

STANDARDISATION GUIDE 020:

PARTICIPATION BY CONSUMERS IN STANDARDISATION

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1 PURPOSE

This Standardisation Guide is intended to assist consumer representatives to participate in the development of Australian Standards. This guide should be read in conjunction with [SG-002 Structure & Operation of Standardisation Committees](#) and [SG-004 Roles & Responsibilities in Standardisation](#).

2 RELATIONSHIP WITH CONSUMER FEDERATION OF AUSTRALIA

The Consumers Federation of Australia (CFA) is recognised by Standards Australia as the peak national body for consumer organisations in Australia. In general, consumer representatives for Standards Australia's Technical Committees will be sought through the CFA and its affiliated organisations, such as CHOICE and the Australian Communications Consumer Action Network (ACCAN).

In recognition of the importance of promoting consumer involvement in standardisation, Standards Australia provides an annual grant to facilitate participation by CFA representatives on Standards Australia committees. This funding is currently administered through the Consumer Action Law Centre.

It is also recognised that there are Nominating Organisations, such as Choice, providing consumer representatives on Standards Australia committees which are not affiliated with CFA. These are typically bodies representing specialist groups, such as sporting organisations, consumers with disabilities or other user groups. The Standards Development and Accreditation Committee (SDAC) provides funding to cover certain expenses incurred by these representatives in attending committee meetings. The guidelines covering this funding are set out in [Appendix A](#).

3 ROLE OF THE CONSUMER REPRESENTATIVE ON THE COMMITTEE

Standards Australia Technical Committees are made up of representatives of all of the major stakeholder groups with an interest in the subject at hand. Each subject will have its own set of stakeholder groups; however, for a typical committee developing a product Standard, these groups may be the manufacturers of the products, the consumers of the products and the relevant government/regulatory bodies. There may also be representatives of technical expert groups, for instance from a testing or certification organisation, University or professional association, and representatives of retailers or other service providers.

Some consumer representatives may feel daunted when they first join a Standards Australia Technical Committee because they may not have the same level of technical knowledge of the subject at hand as the other committee members, particularly the industry representatives. Standards Australia recognises that consumer representatives bring their own expertise to a committee and this is equally as important to the development of a Standard as that brought by representatives of industry, government, testing organisations or other stakeholder groups.

An important role for the consumer representative is to ask questions in the meeting. The members of the Technical Committees have often worked in their particular field for many years and easily slip into jargon or assume a high level of pre-knowledge of the subject. It is the responsibility of the Chairperson, with the assistance of the Project Manager (PM), to ensure that any necessary explanations are given, and that any committee discussions are conducted in a way that permits all members of the committee to participate on an equal footing. This is normally something that committee members are very happy to do; however, if there is a difficulty, consumer representatives should seek the assistance of the Chairperson or the PM to intervene on their behalf to ensure that committee discussions take proper account of the consumer point of view.

It is only by exploring how things work and asking questions that the key issues which define the minimum acceptable limits of performance can be brought to light and written into the Standard. In setting those limits, the collective point of view of the consumer representatives on the committee carries equal weight to the collective view of any other stakeholder group.

Sources of guidance regarding consumer participation in decision-making committees are listed in [Appendix B](#).

4 ROLE OF AUSTRALIAN STANDARDS IN MEETING CONSUMER EXPECTATIONS OF SAFETY AND PERFORMANCE

Australian Standards represent an agreement between the key stakeholder interests of what represents fit for purpose. This simple statement defines the key parameters governing the development of consensus Standards and consumer representatives should take note of the implications of this statement.

Consumer representatives generally come to the standardisation process because some aspects of products or services on the market may have an impact upon consumers' expectations of safety or performance. Consensus standardisation can be a powerful tool to resolve these issues because representatives of the suppliers of the products or services, along with government and other interests, are part of the process. It has sometimes been proposed that suppliers of products should not be allowed to sit on Standards committees dealing with important health and safety issues because they have a commercial interest in the outcome. However, if suppliers of the product or service were not involved, then the consensus standardisation process could not operate.

