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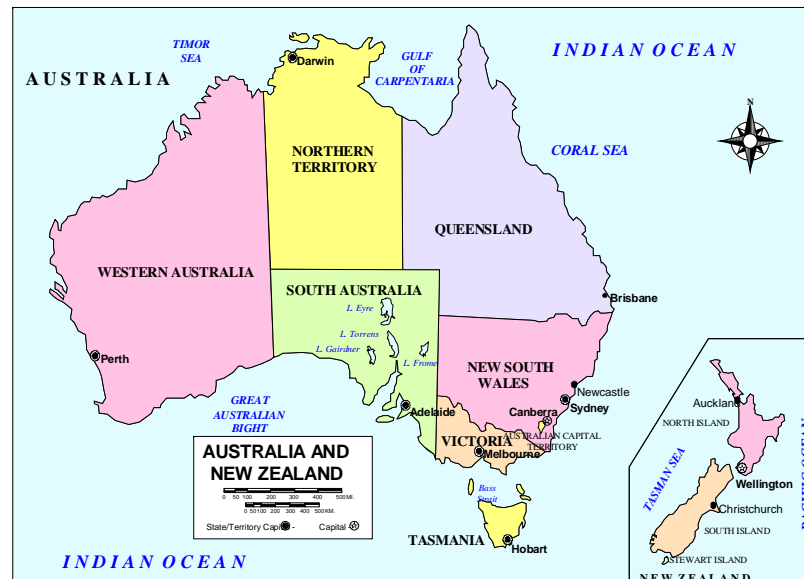
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agenda item 6.)

