

Appendix 3

Assessment process for a class of product to be covered by a product stewardship scheme under the Act¹

Items	Requirement	Source of requirement
1	Environment Ministerial Council recommends consideration of regulatory options for a class of products or a candidate class of products is identified through the treaty making process.	Australian Government Policy
2	A consultation Regulation Impact Statement is published, canvassing different options.	Australian Government and COAG Policy
3	A final Regulation Impact Assessment, which assesses the overall community benefit of each option, is cleared by the Office of Best Practice Regulation and published.	Australian Government and COAG Policy
4	In light of the decision on the Regulation Impact Statement, the responsible Minister and the Government endorse regulations under the Product Stewardship Act as the preferred option.	Australian Government Policy
5	The Government consults on the proposed regulations.	Section 17, <i>Legislative Instruments Act 2003</i>
6	The obligations imposed by the regulations relate to one or more of the matters specified in proposed section 21(3) and 37(2). ²	Product Stewardship Bill 2011, subclauses 21(3) and 37(2)

1 Department of Sustainability, Environment, Water, Population and Communities, Answer to questions taken on notice, 13 April 2011 (received 21 April 2011), p. 6.

2 These are drawn from the National Waste Policy. They include, for example, actions related to recycling of products.

7	The Minister is satisfied that making the regulations will further the objects of the Act.	Product Stewardship Bill 2011, subclause 19(3) and clause 39
8	The Minister is satisfied that the product stewardship criteria are met.	Product Stewardship Bill 2011, subclause 19(3) and clause 39
9	The regulations are made and tabled in each House of Parliament.	Part 5, <i>Legislative Instruments Act 2003</i>