



Australian Government

**Department of Industry,
Science and Resources**

Memorandum of Understanding

Between

The Commonwealth of Australia

as represented by

**The Department of Industry, Science and Resources (the
Department)**
(ABN 74 599 608 295)

and

Standards Australia Limited
(Standards Australia)
(ABN 85 087 326 690)

Contents

Paragraph 1 Legal Status of this MoU	4
Paragraph 2 Duration of this MoU	4
Paragraph 3 Definitions	4
Paragraph 4 Participant Representatives	5
Paragraph 5 Cooperation	5
Paragraph 6 Recognition	5
Paragraph 7 Standards Australia Undertakings	5
Paragraph 8 Commonwealth Undertakings	9
Paragraph 9 Joint Undertakings	10
Paragraph 10 Variation	10
Paragraph 11 Termination	11
Paragraph 12 Notices	11
Paragraph 13 Dispute Resolution	11
Signing Page	13

This MEMORANDUM OF UNDERSTANDING is made

this 17th day of ~~September~~ ^{October} 2025

BETWEEN

The COMMONWEALTH OF AUSTRALIA, as represented by the Department of Industry, Science and Resources (**Industry**) ABN 74 599 608 295

AND

STANDARDS AUSTRALIA LIMITED (ABN 85 087 326 690) (**Standards Australia**), a non-government public company limited by guarantee and registered with the Australian Charities and Not-for-profits Commission.

Purpose

The purpose of this Memorandum of Understanding (MoU) is to describe and acknowledge the role and capabilities of the Commonwealth and Standards Australia (together, the Participants), and outline undertakings to work in collaboration and good faith to assist the community to ensure a viable and sustainable national standards system. The Participants recognise the many community benefits which flow from standardisation, for example in improving quality, community safety, the environment, business efficiency as well as the competitiveness of Australian industry in national and international markets.

Paragraph 1 Legal Status of this MoU

- 1.1 The Participants do not intend to create any legally binding relationship or obligations by entering into this MoU.

Paragraph 2 Duration of this MoU

- 2.1 This MoU replaces the MoU between the Commonwealth and Standards Australia dated 13 November 2018 and has effect for a period of five (5) years from the date of its execution unless earlier terminated in accordance with Paragraph 11 or extended by agreement by both Participants.

Paragraph 3 Definitions

- 3.1 General terms used in this MoU will have the meaning given in the definitions contained in the current version of International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) Guide 2, *Standardization and related activities – General Vocabulary*, unless the context requires otherwise.

- 3.2 The following terms and their definitions will apply for the purpose of this MoU:

‘Accredited Standards Development Organisation’ means an organisation accredited by Standards Australia to develop Australian Standards.

‘Australian Technical Infrastructure Alliance’ means the combined capability, expertise and resources of the four core bodies responsible for Australia’s Standards and Conformance, namely Standards Australia, the National Measurement Institute, the National Association of Testing Authorities (NATA) and the Joint Accreditation System of Australia and New Zealand (JASANZ).

‘Australian Standard’ is a trademark of Standards Australia used in connection with consensus-based voluntary standards developed by or on behalf of Standards Australia or by accredited Standards Development Organisations (and in relation to which the ‘Australian Standard’ mark is an indicator of accreditation).

‘CER’ is the Australia-New Zealand Closer Economic Relations Trade Agreement (ANZCERTA, or the CER Agreement).

‘Conformity Assessment’ means activities conducted by a Conformity Assessment Body when assessing conformity.

‘Conformity Assessment Body’ means an organisation that is accredited to undertake Conformity Assessment.

‘Net Benefit’ – means that a standard must provide a value or benefit to the Australian community that exceeds the costs likely to be imposed on suppliers, users and other parties in the community as a result of its development and implementation. A standards proposal net benefit analysis will include an assessment of public health and safety impacts; social and community impact; environmental impact; competition restrictions or improvements; economic impact and implications.

