

16th April 2025

Battery Stewardship Council application for authorisation

David Hatfield

Director | Competition Exemptions

Australian Competition & Consumer Commission

exemptions@acc.gov.au

Australia and New Zealand Recycling Platform Limited (ANZRP) is pleased to make the following comments on the Battery Stewardship Council's (BSC) substantive submission to the Australian Competition and Consumer Commission (ACCC), including seeking to change the current scheme by introducing an annual review process of the levy and rebate based on eco-modulated formulas.

ANZRP's position

ANZRP supports the re-authorisation of the battery stewardship scheme and is in agreement with the rationale laid out by the BSC outlining the need for modification to the existing arrangements. ANZRP holds the view that for the battery stewardship scheme to be optimally effective, full industry participation in the scheme is required. To that end we strongly support the introduction of regulations that compel participation in the scheme and that these are instituted by the Australian government, rather than state jurisdictions. We are cognisant that decisions on mandatory participation in the scheme lie outside of the remit of the ACCC and the BSC. We are therefore pleased to see the scheme is being designed to dovetail with future regulatory outcomes as they evolve and urge the Australian government to support this through parallel action.

The case for enhanced battery stewardship

ANZRP believes that urgent action is required across the value chain to improve the stewardship of batteries in Australia. Of particular and pressing concern is the need to tackle safety issues that stem from the rapidly increasing risk of fire associated with battery handling, storage and management, which can harm workers and damage/destroy infrastructure in the downstream battery management supply chain. As an approved co-regulatory arrangement (Co-reg) under the National Television and Computer Recycling Scheme (NTCRS), ANZRP's operations have a considerable degree of overlap with the current and proposed battery stewardship scheme, particularly in the downstream end-of-life product / waste stream. In the absence of an appropriately resourced and well managed battery stewardship scheme, there is elevated risk that all types of batteries will come through the NTCRS collection and

recycling system, including through drop off services, logistics providers and e-waste processors and recyclers. Consequently, we view it as beneficial to the overall e-waste ecosystem to have a more accountable, flexible and effective arrangement in place for loose batteries that mitigates against the identified risks and strengthens the financial foundations (as that outlined in the BSC authorisation request).

ANZRP hopes the following comments can further strengthen the ACCC position and ultimately the scheme to the benefit of participants, the community and the environment.

ANZRP notes that the broader intention of the proposed scheme (as per 6.2 of the BSC application for revocation of an authorisation for proposed conduct and substitution of a replacement – forthwith referred to as authorisation application) “remains to bring battery supply chain organisations together to significantly reduce the volume of batteries going as waste to landfill by increasing collection rates and developing a domestic battery reprocessing capacity”. Our organisation supports this intent and the proposed conduct (see 4.1.2 of authorisation application). This architecture allows for the scheme to fulfill the public benefits (articulated in Section 10.4 of authorisation application).

- a. Continuation of the benefits arising from the conduct under the existing authorisation by ensuring the scheme is financially viable:
 - (i) Increased collection rates
 - (ii) Button battery safety
 - (iii) Increase in consumer awareness
 - (iv) Contribution to the United Nations Sustainable Development Goals.
- b. Improved circularity outcomes
- c. Reduction of fire risk
- d. Sustainability Investments

ANZRP understand that the coverage of the proposed BSC scheme only includes battery products where there is a market failure, and not those battery products where an existing recycling scheme existed at scheme commencement (and still exists). The design of the battery scheme seeks to prevent a party having to pay a second time for batteries collected by other stewardship schemes by referring consumers to existing schemes where appropriate, such as the NTCRS and MobileMuster. ANZRP strongly endorses this design principle.

If you have any further questions regarding this submission, please contact Carla Vasconi, Chief Executive Officer on [REDACTED] or on [REDACTED].