

Water Efficiency Labelling and Standards (Registration Fees) Bill 2013

Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013

Introduced into the House of Representatives on 13 March 2013

Portfolio: Sustainability, Environment, Water, Population and Communities

1.50 These bills seek to amend the *Water Efficiency Labelling and Standards Act 2005* to enable the Minister to set fees for applying for registration under the Water Efficiency Labelling and Standards (WELS) scheme. The WELS scheme requires the registration and labelling of water using or water conserving products to show their water efficiency. Currently fees can only be imposed for services and not for applications for registration. The bills seek to implement the Standing Council on Environment and Water's decision (in November 2011) that the scheme should recover 80 per cent of its costs from registrants.

1.51 The Water Efficiency Labelling and Standards (Registration Fees) Bill 2013 would enable the Minister to specify fees by legislative instrument – the actual fees are not set out on the face of the bill. The fees to be set are to be at a level that is designed to recover no more than the likely cost of administering the WELS scheme. The Water Efficiency Labelling and Standards Amendment (Registration Fees) Bill 2013 relate to the setting of fees and allow an application to be refused where a fee has not been paid or for the waiver or refund of fees.

Compatibility with human rights

1.52 These bills are accompanied by self-contained statements of compatibility that state that the bills do 'not engage any of the applicable rights or freedoms' and are therefore compatible with human rights.

1.53 The committee agrees that these bills do not appear to engage any human rights, but notes that the *Water Efficiency Labelling and Standards Act 2005* which these bills seek to amend contains regulatory and enforcement powers (including civil penalties) that raise a number of concerns that the committee has previously commented on in relation to other legislation.¹⁴

1.54 The committee considers that these bills do not give rise to issues of incompatibility with human rights.

14 See, for example, the PJCHR's *First Report of 2013* pp 8-11; *Second Report of 2013* pp 2-6.