‘Regulatory Impact Statement’ (RIS) means the formal codification of good regulatory practice as set out in the *Regulatory Impact Analysis Guide for Ministers’ Meetings* and *National Standard Setting Bodies* issued by the Office of Impact Analysis (or its successor) prescribed for use by government in consideration of significant regulatory

proposals. For the purposes of this MoU, a RIS is also taken to apply to an Impact Analysis as described in the *Australian Government Guide to Policy Impact Analysis*.

Paragraph 4 Participant Representatives

- 4.1 Each Participant will nominate, in writing, a representative to manage the relationship between Standards Australia and the Commonwealth in accordance with Paragraph 12 (Notices)

Paragraph 5 Cooperation

- 5.1 The Participants will actively maintain a cooperative relationship (including by sharing all relevant information) in order to enhance the efficient and effective operation and administration of this MoU.

Paragraph 6 Recognition

- 6.1 The Commonwealth recognises Standards Australia as the peak non-government standards body in Australia encompassing Australia's participation in the development of international standards and the coordination of the development of Australian Standards.
- 6.2 The Commonwealth recognises Standards Australia as the Australian member of the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC) and the Pacific Area Standards Congress (PASC).
- 6.3 The Commonwealth recognises the Standards Development and Accreditation Committee (SDAC) established by Standards Australia as a Chartered Committee to assist the Standards Australia Board, including to exercise oversight of the Company's processes, policies and procedures as a developer of Australian Standards and related documents and comprising a membership as set out in the SDAC charter, including government representation.
- 6.4 The Participants recognise the objective of common standards for Australia and New Zealand as articulated in Article 12 of the CER.
- 6.5 The Commonwealth recognises that copyright in Australian Standards and other technical documents developed by Standards Australia, including any referenced in legislation, vests in Standards Australia.
- 6.6 The Participants recognise that certain Commonwealth agencies and authorities have a responsibility to prepare standards and technical regulations which may or may not involve the participation of Standards Australia or the reference of Australian Standards.

Paragraph 7 Standards Australia Undertakings

- 7.1 Consistent with its constitution and the charitable purpose for which it is established, Standards Australia will provide national leadership in preparing and maintaining standards at the national and international levels and to promote the general adoption of standards, which are consensus based, voluntary documents with which compliance is not mandatory unless incorporated into law.
- 7.2 When preparing and revising Australian Standards, Standards Australia will seek to ensure they do not inhibit trade. Standards Australia will:

- 7.2.1 ensure that its practices comply with the World Trade Organization (WTO) Agreement on Technical Barriers to Trade (TBT) in particular Article 4 and the Code of Good Practice at Annex 3 of that Agreement with which Standards Australia is committed to comply. It will also take into account Australia's undertakings in Free Trade Agreements; and
- 7.2.2 utilise international standards to the maximum extent possible and will only depart from this practice where there are compelling reasons to do so.
- 7.3 In its role Standards Australia will, wherever possible, give priority to requests for work the Commonwealth considers necessary for the successful attainment of public and national interest objectives.
- 7.4 When developing or adopting Australian Standards, Standards Australia will, in consultation with relevant stakeholders, undertake a Net Benefit analysis to justify the setting of priorities for the development of new or revision of existing standards and make such Net Benefit analysis available upon request.
- 7.5 Standards Australia will maintain a standards review process to ensure that standards are relevant, up to date and fit for purpose. This process should consider criteria in the Net Benefit analysis.
- 7.6 Standards Australia will ensure that standards drafted for regulatory purposes are developed as set out in relevant Standards Australia's Standardisation Guide, specifically, Standards Development – SG-009: *Preparation of Standards for legislative adoption* and also the Department of Industry, Science and Resources *Best Practice Guide to Using standards and risk assessments in policy and regulation* dated July 2016 or as updated from time to time.
- 7.7 Standards Australia will observe the WTO TBT Committee's principles in the development of Australian Standards, adapted as follows:
 - 7.7.1 Transparency: essential information regarding its standardisation activities should be accessible to interested parties;
 - 7.7.2 Openness: participation in standards development should be non-discriminatory and open to relevant interests;
 - 7.7.3 Impartiality: relevant interests should be provided with meaningful opportunities to contribute so that the standards development process will not give privilege to or favour the interests of one party over another;
 - 7.7.4 Consensus: procedures seek to take into account the views of relevant interests and to reconcile any conflicting arguments;
 - 7.7.5 Effectiveness: standards should facilitate international trade and prevent unnecessary trade barriers, respond to regulatory and market needs and scientific and technological development and not have adverse effects on fair competition; and
 - 7.7.6 Coherence: development of standards should avoid duplication or overlap with existing standards.

