

Contents

1. Purpose of this document	2
2. Role of accredited consigners	2
3.1 Statutory functions and duties	3
3.2 People who should apply to be accredited consigners	3
3.3 Qualifications, skills, experience, and competencies	4
4. How to apply to become an accredited consigner	5
4.1 Information about applications	5
4.2 Application requirements	5
5. Assessment and appointment	5
5.1 Assessment process	5
5.2 The interview	5
5.3 Appointment decision	6
5.4 Instrument of appointment	6
5.5 Public register	6
6. Application for subsequent appointments and variations	6
6.1 Application to vary appointment	6
6.2 Information to support a variation	7
6.3 Application to surrender appointment	7
6.4 Application for re-appointment	7
6.5 Termination of appointment	7
Appendix 1	8
References	16

1. Purpose of this document

This guidance is for people seeking to become an accredited consigner approved by EPA.

An accredited consigner is a person appointed by EPA to advise waste industry duty holders on how to classify and manage specific types of waste.

This guidance outlines the role of an accredited consigner and how to apply.

This document provides information about the role including:

- statutory functions
- the application
- selection and appointment process
- conditions relating to the appointment.

To find out more please visit the [EPA website](http://epa.vic.gov.au) (epa.vic.gov.au) or contact us on 1300 EPA VIC (1300 372 842) or email consigners@epa.vic.gov.au.

2. Role of accredited consigners

All Victorian businesses have duties and obligations under the *Environment Protection Act 2017* (the Act). They must manage the risks their activities may pose to human health and the environment from pollution or waste.

Under the [new laws](http://epa.vic.gov.au/about-epa/laws) (epa.vic.gov.au/about-epa/laws) waste generators, transporters and receivers will share the responsibility of making sure waste ends up at an EPA-authorized site.

That will usually mean a waste disposal site with an EPA licence, permit or registration.

Accredited consigners can play a key role to support duty holders discharge their waste management obligations.

One of the ways that a duty holder can demonstrate that they have taken [reasonably practicable](http://epa.vic.gov.au/about-epa/laws/new-laws/what-is-reasonably-practicable) steps (epa.vic.gov.au/about-epa/laws/new-laws/what-is-reasonably-practicable) to lawfully manage their waste is to engage the services of an accredited consigner.

This is especially important where the duty holder's knowledge is limited, and risks associated with the waste are high.

It is not mandatory for duty holders to engage an accredited consigner.

Accredited consigners can assist businesses to meet their waste duties by:

- lawfully managing and classifying specific types of priority waste on behalf of a duty holder
- ensuring the waste is consigned by an authorised transporter so that it reaches a [lawful place](http://epa.vic.gov.au/for-business/new-laws-and-your-business/manage-waste/lawful-place) (epa.vic.gov.au/for-business/new-laws-and-your-business/manage-waste/lawful-place)
- completing a waste record and maintaining visibility of waste movements in the waste tracking system on behalf of their clients
- ensuring the duty holder meets their [waste duties](http://epa.vic.gov.au/for-business/new-laws-and-your-business/manage-waste) (epa.vic.gov.au/for-business/new-laws-and-your-business/manage-waste)

It is important to note that accredited consigners are not 'delegated' these duties.

They provide a specific service on behalf of duty holders to ensure their waste duties are met.

The duties under the Act apply to both the accredited consigner and the waste producer who has hired them.

EPA appoints accredited consigners for up to five years.

Accredited consigners are not employees of EPA.

The role is a new opportunity for waste industry specialists to provide their expertise, advice, experience, and administrative support to ensure waste is managed appropriately.

3.1 Statutory functions and duties

Accredited consigners are appointed under Section 245(2) of [the Act](http://epa.vic.gov.au/about-epa/laws/new-laws) (epa.vic.gov.au/about-epa/laws/new-laws).

They perform the functions set out in the Regulations 88-92.

An individual must apply to be appointed as an accredited consigner for specific types of wastes.

An appointed accredited consigner may also apply to:

- vary their appointment
- be re-appointed
- surrender their appointment.

EPA may suspend, reinstate post suspension, and revoke an appointment.

An individual must not purport to be an accredited consigner under the Act if their appointment is suspended, revoked, or expired; penalties may apply.

Accredited consigners are not the same as accredited agents that exist under the old Act.

3.2 People who should apply to be accredited consigners

Accredited consigners will have experience as:

- environmental consultants
- technical experts
- waste brokers
- waste transporters and logistics specialists
- experienced waste industry members who can demonstrate their qualifications and skills.

Applicants must:

- be assessed as a fit and proper person
- not be a prohibited person
- provide a national police check.

3.3 Qualifications, skills, experience, and competencies

Accredited consigner applicants will need to demonstrate their capability to consign specific priority wastes including how to discharge applicable waste duties.

