



Queensland

This working draft is not settled.

Ongoing work on the draft may result in changes.

Waste Reduction and Recycling (Strengthening the Container Refund Scheme) Amendment Regulation 2026

Subordinate Legislation 2026 No. ...

made under the

Waste Reduction and Recycling Act 2011

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1 Short title

This regulation may be cited as the *Waste Reduction and Recycling (Strengthening the Container Refund Scheme) Amendment Regulation 2026*.

2 Commencement

This regulation commences on [insert date].

3 Regulation amended

This regulation amends the *Waste Reduction and Recycling Regulation 2023*.

Note—

See also the amendments in schedule 1.

4 Amendment of s 35 (Standard terms for container recovery agreements—Act, s 99Q)

Section 35(a), ‘term stated in schedule 6, part 2 is’—

omit, insert—

terms stated in schedule 6, part 2 are

5 Insertion of new s 35A

After section 35—

insert—

35A Amount that may not be included in amount small beverage manufacturers may be required to pay—Act, s 99R

For section 99R(1) of the Act, the amount a small beverage manufacturer may be required to pay must not include an amount for the first 20,000 beverage products manufactured by the small beverage manufacturer for a financial year.

6 Replacement of s 39 (Standard terms for particular container collection agreements—Act, s 99ZA)

Section 39—

omit, insert—

39 Standard terms for container collection agreements—Act, s 99ZA

For section 99ZA(2) of the Act, the standard terms stated in schedule 7 are prescribed for all container collection agreements between the Organisation and the operator of a container refund point.

7 Amendment of s 42 (Standard terms for material recovery agreements—Act, s 99ZF)

Section 42(a), ‘term stated in schedule 8, part 1 is’—

omit, insert—

terms stated in schedule 8, part 1 are

8 Amendment of pt 8, hdg (Outcomes for Product Responsibility Organisation)

Part 8, heading, ‘Outcomes for’—

omit.

9 Insertion of new pt 8, div 1, hdg

Before section 44—

insert—

Division 1 Prescribed outcomes

10 Amendment of s 44 (Purpose of part—Act, s 102ZF)

(1) Section 44, heading, from ‘part’—

omit, insert—

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division—Act, s 102BL

- (2) Section 44, ‘section 102ZF(1) of the Act, this part’—

omit, insert—

section 102BL(1) of the Act, this division

11 Insertion of new pt 8, divs 2–4

Part 8—

insert—

**Division 2 Matters to be included in
corporate documents**

46A Purpose of division—Act, s 102BO

For section 102BO(2) of the Act, this division prescribes the matters to be included in each corporate document.

46B Budget

- (1) The Organisation’s budget for a financial year must include the following—
 - (a) the estimated costs of the scheme for the financial year;
 - (b) the borrowings proposed to be made in the financial year by the Organisation;
 - (c) the Organisation’s policies relating to the following matters—
 - (i) the minimisation and management of the risks of the Organisation’s investments and borrowings;
 - (ii) the acquisition and disposal of major assets by the Organisation;

- (iii) the preparation of the Organisation's accounts.
- (2) For subsection (1)(a), the estimated costs of the scheme must include the estimated costs of—
 - (a) the Organisation; and
 - (b) investing in the things mentioned in section 46G(a); and
 - (c) the amounts mentioned in section 46H(2)(a) to (f); and
 - (d) the container refund points mentioned in section 46I(1)(a) and (b); and
 - (e) the support mentioned in section 46I(1)(d)(i) and (ii).

46C Strategic plan

The Organisation's strategic plan for a financial year must include the following—

- (a) the objectives the Organisation plans to use to measure and report on the success of the scheme;
- (b) the Organisation's plans for achieving the objects mentioned in section 99H of the Act;
- (c) the Organisation's plans for achieving the goals and targets, however named, included in the waste management strategy;
- (d) the Organisation's strategic priorities.

46D Operational plan

The Organisation's operational plan for a financial year must include the Organisation's plans for the following—

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- (a) complying with the strategic plan and statement of corporate intent for the financial year;
- (b) achieving the objectives stated in the strategic plan and statement of corporate intent for the financial year;
- (c) achieving continuous improvement of the scheme for the financial year;
- (d) achieving the outcomes prescribed under section 102BL(1) of the Act for the financial year.