- 7.8 Standards should have clearly identifiable outcomes and, wherever appropriate, contain performance-based requirements that specify outcomes rather than inputs or other prescriptive requirements. This should not preclude the development, in some instances, of Australian Standards which contain detailed technical specifications that offer “deemed to comply” solutions to performance-based requirements. It is recognised that certain levels of prescription may be required to ensure public safety in high-risk situations and where interconnection and compatibility is involved.
- 7.9 Standards Australia will make the standards development process accessible to the general public, including by:
- 7.9.1 making all significant documents that define the standards development process (also known as Standardisation Guides) and other information readily available via the Internet; and
 - 7.9.2 promoting and providing opportunities for public comment and minimum reasonable time periods for consultation.
- 7.10 Standards Australia will continue to improve the efficiency and timeliness of standards development, including by:
- 7.10.1 looking at innovative practices to respond to market needs;
 - 7.10.2 optimising standards development meetings, including through better use of technology;
 - 7.10.3 increasing use of partnering arrangements; and
 - 7.10.4 effective project management.
- 7.11 Standards Australia will maintain SDAC (or its successor) as a committee of the Standards Australia Board and will invite the Commonwealth to be an *ex officio* member. The SDAC will meet at least twice per year and will have the duties and roles as set out in the charter approved by Standards Australia under its constitution.
- 7.12 Standards Australia, via SDAC, will ensure the maintenance of a robust and transparent appeals and complaints mechanism for the handling of such matters relating to its standards development process.
- 7.13 Standards Australia will ensure that stakeholders:
- 7.13.1 are given opportunities for input into priorities for standards development;
 - 7.13.2 including small business, consumer organisations, industry and government, have the opportunity to be adequately represented in Australia's standards setting and various advisory and consultative structures; and
 - 7.13.3 are actively involved in decisions about whether a standard needs to be developed or revised.
- 7.14 Standards Australia will make every effort to ensure representatives on technical committees and various advisory and consultative structures are diverse and balanced including representation from small business, academic, consumer and other community interests.

- 7.15 Standards Australia will seek consensus and a fair and acceptable balance of all relevant interests when developing Australian Standards, reflecting not only sound and modern technical practice, but also taking account of the needs of producers, service providers, users and others who are materially affected.
- 7.16 Standards Australia will take reasonable steps to avoid conflicts of interest within technical committee or advisory or consultative structures whether real or apparent and where any perceived and/or actual conflicts of interests are identified, take appropriate action to mitigate the impacts on standards development or other business-related processes.
- 7.17 Standards Australia will ensure that relevant interests are declared by individuals participating in standards development and will use declarations to appropriately manage actual or perceived conflicts of interest, including in appointments as chairperson to technical committees.
- 7.18 Subject to compliance with its obligations under Commonwealth and State and Territory privacy laws, Standards Australia will maximise the transparency of membership of various advisory and consultative structures.
- 7.19 Standards Australia will administer and maintain a documented transparent avenue for the accreditation of other bodies to develop Australian Standards and will seek to ensure that each accredited body retains the copyright to the standards it develops, subject to third party rights.
- 7.20 In its role as Australia's representative in ISO, IEC and PASC and in regional fora, Standards Australia will act in the national interest, seek to further the interests of Australia and will consult with the Commonwealth on priorities.
- 7.21 Standards Australia and Accredited Standards Development Organisations will maintain publicly available principles and processes for Australian involvement in international standardisation as set out in Standards Development – *SG 015: Australian Involvement in International Standardisation* and consult with the Commonwealth and industry of any substantive changes to these principles and processes.
- 7.22 Standards Australia will develop and maintain links with the national standards bodies of other countries and enter into such bilateral or multilateral reciprocal recognition agreements as it considers necessary to improve quality, safety and the efficiency and competitiveness of Australian industry.
- 7.23 Standards Australia recognises and will cooperate with the Australian Technical Infrastructure Alliance and will participate in meetings with these bodies on a regular basis.
- 7.24 Standards Australia will keep the Department, as representative of the Commonwealth, informed of any contracts of service or other financial agreements related to standards development entered into with Commonwealth departments or agencies.
- 7.25 In the interests of a well-functioning Australian Technical Infrastructure Alliance, Standards Australia will not involve itself in Conformity Assessment unless agreed with the Commonwealth prior to engaging in such new activities.
- 7.26 Standards Australia will ensure that its standards which contain requirements for products, processes, services, persons, systems and bodies will be written in accordance with the ISO and IEC "neutrality principle" (ISO/IEC Directives, Part 2, subclause 6.7), such that the content of the standard will not state a preference for a form or one type of assessment over another.

