

**RECYCLERS' CODE PARTICIPATION AGREEMENT**  
(Version 2.0, July 2004)

**SUMMARY OF AMENDMENTS TO EXPOSURE DRAFT**

<b><i>Minor editing changes</i></b>	
<b>Change</b>	<b>Reason</b>
<p>The term <i>Participation Agreement</i> is used throughout the document in lieu of <i>Accreditation Agreement</i>.</p> <p>As a consequence, the term:</p> <ul style="list-style-type: none"> <li>• <i>compliant business</i> or <i>participating business</i> is used to describe those recycling businesses that join (or intend to join) the Code; and</li> <li>• <i>admission</i> or <i>admit</i> is used to describe the process of a business being accepted into the Code.</li> </ul>	To minimise the risk of confusion with other industry accreditation programs which are not related to stolen parts avoidance checks.
The term <i>Code Administration Body</i> (CAB) is used throughout the document in lieu of <i>PartSafe</i> .	The NMVTRC believes it is appropriate for the Code's governing body to determine its own trading name.
Section 8—Minor drafting and order changes have been made to improve the clarity of the section.	To clarify the point at which labelling obligations commence when parts are removed from the donor vehicle (or enter the business premises).
<p>Section 15—Editing and order changes made to improve the clarity of the termination provisions.</p> <p>Some substantive changes have also been made in respect of widening the appeal rights of participating businesses—see <i>Substantive changes</i> section below.</p>	To improve the clarity of the section.
Some consequential renumbering of provisions has occurred.	To accommodate other changes.
<b><i>Substantive changes to operative provisions</i></b>	
<p>Section 3—Fees</p> <p>Former clauses deleted and new clause inserted to reflect NMVTRC's decision to underwrite subscription fees for up to 12 months.</p> <p>A consequential change has also been made to Schedule 2.</p>	The NMVTRC has agreed to underwrite the CAB's operations for 12 months as an incentive for recyclers to join the Code.

<b><i>Substantive changes continued...</i></b>	
Clause 4(a)(v)—amended to clarify access to participating businesses' premises and records for audit purposes.	Access limited to purposes associated with administration of the Code, relevant records and normal business hours.
New clause 4(a)(viii)—inserted to require participating businesses to seek the CAB's approval prior to using Code logos or business marks in their own marketing material.	To guard against inappropriate use of the CAB's logos or business marks.
Clause 4(a)(ix) (formerly 4(a)(vii)—amended to limit its application to the purchase of separated parts from minors.	It was not our original intention to limit the purchase of whole vehicles from minors (provided that evidence of entitlement to sell is established).
Clause 4(a)(x) (formerly 4(a)(ix)—amended to permit cash transactions up to \$100 per client in a seven day period.	To not unreasonably limit cash payments.
Clause 4(a)(xiii) (formerly 4(a)(xii)—amended to clarify obligations in respect of sourcing parts from other participating businesses.	Obligation re-expressed as an expectation that participating businesses will endeavour to source components that they do not have in stock from other participating businesses.
New clause 4(a)(xiv)—inserted to require a participating businesses to notify the CAB of any failure to meet its obligations under the Code.	To improve the accountability of participating businesses to self-report incidents of non-compliance.
Section 5—evidence of identity and entitlement to sell requirements for vehicle sellers strengthened.	To improve the standard of identity checks to which sellers must be subjected.
Section 6—identity checks for business clients extended to include business licences as acceptable evidence of identity and clarify that the identity documents for regular business clients need only be checked once.	To provide additional flexibility in the range of acceptable documentation.
Clauses 9(b) and (c)—amended to permit duplicate copies of receipt to be maintained in electronic form.	To clarify the status of electronic receipt records.
Section 16—amended to provide right of appeal over all decisions of the CAB to terminate a Participation Agreement.	To ensure optimal fairness and transparency in the application of sanctions by the CAB.
Schedule 1—amended to reflect lower target vehicle age of 10 years (down from 15 years).	To minimise the impact of the Code on self-service operators and the burden of compliance on participating businesses.
Schedule 2—amended to reflect NMVTRC's decision to waive subscription fees for the first 12 months.	See earlier comments.