

[russ@globalpsc.net](mailto:russ@globalpsc.net)

+61 417 445 644

PO Box 755

Turrumurra NSW 2074

Australia

[www.globalpsc.net](http://www.globalpsc.net)



## GLOBAL PRODUCT STEWARDSHIP COUNCIL

### **Stakeholder Submission on *Wired for change: Regulation for small electrical products and solar photovoltaic system waste***

July 2023

The Global Product Stewardship Council Inc. (GlobalPSC) appreciates the opportunity to make this submission on the Australian Department of Climate Change, Energy, the Environment and Water (the department) discussion paper *Wired for change: Regulation for small electrical products and solar photovoltaic system waste* (discussion paper). On balance, we believe the discussion paper effectively articulates need for action and sensible stewardship approaches for solar photovoltaic (PV) systems and small electrical and electronic equipment (SEEE). We also welcome the department's willingness to regulate stewardship schemes where appropriate to optimise outcomes and to minimise free riders.

#### Who we are

The GlobalPSC is an Australia-based independent, not-for-profit organisation dedicated to facilitating the development of effective product stewardship and extended producer responsibility (EPR, otherwise known as 'regulatory' or 'co-regulatory' in Australia) schemes globally. Our approach is based on three key aspects:

- Sharing knowledge
- Building capacity
- Creating connections

The GlobalPSC is not an activist group on product stewardship and EPR. Rather, we facilitate the development of effective product stewardship schemes by examining Australian and international product stewardship and EPR programs and policies, their strengths and weaknesses, and the circumstances under which they work most effectively. We also facilitate multi-stakeholder discussions to help tailor solutions to the jurisdictions in question. Importantly, this approach also builds stakeholder engagement, consensus and ownership to help ensure more effective implementation.

#### Our major activities and relevance to Australia

In the 13 years since our founding, the GlobalPSC has worked actively with the Australian Government and other stakeholders to develop and enhance Australian product stewardship programs by tailoring international experience to local circumstances using independent, objective research, facilitation and advice not biased in favour of, nor against, any particular product types or approaches.

The Australian Government supported the GlobalPSC's International Product Stewardship Summit 2010 and International Stewardship Forum 2018, both in Sydney, to help inform the development and subsequent review of the *Product Stewardship Act 2011* (PS Act). We are pleased to see this and additional input largely reflected in the *Recycling and Waste Reduction Act 2020* (RAWR Act).

The GlobalPSC convened the inaugural International Stewardship Forum in Sydney April 2018, attracting over 130 participants and 13 international speakers from 8 countries. The GlobalPSC's second International Stewardship Forum in Paris July 2019 attracted 250 attendees from 30 countries, including representatives of 17 countries' Ministries of Environment or similar agencies.

These larger Forums provided a unique opportunity for participants to gather practical insights of product stewardship and EPR programs across a broad range of products and substances. The GlobalPSC also hosts smaller, region-specific events and conducts applied research on international policies and programs with similar objectives.

Our CEO Russ Martin served on the Government's Product Stewardship Advisory Group and on the advisory body for Australia's development and implementation of the PS Act. In addition, Russ assisted the department's review of the PS Act.

We have also held product stewardship and EPR discussions with Environment Ministers and/or senior Government representatives in Australia, Canada, France, Hong Kong, New Zealand, Singapore, Switzerland, Taiwan and the US in addition to the OECD in France.

### Regulatory approach

In previous submissions and discussions, the GlobalPSC has encouraged the Government to consider reflecting more of a clear willingness to pursue co-regulatory approaches as appropriate to build upon the Minister's priority list. There's a risk that the producers and schemes actively involved in product stewardship are undercut by free riders that benefit from having schemes in place without contributing their fair share.

We have previously commented that a largely voluntary approach to product stewardship has worked reasonably well for Australia to date, but can have limits that Australia has been skirting around for some time now. The Australian Government's past resistance to pursuing more co-regulatory action has impeded the development and expansion of product stewardship schemes.

We therefore welcome the Minister's recent announcements on the Australian Government's willingness to regulate as needed on stewardship schemes for e-products, packaging and textiles.

One of the issues facing product stewardship in Australia today is that Liable Parties tend to see their inclusion as a cost of compliance to be minimised rather than a commercial opportunity to expand their services offered and as a value-add job creator. Most other countries we have worked with have large cohorts of businesses that realise more of a business case in product stewardship / EPR and highlight their economic value to stakeholders.

### Proposed Scope for PV and SEEE

The GlobalPSC supports the proposed scopes for PV and SEEE outlined in the discussion paper, as they are largely consistent with international practice while being tailored to Australian circumstances. We

note the potentially simplified public education available by encouraging consumers to return items with a battery or a cord, consistent with various Canadian and European schemes. We would, however, like to better understand impacts / interaction of the SEEE scope on the National Television and Computer Recycling Scheme (NTCRS), as the discussion paper noted significant scope overlap.

### Additional Comments

We have several additional questions and comments that we note and would be pleased to discuss with the department or see addressed in future consultations. These include:

- We question the extent to which the department will be able to change scheme scope without a full Regulatory Impact Statement and seek to better understand how the scheme will be able to adjust over time to new technologies and processes.
- We encourage greater consideration of design for disassembly, similar to how the department has stated its intention to encourage reuse while not proposing specific reuse targets.
- While we understand the intentions of having one scheme spanning the two product categories, we question whether PVs, incl batteries, should be separate to better allow other solar storage equipment to be addressed.
- We support the proposed approach of having multiple network operators responsible for service delivery, with a scheme administrator having overall responsibility for delivering the scheme and ensuring good value for money. Various container deposit schemes show how this approach can be effective.
- It will be important to capture the scrap metal sector when understanding material flows and refining scheme administration.

### Moving Forward

The GlobalPSC greatly appreciates the opportunity to provide these comments. We look forward to continuing this collaborative approach and to assisting the Government wherever and however possible.