46E Statement of corporate intent

The Organisation's statement of corporate intent for a financial year must include—

- (a) the Organisation's objectives for the financial year; and
- (b) a statement of the nature and scope of the activities proposed to be undertaken by the Organisation during the financial year.

46F Performance management plan

- (1) The Organisation's performance management plan for a financial year must include the following—
 - (a) the Organisation's plans for measuring the performance of the scheme;
 - (b) the expected return on investment for the scheme in the financial year;
 - (c) the standards for measuring the performance of the Organisation when managing complaints relating to the scheme, including, for example, standards about—

- (i) the timeframe in which the Organisation proposes to resolve a complaint; and
 - (ii) the proportion of complaints made in the financial year that the Organisation proposes to resolve in the financial year; and
 - (iii) the way in which the Organisation proposes to reduce the number of complaints made in the financial year.
- (2) For subsection (1)(a), the Organisation's plans for measuring the performance of the scheme must include the Organisation's plans for measuring the following matters—
 - (a) whether the Organisation has achieved the objects mentioned in section 99H of the Act;
 - (b) whether the Organisation has achieved the goals and targets included in the waste management strategy;
 - (c) whether new containers have been included in the register of approved containers kept under section 99ZM(1) of the Act;
 - (d) whether the scheme has increased at a rate commensurate with the rate at which the population of Queensland has increased;
 - (e) whether the level of awareness of the scheme among residents of Queensland has increased;
 - (f) whether the Organisation has invested in the things mentioned in section 46G(a).
- (3) In this section—

return on investment, for the scheme in a financial year, means the total amount paid as refund amounts for empty beverage containers for the financial year as a proportion of the total costs of the scheme for the financial year.

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46G Governance and investment plan

The Organisation's governance and investment plan for a financial year must include—

- (a) the Organisation's plans for investing in—
 - (i) infrastructure; and
 - (ii) programs to benefit the environment; and
- (b) the Organisation's plans for using in the financial year any surplus or unspent funds from the preceding financial year.

46H Document setting out scheme payments and contribution methodology

- (1) The Organisation's document setting out a scheme payments and contribution methodology for a financial year must include information about how the estimated costs of the scheme for the financial year are calculated.
- (2) For subsection (1), the document must include information about how the following amounts are calculated—
 - (a) amounts payable for the administration of the scheme by the Organisation;
 - (b) amounts payable to the chief executive under section 99ZZA of the Act;
 - (c) amounts payable as refund amounts for empty beverage containers;
 - (d) amounts payable to operators of—
 - (i) container refund points; or
 - (ii) material recovery facilities;
 - (e) amounts payable to external service providers for—
 - (i) advertising and sponsorships; and

- (ii) logistics; and
- (iii) audits of methodologies used by material recovery facilities to count containers; and
- (iv) other matters, if any;
- (f) amounts payable for actions taken to harmonise the scheme with other similar schemes operating in Australia.

46I Network of container refund points plan

- (1) The Organisation's network of container refund points plan for a financial year must include the following—
 - (a) the number of container refund points the Organisation plans to be in operation before the end of the financial year;
 - (b) the number of each relevant type of container refund point the Organisation plans to be in operation before the end of the financial year;
 - (c) the following information for each new container refund point the Organisation plans to be in operation before the end of the financial year—
 - (i) the local government area in which the container refund point is proposed to be located;
 - (ii) the methodology proposed to be followed to decide on the location, relevant type and operator of the container refund point;
 - (iii) the steps the Organisation proposes to take to consult with existing operators of container refund points who may be

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affected by the opening of the new container refund point;

- (d) the amount of support to be provided in the financial year to the operators of container refund points located in—
 - (i) local government areas other than indigenous local government areas; and
 - (ii) indigenous local government areas.
- (2) In this section—

indigenous local government area means the local government area of an indigenous local government under the *Local Government Act 2009*.