The presence of industry representatives ensures that the resulting requirements in the Standard are practicable in terms of implementation and cost to the community, as well as demonstrating a commitment to work to those requirements. That commitment, developed through the consensus process, is fundamental to the force carried by an Australian Standard and is why the Standards are widely regarded as the benchmark of acceptable performance. Of course, for important health and safety Standards, it is vital that a good range of relevant government and regulatory agency representatives also participate to ensure that the outcome meets the community's overall needs.

A document setting out technical parameters for the performance of a product or service can be drafted to look like an Australian Standard, but the ingredient which sets an Australian Standard apart from other documents is the fact that each requirement represents an agreement between all of the interested parties developed through a consensus process.

5 FINDING THE RIGHT SOLUTION

Developing an Australian Standard is not always the answer to every problem. Sometimes a different type of Standards Australia publication, such as a Handbook, is a better way of conveying important information to the public, especially where speed of delivery of the thrust of the message is more important than fine-tuning the content. These options are discussed in detail in [SG-003 Standards & Other Publications](#).

In some cases, an issue may be resolved by simply bringing representatives of the stakeholders together to better understand each other's point of view and there may be no need for a publication at all.

Consensus standardisation can influence an incremental improvement in safety or performance of products and services by lifting the baseline of minimum acceptable performance; however, representatives should be mindful of the limitations of the process. Consensus standardisation is not a forum for inventing new products or designs, or promoting the use of a particular manufacturer's product, however meritorious that product may be. These sorts of activities may be more appropriately considered outside of standardisation, for instance via Good Design Australia, see www.gooddesignaustralia.com.

It is generally inappropriate to attempt to develop a consensus Standard for a type of product that, however well-made or well-designed will not meet the end user's expectations in terms of performance or will still embody unacceptable safety risks. In such a case, regulatory action, such as a ban of a class of products, may be more appropriate.

6 MANDATORY AND VOLUNTARY STANDARDS

Australian Standards are, in themselves, not mandatory, they are generally referred to as voluntary Standards; to become mandatory in their application Standards have to be referred to in government legislation or regulations in a way that requires their use; one-third of all Standards are referenced under State or Commonwealth legislation in this way. A number of Australian Standards relating to the safety of consumer products or information about consumer products are referenced in Mandatory Standards under the Competition and Consumer Act 2010 (Cth) (CCA)

The CCA is a Commonwealth law and controls the activities of corporations. State and Territory Governments also have the same controls on consumer products under their Fair Trading Acts which extend to the activities of sole traders and partnerships not otherwise covered by the Commonwealth law.

The Mandatory Standards under the CCA control the supply of goods, as opposed to the usage of goods. For instance, State traffic laws require that cyclists must wear an approved bicycle helmet; however, the Mandatory Standard under the CCA ensures that only bicycle helmets complying with AS/NZS 2063 can legally be sold. If the usage of a product is controlled, but the supply is not, there is a possibility of consumers purchasing products in good faith that cannot legally use.

One of the reasons why it is important to have representatives of government regulatory agencies on a Standards committee is to ensure that the resulting Australian Standard is written in a way that meets their agencies' needs, should the Standard be referenced under legislation. However, the presence of a representative of a regulatory authority does not guarantee that the Standard will be referenced under legislation. That decision is normally taken at a high level within the relevant authority after wide consultation and a thorough review of the impact of regulation. Increasingly, government has only opted for regulatory action where voluntary compliance has failed to deliver a satisfactory outcome.

APPENDIX A – Guidelines to providing assistance to consumer representatives (other than those affiliated with CFA) attending Standards Australia meetings

A.1 Background

Standards Australia provides funding through the Consumers' Federation of Australia (CFA) to help defray travel expenses for consumers attending Standards Australia committee meetings. In some cases, consumers may represent organisations not linked to the CFA, such as Choice, sporting associations or certain special interest groups. Standards Australia has also set aside a limited amount of funding to cover these special cases.

Consumer representatives not funded by Standards Australia through the arrangement with CFA may apply for financial assistance direct to Standards Australia, provided they meet the criteria set out below.

This funding only applies to travel within Australia and New Zealand. There is a separate funding arrangement to assist with expenses associated with travel to ISO and IEC meetings held outside Australia and New Zealand and this funding is not restricted to representatives of consumer organisations (see [SG-015 Australian Involvement in International Standardisation](#)).

