



BOOKLET ONE

Spreadmark Code of Practice:

Procedures, Protocols and Policies

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Introduction

This booklet is one of four booklets containing information that supports the Spreadmark Code of Practice for the Application of Nutrients in New Zealand. This booklet contains the operational policies and procedures that support the Spreadmark Code of Practice. Adherence to these policies and procedures is a requirement of certification.

The Spreadmark Code of Practice can be found [here](#).

This booklet forms part of the Code and all information related to copyright, document control, acknowledgements and glossary contained in the main Code apply equally to the information in this booklet.

Other booklets containing support information for the Spreadmark Code of Practice are:

- **Booklet 2:** Technical Specifications for the Testing and Certification of Solid Nutrient Application Units.
- **Booklet 3:** Technical Specifications for the Testing and Certification of Liquid Nutrient from Nozzles and for Nutrient Spread as a Slurry.
- **Booklet 4:** Spread Pattern Testing and Certification for Fixed Wing Aerial Application of Solid Nutrients.

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1. PROCEDURE

for Spreadmark Company Registration

- 1.1 Enquiries regarding Spreadmark certification of nutrient application companies shall be sent to the Executive Director of the Fertiliser Quality Council using the application form found [here](#)
- 1.2 Applications for registration must be accompanied by the application fee. The application fee is non-refundable in the event that the application does not proceed or is unsuccessful.
- 1.3 Upon receipt of the application form, the Executive Director shall verify that the application is complete and that the appropriate fee is attached. The applicant company is then deemed to be a Spreadmark applicant company.
- 1.4 The Executive Director then forwards the application to the Spreadmark Auditor who will undertake a pre-certification audit against the Spreadmark System Standard.
- 1.5 If the Auditor finds that the requirements are met the company shall be issued with a signed Spreadmark Company Registration Certificate, with the expiry date noted, and will cause the register of Spreadmark Registered Companies to be amended. If the Auditor does not consider the requirements of the Spreadmark Code to be met then the applicant company will be advised in writing of improvements that need to be made.
- 1.6 The period of registration will normally be for a period of two years. A shorter period may be applied if companies have systems that are not fully in conformance. The term would depend on the severity of the non-conformances, where upon the Auditor may also recommend conditional registration. Companies may elect to have additional special audits at their own cost.



2. SPREADMARK

Approved Unit Testers Protocol

Scope

This protocol sets out the role and responsibilities of Spreadmark Approved Spreading Unit Testers for the pattern testing of spreading units.

2.1 Approval policies

- a. The authority to approve Spreadmark Unit Testers is held by the Fertiliser Quality Council Executive Committee and anyone acting under their delegated authority.
- b. The term of approval shall be for a term of two years or any other term that the Fertiliser Quality Council Executive Committee determines.
- c. Spreadmark Approved Unit Testers shall be appropriately qualified and should be able to display practical experience relevant to the agricultural aviation and/or groundspread industry.
- d. The register of Approved Spreadmark Unit Testers, by name, will be held by the Executive Director of the Fertiliser Quality Council or their nominee. All applications to alter the terms of an Approved Spreadmark Unit Tester's approval must be made in the first instance to the Executive Director.
- e. A Spreadmark Approved Nutrient Application Unit Tester shall be capable of managing spreader unit testing, whilst also able to maintain the integrity of the Spreadmark Spreading Unit Testing process.
- f. Any complaint about an Approved Spreadmark Unit Tester must in the first instance be made to the Executive Director for resolution.

2.2 Spreadmark Registered Company/ Operator Contacts

- a. The Executive Director shall make available the list of Spreadmark Approved Application Unit Testers to all Spreadmark registered companies and to spreading companies that have applied to the Executive Director for Spreadmark certification. All Spreadmark Approved Application Unit Testers shall offer Spreadmark testing services to all Spreadmark registered companies or companies seeking Spreadmark certification.

- b. Spreadmark registered companies or applicants for Spreadmark Unit Certification may select the services of any Spreadmark Approved Application Unit Tester at a testing fee to be fixed between the parties.

