



Water efficiency

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 2006 to 30 June 2007.

Purpose of the Act

The Commonwealth *Water Efficiency Labelling and Standards Act 2005* was passed in March 2005 and 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 Department of the Environment and Water Resources on behalf of all Australian governments.

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 and Water Resources).

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).

In early 2007 a minor amendment to the Act came into effect that changed the way that the WELS Standard (AS/NZ 6400: 2005 Water Efficient Products—Rating and Labelling) can be called up under a WELS determination. The standard can now be called up by reference, rather than having to be set out in full as a schedule to the determination.

Registrations

Since 1 July 2005 the scheme has registered 7,759 products, of which 4,161 were registered in 2006–07.



Intergovernmental agreement and declarations

In March 2005, Environment Protection and Heritage Council ministers representing all jurisdictions in Australia signed an agreement which outlined the roles and responsibilities of jurisdictions for implementing the WELS scheme.

The agreement encouraged each state and territory government to submit legislation to its parliament to form part of the scheme, in order to ensure that the scheme applies consistently to all persons, things and activities within Australia. By 30 June 2006 the corresponding legislation of New South Wales, Victoria, Tasmania and the Australian Capital Territory had been declared. The corresponding legislation of the remaining jurisdictions was declared in 2006–07, with the process completed in April 2007.

Determinations and standards

In 2006–07 the department facilitated a number of amendments to the WELS Standard (AS/NZ 6400: 2005 Water Efficient Products—Rating and Labelling). The amendments were finalised through the Standards Australia committee process in February 2007. The amendments:

- clarify that only those performance requirements of supporting product standards that relate to water efficiency are called up under the *Water Efficiency Labelling and Standards Act 2005*
- more clearly articulate the labelling requirements for plumbing products
- clarify the term ‘offer for retail sale’
- clarify when the scheme commenced and when product registrations are to occur.

Communication

During 2006–07 the department’s Community Information Unit received 1,400 telephone calls requesting information about WELS. Many of the calls were from suppliers seeking information about their obligations under the scheme. WELS staff provided individual assistance, particularly giving guidance on product registrations. The online registration system was improved to make the process easier for applicants.

The department also remodelled the WELS website to make it easier to navigate. As the department receives many enquiries about the availability of rebates on WELS products, and these are not the domain of WELS, the Water Services Association of Australia was contracted to develop a list of rebating authorities. This list is now available via a link from the WELS website.



Compliance activities

The department worked with industry to ensure they were in compliance with the requirements of the WELS scheme after the 1 July 2006 mandatory commencement date. It focused on informing suppliers of their obligations and assisting them to become WELS compliant, particularly in the lead-up to the end of the grace period for unlabelled plumbing products on 31 December 2006.

The department acted in response to allegations made to the WELS Regulator or through self-reporting. WELS inspectors also undertook inspections and follow-up monitoring in several states and the Australian Capital Territory.

The department prioritised and assessed all allegations for possible action in accordance with its compliance and enforcement policy. Compliance management agreements have been finalised and implemented with several companies. These agreements require that the company concerned takes specific action to rectify errors or otherwise comply with the requirements of the scheme.

Further development of the WELS scheme

In November 2006 the Environment Protection and Heritage Council agreed to a long-term programme of work to examine the possible introduction of minimum performance standards for clothes washing machines, showers and urinals, and to raise the minimum standard for toilets; and to explore the possible inclusion of other water using products in the scheme.



