

# SIGN UP TO BECOME A SUPPLIER



1. Enter the details of the Supplier entity that will be signing up using the web form located here:  
<https://www.allens.com.au/general/forms/efcrae.aspx>
2. In order to verify the identity of the proposed signatories, each signatory will be required to upload a [\[certified copy\]](#) of their photo ID.
3. You will receive an email notification confirming your information has been received.
4. If there are any issues in relation to the information submitted, Return and Earn will contact you for clarification.
5. You will receive a DocuSign “envelope” containing the documents to be signed. You can review these documents on your computer. When you are ready to sign, please set up your DocuSign electronic signature by drawing it in the box using your mouse, stylus or finger. If you are a sole director/secretary or an individual, you will need a witness. The witness must be present when you are signing electronically and should have sight of your screen (and keyboard, mouse, pad or stylus, as applicable). After you have signed, the document will be sent to the witness to sign as a witness.
6. You will receive a fully signed original electronic version by email once the Scheme Coordinator (and in relation to the Supplier Side Deed, the State) have also signed. Please print a copy of this for your records.

# SUPPLIER APPLICATION FORMS



Set out below are links to the Supply Arrangement, Supplier Side Deed, and Accession Deed Poll; which all Suppliers need to sign. These are for your review purposes only, as the versions you will sign will be signed electronically in accordance with these instructions. In addition, below are links to the Scheme Payments and Contribution Methodology and the Common Dispute Deed, which are referenced in the arrangements above.

When you are ready to execute your application you will need to use the web form link that can be found on page 1, point 1.

Please read the FAQ's on the following page for further clarification.

## NSW CDS – Supply Arrangement

[http://returnandearn.org.au/wp-content/uploads/2017/08/CDS\\_Supply\\_Arrangement.pdf](http://returnandearn.org.au/wp-content/uploads/2017/08/CDS_Supply_Arrangement.pdf)

## NSW CDS – Supplier Side Deed

[http://returnandearn.org.au/wp-content/uploads/2017/08/CDS\\_Supplier\\_Side\\_Deed.pdf](http://returnandearn.org.au/wp-content/uploads/2017/08/CDS_Supplier_Side_Deed.pdf)

## NSW CDS – Accession Deed Poll

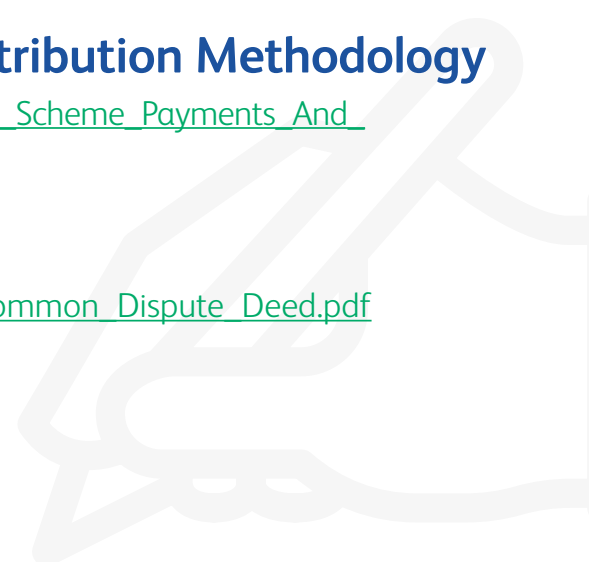
[http://returnandearn.org.au/wp-content/uploads/2017/08/CDS\\_Accession\\_Deed\\_Poll.pdf](http://returnandearn.org.au/wp-content/uploads/2017/08/CDS_Accession_Deed_Poll.pdf)

## NSW CDS – Scheme Payments and Contribution Methodology

[http://returnandearn.org.au/wp-content/uploads/2017/08/CDS\\_Scheme\\_Payments\\_And\\_Contribution\\_Methodology.pdf](http://returnandearn.org.au/wp-content/uploads/2017/08/CDS_Scheme_Payments_And_Contribution_Methodology.pdf)

## NSW CDS – Common Dispute Deed

[http://returnandearn.org.au/wp-content/uploads/2017/08/Common\\_Dispute\\_Deed.pdf](http://returnandearn.org.au/wp-content/uploads/2017/08/Common_Dispute_Deed.pdf)



# ENTERING INTO A SUPPLY ARRANGEMENT FOR RETURN AND EARN



## Introduction

If you are a Supplier according to the Waste Avoidance and Resource Recovery Act 2001 (NSW) you have a legal obligation to participate in the NSW Government's container deposit scheme called Return and Earn. This includes entering into a Supply Arrangement contract with Return and Earn's Scheme Coordinator. Information about whether you may be a Supplier and critical dates during this establishment phase of the scheme are available in the other sections of this website and via the Useful links tab on this site.

Return and Earn's Scheme Coordinator has established a secure portal for Suppliers to review and enter into the required legal agreements by 1 October 2017. This document outlines the process involved, provides answers to frequently asked questions and includes the link to the portal for generating the legal agreements.

