



## **Lighting Council Australia**

### **SUBMISSION**

### **INQUIRY INTO THE PRODUCT STEWARDSHIP BILL 2011**

**April 2011**

#### **INTRODUCTION**

Lighting Council Australia is the peak body for Australia's lighting industry. The Council represents manufacturers and suppliers of luminaires, lighting controls, lamps and associated technologies.

Lighting Council Australia administers on behalf of government FluoroCycle – a voluntary scheme to recycle mercury-containing lamps. The scheme, which is sponsored by the Environment Protection and Heritage Council, commenced in July 2010 and targets commercial and public lighting. Hence Lighting Council Australia has several months experience in administering a voluntary product stewardship scheme. The Council worked closely with the then Department of the Environment, Water, Heritage and the Arts in the months leading up to the commencement of the scheme and continues to liaise with the Department of Sustainability, Environment, Water, Population and Communities.

#### **PRODUCT STEWARDSHIP BILL 2011**

##### *National legislation*

Lighting Council Australia welcomes the intention of the Product Stewardship legislation to replace state and territory product stewardship laws. Lighting Council strongly endorses the statement in the Product Stewardship Legislation Consultation Paper that the current patchwork of state and territory initiatives and proposals 'creates uncertainty in the marketplace, causes additional regulatory and operational burdens on business, distorts the market and provides competitors outside the bounds of the jurisdictional schemes a competitive advantage (free-rider behaviour).'

However while emphasising the importance of national legislation, it should also be recognised that geographical features may have to be taken into account in individual schemes. In particular, product stewardship scheme conditions may have to differ between major cities on the one hand and regional and remote areas on the other because of collection and transportation issues.

### *Three-scheme approach*

Lighting Council Australia is pleased with the intention of the Bill to provide for voluntary and co-regulatory product stewardship schemes rather than mandating a single inflexible mandatory scheme. This gives industry an incentive to work towards a voluntary or co-regulatory approach. The industry ownership bestowed by this approach should lead to better outcomes among industries prepared to assume such responsibility. To reduce costs on both industry and government, all efforts should be made to encourage voluntary rather than regulatory approaches.

### *Need for light-handed approach in voluntary schemes*

Lighting Council Australia urges a light-handed approach by government in voluntary product stewardship schemes in particular. The Council is concerned to ensure that costs for industry are contained as far as possible. The Product Stewardship Legislation Consultation Paper provided no comfort in this regard. It is noted that fees will apply for applications for approval of product stewardship arrangements, but there is no indication of the quantum of such fees. Moreover it can be concluded from the Consultation Paper that onerous reporting and governance arrangements may apply. It would appear that obtaining and maintaining accreditation or approval of product stewardship arrangements, and data collection and reporting, have the potential to impose significant costs on industry.

Lighting Council Australia urges government to give careful consideration before imposing such costs. The focus should remain on achieving recycling outcomes, not on onerous administrative processes.

### *Appearance before Inquiry*

If considered appropriate, Lighting Council Australia would welcome the opportunity to appear before the Environment and Communications Legislation Committee and expand on issues raised in this submission.