



25 January 2017

Our Ref: JEN

Consumer Law Enforcement and Administration
Productivity Commission
GPO Box 1428
Canberra City ACT 2601

By online submission:
<http://www.pc.gov.au/inquiries/current/consumer-law/make-submission#lodge>

Dear Commissioners

Submission in response to the Productivity Commission (Consumer Law Enforcement and Administration) Draft Report of December 2016

Introduction

Addisons is a commercial law firm based in Sydney. Our firm acts on behalf of several companies (including companies based overseas) who supply electrical goods to the Australian market. In addition, Addisons has considered on behalf of its clients the regulatory regime that applies to electrical products that our clients propose to supply in Australia.

We note the findings of the Productivity Commission ("PC") Draft Report. Addisons wishes to make a submission only in respect of Draft Finding 5.1, and to support the proposed option, which calls for the promotion of greater consistency in the underlying legislation that regulates the safety of electrical products.

Overview

The current regulatory framework for the supply of electrical goods is complex, costly and time-consuming for suppliers to comply with, particularly in respect of new products. It is onerous for businesses to take steps to ensure that their products comply with the requirements of two separate regulatory regimes. The complexity of the current regime constitutes a barrier to entry into the Australian market for new suppliers and technologies relating to electrical products.

One national safety regime

We note the conclusion of the PC Draft Report in Draft Finding 5.1 that some changes are warranted. In our view, a change which introduces greater consistency in the law (and ideally a nationally consistent regulatory regime) for the supply of electrical products would:

- (a) Reduce the time, effort and costs associated with compliance for businesses;
- (b) Reduce duplication or inconsistency in the regulatory requirements that apply to the supply of electrical products by simplifying the existing safety regime;
- (c) Remove uncertainty that the electrical products are not legally compliant on the basis that different regulatory requirements apply;
- (d) Enhance the accessibility of the Australian market to new efficient technologies.

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Conclusion

The evidence from the PC Draft Report is compelling. While maintaining in place appropriate safety measures, we would support any initiative of governments to introduce a more consistent national safety regime. Addisons submits that close consideration be given to reforming the current regime.

Thank you for the opportunity to make this submission.

Yours faithfully

Jamie Nettleton
Partner