



**CONSUMERS
FEDERATION
OF AUSTRALIA**

Developing and promoting
the consumer interest

29 July 2019

Standards Australia
Level 10, The Exchange Centre
20 Bridge Street
Sydney NSW 2000

Dear Sir/Madam

Distribution and Licencing Policy Framework Discussion Paper

Consumers Federation of Australia (CFA) welcomes the review of Standards Australia's Distribution and Licencing Policy Framework.

We urge the review to consider free 'online only' access to Australian Standards for consumers to help the community become more informed about what to expect from products and service providers and to support Standard Australia's public benefit role in the community. CFA accepts, however, that any change to the present 'user-pays' business model may not be immediately feasible. Nevertheless, we consider the availability of standards free online only should be an objective, and that future distribution plans should be made in line with this goal.

CFA is the peak national body for consumer organisations in Australia and plays an important role in ensuring consumer interests are represented in the development of Australian standards. 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 through the CFA Standards Project.¹

Background

The current agreement to provide free access to Australian Standards via the National Library and the State Library Network has been suspended for a number of months. There is no other avenue for the public to access the standards and the suspended agreement model does not accommodate remote access and mobility restrictions and user interface capabilities.

When the Government's MoU with Standards Australia was updated in 13 November 2018, Standards Australia committed to the following principles related to standards distribution ...

8.32 Where it is able to do so Standards Australia will take all reasonable action to ensure fair and equitable access to Australian Standards for all users. It will work towards providing:

¹ See <http://consumersfederation.org.au/standards-2/>

8.32.2 innovative digital, mobile and other channels for accessing standards to give users more choice and to better meet community needs;

8.32.4 options for partnering with Standards Australia to facilitate forms of public access to Australian Standards, particularly where referenced in regulation, or where they relate to public interest outcomes, such as health and fire safety.

Given this, we welcome the fact that Standards Australia is consulting with a view to exploring other options that may be available to improve pricing and access to Australian Standards.

Discussion paper – Elements of consultation

1. Broad principles underpinning a distribution and licencing framework

CFA acknowledges the principles are comprehensive but not independent. CFA supports Standards Australia's first two broad objectives:

- a) Greater reach for its content, ensuring relevance to those affected by it;
- b) Greater awareness and use of standards in industry, government and by the broader Australian community; and

However, CFA believes consideration should be given to the following additions:

- c) An operating model that ensures the long-term financial sustainability with due consideration to the purchase price, availability, information quality and the range of different stakeholders.
- d) Ensuring that all Australians are aware of the value of standards and their importance to everyday life.

The second objective can be achieved if there was better access to the information in the standards which would make them more readily available.

2. Means to achieve objectives

CFA supports a non-exclusive model for the distribution of standards content in Australia. It is clear that the previous exclusive model that operated with SAI Global only served to increase the cost of standards to the detriment of community access.

3. Partnering to distribute current products

CFA supports the concept that having multiple distributors facilitates customer choice and competition between suppliers and is likely to result in enhanced service levels and efficient pricing, serving different segments and markets.

That said, CFA has concerns about excessive choice of source of standards which may be confusing for consumers and that the distribution partners main focus may be on potential customers in narrow segments and markets to the disadvantage of access for consumers. Given this, Standards Australia should be the main distributor for all standards as other organisations may only wish to serve particular industries or clientele.

CFA also encourages Standards Australia to investigate the experiences of other similar providers of content e.g. universities, to gain insight into how to best distribute its products.

4. Encouraging innovation

Beyond Standard Australia's well-established existing products, opportunities exist for Standards Australia to internally develop or partner with third parties in the development of innovative products and sophisticated delivery mechanisms for standards content.

CFA supports innovation and encourages the development of good quality products to allow users to perform more functions e.g. searching, highlighting and collaborating. However, Standards Australia should ensure that there is not excessive choice in the type of products which can be confusing for users.