- 7.27 Standards Australia will publish in its Annual Review an assessment of its performance in meeting the terms of this MoU, including with reference to Paragraph 7.2.2.
- 7.28 Standards Australia will continue to take reasonable action to provide fair and equitable access to Australian Standards for all users and it will work towards:
- 7.28.1 encouraging competition in the distribution of standards by enabling new entrants and multiple channels for distribution;
 - 7.28.2 continuing to explore and deliver innovative digital, mobile and other channels for accessing standards to give users more choice, greater access, flexibility and better alignment to Australian community and business needs;
 - 7.28.3. exploring innovative opportunities to provide greater access to meet the needs of standards users in training or education in support of their learning and development;
 - 7.28.4 offering flexibility in pricing structures to facilitate economical access for users;
 - 7.28.5 exploring options 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; and
 - 7.28.6 Providing a no-fee option for members of the public in Australia to access Australian Standards for personal, domestic or household use.

Paragraph 8 Commonwealth Undertakings

- 8.1 The Commonwealth undertakes to promote an internationally recognised standards and conformance infrastructure and encourage the further development of that infrastructure.
- 8.2 The Commonwealth undertakes to work collaboratively and in good faith with Standards Australia to enhance the ability of Australia's standards and conformance infrastructure to best meet the changing needs of industry and consumers.
- 8.3 The Commonwealth may, through a grant, provide financial assistance in relation to activities contributing in net terms to the welfare and wellbeing of the Australian community as a whole that would not occur if left entirely to the private market.
- 8.4 The Commonwealth will encourage its agencies to consider providing financial or in-kind support on a case-by-case basis for the development of or access to regulatory standards.
- 8.5 To ensure standards serve the public and national interest and not inhibit competition, the Commonwealth will, to the maximum extent possible, participate as a member of Standards Australia and member of various advisory and consultative structures and technical committees, and maintain an open dialogue with Standards Australia on its national interest priorities.
- 8.6 The Commonwealth will work in partnership with Standards Australia in representing and advancing Australia's standards interests in relevant forums and consult with Standards Australia as a matter of course in the development and/or implementation of relevant international agreements.

