

## **Outcomes from the Water Efficiency Labelling and Standards scheme stakeholder forum 1 December 2008**

The Department of the Environment, Water, Heritage and the Arts hosted a Water Efficiency Labelling and Standards (WELS) scheme stakeholder forum in Sydney on 1 December 2008. The purpose of the forum was to update stakeholders on the WELS scheme and progress to date. An afternoon session informed stakeholders of the consultation whitegoods regulation impact statement that is currently out for public consultation. Over 70 stakeholders attended and the outcomes of the forum are as follows:

- The WELS team updated stakeholders on progress against the outcomes following the first stakeholder forum held 11 March 2008.
- The WELS team advised on registration statistics since the inception of the registration database and reported that the new online registration database will go live 2 December 2008. [Note: the database went live on 5 December 2008].
- The WELS team advised it is planning to restructure the WELS standard to streamline the current standard and to assist the efficiency of the WELS scheme. The WELS team also advised it has been looking at how best to clarify the extent of WS32's role and the nature of 6400 material.
- The WELS team advised that Standards Australia is due to issue a ballot on AS/NZS 6400 imminently and that public consultation is part of the ballot process.
- The WELS team reported on the 2007 Parliamentary Inquiry into the regulation of plumbing products of which three recommendations are specific to the WELS scheme. A whole of government response has been prepared for tabling.
- The WELS team reported on the possible expansion of the WELS scheme, highlighting the three regulation impact statements currently underway.
- The WELS team advised that a consultation whitegoods regulation impact statement (RIS) is now open for a nine week public consultation period ending 23 January 2009. The WELS team also advised on likely timelines for the forthcoming RIS' for 'Plumbing Products' and for 'Other Products'.
- The WELS team reported that a great deal of work has been done since the last forum in establishing policies and procedures to ensure all non-compliances – whether first time or repeat offences – are assessed and responded to appropriately.
- The WELS team advised on the process of dealing with non-compliance and the move to stronger enforcement action.
- The WELS team reported on the nation-wide educational visits undertaken and the targeted and random retail visits by WELS inspectors.

- The WELS team advised it is now in a position to issue infringement notices as an option to address non-compliance.
- The WELS team advised that a consultant has been engaged to design an independent check testing program and it is in its final stages.
- The WELS team reported on the results of the consumer awareness market research and the survey of plumbers and plumbing products.
- Participants encouraged the WELS team to reference WaterMark products on the WELS scheme website to create a more efficient way to view products on the one website. The WELS team advised that it would consider this option.
- Participants encouraged the WELS team to reassess the use of license numbers for inclusion and reference on the WELS scheme website. The WELS team advised this would be taken up with the department's legal council to address any privacy issues and would consider this option if there were no barriers.
- Participants encouraged the WELS team to provide more detailed information to complainants of compliance issues and to advise on the outcomes. The WELS team advised that it would assess the level of information it could provide. Advice that an investigation had taken place and was completed could be provided, but due to legal reasons the outcome of the investigation could not be divulged. However, if the offender was prosecuted, the WELS regulator could make the information public.
- Participants encouraged the WELS team to create a search function on the WELS scheme website that would allow users to search by product, licence number, name, StandardsMark, WaterMark etc. The WELS team advised it would seek legal advice on whether this would be possible due to privacy issues surrounding the listing of both the licence number and the associated name and would consider this option if there were no barriers.
- Participants encouraged the WELS team to announce prosecutions for non-compliance via Ministerial media release. The WELS team advised that, in the event of a prosecution, this would be possible and would be considered. The WELS team pointed to the public information benefit that followed the WELS regulator releasing a media release about the WELS scheme's capacity to issue infringement notices.
- Participants encouraged the WELS team to create or use the WELS scheme website as a one-stop reference tool. One database which cross references WELS scheme products and WaterMark products would prove more practical for end users. The WELS team advised that as the WELS scheme accepts WaterMark products, it may be possible to make this information available. The WELS team agreed to look into whether this could be done with the new WELS database.

- Participants encouraged the WELS team to develop an advisory group from stakeholders attending the forum to advise on industry impacts and provide guidance. The WELS team advised they would consider the issue further but acknowledged the 37 industry stakeholders who are members of WS32 and as such provided a good vehicle for discussion. Stakeholders were also advised they could contribute through the stakeholder forum process; the various WELS stakeholder access points such as the WELS Inbox, InkWELS Bulletins; publishing of WELS technical reports on the website; and the consultation undertaken through the RIS process for the possible WELS expansion. It was advised that such processes exceeded the general requirements of regulatory areas for consultation.
- Participants encouraged the WELS team to bring their legal council to future stakeholder forums to answer legal issues. The WELS team advised they would consider this.
- An information session on the Consultation RIS, titled *draft whitegoods regulation impact statement*, was held to inform stakeholders of the RIS's content and to encourage stakeholders to make a submission during the public consultation period.