46J Employment and industrial relations plan

The Organisation's employment and industrial relations plan for a financial year must include the following—

- (a) the arrangements for all major employment and industrial relations issues;
- (b) the remuneration expected to be payable to—
 - (i) the chief executive officer of the Organisation; and
 - (ii) the other executive officers of the Organisation, other than directors of the board;
- (c) the conditions of employment, other than remuneration, applicable to the employees of the Organisation;
- (d) the arrangements for superannuation applicable to the employees of the Organisation;

- (e) the redundancy policies applicable to employees and executive officers of the Organisation;
- (f) the number of employees of the Organisation expected to be covered by an award or industrial agreement;
- (g) the number of employees of the Organisation expected to be employed under an employment contract.

46K Document setting out complaints management framework

The Organisation's document setting out a complaints management framework for a financial year must include the following—

- (a) the Organisation's plans for managing complaints relating to the scheme;
- (b) information about the types of complaints relating to the scheme that may be made to—
 - (i) the Organisation; or
 - (ii) an entity other than the Organisation;
- (c) information about how complaints relating to the scheme may be made to the Organisation.

Division 3 Information to be included in quarterly reports and annual reports

46L Quarterly report and annual report—Act, ss 102BU and 102BV

- (1) For sections 102BU(3)(b) and 102BV(3)(d) of the

Act, the following information is prescribed—

- (a) a statement evaluating the Organisation's performance in the relevant period under the following corporate documents—
 - (i) the performance management plan;
 - (ii) the document setting out a scheme payments and contribution methodology;
 - (iii) the network of container refund points plan;
 - (iv) the document setting out a complaints management framework;
- (b) if the Organisation has a policy about gifts and benefits for directors and employees—a statement about whether or not the policy has been complied with for the relevant period;
- (c) if the Organisation is registered as a charity under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth)—a statement about whether or not the Organisation has complied with that Act for the relevant period;
- (d) the following information in relation to containers collected at container refund points in the relevant period—
 - (i) the prescribed information for containers collected at container refund points—
 - (A) in Queensland; and
 - (B) in each local government area;
 - (ii) the prescribed information for containers made of each prescribed material collected at container refund points—

- (A) in Queensland; and
 - (B) in each local government area;
- (e) the following information in relation to containers sent for recycling from container refund points in the relevant period—
 - (i) the prescribed information for containers sent for recycling from container refund points—
 - (A) in Queensland; and
 - (B) in each local government area;
 - (ii) the prescribed information for containers made of each prescribed material sent for recycling from container refund points—
 - (A) in Queensland; and
 - (B) in each local government area;
 - (iii) the prescribed information for containers sent for recycling from container refund points in Queensland to each of the following—
 - (A) entities in Queensland;
 - (B) entities outside Queensland but in Australia;
 - (C) entities outside Australia;
 - (iv) the prescribed information for containers sent for recycling from container refund points in each local government area to each of the following—
 - (A) entities in Queensland;
 - (B) entities outside Queensland but in Australia;
 - (C) entities outside Australia;

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- (v) the prescribed information for containers made of each prescribed material sent for recycling from container refund points in Queensland to each of the following—
 - (A) entities in Queensland;
 - (B) entities outside Queensland but in Australia;
 - (C) entities outside Australia;
 - (vi) the prescribed information for containers made of each prescribed material sent for recycling from container refund points in each local government area to each of the following—
 - (A) entities in Queensland;
 - (B) entities outside Queensland but in Australia;
 - (C) entities outside Australia;
 - (f) the following information in relation to containers disposed of to landfill from container refund points in the relevant period—
 - (i) the prescribed information for containers disposed of to landfill from container refund points—
 - (A) in Queensland; and
 - (B) in each local government area;
 - (ii) the prescribed information for containers made of each prescribed material disposed of to landfill from container refund points—
 - (A) in Queensland; and
 - (B) in each local government area;

