

Chapter 5

Private Standards as Delegated Legislation

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In its 2014 Annual Report, Standards Australia reported that there have been over 6888 Australian Standards developed since their inception in 1922.¹ Australian Standards² cover an incredibly wide range of products, services and systems: from engineering and IT, health and consumer safety, to business and organisational services and risk management. They are used, adopted or developed in conjunction with a wide variety of Australian government agencies and inter-government bodies.³ In 2006 it was estimated that over 1000 Australian Standards are referenced in legislation, with approximately 380 direct references in Commonwealth legislation.⁴ Standards Australia considers approximately 2400 of its standards to be mandatory, with compliance being legally required.⁵

- 1 Standards Australia, *Annual Review 2014*, <<http://www.standards.org.au/OurOrganisation/AboutUs/Pages/Governance-and-Reports.aspx>>, 2. The figure includes Australian Standards developed by accredited standards organisations: Australian Forestry Standards Limited; Communications Alliance; Fisheries Research and Development Corporation; Rail Industry Safety and Standards Board; and Pharmacy Guild of Australia (see *ibid*, 11).
- 2 Standards Australia describes its standards as ‘published documents setting out specifications and procedures designed to ensure products, services and systems are safe, reliable and consistently perform the way they were intended to. They establish a common language which defines quality and safety criteria’: Standards Australia, *What is a Standard*, <http://www.standards.org.au/StandardsDevelopment/What_is_a_Standard/Pages/default.aspx>.
- 3 Productivity Commission, *Standard Setting and Laboratory Accreditation, Research Report* (Canberra, 2006) xviii.
- 4 Which does not include the various codes or other instruments which also incorporate Australian Standards indirectly such as the National Construction Code of Australia and the Food Standards Code. See Standards Australia, *Standards and the Law*, <http://www.standards.org.au/StandardsDevelopment/What_is_a_Standard/Pages/Standards-and-the-Law.aspx>.
- 5 See Standards Australia, *Development Phases*, <http://www.standards.org.au/StandardsDevelopment/Developing_Standards/Pages/Development-phases.aspx>.

This is a preview. Not all pages are shown.