2.3 Spreadmark Application Unit Testing

- a. All testing done by Spreadmark Approved Application Unit Testers for Spreadmark purposes shall be done in accordance with the current Spreadmark Code of Practice test standard.
- b. All Spreadmark Unit Performance Certificates shall be on a form approved by the Fertiliser Quality Council Executive Director.
- c. Spreadmark Approved Unit Testers shall only generate certificates with the Spreadmark name or logo on them for nutrient spreading companies which hold, or which have applied to hold Spreadmark company certification.
- d. Spreadmark Approved Unit Testers shall, on request and without fee, provide spreader test data to the Executive Director if the information is sought for research purposes or to resolve disputes.
- e. Following Spreadmark nutrient application unit testing, the Spreadmark Approved Unit Tester shall generate a completed Spreadmark Applicator Performance Certificate for their client company. A copy of this Performance Certificate shall be sent to the Spreadmark Auditor for review and to enable the Spreader Database to be updated.

2.4 Audits

- a. The Spreadmark Approved Application Unit Tester shall be subject to regular audit by the Spreadmark auditor. The audit shall determine whether the standards specified in the Spreadmark Code of Practice are being maintained. The Spreadmark auditor shall make available the results of the audit to the Fertiliser Quality Council Executive Director.
- b. If in the opinion of the Spreadmark auditor the Spreadmark approved specifications are not being met, the Executive Director shall require the Spreadmark Approved Application Unit Tester to provide an explanation within ten days. If the matter cannot be resolved, the Executive Director may suspend the Spreadmark Approved Application Unit Tester from Spreadmark testing.
- c. The Spreadmark auditor may be asked to conduct an audit of the Spreadmark Approved Application Unit Tester if requested by the Executive Director following any complaint.
- d. In all matters in dispute the decision of the Executive of the Fertiliser Quality Council will be binding on the parties.

2.5 Disputes

- a. Disputes that may arise between Spreadmark registered or applicant companies and Spreadmark Approved Unit Testers shall be managed according to the Spreadmark Disciplinary and Certification Procedure.

[Click here](#) to apply to become a tester and view the current list of Approved Spreadmark Testers.



3. TRAINING

for Nutrient Applicators

Operator Training Principles

3.1 Philosophy

- a. The Fertiliser Quality Council is committed to the implementation of the Spreadmark Code of Practice and to that end has supported the development of a training syllabus for groundspreaders. For aerial applicators training is covered by the CAA requirements. This Section only applies to groundspreaders.

The Council believes that the successful achievement of the objectives of the Code is dependent on sound knowledge and understanding of the placement of nutrient in New Zealand, and that through training of operators such knowledge and understanding will be gained.

Note: Pilots of manned aircraft are required to hold an agricultural rating with a topdressing endorsement in accordance with CAA Rule Part 61 and Advisory Circular AC61-15 <https://www.aviation.govt.nz/rules/advisory-circulars/show/AC61-15>

UAV operators undertaking topdressing are required to be appropriately trained in accordance with their CAA Rule Part 102 Operating Certificate and Advisory Circular 102-1 <https://www.aviation.govt.nz/rules/advisory-circulars/show/AC102-1>

3.2 Methodology

- a. Training outcomes for operators have been determined based on the material contained in the Spreadmark Code of Practice. The training outcomes are focused on developing the understanding and knowledge required by competent operators in the activity of spreading nutrients.
- b. The material used is structured to suit a wide range of operators with varying levels of knowledge and understanding. In all training activities, the emphasis is on technically sound information and direction, and all essential information will be presented in clear, concise terms and supported by illustrative material and practical aids.
- c. Records of operator training shall be kept by the Spreadmark registered company and made available to the Executive Director of the Fertiliser Quality Council or their nominee on request.
- b. The assessment methods will support and enhance the training with provisions having been made to identify at an early stage those participants who may require extra assistance to achieve the training outcomes.
- c. Each participant will be required to reach a minimum level of competency in all aspects of the training programme in order to achieve certification.
- d. Any person failing to meet the required standard will be advised of the areas of concern and given further coaching and re-tested to ensure they achieve the required standard.

3.3 Approval

- a. Courses which the Fertiliser Quality Council accepts as meeting the operator training requirements of the Spreadmark Code of Practice are listed on the website of the [Fertiliser Quality Council](#).

3.4 Competency

- a. Competency will be assessed at a number of points during the training using a range of appropriate instruments including:
 - Written tests
 - Multi-choice questions
 - Non-verbal graphical interpretation Workshop activities
 - Verbal recording
 - Practical tests
 - On-line tests

3.5 Admission requirements

- a. The Fertiliser Quality Council encourages all persons actively involved in, associated with, or interested in the placement of nutrient products in New Zealand to be trained in the requirements of the Spreadmark Code of Practice. To facilitate this there should be no limitations of prior learning or employment placed on people entering this training.