- (g) the following information in relation to the container refund points in operation at the end of the relevant period—
 - (i) the number of container refund points—
 - (A) in Queensland; and
 - (B) in each local government area;
 - (ii) the number of each relevant type of container refund point—
 - (A) in Queensland; and
 - (B) in each local government area;
 - (iii) the number of container refund points of each prescribed status—
 - (A) in Queensland; and
 - (B) in each local government area;
 - (h) tables showing the information for the relevant period mentioned in paragraphs (d) to (g) as compared to the information for each corresponding period in the period of 5 years ending immediately before the start of the relevant period.
- (2) Also, for section 102BV(3)(d) of the Act, a statement evaluating the Organisation's performance in the financial year under the following corporate documents is prescribed—
- (a) the budget;
 - (b) the strategic plan;
 - (c) the operational plan;
 - (d) the statement of corporate intent;
 - (e) the governance and investment plan;
 - (f) the employment and industrial relations plan.

(3) In this section—

corresponding period means—

- (a) in relation to a relevant period that is a quarter of a financial year—a quarter of a financial year; or
- (b) in relation to a relevant period that is a financial year—a financial year.

prescribed information, for containers, means both of the following—

- (a) in relation to the number of the containers—
 - (i) if the number of the containers is known—the number of the containers; or
 - (ii) otherwise—the number of the containers worked out under the recovery amount protocol;
- (b) in relation to the weight of the containers—
 - (i) if the weight of the containers is known—the weight, in tonnes to at least 2 decimal places, of the containers; or
 - (ii) otherwise—the weight, in tonnes to at least 2 decimal places, of the containers worked out under the recovery amount protocol.

prescribed material, for a container, means each of the following—

- (a) glass;
- (b) steel;
- (c) aluminium;
- (d) liquid paperboard;
- (e) clear polyethylene terephthalate (PET) plastics;

- (f) coloured polyethylene terephthalate (PET) plastics;
- (g) high density polyethylene (HDPE) plastics;
- (h) another type of material.

prescribed status, of a container refund point, means whether the container refund point is operated on a permanent, temporary or mobile basis.

relevant period means—

- (a) in relation to a quarterly report for a quarter of a financial year—the quarter of the financial year; or
- (b) in relation to an annual report for a financial year—the financial year.

Division 4 Information

46M Publication of information on Organisation's website—Act, s 102CE

For section 102CE(2) of the Act, the period mentioned in column 2 of the following table is prescribed for the information mentioned in column 1 opposite the period—

Column 1 Information	Column 2 Period
the members of the Organisation	within 10 business days after each of the following days— (a) the last day of a financial year; (b) a day there is a change in the members

Column 1 Information	Column 2 Period
the constitution of the Organisation	within 10 business days after each of the following days— (a) the last day of a financial year; (b) a day there is a change in the constitution
a notice given by the Minister under section 102AI(1) of the Act	within 10 business days after the notice is given
a statement of expectations given by the Minister under section 102BM(1) of the Act	within 10 business days after the statement is given
each direction given by the Minister under section 102BN(1), 102BR(2) or 102BS(3) of the Act	within 10 business days after the direction is given
each of the following corporate documents for each financial year, including any modification of the corporate documents under section 102BS of the Act— (a) an operational plan; (b) an employment and industrial relations plan; (c) a document setting out a complaints management framework	within 10 business days after a draft of the corporate document is submitted to the Minister under section 102BP of the Act or the modification is made under section 102BS of the Act

Column 1 Information	Column 2 Period
each of the following corporate documents for each financial year, including any modification of the corporate documents under section 102BS of the Act— (a) a strategic plan; (b) a statement of corporate intent; (c) a performance management plan; (d) a governance and investment plan; (e) a document setting out a scheme payments and contribution methodology; (f) a network of container refund points plan	within 10 business days after the Minister agrees to the corporate document under section 102BQ of the Act or the modification is made under section 102BS of the Act
each annual report	within 10 business days after the Organisation gives the Minister the annual report
each quarterly report	within 10 business days after the Organisation gives the Minister the quarterly report
the template terms for each type of scheme agreement given to the Minister under section 102BX of the Act	within 10 business days after the Organisation gives the Minister a draft of the template terms under section 102BX of the Act for the type of scheme agreement
the remuneration and other amounts, including, for example, termination payments, paid in each financial year to a person who is or was a director of the board	within 10 business days after the end of the financial year

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12 Replacement of pt 16, div 1, hdg (Preliminary)

Part 16, division 1, heading—

omit, insert—

**Division 1 Transitional provisions for
SL No. 127 of 2023**

Subdivision 1 Preliminary

13 Amendment of s 96 (Definition for part)

Section 96, ‘part’—

omit, insert—

division

14 Relocation and renumbering of pt 16, divs 2–5

Part 16, divisions 2 to 5—

relocate to part 16, division 1, as amended by this regulation,
and *renumber* as subdivisions 2 to 5.