The position description in Appendix 1 outlines the general qualifications, skills, experience, and competencies required for all applicants including the selection criteria.

The code of conduct in Appendix 2 provides more detailed information on EPA’s expectations of applicants and key information about the role. An accredited consigner is required to meet and abide by the *Accredited Consigner Code of Conduct*

Figure 1 below outlines the competency framework for assessment that applications will need to meet depending on the waste streams they apply to consign.

Figure 1 – Competency framework for different waste types



We will provide an instrument of appointment following the appointment of an accredited consigner. This instrument sets out the wastes that an accredited consigner can consign and the conditions of their appointment.

4. How to apply to become an accredited consigner

4.1 Information about applications

Refer to the EPA website and [Portal](http://portal.epa.vic.gov.au) (portal.epa.vic.gov.au) for the latest information about the role and how to apply.

4.2 Application requirements

You are required to complete and submit the following to EPA for assessment:

1. Accredited consigner application form.
2. Nominated waste codes form.
3. Work experience statement.
4. Fit and proper person questionnaire.
5. Prohibited persons questionnaire.
6. National police records check.

5. Assessment and appointment

5.1 Assessment process

EPA will interview applicants who meet the selection criteria and are assessed as fit and proper persons. (epa.vic.gov.au/for-business/find-a-topic/licences/fit-and-proper-person).

We will inform applicants who do not meet the selection criteria that their application was unsuccessful.

5.2 The interview

EPA will invite applicants to an interview for an opportunity to demonstrate competency levels in delivering the legal function and obligations that the role requires.

The interview is an opportunity for you to further demonstrate your understanding of waste management obligations in the Act and the Regulations.

We will ask you about the safe and legal consignment of waste and provide you with scenarios to address classification and management requirements of priority waste.

Areas of knowledge, experience, and competency to demonstrate may include:

- waste transport and waste treatment sectors
- understanding of how waste should be consigned
- relevant provisions of the Act plus associated Regulations, guidelines, and industry state of knowledge specific to the types of waste that you want to consign
- interstate and international waste transport legislation
- dangerous goods legislation.

5.3 Appointment decision

EPA will determine an appointment as an accredited consigner after considering the assessment team's recommendations.

Under Regulation 89(7), the statutory timeframe for an appointment decision is 30 business days after EPA accepts the application.

5.4 Instrument of appointment

Accredited consigners will receive an instrument of appointment which will include:

- an individual accredited consigner number
- conditions attached to the appointment
- length of the appointment, which may be up to 5 years.

5.5 Public register

All appointments will be listed on EPA's public register.

6. Application for subsequent appointments and variations

6.1 Application to vary appointment

An accredited consigner may apply to vary the conditions of their instrument of appointment. Variations may include:

- amendments to the wastes they can consign
- changes to their business details including address, and ABN/ACN.

Accredited consigners may apply for a variation to their appointment at any time. EPA has up to 30 business days to assess the application.

There is no fee associated with applying for a variation of appointment. Variations to an appointment will also be reflected on the public register.

6.2 Information to support a variation

Table 2 outlines the documents that are required to be submitted for a variation.

Table 2 – Apply to vary appointment scenarios

Scenarios	Required information	Assessment needed
Vary registered address or phone number	New address or phone number	No
Vary ABN or ACN	New fit and proper person declaration	Yes. No interview required
Vary waste codes to consign (add)	New waste codes. Work experience relevant to the new wastes. Updated CV (if required)	Yes. No interview required.
Vary waste codes to consign (remove)	Waste codes to remove.	No

6.3 Application to surrender appointment

An accredited consigner may apply to surrender their appointment at any time. EPA requires a written request advising of an intention to surrender with at least 30 business days' notice.

6.4 Application for re-appointment

EPA will notify accredited consigners 12 weeks before the date of expiry of the appointment. Applications must be submitted not later than 30 business days before the expiry of an appointment for continuity of appointments.

An application fee is payable.

6.5 Termination of appointment

EPA may suspend or revoke an appointment.

Appendix 1

Position details

Title:	Accredited Consigner (appointment)
Duration:	Appointments are up to 5 years

About the EPA

EPA Victoria works on behalf of all Victorians to protect the health and wellbeing of our communities and our environment from the harmful effects of pollution and waste, preserving our state's liveability and prosperity, now and always.

We do this by effectively regulating our environment, applying a philosophy of prevention and improvement to drive positive future environmental change, providing community, industry, and government with a trusted voice on environmental protection and environmental public environmental health.

Following an independent inquiry into the EPA, the Government endorsed an extensive package of reforms supported by a significant funding package. EPA has now embarked on a multi-year comprehensive transformation program to deliver on the Government's vision of a healthy and liveable environment that supports Victoria now and always.