3.6 Operator training certificates

- a. Operator training certificates are only available after the successful completion of an approved training course by a registered provider. This includes all on-course activities and evaluation tasks, and any pre-and/or post-course activities.



4. OPERATOR

Training Syllabus

Scope

This material describes the outcomes sought of an operator training programme to be acceptable as suitable training for operators involved in the Spreadmark scheme. The purpose of the training is to ensure that nutrient spreading unit operators are competent.

4.1 Outcomes of training

- a. The competence of nutrient spreading unit operators is ensured by them completing a training course with the following training outcomes:

4.2 Nutrient knowledge

- a. This will involve a basic knowledge of nutrients including lime.
 - Types.
 - Safety Data Sheets.
 - Factors which could lead to problems e.g. mixes of products with very different particle sizes (SGN) or incompatible mixes.
 - How the bulk density (BD), SGN and uniformity index (UI) of various products interact and affect how well various products can be spread. How to measure SGN and BD with a sieve box.

4.3 Spreader skills

- a. The operator skills relating to spreaders are:
 - Consequences of poor spreading (agronomic and environmental), awareness of the influence of wind.
 - Choosing an appropriate bout width (BW) for particular loads of product. Interpreting information to be able to know what settings on spreading units are needed for various products and product characteristics in order to achieve the correct application and BW.
 - Adjusting spreader units.
 - Factors affecting the performance of the machine over time (build-up). Handling spillages.
 - Being able to operate to a particular bout width.
 - Managing risk if the operator has responsibility for that.

4.4 Skills specific to aerial spreaders

- a. The pilot of any aircraft and UAV operators shall hold a current agricultural pilot topdressing rating and chemical rating (if applicable) to apply nutrients by air;

Note: CAA Advisory Circular AC 61 – 1.15 provides information on the training syllabus content that is acceptable to the Director for meeting the Civil Aviation Rule requirements for the issue of an Agricultural Rating. This Advisory Circular relates specifically to Civil Aviation Rule Part 61 Subpart O – Agricultural ratings.

CAA Advisory Circular AC102-1 provides information for the requirements of a Part 102 certificate and qualifications acceptable to the Director for agricultural operations undertaken by UAV's.

4.5 Communication skills

- a. Sufficient communication skills with farmers to ensure that the nutrient is applied in the correct place and that local hazards are identified.

4.6 Environmental awareness

- a. An awareness of the consequences for stock health and the environment from the application of nutrients, along with actions that can mitigate these consequences.
- b. Unit standards relevant for Spreadmark Training providers are listed here:

Unit Standard 19370: Demonstrate knowledge of the Spreadmark Code of Practice as it applies to nutrient application.

- [Framework search results \(nzqa.govt.nz\)](#)
- [19370.pdf \(nzqa.govt.nz\)](#)

Unit Standard 19372: Describe the environmental implications of applying nutrients and associated activities.

- [Standard 19372 \(nzqa.govt.nz\)](#)
- [19372.pdf \(nzqa.govt.nz\)](#)

Unit Standard 19373: Demonstrate knowledge of nutrients, and the implications for handling and applying nutrients.

- [Standard 19373 \(nzqa.govt.nz\)](#)
- [19373.pdf \(nzqa.govt.nz\)](#)

Unit Standard 19374: Describe nutrient applicators and nutrient application and operate nutrient-application machinery efficiently.

- [Framework search results \(nzqa.govt.nz\)](#)
- [19374.pdf \(nzqa.govt.nz\)](#)

Unit Standard 28782: Apply nutrients in a primary industry setting.

- [Framework search results \(nzqa.govt.nz\)](#)
- [28782.pdf \(nzqa.govt.nz\)](#)

Unit Standard 19048: Apply nutrients using mounted or trailed equipment.

- [Standard 19048 \(nzqa.govt.nz\)](#)
- [19048.pdf \(nzqa.govt.nz\)](#)



5. SPREADMARK

Auditor Protocol

The role of the auditor is to provide an independent assessment of whether the requirements described in this Code are complied with. In doing so they provide a crucial role in underpinning the credibility of the Spreadmark brand. This credibility is critical in providing customers, regulators and the community, assurance that nutrients are being applied in accordance with the standards described in the Spreadmark Code of Practice.

Spreadmark companies are encouraged to carry out their own internal auditing on a regular basis – a form that can be used for that can be found [here](#).

Scope

This protocol sets out the roles and responsibilities of the Auditor for the nutrient spreading industry.