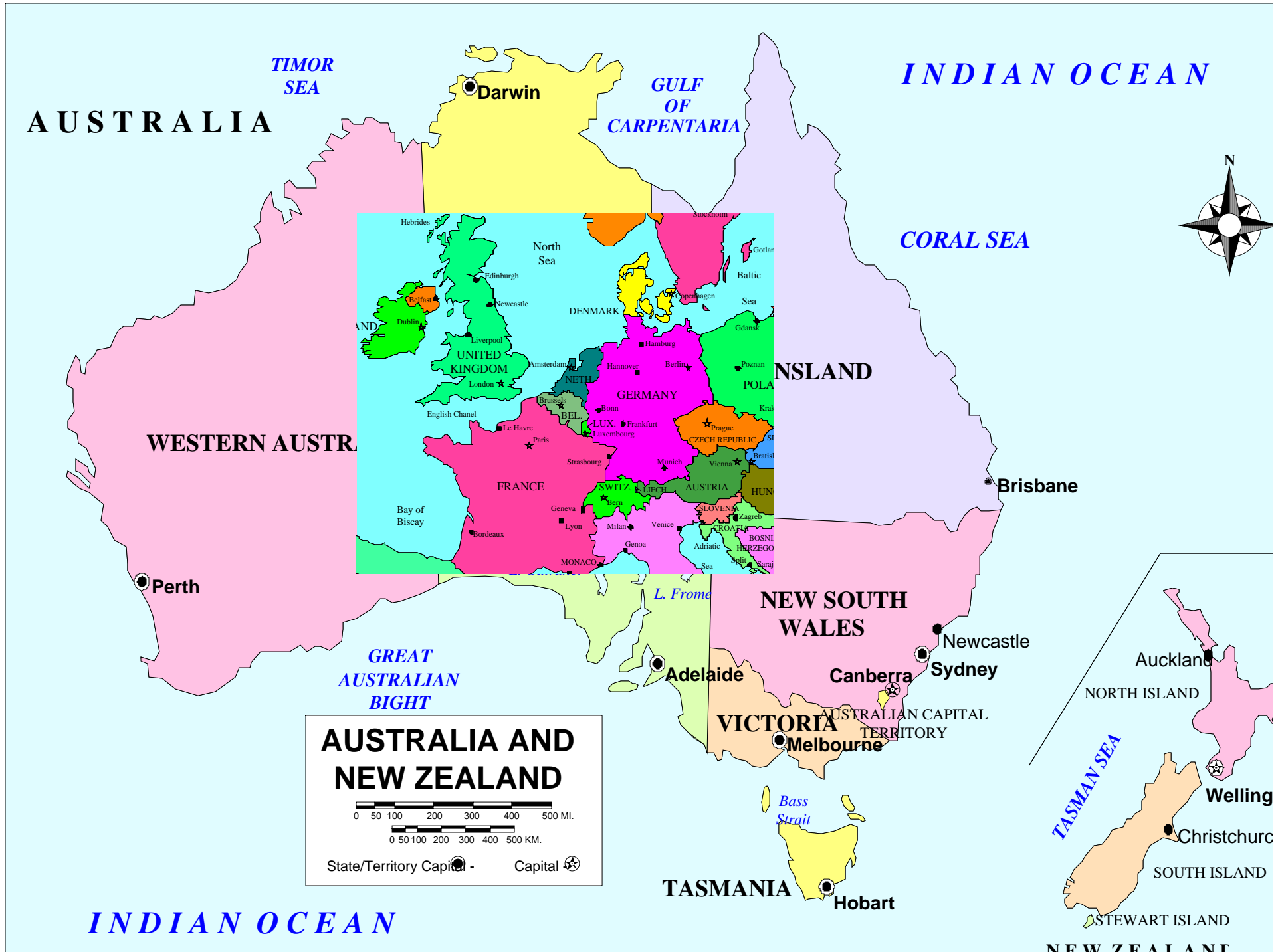


# Regulation and Standard Setting in Australia

# Australia

- A federation of six states and two territories
- Certain powers vested in the Australian Government – remainder in states





# Governing Principles for Regulation and Standard Setting

- Set by the Council of Australian Governments (COAG)
- Body chaired by the Prime Minister and including state premiers, territory chief ministers and the Prime Minister of New Zealand
- First set in 1994 as part of competition policy reforms
- “Administered” by Office of Regulation Review
- Procedural framework for preparation of regulations for voting by **Ministerial Councils**
- <http://www.coag.gov.au/meetings/250604/coagpg04.pdf>



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# Ministerial Councils

- Councils of federal, state and territory ministers dealing with specific subject matter, eg:
- Australian Transport Council (ATC) consists of transport ministers
- National Environmental Protection Council consists of environmental ministers



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# Policy Considerations

- Concern about growth in regulation
- Business Council of Australia review suggesting 10% annual growth in regulation



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# COAG Principles - Basic Objectives

- Minimise impact on competition
- Provide predictable outcome
- International standards
  - compatible with international standards
  - not a technical barrier to trade (WTO)
- Ensure regular review of regulations
- Ensure regulations are flexible (easily amended as required)



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# COAG Principles of Good Regulation

- Standardise level of administrative discretion
- Consider administrative costs
- Be performance based (also a WTO requirement)
- Avoid duplication across jurisdictions
- Consider administrative requirements across jurisdictions



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# COAG Principles of Good Regulation

- Minimise regulatory burden on the public
- Consider compliance strategies & enforcement
- Use plain language
- Provide appropriate transition / lead times for introduction of regulation



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# COAG Principles

- Regulatory Impact Statement
  - define the problem
  - demonstrate the need to regulate
  - quantify costs & benefits
  - consider non-regulatory options
  - impact on competition
  - public consultation
  - Office of Regulation Review assess RIS



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# Jurisdictional Responsibilities for Road Vehicles

- Australian Government - to point of first supply to the market
  - *Motor Vehicle Standards Act, 1989*
  - Type approval
  - Development of Australian Design Rules
- States and Territories - in-service regulation (vehicle registration, licensing, roadworthiness, continued compliance with ADRs etc)



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# ADRs

- *Motor Vehicle Standards Act, 1989*
- ADRs are mandatory uniform national standards for new road vehicles
  - safety
  - emissions
  - anti-theft