Further information about EPA and the role and how to apply can be obtained from the website at www.epa.vic.gov.au.

About the role

As an accredited consigner you will play a key role in supporting Victorian businesses to discharge waste management obligations outlined in the *Environment Protection Act 2017* (The Act).

Waste generators, transporters and receivers share the responsibility of making sure waste ends up at an EPA-authorized site.

That will usually mean a waste disposal site with an EPA licence, permit or registration.

Accredited consigners can play a key role to support duty holders discharge their waste management obligations and duties.

One of the ways that a duty holder can demonstrate that they have taken [reasonably practicable](http://www.epa.vic.gov.au/about-epa/laws/new-laws/what-is-reasonably-practicable) steps ([epa.vic.gov.au/about-epa/laws/new-laws/what-is-reasonably-practicable](http://www.epa.vic.gov.au/about-epa/laws/new-laws/what-is-reasonably-practicable)) to lawfully manage their waste is to engage the services of an accredited consigner.

This is especially important where the duty holder's knowledge is limited, and risks associated with the waste are high.

It is not mandatory for duty holders to engage an accredited consigner.

EPA appoints accredited consigners for up to five years.

Accredited consigners are not employees of EPA and are not remunerated by EPA.

Key responsibilities and functions

Accredited consigners are required to undertake activities on behalf of their client in a manner that minimises the risk of harm to the environment and human health.

An accredited consigner is an appointed role under Section 245(2) of the Act.

(epa.vic.gov.au/about-epa/laws/new-laws)

They perform the functions set out in the Regulations 88-92.

Accredited consigners can assist businesses to meet their waste duties by:

- lawfully managing and classify specific types of priority waste on behalf of a duty holder
- ensuring the waste is consigned by an authorised transporter so that it reaches a [lawful place](http://epa.vic.gov.au/for-business/new-laws-and-your-business/manage-waste/lawful-place) (epa.vic.gov.au/for-business/new-laws-and-your-business/manage-waste/lawful-place)
- completing a waste record and maintaining visibility of waste movements in the waste tracking system on behalf of their clients
- ensuring the duty holder meets their waste duties (www.epa.vic.gov.au/for-business/new-laws-and-your-business/manage-waste)

It is important to note that accredited consigners are not 'delegated' these duties. The duties under the Act apply to both the accredited consigner and the waste producer who has hired them.

The Regulations outline the process for applying and being appointed as an accredited consigner.

Table 1 – Functions and legal obligations of Accredited Consigners

Functions and legal obligations	Legal Reference
Classify (select) wastes on behalf of a waste producer in accordance with Victoria’s waste classification system set out in the Regulations.	Section 135, 137, 139, 142 of the Act Regulation 88 of the Regulation
Categorise (select) wastes (soils and industrial wastes) on behalf of a waste producer in order to identify management purposes for the wastes as set out in the Regulations.	Section 135, 137, 139, 142 of the Act Regulation 88 of the Regulation
Create waste records on behalf of a waste producer. This includes classifying the waste, engaging a permissioned transporter (where applicable) to transport the waste off site and selecting a lawful place authorised to receive the waste.	Section 142 of the Act Regulation 88 of the Regulation
Identify a lawful place that is authorised to receive the waste generated by the waste producer.	Section 135, 139, 142 of the Act Regulation 88 of the Regulation
Engage a permissioned transporter (where applicable) to transport waste offsite, taking into account the appropriateness of the vehicle/s used to safely transport higher risk wastes (reportable priority wastes).	Section 135, 139, 142 of the Act Regulation 88 of the Regulation
Engage suitably qualified service providers (or undertake the services themselves) to sample and test the wastes to support the classification process.	Section 135, 137, 139, 142 of the Act Regulation 88 of the Regulation

Accredited consigners must act with integrity in providing advice to their client and to all parties associated with management of the wastes they have been appointed to consign. In addition to the above functions, accredited consigners are expected to perform their role in a way that meets the behaviours and standards outlined in the Accredited Consigner Code of Conduct (appendix 2).

Accredited consigners must undertake continuing professional development (CPD).

Key performance indicators

1. Meet regulatory obligations by discharging functions and duties on behalf of clients in accordance with the Act and the Regulations.
2. Improve the state of knowledge of their clients and the waste management sector to reduce hazard and environmental and human health risks of waste management by:
 - providing expert and authoritative advice to clients and parties associated with the waste consignment, to minimise the environmental and human health risks relating to management of wastes
 - undertaking CPD to further improve their understanding of best practice waste management
 - contributing to or leading publications or presentations on waste management.
3. Deliver on obligations and services with integrity and in accordance with their appointment conditions and EPA's *Accredited Consigner Code of Conduct*.
4. Manage commercially sensitive information of all parties associated with a waste consignment activity.