## 1 Frequently Asked Questions

### 1.1 What is a "Supply Arrangement"?

The Supply Arrangement is a contract between each entity that is a Supplier (as defined under the Waste Avoidance and Resource Recovery Act 2001 (NSW)) and the Scheme Coordinator. It also consists of two ancillary documents which each such entity is also required to enter into, the Supplier Side Deed and the Accession Deed Poll. The terms of each of these documents have been approved by the State.

### 1.2 Why do I need to enter into a Supply Arrangement?

We understand that it is the State's intention to enact law that under the Waste Avoidance and Resource Recovery Act 2001 (NSW), a Supplier must not supply or offer to supply a beverage in a container to any person unless (among other things) a supply arrangement is in force between the Supplier and the Scheme Coordinator in respect of those containers.

### 1.3 I have a question about a particular clause or provision.

Suppliers should seek their own independent legal advice in relation to the terms of the Supply Arrangement, Supplier Side Deed and/or Accession Deed Poll. Neither the Scheme Coordinator nor the State will be able to provide advice to you in relation to these documents.

### 1.4 Can I request changes to the terms of the Supply Arrangement, Supplier Side Deed or Accession Deed Poll?

No. The pro-forma copies of these documents have been approved by the State and are identical for all Suppliers. You will not be able to negotiate departures to the terms of these documents.

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## 1.5 What if information submitted to the Scheme Coordinator changes in future (e.g. contact details for notices or Container Approvals)?

Please notify the Scheme Coordinator via the contact form on the homepage of this site ([returnandearn.org.au](http://returnandearn.org.au)) so that the Scheme Coordinator can update its records.

## 1.6 Is electronic execution binding on me, the Scheme Coordinator and the State?

Yes. Execution under the DocuSign platform is binding on all parties as though the documents were physically signed in person. The electronic copy you receive will, when printed, be considered an original copy of the relevant deed or deed poll.

## 1.7 Why must the proposed signatories provide certified copies of their proof of identity?

In order to verify the identity of the proposed signatories, each signatory will be required to upload a certified copy of their photo identification (e.g. Driver's Licence or passport).

Certification can be made by someone who has known you for at least a year, not be related to you by birth, marriage or de facto relationship, be easy to contact by telephone during normal working hours should we need to contact them, and be currently working in a profession or occupation listed below:

- Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955). Contact the Australian embassy or consulate to check whether this service is available.
- Bailiff
- Bank officer with 5 or more years of continuous service
- Building society officer with 5 or more years of continuous service
- Chiropractor (licensed or registered)
- Clerk of court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer with 5 or more years of continuous service
- Dentist (licensed or registered)
- Fellow of the National Tax Accountant's Association
- Finance company officer with 5 or more years of continuous service
- Judge of a court
- Justice of the peace
- Legal practitioner (licensed or registered)
- Magistrate
- Marriage celebrant licensed or registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
- Master of a court
- Medical practitioner (licensed or registered)
- Member of Chartered Secretaries Australia
- Member of Engineers Australia, other than at the grade of student

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- Member of the Association of Taxation and Management Accountants
- Member of the Australian Defence Force with 5 or more years of continuous service
- Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the Institute of Public Accountants
- Member of the Parliament of the Commonwealth, a State, a Territory Legislature, or a local government authority of a State or Territory
- Minister of religion licensed or registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
- Nurse (licensed or registered)
- Optometrist (licensed or registered)
- Permanent employee of Commonwealth, State or local government authority with at least 5 or more years of continuous service.
- Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service
- Pharmacist (licensed or registered)
- Physiotherapist (licensed or registered)
- Police officer
- Psychologist (licensed or registered)
- Registrar, or Deputy Registrar, of a court
- Sheriff
- Teacher employed on a full-time basis at a school or tertiary education institution
- Veterinary surgeon (licensed or registered)

## 2 Process for Suppliers

- (a) Click [here](#) and populate the form with your details.
- (b) The Scheme Coordinator will then generate the three Supplier Documents you are required to enter. You will be notified by email when these have been generated (expected to be within 2 Business Days). If you have any questions in relation to the terms of these documents, you should seek your own independent legal advice.
- (c) We will let you know if there are any errors or discrepancies in the information we have received, and likewise you will be able to notify us if there are any errors or discrepancies in the documents generated.

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- (d) The notification email will contain a link to the DocuSign electronic execution platform. You will be able to create a digital signature by drawing it in a box using your mouse, stylus or finger (depending on your device). When you are ready, you can then apply this to the three documents. If you are a sole director/secretary or an individual, you will need a witness. The witness must be present when you are signing electronically and should have sight of your screen (and keyboard, mouse, pad or stylus, as applicable). After you have signed, the document will be sent to the witness to sign as a witness.
- (e) The Scheme Coordinator will execute (and will procure that the State executes) where applicable. You will be notified when this occurs and will receive original digital copies of the executed documents. Please print a copy of this for your records.

## 3 Link to the Supply Arrangements legal portal:

<https://www.allens.com.au/general/forms/efcrae.aspx>