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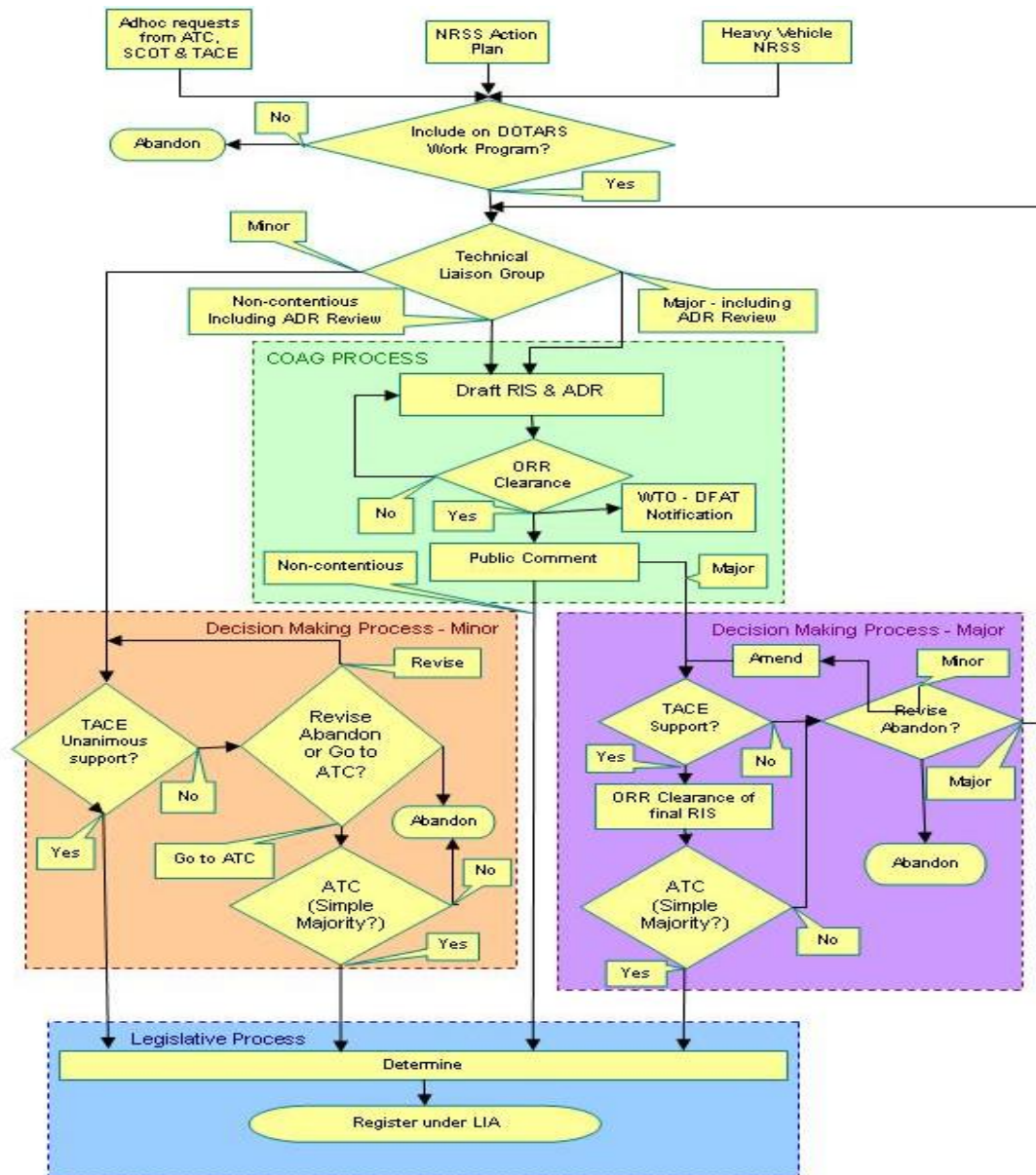
# Timeline: New and Amended ADRs

- Assessment against COAG principles
- 2 months public consultation (as part of RIS process)
- 2 months consultation with Transport Agency Chief Executives (TACE)
- 2 months for voting by Australian Transport Council (ATC)
- Registration on Federal Register of Legislative Instruments
- **BUT** TACE and ATC processes not required where the proposal is non-controversial and involves harmonisation with an international standard - UNECE Regulation or GTR (since November 2005)



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**Legend:**

- ATC** – Australian Transport Council
- SCOT** – Standing Committee on Transport
- TACE** – Transport Agencies Chief Executives
- NRSS** – National Road Safety Strategy
- RIS** – Regulation Impact Statement
- ORR** – Office of Regulation Review
- LIA** – Legislative Instruments Act 2003



# Recent Requests for New ADRs

- Non-tamper proof speed limiters
- Daytime Running Lamps
- Vehicle Compatibility
- 4WD Stability
- Pedestrian Protection
- Side Airbags
- Seatbelt reminders
- Underrun barriers for heavy vehicles
- Cabin strength for heavy vehicles
- Maximum limit on speedometer
- Reversing cameras and sensors



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# Recent Requests for New ADRs cont.

- Flashing stop lights
- Blue stop lights
- Floor pan cavity
- Blue tooth
- Ban temporary use spare tyres
- Spare wheels
- Alcohol interlocks
- Fire retardant materials
- Fire extinguishers
- Cabin air quality control monitor
- Roll bars for convertibles



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# Policy Position

- All ADRs to be harmonised with international regulations (UNECE and/or GTRs)
- Passenger vehicles and motorcycles almost 100% harmonised with UNECE regulations (and GTRs are accepted where they exist)
- Heavy vehicles more difficult
- Accept international regulations but don't necessarily enforce all requirements (Eg extreme cold weather testing not necessary)



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# Status of International Agreements

- **1958 Agreement** – Acceded in 2000. Expect to apply regulations in 2006 depending on passage of legislative amendments.
- **1998 Agreement** – Aim to accede during 2006 – treaty accession process well advanced. Have already adopted GTR1 into the ADRs.