Paragraph 9 Joint Undertakings

- 9.1 The Participants will take necessary steps to ensure appropriate levels of coordination to avoid duplication or conflict in areas where regulatory, statutory or other formal standards-making responsibilities potentially overlap.
- 9.2 The Participants will exert their best efforts to promote understanding and awareness of the value of Australian Standards and their uses through educational, training and promotional activities within governments, industry and the community.
- 9.3 The Participants will work together to seek wide input and representation in international standards setting to ensure the effectiveness of Australia's participation, including determining areas of national interest priority for participation. The focus of such participation will be in activities with the potential for the greatest Net Benefits for the Australian community and economy.
- 9.4 The Participants will hold meetings of senior representatives as necessary to discuss matters of mutual interest.
- 9.5 The Participants will maintain a dialogue with relevant entities, including Commonwealth agencies, standards setting authorities and, where appropriate, State and Territory authorities, about proposed new projects, including new or revised standards to promote awareness of possible regulatory impacts and the need for harmonisation and alignment.
- 9.6 The Participants recognise that Commonwealth agencies are required to develop Regulatory Impact Statements (RIS) for new legislative proposals, including for standards that are to be referenced in regulation and agree to work together in understanding the impact of standards to these proposals. Standards Australia will coordinate and assist with the provision of technical input and information as requested.
- 9.7 The Participants recognise that Australian Standards referenced in legislation should:
 - 9.7.1 represent minimum effective solutions;
 - 9.7.2 clearly separate essential regulatory requirements from those which are not;
 - 9.7.3 where appropriate, be structured in a hierarchical form with the higher form in performance terms and the lower form in prescriptive terms;
 - 9.7.4 clearly outline technical solutions reflecting a range of ways in current use, by which legal obligations can be met; and
 - 9.7.5 where appropriate, be standalone documents to minimise duplication and cross referencing.
- 9.8 The Participants will work together to enhance public visibility of standards referenced in Australian Commonwealth, State and Territory Government legislative instruments.

Paragraph 10 Variation

- 10.1 This MoU may be varied by agreement of the Participants at any time and any such variation shall be set out in writing and signed by both Participants.

Paragraph 11 Termination

- 11.1 The Participants may, terminate this MoU upon providing 12 months' notice in writing to the other Participant.

Paragraph 12 Notices

- 12.1 Notices of communication by Standards Australia to the Commonwealth about this MoU shall, unless otherwise notified in writing by the Commonwealth to Standards Australia, be addressed to the Commonwealth as follows:

General Manager
National and Economic Security and Trade Branch
International Strategy and National Security Division
Department of Industry, Science and Resources
GPO Box 2013
CANBERRA ACT 2601

- 12.2 Notices of communication by the Commonwealth to Standards Australia shall, unless otherwise notified in writing by Standards Australia to the Commonwealth, be addressed to Standards Australia as follows:

Chief Executive Officer
Standards Australia Limited
GPO Box 476
SYDNEY NSW 2001

Paragraph 13 Dispute Resolution

- 13.1 The Participants agree to use reasonable efforts to resolve by negotiation any problem that arises among them (Dispute). A Participant will not withdraw from this MoU until the following process has been exhausted:

- 13.1.1 If there is a Dispute between the Participants concerning this MoU, either Participant may give written notice of the Dispute to the other party which will state that it is a notice under this Paragraph and will specify the details of the Dispute concerned.
- 13.1.2 The relevant Participant's Representatives will endeavour in good faith to agree upon a resolution of the Dispute.
- 13.1.3 Should Participant's Representatives fail to reach a solution within 14 business days (or a time frame agreed between the Participants), the Dispute will be taken to Senior or Executive Management representatives of each of the Participants.
- 13.1.4 Senior or Executive Management of the Participants will endeavour in good faith to agree upon a resolution of the Dispute.
- 13.1.5 Should Senior or Executive management representatives fail to resolve the Dispute within 10 business days (or other time frame agreed by the Participants) the Dispute will be taken to:

- (i) the Secretary of the Department of Industry, Science and Resources; and

(ii) the Chief Executive Officer of Standards Australia.

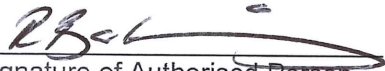
10.2 Disputes will not be referred to any third party or tribunal for adjudication or arbitration.

Signing Page

Executed as a Memorandum.

EXECUTED by STANDARDS AUSTRALIA LIMITED

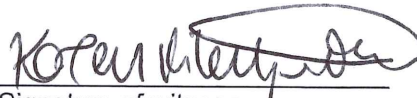
Signed by


Signature of Authorised Person

RODNEY BALDWIN
Name of Authorised Person

CEO
Position of Authorised Person

Signed


Signature of witness

KAREN RILEY-TAKOS
Name of witness

SIGNED for and on behalf of the Commonwealth of Australia as represented by the Department of Industry, Science and Resources

Signed by


Signature of delegate

Mr Robert Jeremenko

Name of delegate

Deputy Secretary

Position of delegate

Signed


Signature of witness

JOANNE CROFT
Name of witness