



SPECTARIS e. V.
Berlin, Germany, 21. Januar 2022

STATEMENT

SPECTARIS statement on the consultation for: Supporting business through improvements to mandatory standards regulation under the Australian Consumer Law

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SPECTARIS - German Industry Association for Optics, Photonics, Analytical and Medical Technologies

We represent the hightech industry in Germany

SPECTARIS is the German industry association for the hightech medium-sized business sector and representative body in the areas of medical technology, consumer optics, analytical, bio and laboratory technology as well as photonics. Innovation and growth characterize the different industry sectors and their 327,000 strong workforces. Technologies developed here are used in almost all branches of industry, making them an essential motor for the German economy.

SPECTARIS pools the interests of around 400 member companies from Germany, associated in four different sector-specific branches. Through its political activities, public relations and industry marketing, the association gives its members a voice, formulates new responsibilities and opens up new markets. This ensures the international competitiveness of German industry in these sectors and thus safeguards locations and jobs.

Answer to the consultation

The proposed options to the current Australian regulatory architecture could provide significant advantages to both, businesses and consumers. As a manufacturers association, Option 2 appears to be the most appropriate option in the Australian context and will reduce the regulatory burden without compromising consumer safety by leveraging trusted overseas standards.

Generally speaking, ISO standards are made with active contribution of experts from all over the world taking strong consideration of essential safety requirements to protect consumers' and their needs in terms of performing products, safety and costs.

Q1. Do you agree with the identified problems?

Yes. We agree with the identified problems, in particular increased barriers to entry and cost for businesses who need to conduct double testing, overseas and Australian standards, as well as changed product labelling requirements. This creates barriers for overseas businesses to export products to Australia and Australian businesses selling products abroad. Option 2 provides the opportunity for ISO standards to be adopted into Australian legislation.



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Q2. Are there any other problems that you think should be considered?

The adoption of overseas standards increase the speed of application of standards and therefore reduces time-to-market of products for Australian market.

Option 3 would allow businesses to comply with different standards. Consumers are usually not sufficiently equipped to identify the technical differences and characteristics of products complying with different standards. We therefore discourage Option 3, as it would lead to consumer confusion.

Conclusion

In summary we recommend Option 2: Amend the ACL to allow the Commonwealth Minister to more easily declare trusted overseas standards.

Both alternatives, prescribing a list of certain overseas standards making organisations in the ACL regulations or using a principles-based approach for declaring overseas standards will help to reduce compliance costs for business and barriers to trade by removing duplicative testing and compliance measures. On the other hand, trusted overseas standards provide same level of safety to Australian consumers as they provide safety to consumers in other jurisdictions.

We recommend the adoption of the ISO standards as they representing the results of the contribution of experts from many countries including Australia and encouraging a global market and free movement of good and services with advantages for consumer and businesses.

SPECTARIS is the German Industry Association for Optics, Photonics, Analytical and Medicinal Technologies. The association represents 450 mainly small and medium sized German companies. The represented industries achieved a total turnover of around 72 billion euros in 2020 and employed around 327,0000 people. Our members are very export-oriented with an average of two thirds of their products being exported.