

FREQUENTLY ASKED QUESTIONS

Transitional arrangements for new WELS standard

What is the purpose of the Regulator's statement of 30 September 2016?

The new WELS standard, AS/NZS 6400:2016, replaced the previous standard, AS/NZS 6400:2005, on 18 August 2016. The new standard includes a different label design and places additional requirements on promotional materials for WELS products.

The Regulator understands that suppliers may have stocks of products already labelled to meet the requirements of the previous standard. Promotional material may also be already prepared or in advanced stages of preparation. Changing the labels and promotional material on these products would impose substantial costs on industry.

The Regulator's statement is intended to address this issue through establishing a policy that, for the specified situations and time frames, allows label designs and promotional material to be compliant with either the new standard or the previous standard.

What products does the Regulator's statement of 30 September 2016 apply to?

The Regulator's statement applies to all products registered on or before 14 September 2017. This includes new registrations and renewals, as long as products being renewed were registered for the first time on or before 14 September 2017.

Can products be registered or renewed with labels that are compliant with the new standard?

Yes. The new standard came into force on 18 August 2016, and the Regulator's preference is for products to transition quickly to the new labels.

The Regulator's statement establishes a transition period during which labels compliant with either the new standard or the previous standard will be accepted. Where practical, however, registrants are encouraged to change to labels compliant with the new standard.

If a product registration is being renewed in the current renewal period (15 September – 5 December 2016), can the labels for the product be compliant with the old standard (AS/NZS 6400:2005)?

Yes, the product labels can be compliant with either the old (AS/NZS 6400:2005) or the new standard (AS/NZS 6400:2016), as it was registered for the first time prior to 14 September 2017.

Note there may be advantages to using labels that are compliant with the new standard, as the old labels will cease to be compliant after 21 July 2018.

If a product is being registered for the first time, can the labels for the product be compliant with the previous standard (AS/NZS 6400:2005)?

Yes, as long as the product is registered on or before 14 September 2017, the labels can be compliant with either the old (AS/NZS 6400:2005) or the new standard (AS/NZS 6400:2016).

Note there may be advantages to using labels that are compliant with the new standard, as the old labels will cease to be compliant after 21 July 2018.

Can promotional material that is compliant with the old standard still be used?

Yes, for products registered on or before 14 September 2017, promotional and display material may be compliant with either the old (AS/NZS 6400:2005) or the new standard (AS/NZS 6400:2016). After 21 July 2018, promotional and display material must be compliant with the new standard.

Promotional and display material includes product specifications, brochures, display cards, advertising, magazines, catalogues, editorials and electronic displays.

Can a retailer sell products with old labels after 21 July 2018?

No. After 21 July 2018 all products must be sold with labels that are compliant with the new standard. If the product's WELS registration is still valid, new labels may be attached to the product in stock, and old labels removed, to allow the product to be sold.

Can all WELS products use labels and promotional material consistent with the old standard (AS/NZS 6400:2005)?

No, labels for 4-star showers and 6-star toilets must be compliant with the new standard (AS/NZS 6400:2016). This is because these products were introduced for the first time in the new standard, so they are not recognised in the old standard.

For all other WELS products, labels and promotional material can be consistent with either the old or the new standard.

Are there advantages to changing to the new labels?

Yes. The new labels were designed to be simpler, and to provide more accurate information to consumers about the relative water efficiency and consumption of products. The new label design will improve branding, recognition and conveyance of key information.

Additionally, after 21 July 2018 products can only be sold with labels compliant with the new standard. Any remaining floor stock with old labels will require replacement labels. And from a retailer's perspective, as new labels become more prevalent consumers may identify the old labels with older floor stock.

How does the Regulator's statement of 30 September 2016 relate to the Regulator's previous communication on 19 August 2016?

Both communications from the Regulator are intended to provide a transitional period for suppliers to change to the label designs required by the new standard (AS/NZS 6400:2016). The new statement:

- provides greater clarity regarding the intent of the statement
- extends the situations that the arrangements apply to, so that all products registered on or before 14 September 2017 may use labels or promotional material that complies with either the new standard (AS/NZS 6400:2016) or the previous standard (AS/NZS 6400:2005)
- retains 22 July 2018 as the date when all labels and promotional material must be compliant with the new standard.

What happens if a new Regulator is appointed?

The Regulator's statement continues to apply regardless of who is appointed as Regulator.

When to I need to submit my registration in order for my product to be registered by 14 September 2017?

To be eligible for the transitional arrangements, products must be registered on or before 14 September 2017. Note that a product is not registered until the application has been received and assessed, and an invoice has been issued and paid.

To ensure your product is registered by the cut-off date, it is suggested that the application be submitted at least 3 weeks before 14 September 2017. If you are unable to meet this timeline please contact WELS Registration (WELS@agriculture.gov.au, 1800 322 746 toll free within Australia or +61 2 6272 5232 internationally) well in advance of this date to discuss options.

Will the transition period disadvantage consumers?

The new labels were designed to be simpler, and to provide more accurate information to consumers about the relative water efficiency and consumption of products. However, the old labels have a similar layout to the new, and convey the most important information that consumers need. Consumers should still be able to compare products easily.

While consumers are not expected to be disadvantaged by allowing a transition period, product registrants are encouraged to transition quickly to the new label design. This will improve branding, recognition and conveyance of key information.