15 Amendment of s 97 (Definition for division)

Section 97, ‘division’—

omit, insert—

subdivision

16 Insertion of new pt 16, div 2

Part 16, as amended by this regulation—

insert—

**Division 2 Transitional provisions for
Waste Reduction and
Recycling (Strengthening**

the Container Refund Scheme) Amendment Regulation 2026

119 Comparisons for information in quarterly reports and annual reports

Despite section 46L(1)(h), the information mentioned in section 46L(1)(d) to (g) for a quarter of a financial year or a financial year need not be compared in a quarterly report or an annual report to the information for a quarter of a financial year or a financial year that started before the commencement.

120 Standard terms for scheme agreements

Schedules 6 to 8, as in force from the commencement, only apply to a scheme agreement entered into after the commencement

17 Amendment of sch 6 (Standard terms for container recovery agreements)

- (1) Schedule 6, section 1, definition *scheme contribution amount*, ‘section 99Q(4)(a)(i) and (ii)’—

omit, insert—

section 99Q(4)(a)

- (2) Schedule 6, section 2, ‘a standard term’—

omit, insert—

standard terms

- (3) Schedule 6, after section 3—

insert—

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3A Provision inconsistent with corporate document has no effect

A provision of the container recovery agreement has no effect to the extent the provision is inconsistent with a corporate document under chapter 4, part 5 of the Act.

18 Amendment of sch 7 (Standard terms for particular container collection agreements)

- (1) Schedule 7, heading, ‘particular’—

omit.

- (2) Schedule 7, section 1, from ‘between—’

omit, insert—

between the Organisation and the operator of a container refund point.

- (3) Schedule 7—

insert—

4 Provision unreasonably limiting operator’s ability to provide another waste service has no effect

A provision of the container collection agreement has no effect to the extent the provision unreasonably limits the ability of the operator of the container refund point to provide waste services other than the waste services provided at the container refund point.

5 Provision inconsistent with corporate document has no effect

A provision of the container collection agreement has no effect to the extent the provision is inconsistent with a corporate document under chapter 4, part 5 of the Act.

19 Amendment of sch 8 (Standard terms for material recovery agreements)

- (1) Schedule 8, section 1, ‘a standard term’—

omit, insert—

standard terms

- (2) Schedule 8, after section 2—

insert—

2A Provision unreasonably limiting operator’s ability to provide another waste service has no effect

A provision of the material recovery agreement has no effect to the extent the provision unreasonably limits the ability of the operator of the material recovery facility to provide waste services other than the waste services provided at the material recovery facility.

2B Provision inconsistent with corporate document has no effect

A provision of the material recovery agreement has no effect to the extent the provision is inconsistent with a corporate document under chapter 4, part 5 of the Act.

20 Amendment of sch 13 (Dictionary)

Schedule 13—

insert—

relevant type, of container refund point, means each of the following—

- (a) material recovery facility;
- (b) reverse vending machine;
- (c) depot;
- (d) mobile service;

- (e) donation point;
- (f) bag drop.

Schedule 1 Other amendments

section 3

Waste Reduction and Recycling Regulation 2023

1 Section 33, from ‘section’ to ‘not’—

omit, insert—

section 99M(3) of the Act, each of the following
containers is prescribed not to

2 Section 36 and schedule 13, definition *small beverage manufacturer*, ‘section 99R(2)’—

omit, insert—

section 99R(3)

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Amendment Regulation 2026

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on [Made by Governor Date].
- 2 Notified on the Queensland legislation website on [Notification Date].
- 3 The administering agency is the Department of the Environment, Tourism, Science and Innovation.