Start to think about potential projects that will achieve waste minimisation.
- If you haven't done so already, you can perform a **waste audit** at your business and investigate alternative uses or destinations (rather than landfill) for your waste. Making these changes may help keep down the costs of waste disposal for your business.

Key dates

- **Public consultation** on a number of Waste Minimisation Act matters begins in **March 2009**. This includes identifying products that the Ministry will take a particular interest in monitoring and investigating waste concerns as part of the Ministry's work programme.
- From **1 July 2009** operators of waste disposal facilities will be required to pay a **levy of \$10 per tonne** on waste disposed of at their facility. You may notice an increase in the cost of waste disposal after this date.

More information

- [re:source newsletter](#) is our bi-monthly e-newsletter, designed to keep stakeholders up-to-date with the latest developments in sustainable business, waste minimisation, and progress being made with the implementation of the new Waste Minimisation Act.
- The Waste Minimisation Act – [Questions and Answers](#).
- The Ministry for the Environment works on a range of waste issues. [This page](#) is your first stop for information on the Ministry's waste work programmes.
- More information on [product stewardship](#) is available on the Ministry for the Environment website.