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# Harmonisation Status of the ADRs

Item	Title	Fully Harmonised	Partially Harmonised	Not harmonised
ADR1	Reversing Lamps	Since 1986		
ADR 2	Door Locks and Hinges	May 2006		
ADR 3	Seats and their Anchorages	May 2006		
ADR 4	Seatbelts	May 2006		
ADR 5	Seatbelt Anchorages	May 2006		
ADR 6	Turn Signal Indicators	Since 1986		
ADR 8	Safety Glazing	May 2006	Since 1986	
ADR 10	Steering Column	June 2006	Since 1986	
ADR 13	Installation of Lighting	Since 1986		
ADR 14	Rear View Mirrors	May 2006	Since 1986	
ADR 18	Instrumentation	Nov 2004		1986 to 2004
ADR 19	Installation of Lighting on Motorcycles	Since 1986 initially & Re-harmonised in 1997	De-harmonised in 1992	
ADR 22	Head Restraints	Wound into ADR 3 in May 2006	Since 1998	
ADR 23	Passenger Car Tyres	To be harmonised in June 2006		Since 1988
ADR 25	Anti-theft Locks	To be fully harmonised in 2006	Since 1988	
ADR 28	Vehicle Noise	Superseded by ADR 83		
ADR 31	Passenger car Brakes	August 2001		1988 to 2001
ADR 33	Motorcycle Brakes	To be fully harmonised in June 2006	Since 1995	1988 to 1995
ADR 39	Motorcycle Noise	Superseded by ADR 83		
ADR 46 to 55	Various lighting components	Since 1988		



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# Harmonisation Status of ADRs (contd)

Item	Title	Fully Harmonised	Partially Harmonised	Not harmonised
ADR 56	Motorcycle Noise	Superseded by ADR 83		
ADR 57	Special Requirements for Motorcycles	To be fully harmonised in 2006	Since 1988	
ADR 58	Omnibuses Designed for Hire and Reward	To be fully harmonised in 2006		Since 1988
ADR 59	Omnibus Rollover	Since introduction in 1992		
ADR 60	Centre High Mounted Stop Lamps	Fully harmonised UNECE option offered in 2000	Since 1995	Since 1982
ADR 70	Diesel Emissions	Since 1999		
ADR 72	Dynamic Side Impact Protection	Since introduction in 1999		
ADR 73	Offset Frontal Protection	Since introduction in 2000		
ADRs 74 to 78	Various lighting components	Since introduction in 2000		
ADRs 79 to 81	Light and heavy vehicle emissions and fuel consumption	Since introduction over 2000 to 2005		
ADR 82	Engine Immobilizers	Since introduction in 2001		
ADR 83	Vehicle Noise	Since introduction in 2005		
ADR 65	Speed Limiters for Heavy Vehicles	To be fully harmonised in 2006		Since 1991
ADR 11	Internal Sun Visors		Since 1986	
ADR 21	Instrument Panel		To be partially harmonised in 2006	Since 1998
ADR 35	Commercial Vehicle Brakes		1988	
ADR 38	Trailer Brakes		1988	
ADR 62	Mechanical Connections		To be partially harmonised in 2006	Since 1991



# Harmonisation Status of ADRs (contd)

Item	Title	Fully Harmonised	Partially Harmonised	Not harmonised
ADR 29	Side Door Strength			Since 1988
ADR 34	Child Restraint Anchorages and Anchor Fittings			Since 1993
ADR 42	General Safety Requirements		Some of the unique requirements are to be deleted in 2006	Since 1988
ADR 43	Vehicle Configuration and Dimensions		Some of the unique requirements are to be deleted in 2006	Since 1988
ADR 44	Specific Vehicle Requirements		Most if not all these unique requirements are to be deleted in 2006	Since 1988
ADR 61	Vehicle Marking			Since 1991
ADR 63	Road Train Trailers			Since 1991
ADR 64	Road Train & B-Double Trucks			Since 1991
ADR 68	Bus Occupant Protection			Since 1994
ADR 69	Full Frontal Impact Occupant Protection			Since 1995

## Legend

Completely harmonised or to be harmonised in 2006

Partially harmonised or to be partially harmonised in 2006

Not likely to be harmonised





# Questions?



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