5.1 Appointment

- a. The Auditor shall be nominated by the Fertiliser Quality Council Executive Committee, and that appointment shall be approved by the Fertiliser Quality Council, for such a term as the Executive Committee shall determine. This decision will be taken in consultation with Groundspread NZ.

- b. The Auditor shall have received appropriate auditor training and shall be familiar with the nutrient application industry.
- c. The Auditor cannot also be a Spreading Unit Tester as it is important that the functions of the certification testing of spreading units and auditing be kept entirely separate.

5.2 Company contacts

- a. The Auditor shall maintain a register of nutrient spreading units, Spreadmark Registered Companies and nominated company contact people. The nominated company contact people shall be the primary points of contact for the Auditor with the company.

5.3 Notifications

- a. The Auditor shall be notified by the Executive Director each time a valid application to be a Spreadmark registered company is received.
- b. The Auditor shall negotiate with the applicant nutrient spreading company contact person for a suitable time to conduct the audit.
- c. If there are no significant non-conformances at two successive audits the certification period shall be increased to three years. This provision only applies where the annual self-check audit has been done and retained for the auditor.
- d. Supplementary audits may be initiated or authorised by the Executive Director on an irregular basis and with a relatively short period of notice. Supplementary audits may include the check testing of spreading units. The principle focus of supplementary audits shall be:

5.4 Audits

- a. During audits the Auditor shall assess the nutrient spreading company quality system and records. The standard used for the audit will be the Spreadmark System Standard and other relevant parts of the Code. The audit shall focus on outcomes and evaluate whether or not they are being achieved. A pre-audit information pack including an internal audit checklist and the checklist used by the auditor is available [here](#)
- b. After the audit is complete a site audit report shall be sent to the nominated company contact person. It shall include a summary of findings and a statement of the extent to which the company systems and practices meet the Spreadmark Code of Practice.
- > Companies which do their own testing,
- > Companies where there were material issues at the previous audit (including excessive slowness at clearing audit conditions),
- > Companies which are the subject of a complaint or where there is reason to suspect that Spreadmark standards may not be being adhered to.
- e. Supplementary audits will be paid for by the Fertiliser Quality Council.

5.5 Audit frequency

- a. Spreadmark audits shall initially be carried out one year from the date of company certification and then on a two-yearly basis.
- b. The Auditor may determine that an increased audit frequency is appropriate if there are significant non-conformances or complaints against the company are sustained. An example of a significant non-conformance would be a failure to have 75% of the spreading fleet holding current Spreadmark certification.
- a. The Auditor shall produce a status report with the name and address of each registered company.
- b. The auditor shall produce an additional report showing the information above plus a description and certification expiry date of each spreading unit.
- c. The status reports shall be supplied to the Executive Director on a monthly basis or within ten working days of it being requested.

5.6 Status reports

5.7 Records

- a. The Auditor shall maintain proper records. These records will include audit reports, status reports and correspondence.
- b. Records, or copies of records, shall be supplied to the Executive Director upon request and in accordance with the Spreadmark Confidentiality Protocol.
- c. All information held by the Auditor on a company is to be made available to that company on request by the nominated company contact person.
- d. For further information refer to the Spreadmark Confidentiality Protocol.

5.8 Confidentiality

- a. With the exceptions noted below, the Auditor may not communicate information about any nutrient spreading company to anyone other than the company itself through its nominated contact person or the Executive Director. Requests for information are to be referred to the Executive Director
- b. The following information about nutrient spreading companies may be supplied to the Executive Director:
 - > The names of companies that meet Spreadmark company certification requirements, the nominated contact people and their contact details (The Spreadmark Company List).
 - > The expiry date of Spreadmark company certification certificates.
 - > Unit certification information.
 - > The number of trained drivers in each Spreadmark certified company.

5.9 Approval of spreader unit testers

- a. The Fertiliser Quality Council has delegated responsibility to the auditor for the approval of spreader unit testers, oversight of the testing programme, the review of test reports, and the registering of test results.
- b. Nutrient spreading companies are required to periodically test spreader unit performance and are required to present current Spreadmark Spreader Performance Certificates to the auditor. The auditor must ensure that:
 - Test reports are from a tester registered with the Fertiliser Quality Council.
 - Tests are performed and reported in accordance with the technical specifications contained in booklets two three and four.



6. SPREADMARK

Confidentiality Protocol

Scope

This protocol relates to the protection of information about nutrient application companies which have applied for or gained Spreadmark company certification.