Compliance with the instrument of appointment conditions and code of conduct will be monitored by EPA.

Additional information relating to the statutory functions, application and appointment process, conditions relating to the appointment and performance review can be found in the *Accredited Consigners Application Guidance*.

Key selection criteria

Essential requirements

- Five or more years working in any of the following industries, preferably with leadership experience:
 - the waste management sector
 - waste transport logistics
 - dangerous goods handling or transport
 - construction.
- Or, three or more years working as a technical service provider working with the waste sector and types which appointment is sought for example as an environmental consultant or equivalent, and formal training
- Highly competent using IT systems for managing data records and workflow.
- Knowledge of the following:
 - dangerous goods handling (mandatory)
 - occupational health and safety practices (mandatory)
 - waste management including waste transport and waste treatment
 - laboratory practices
 - interstate and international waste transport legislation.
- Knowledge (learning modules, certificate or diploma level) may be attained via a formal qualification with a registered training organisation or equivalent relevant experience (in the last 5 years)
- Extensive understanding of the Victorian waste management framework including waste transport logistics and environment protection legislation
- Demonstrated understanding of the Victorian and National Dangerous Goods legislation and codes.

Figure 1 outlines the competency framework that applicants will be assessed against depending on the waste streams they apply to consign.

Figure 1 – Competency framework for different waste types



Appointment Requirements

Fit and Proper Person	Must be assessed as being a Fit and Proper Person as per (www.epa.vic.gov.au/for-business/find-a-topic/licences/fit-and-proper-person)
Must not be a Prohibited Person	Must not be a prohibited person
Appointment Terms and Conditions	Conditions of appointment are set out in the Instrument of Appointment. Appointment duration is at EPA's discretion and for a period not exceeding 5 years.
How to Apply	Refer to the EPA website and Portal (https://portal.epa.vic.gov.au/irj/portal) for the latest information about EPA accepting applications, the length of appointments, and the application process. Applicants are required to submit the following: <ul style="list-style-type: none">• Accredited Consigner Application form• Nominated Waste Codes form• Work Experience Statement• Fit and Proper Person questionnaire• Prohibited Persons questionnaire• National Police Records Check
Further Information	For further information about the appointment, please contact the Manager, Compliance Programs Unit on 1300 EPA VIC (1300 372 842)
Privacy	The collection and handling of information will be consistent with the requirements of the <i>Information Privacy Act 2000</i> and the <i>Public Records Act 1973</i> .

Key accountabilities of this role include:

- **Supporting Victorian businesses with leadership and technical expertise to assist with compliance of their waste duties and legal obligations outlined in the Act including:**
 - Applying problem solving skills to analyse and develop practical solutions to achieve required outcomes.
 - Classifying select wastes on behalf of a waste producer in accordance with Victoria's waste classification system set out in the Regulations.
 - Categorising select wastes on behalf of a waste producer in order to identify management purposes for the waste as set out in the Regulations.
 - Creating waste records on behalf of a waste producer.
 - Identifying a lawful place that is authorised to receive the waste generated by the producer.
- **Providing direction and leadership in risk management to Victorian businesses who produce, transport, and handle certain waste types by:**
 - Engaging a permissioned transporter, where applicable, to transport waste offsite.
 - Engaging suitably qualified service providers, or under the service themselves, to sample and test the wastes to support the classification processes.
- **Establishing and maintaining strong relationships between waste producers, transporters, and receivers including:**
 - Good written and strong verbal communication and negotiation skills with the ability to engage stakeholders and manage consultation processes.
- **Developing and accurately maintaining databases and reporting requirements with integrity**

References

Resource type	Title	Description	Publication
Community information	<i>Accredited Consigner Code of Conduct</i>	Outlines the expected behaviours and standards for persons appointed as an accredited consigner by EPA when carrying out their appointed role.	www.epa.vic.gov.au/about-epa/publications/1945

This publication is for general guidance only. You should obtain professional advice if you have any specific concern. EPA Victoria has made every reasonable effort to ensure accuracy at the time of publication.

This work is licensed under a [Creative Commons Attribution 4.0 licence](https://creativecommons.org/licenses/by/4.0/).

EPA acknowledges Aboriginal people as the first peoples and Traditional custodians of the land and water on which we live, work and depend. We pay respect to Aboriginal Elders, past and present and recognise their continuing connection to, and aspirations for Country.



For languages other than English, please call **131 450**.

Visit epa.vic.gov.au/language-help for next steps.

If you need assistance because of a hearing or speech impairment, please visit relayservice.gov.au