



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),
Mr Michael Pettersson MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Jo Clay MLA on 21 July 2023: Mr Rattenbury took on notice the following question(s):

[Ref: Uncorrected Proof Hansard Transcript 21 July 2023 pp 94-95]

In relation to: Right to Repair

Ms CLAY: Thank you, Chair.

Minister, I have been interested in right to repair—

Mr Rattenbury: Yes.

Ms CLAY: —as part of circular economy. Have we got any updates in that area?

Mr Rattenbury: I do not have substantial updates for you, Ms Clay, in terms of probably since last estimates, in the sense that you will recall the Productivity Commission did a report. I thought it was a very valuable report. And it was sort of really the beginnings of that policy development in Australia.

The former federal government did not respond to that report prior to the end of their term, and the current has thus far not made a formal response to that report either. So, from a policy point of view, it is a little stalled from probably a federal government point of view, and therefore for the states and territories to work with the Federal government on that.

Ms CLAY: It is disappointing to hear that. What is the process when we have a change of Federal government with an outstanding Productivity Commission report like that?

Mr Rattenbury: I might look to my colleagues. I am not sure is the answer. Let me perhaps take that on notice and check for you.

SHANE RATTENBURY MLA: The answer to the Member's question is as follows: —

Section 12 of the [Productivity Commission Act 1998](#) (Cwlth) (the Act) requires that a copy of a Productivity Commission's Report into an inquiry must be tabled in each house of the Parliament. The final inquiry report must be tabled in Parliament within 25 sitting days of the Government receiving the report.

The Act is silent on the requirement of the Commonwealth Government to provide a formal response to the Productivity Commission's report.

I note the Productivity Commission's publication [A Guide to the Productivity Commission](#), states the following in relation to Government responses:

"It is up to governments to make decisions in response to the Commission's recommendations. This is usually accompanied by debate in Parliament as well as within the wider community. Governments are not obliged to follow the Commission's advice, although in practice more recommendations have been accepted than rejected. Even when the Commission's recommendations are not adopted, government policymaking is usually well-served by the information gathering, public participation and scrutiny of different proposals and ideas that the inquiry process stimulates. Sometimes proposals that were not accepted initially have been implemented after an interval."

The Productivity Commission provided its [Right to Repair Inquiry Report](#) to the Commonwealth Government on 29 October 2021 and it was publicly released on 1 December 2021.

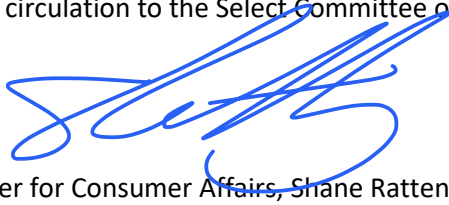
I signed a letter on 22 July 2023 which was sent to the Hon Stephen Jones MP, Assistant Treasurer and Minister for Financial Services on 25 July 2023, seeking an update on the Commonwealth Government's implementation of the recommendations in the Productivity Commission's Report into Right to Repair ([Attachment A](#)). A copy of this letter was also sent to the Hon Dr Andrew Leigh MP and the Hon Tanya Plibersek MP noting their portfolio interest in the Right to Repair Report.

In this letter, I noted that the ACT has already introduced one of the Productivity Commission's report recommendations with the commencement of compulsory alternative dispute resolution in August 2021 and noted progress toward the implementation of recommendations 3.2 (Enable a Super Complaints Process), 3.4 (Enhance Regulator Powers to Enforce Guarantees) and 7.1 (Include Reuse within NTCRS Annual Recycling Targets).

I look forward to the Assistant Treasurer's response to this request for an update on these important reforms.

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature:



Date:

26/7/23

By the Minister for Consumer Affairs, Shane Rattenbury MLA