6.1 Confidentiality of information

- a. Once a nutrient application contractor receives Spreadmark certification, their details will be published.
 - > when there is controversy or confusion; or
 - > when general operational matters are under review.
- b. All information and data collected from a company by the Auditor in carrying out the obligations to Spreadmark is confidential to that company and the Auditor apart from the following exceptions:
 - The normal recommendations from the Auditor to the Executive Director, or their delegation, about certifications, de-certifications, and amendments.
 - Requests from the Executive Director to the Auditor for information needed for the efficient functioning of the Spreadmark scheme. Such requests will generally be sought only in the following circumstances:
 - > when a company is not meeting the requirements of Spreadmark certification as advised by the Auditor;
- c. All information held by the Auditor relating to a company is available to that company.
- d. If a nutrient application company chooses to withdraw from the Spreadmark certification scheme then the Fertiliser Quality Executive Committee reserves the right to publish that the company or unit no longer holds Spreadmark certification.
- e. If the nutrient application company is de-registered by the Fertiliser Quality Executive Committee then this committee reserves the right to publish that the company has been de-certified and may make public the reasons why that certification is no longer held.



7. POLICY

for Advertising and Promotion

Scope

This is the Policy for the behaviour of nutrient application companies with respect to advertising and promotion.

7.1 Policy

- a. Compliance with this Policy is a condition of ongoing certification or association with the Spreadmark scheme.
- b. As per the [New Zealand Advertising Standards Code](#) all advertisements pertaining to Spreadmark must be responsible advertisements. All advertising must be legal, decent, honest and truthful and respect the principles of fair competition, so that the public can have confidence our industry. Methods of marketing must never be such as to invite unfavourable comment or bring discredit upon either the nutrient manufacturing or application industries or upon other Spreadmark registered companies. These precepts are embodied in the detailed provisions of the Policy as set out hereunder.
- c. This Policy is administered by the Fertiliser Quality Council Executive Committee. Complaints relating to alleged breaches of this Policy shall follow the Spreadmark Procedure for Complaints.
- d. The Policy entitles companies to use the Spreadmark logo in specific ways –refer Brand Guidelines found [here](#). Services must not be marketed with any direct or indirect reference to Spreadmark unless they comply with all relevant statutory legislation and Spreadmark requirements.

- e. When nutrient application companies use spreading units that do not have a current Spreadmark test certificate or use operators that do not have a current Spreadmark training certificate, there must be no suggestion in any marketing or other information that the company's Spreadmark certification covers such units or operators.
- f. Promotional material should not imitate the devices, slogans or general layout adopted by other companies in a way that is likely to mislead or confuse.
- g. Advertisements which make use of scientific data should clearly state the source of that data, which must not be used out of context or in such a manner that it does not accurately reflect or portray the overall conclusions of that research. Wherever possible, previously unpublished data, including verbal communications on a subject, may not be used for advertising purposes unless specific written consent is obtained from the originating organisations, or the individual(s) concerned, after they have viewed the advertisement in question.





8. PROMOTIONAL and Administrative Levy Policy

Scope

This policy describes the collection and utilisation of the Spreadmark levy.

8.1 Levy policy

This policy describes the collection and utilisation of the Spreadmark levy.

- a. The Levy covers costs such as promotion, the use of the brand and administration.
- b. The Spreadmark budget will be set by the Fertiliser Quality Council on an annual basis. Once the budget is set this will be used to determine the Spreadmark levy.
- c. The levy will be invoiced 12-monthly.



9. POLICY

on Company Mergers

Scope

This policy relates to the situation when Spreadmark registered companies acquire other companies.

9.1 Company mergers

- a. First step is to contact the Executive Director of the Fertiliser Quality Council.
- b. When a Spreadmark registered company acquires another Spreadmark certified company and separate company identities are maintained for both companies, the companies must have separate Spreadmark company certifications.
- c. When a Spreadmark registered company acquires another Spreadmark certified/registered company and the acquired company disappears from view and is managed by the acquiring company, then the companies can merge their Spreadmark certifications.



10. SPREADMARK

Complaints Procedure

Scope

The purpose of this Complaints Procedure is to receive and manage complaints in any instances where it is believed that Spreadmark rules or procedures have not been followed or complied with.

10.1 Procedure

- a. The procedure is intended to ensure that:
 - All complaints are dealt with in a consistent, fair and impartial manner;
 - Complaints are resolved in a timely and professional manner;
 - Learnings are captured to ensure ongoing improvement of the scheme;
 - The credibility and integrity of the scheme is maintained;
 - Unnecessary stress for participants is minimised in dealing with the complaint;
 - A clear process is in place for actioning any findings from the complaints process.
- b. The procedure also requires that all Conflicts of Interest will be declared and managed.