Standards Australia should consider developing their business offering around "value adds" that can accompany the basic standard that relevant institutions (i.e. manufacturers, industry bodies, libraries, universities etc) would want to purchase. The government's legislation is free, but there are many publishing bodies that sell the legislation with "value add" whether that is commentary, guides, or making it easier to access, or linking it to various other relevant information. E.g. Millers Australian Competition & Consumer Law Annotated, although not a standard, this publication provides valuable updated information which would be equally effective if applied to specific standards.

Another value add may be in training on the interpretation and use of the standard.

CFA suggests that an important innovation is making the Australian standards free to access online only in their basic form. Standards Australia should consider alternate models of free access to the standards. For example, in the USA, the National Fire Protection Association (NFPA) provides free online access only (excluding the value-add items such as handbooks etc). NFPA is not a certification body and is funded not by a few big interests, but by the thousands of users who pay for their copies of the standards.

CFA also suggests examining the Netflix and university models where subscribers pay a monthly fee to access a group or all products.

CFA also values the integrity of the standards documents developed under the strict development and engagement regime required by Standards Australia including consumer groups as stakeholders. Some of the innovative products discussed at the stakeholder consultation should also have the rigorous process applied to their development and consideration be given to involve technical committee members where appropriate to ensure there is no change to the intent of the original standard.

5. Mitigating potential conflicts

CFA recognises the importance of the development of standards for the net benefit for all sectors of the Australian economy, irrespective of commercial value.

Access to information is important and Standards Australia can enhance its public benefit role in the community and perception that its commercial activities do not influence its standards development operations through:

- Acknowledging the importance of access to information for all Australians
- A commitment to transparency
- Demonstrating the public benefit role by providing free online only access to the standards to reach more people than ever before.

6. Facilitating economic access

CFA notes that Standards Australia recognises many consumers wish to understand standards more fully. CFA also notes that 2% of the Standards catalogue generate total sales income and therefore accessibility to most of the standards is not a significant financial burden. Copyright belongs to SA and the sales of the materials should still generate sufficient income to continue to exist and provide financial security.

6.1 Regulated standards.

CFA suggests free online only access to mandated or regulated standards would make any legislation more effective and more valuable to the community. Consideration could also be given to the concept that when any standard is to be knowingly adopted by the Federal or State governments in legislation then consideration of the cost of making that standard freely available should also be considered.

6.2 Access for core user groups

Standards Australia notes that for some types of users many factors including access fees and remote locations inhibit the uptake of standards and suggests that providing discounts to potential users such as junior trades people, apprentices or students may increase penetration. CFA strongly urges inclusion of consumer advocacy organisations in the list of core user groups to have greater access to standards, given that they play important roles in the areas of consumer safety, protection and empowerment.

6.3 Providing useful information to consumers regarding Consumer Interest Standards

Standards Australia proposes that information in certain “consumer interest” standards (e.g. standards in areas like baby dummies, cots or buildings) may be better presented as easy-to-understand guide.

While we appreciate the sentiment and acknowledge guides may be helpful, CFA is concerned by the assumption that consumers will not be interested in the text of the standards itself. It is inappropriate that Standards Australia should determine what consumers/people may require or be interested in. Providing an explanatory plain language guide as a support document would be useful but should not prevent anyone having the opportunity to view the basic standards document.

Final comments

Standards Australia should be committed to serving the public's increasing interest in technical information. We consider that online only access to Australian standards is a valuable resource in a format that the public increasingly demands.

While mention is made of end users in the Distribution Policy Framework document (i.e. people who purchase and use the standard) there is no mention that consumers are the final users of the products or services covered by many standards and should have access to them to be better informed about what to expect from products and services.

Greater awareness and use of the standards would be achieved if there was better access to the information i.e. Standards Australia's second broad objective - making the standards more readily available and more relevant.

Therefore, CFA suggests that Standards Australia should provide free online only access to all Australian Standards (to accommodate accessibility issues and user interface capabilities) as well as via the National Library, State Libraries and Public Library network.

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