A.2 Criteria for Assistance

Applications for assistance will be considered from suitable individuals representing a Nominating Organisation or co-opted to the committee who meet the criteria set out below; however, provision of assistance will be dependent on the availability of funds.

- a) The applicant must be Australian-based and nominated to the Standards Australia committee by a recognised consumer organisation or co-opted to the committee specifically to represent the interests of a defined sector of consumers. For the purpose of this exercise 'consumers' means individuals who purchase or are supplied with the product or service being standardised for their domestic, not business use.
- b) The applicant must not be eligible for funding through the CFA for attendance at the meeting.
- c) The applicant must not be eligible for funding to attend the meeting through some other source, for instance through his or her employer.
- d) Where interstate or New Zealand travel is involved, the sole purpose of the trip must be the attendance at the relevant Standards committee meeting.
- e) The meeting must be of a constituted Technical Committee (TC), a Sub-committee (SC) or a Working Group (WG) convened by Standards Australia or Standards New Zealand at which a Standards Australia or Standards New Zealand employee is present as Executive Officer. Informal meetings of a few committee members, but not the full committee, would not normally be eligible for funding.
- f) A separate request for funding must be made for each meeting attended.
- g) The normal practice will be for only one person per Nominating Organisation to be provided with assistance for any given meeting.

A.3 Expenses

Funding is available to cover certain out of pocket expenses associated with attending a committee meeting, held outside the city of the applicant's domicile. The assistance is intended to cover:

- a) Travel expenses (e.g. taxis, public transport and economy/excursion class air travel) essential to attendance at the meeting. As far as practicable, applicants should use pre-purchased and similar better-value air tickets.

- b) Reasonable accommodation expenses when the meeting is held at a location outside of the applicant's city of domicile.

Funding will be paid in arrears against receipts.

The total funding available in any given financial year is limited to the amount set aside by the Standards Development Board of Standards Australia and provision of assistance will be limited by availability of funds. Standards Australia reserves the right to reduce the assistance given to an amount below that claimed.

A.4 Process

Any representative of an Australian Nominating Organisation on a Standards Australia committee may seek advice on whether or not they meet the criteria for funding assistance by providing details in writing through the relevant Project Manager (PM) to Standards Australia. Committee members who sit on a number of committees may do so in various capacities and a separate application must be submitted for each committee.

Such applications will be assessed for compliance with the criteria laid down by the Standards Development and Accreditation Committee (SDAC) (see [A2 Criteria for Assistance](#), above).

Once in-principle approval is given, assistance for any specific meeting will depend on the availability of funding. Potential applicants should formally seek advice on the current availability of funding through the relevant PM at least two weeks prior to a meeting and wait for confirmation before incurring expenses.

Within 4 weeks after the meeting, a claim is to be submitted to the nominated Standards Australia contact person who will arrange for the application to be processed. Receipts, cancelled airline tickets, or other appropriate forms of verification must be provided with the claim.

Once approval has been given, an electronic payment transfer will normally be made to the committee member unless other arrangements have been made.

A.5 Appeals

The Standards Development and Accreditation Committee (SDAC) has responsibility for administering the assistance, although it may delegate some functions to individuals. Any appeal against the operation or administration of the assistance program must be referred to the SDAC for decision.

A.6 Reporting

A report of the funding assistance provided to applicants is to be provided on request to the SDAC.

APPENDIX B – Other sources of information for consumer representatives

B.1 A Guide for Consumer Representatives National Advisory Council on Consumer Affairs, formerly the Australian Consumers' Council

At the time that this Guide was prepared, the Secretariat of the National Advisory Council on Consumer Affairs was held by the Consumer Affairs Division of the Treasury.

B.2 Guide for Consumer Representatives Consumer Health Forum

At the time that this Guide was prepared, the guidelines were available on their website www.chf.org.au.

DOCUMENT HISTORY

To follow details the history of this document:

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22/04/22	Policy Writer	v1.7 - Updated changes to legislation, names of organisations, reference to cheque payments and other text updates.