10.2 Complaints

- a. Complaints could be received from any of the following parties:
 - Where the complaint is from another Spreadmark registered company or a Fertmark registered company.
 - Where the complaint is from a farmer or grower.
 - Where the complaint is from a member of the public.
- b. In every instance of a complaint the Fertiliser Quality Council Executive Director will inform the Fertiliser Quality Council Executive Committee on receipt of any complaints. The Fertiliser Quality Council Executive Director must maintain a record of all complaints received (whether formal or informal) and include details of any actions taken.

10.3 Process

- a. Before making a formal approach to the Fertiliser Quality Council it is encouraged that the complainant will have contacted the Spreadmark registered company, in an effort to resolve the matter.
 - b. All formal complaints must be in writing to the Fertiliser Quality Council Executive Director via email at director@fertqual.co.nz. The formal complaint should advise measures taken to resolve the matter (as per step a.)
 - c. On receipt of a complaint, the Fertiliser Quality Council Executive Director will acknowledge the complaint and outline the process and timeframes as per the complaints process.
 - d. Fertiliser Quality Council Executive Director may ask the complainant and any other relevant people, including the company or organisation complained of, to give further information.
 - e. If the complaint can be resolved by the Fertiliser Quality Council Executive Director directly, they will notify the Spreadmark operator of the required action (if any) and once resolved, the Fertiliser Quality Council Executive Director will notify the Fertiliser Quality Council Executive Committee and complainant of the outcome.
- OR:
- f. If the complaint requires further investigation or cannot be resolved, the Fertiliser Quality Council Executive Director in consultation with the Fertiliser Quality Council Chair will notify the Fertiliser Quality Council Executive Committee. The Fertiliser Quality Council Executive Committee will instruct the Fertiliser Quality Council Auditor to undertake an investigation and prepare a draft report to understand if a breach of the Spreadmark rules and processes has occurred.
 - g. The Fertiliser Quality Council Auditors draft report will be circulated to the Fertiliser Quality Council Executive Committee within the expected timeframes. The Fertiliser Quality Council Executive Committee will then review the draft report, and provide recommendations.
 - h. The draft report and recommendations will be circulated for comment to the complainant and operator within the specified timeframe.
 - i. Feedback from the complainant and operator must be received by the Fertiliser Quality Council Executive Director within the specified timeframe, to be presented to the Fertiliser Quality Council Exec Committee for consideration and finalisation.
 - j. Finalised reports and recommendations will be distributed to all parties.
 - k. Written updates will be provided to the complainant and the operator at each stage of the investigation.
 - l. Most actions will be undertaken within the timeframes specified in this procedure. Should extenuating circumstances exist that cause the relevant step to take longer than specified, the Fertiliser Quality Council Executive Director must communicate to the complainant and operator how much more time is needed and the reasons for this.

10.4 Communication

- a. At the discretion of the Fertiliser Quality Council, there may be an opportunity to share the outcomes of a complaint to some/all Spreadmark registered companies in the interests of education and continuing improvement of the Spreadmark scheme. All communications regarding this will be non-descriptive and non-identifiable in nature.

Timeframes

Relevant step in Complaints Process	Timeframe (in consecutive business days)
3. Complaint acknowledged, and timeframes shared by Fertiliser Quality Council Executive Director	5 days
5. Assessment of complaint by Fertiliser Quality Council Executive Director – resolution actioned; Fertiliser Quality Council Executive Committee and Complainant notified.	20 days

OR

6. Fertiliser Quality Council Chair and Executive Committee notified. Fertiliser Quality Council Auditor instructed to undertake an investigation.	10 days
7. Auditor carries out an investigation and prepares a draft report.	30 days
8. Draft report circulated to Fertiliser Quality Council Executive Committee.	5 days
9. Fertiliser Quality Council Executive Committee convenes to discuss and provide resolution recommendations.	10 days
10. Draft Report and Fertiliser Quality Council Executive Committee recommendations are presented to the complainant and operator.	5 days
11. Complainant and operator provide any feedback or responses to the Fertiliser Quality Council Executive Committee.	20 days
12. Fertiliser Quality Council Executive Committee convened to consider responses and feedback.	10 days
13. Finalised reports and recommendations will be distributed to all parties.	5 days

Table of Possible Outcomes/Actions

Outcome/Action	Timeframe
Amicably settled between parties	No further action required
Request for additional training	Within the recommended time period. To be verified.
Request for improved company processes	Within the recommended period. To be verified.
Compliance audit(s)	At the auditors recommendation to and approval by Fertiliser Quality Council exec.
Stand Down period from certification (if operator continues to show non-compliance)	At the auditors recommendation to and approval by Fertiliser Quality Council exec.
A party is unhappy with the outcome/actions recommended by Fertiliser Quality Council	The party may seek their own third-party advice.



