

Operation of the *Water Efficiency Labelling and Standards Act 2005*

This annual report is prepared in accordance with section 75 of the *Water Efficiency Labelling and Standards Act 2005*. It covers the operation of the Act from 1 July 2007 to 30 June 2008.

Purpose of the Act

The Commonwealth *Water Efficiency Labelling and Standards Act 2005* came into effect on 1 July 2005. The Water Efficiency Labelling and Standards (WELS) scheme is a national regulatory system administered by the Australian Government on behalf of all Australian governments. The scheme is administered by the Department of the Environment, Water, Heritage and the Arts.

The scheme is funded from industry registration fees and contributions from federal, state and territory governments. Industry must register products that come under the scope of the scheme with the WELS Regulator (the Secretary of the Department of the Environment, Water, Heritage and the Arts).

Since 1 July 2006 products identified under the WELS scheme must be tested for their water efficiency and display a water efficiency rating label for sale in Australia. The products identified under the scheme are:

- showers
- dishwashers
- clothes-washing machines
- lavatory equipment
- tap equipment
- urinal equipment
- flow controllers (registration of flow controllers is optional at this stage).

No amendments were made to the Act during 2007–08.

Operational aspects of the Act

Since 1 July 2005 over 9,600 product models have been registered under the scheme. 2,065 products were registered in 2007–08.

In August 2007, the WELS online registration system was updated to make the application process easier, particularly through the implementation of automatic field validation. This has resulted in a reduction in the number of incorrect or incomplete applications. Further improvements to the database are underway to facilitate the registration process for stakeholders.

Intergovernmental agreement and declarations

In March 2005 Environment Protection and Heritage Council (EPH) ministers signed an agreement outlining the roles and responsibilities of jurisdictions for the implementation of WELS. Each state and territory government has passed legislation, to ensure that the scheme applies consistently to all persons, things and activities within Australia. This process was completed in April 2007.

Determinations and standards

The Act provides that the minister may determine the WELS standard that will apply to products under the scheme. The *Water Efficiency Labelling and Standards Determination 2007* specifies that the WELS standard is AS/NZ 6400:2005 *Water Efficient Products—Rating and Labelling*, as reissued incorporating Amendment No. 3. In 2007–08 the department worked as a member of Standards Australia Committee WS-032 to review aspects of AS/NZ 6400:2005.

Communication

During 2007–08, the department’s Community Information Unit received over 750 telephone calls on the WELS 1800 number. In addition, WELS staff provided individual assistance to product manufacturers and suppliers, particularly giving guidance on product registrations through phone enquiries and online.

The WELS website was updated to include links to research reports being published as part of the further development of the WELS scheme. In March 2008, an Industry Forum was held to advise key stakeholders of progress with the WELS scheme, areas of possible expansion of the scheme and opportunities for their involvement.

Compliance activities

Compliance activities during 2007–08 focused on informing suppliers of their obligations and assisting them to become WELS compliant. A program of visits by WELS inspectors to retail outlets commenced in November 2007, building on visits undertaken the previous year. The program included regional centres and capital cities.

The department undertook compliance activities throughout the year, in response either to allegations made to the WELS Regulator or investigations undertaken by the WELS team. The department assessed and prioritised all allegations for possible action in accordance with its compliance and enforcement policy.

Possible further development of the WELS Scheme

In November 2006, the EPH Council ministers agreed to a long-term program of work to: examine the possible introduction of minimum performance standards for clothes-washing machines; showers and urinals; raise the minimum standard for toilets; and explore the possible inclusion of other water using products.

In 2007–08 a range of projects commenced to support the possible expansion of the WELS scheme. These focussed on assessing the feasibility, costs and benefits of extending the scheme to new products and new minimum standards. Projects on combination washer-dryers, toilets, urinals and instantaneous gas hot water heaters were completed. These supported three Regulation Impact Statements (to be completed in 2008–09) covering different aspects of the possible expansion of the scheme.