11. DISCIPLINARY

and Decertification Procedure

Scope

This is the procedure for the proper resolution of issues which may lead to sanctions being applied to a Spreadmark certified company. This section should be read in conjunction with Section 10 - Spreadmark Complaints Procedure.

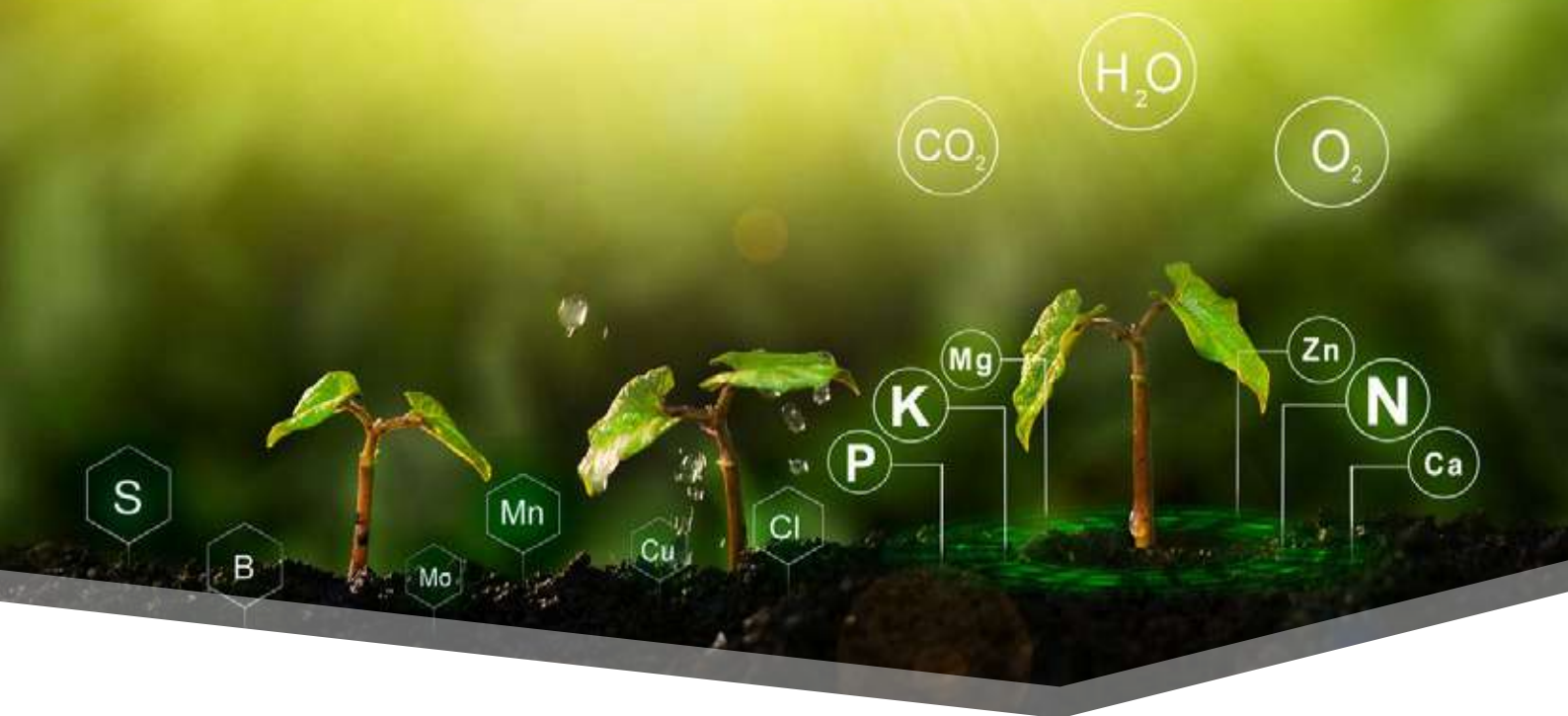
11.1 Disciplinary

- a. When the Fertiliser Quality Council Executive Committee has considered responses and feedback as per item 12 on page 20, and where the operator continues to show non-compliance, the Committee may decide a stand-down period from certification is the appropriate response.
- b. When the Fertiliser Quality Council Executive Committee has reached a decision the affected parties will be advised.
- c. If the Fertiliser Quality Council Executive Committee proposes to make a public statement, the Defendant member shall be advised in writing by registered mail and by email of the proposed publicity and be given at least five working days to respond. The five days shall be from the date of receipt of the registered letter which will be deemed to be two working days after its dispatch. The response will be considered by the Fertiliser Quality Council Executive Committee before it issues its public statement.
- d. If a party is unhappy with the outcome/ actions recommended by the Fertiliser Quality Council Executive Committee the party may seek their own third-party advice.
- e. The appeal will take place pursuant to the Arbitration Act 1996, save that clauses 4 (determination of preliminary point of law) and 5 (appeals on questions of law) of Schedule 2 shall not apply. The place of arbitration shall be Wellington, New Zealand. The jurisdiction of the sole arbitrator will be limited to questions of law and procedural fairness. The sole arbitrator may, in its discretion, vary, revoke or remit a decision of the Executive Committee only in the event (and to the extent) that the sole arbitrator concludes that the Executive Committee has made an error of law or has acted in a procedurally unfair manner.

- f. Any appeal must be lodged by the appellant serving a notice of appeal on the other Party and the Fertiliser Quality Council (naming both entities as respondents to the appeal), within fourteen (14) days of the date on which the decision appealed against was communicated to the appellant. The notice of appeal must specify the grounds of the appeal in sufficient detail to identify the issues raised by the appeal.
- g. Within seven (7) further days, the other Party and the Fertiliser Quality Council must each indicate whether they intend to oppose the appeal, in which case they must do so by serving on the appellant and the other Party or the Fertiliser Quality Council (as the case may be) a notice of opposition to the notice of appeal.
- h. The appellant and (provided they have filed a notice of opposition) the other Party and the Fertiliser Quality Council shall endeavour to jointly agree upon the identity of a sole arbitrator. If they cannot jointly agree within seven (7) days following the service of the notice of opposition, any party to the appeal may request the President of the Arbitrators' and Mediators' Association of New Zealand to appoint the sole arbitrator.
- i. Within fourteen (14) days following the service of the notice of appeal, the Fertiliser Quality Council must make available to all Spreadmark certified companies [and members of the Fertiliser Quality Council] a copy of the notice of appeal and, if applicable, a copy of any notices of opposition to the appeal.
- j. Within seven (7) further working days, any Spreadmark certified company [or member of the Fertiliser Quality Council] which considers itself affected may elect to join the appeal as a third party by serving on the parties to the appeal a notice of third party joinder. Any such notice must specify that entity's interest in the issues raised by the appeal and the position of the entity in respect of those issues. All Spreadmark certified companies [and members of the Fertiliser Quality Council] agree and accept that a third party shall have no right to appoint the sole arbitrator. The nature and extent of a third party's participation in the arbitration proceedings shall be determined by the agreement of all parties to the appeal or, failing this, by the sole arbitrator.
- k. To the extent practicable, the appeal shall proceed expeditiously with the objective of the sole arbitrator producing a short written and reasoned decision within four (4) months of the date of the notice of appeal.
- l. The decision of the sole arbitrator shall be final and no party (including any third party) shall challenge, or seek appeal or review of, such decision, save under article 34 of Schedule 1 of the Arbitration Act 1996.
- m. Any costs incurred in this Disciplinary Procedure will lie where they fall.

11.2 Decertification

- a. The Spreadmark certification of a nutrient spreading company may be withdrawn or not renewed when any of the conditions outlined below are met:
 - A recommendation to do so is received from the Fertiliser Quality Council Executive Committee, or
 - The nutrient spreading company operating systems do not meet the Spreadmark System Standard as determined by the Spreadmark Auditor and the breach has not been remedied within the specified time.



12. TRANSITIONAL Arrangements

This section of the Spreadmark Code of Practice lists the transitional arrangements that apply from time to time to the operational rules. It may also be used to give advance notice of changes that are being phased in. These transitional arrangements shall apply until they lapse by expiry. These transitional rules will then be removed or incorporated into the main body of the Code.

Transitional arrangements for groundspread companies

1. There are currently no transitional arrangements in the Spreadmark Code

Transitional arrangements for aerial spreading companies.

2. There are no transitional arrangements for aerial spreading companies.



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