

ACCP Workshop

Key Themes and Takeaways

Agenda

1. Objectives, Purpose, Principles
2. Australian Competition & Consumer Commission
3. Canada's Consumer Protection System Evolution
4. UNCTAD; UN Guidelines and Perspectives
5. Existing Practices in Vietnam
6. Existing Practices in Indonesia
7. Australian Perspective: Legal + Other Requirements
8. Q&A Takeaways





Importance of the Task

ASEAN one of the centres of world economic growth and also situated for robust post-COVID19 recovery, a rapidly growing consumer base and increasingly complex markets

Need for harmonized and unified consumer protection regulations

Most ASEAN states still do not have framework or requirements in place and are at various stages of development

Better data will produce win-wins

ASEAN is well-positioned to lead and it is a timely initiative



Objectives

- 1) Identify objectives of Product Incident Reporting System
- 2) Main considerations in developing a Product Incident Reporting System (PIRS)
- 3) Best practices from other jurisdiction
- 4) Understanding the means to develop a PIRS
- 5) Legal and other requirements
- 6) Approaches to incident report on specific consumer products – case studies; and
- 7) Developing an Action Plan for what the future will look like in the Product Incident Reporting System



ACCC Reporting System Overview

Injury reporting mandatory by suppliers when made aware of an injury or death; group reporting along supply chain is permitted

Injury must come from a consumer good or via service related to good

Reports are used alongside policy priorities, such as child safety

Incentives for reporting necessary: underreporting an ongoing challenge

Using intelligence for variety of purposes such as product recall, further investigation, policy development, or public information campaigns



Perspective from Australia

Without central database like NEISS, process is more fragmented and requires numerous sources

Evolving sets of priorities

Australia's reporting system is relatively new, sits in the centre of a scale on reporting requirements

2865 reports per year: large firms overreport and small firms underreport; over half of reports are referred to food regulators

Reporting gap: around 3,000 of 52,000 known product related injuries



Canada

Canadian system is heavily decentralized with injury responsibilities often passed to provinces

Product related injury further decentralized among agencies

Industry must report under Canada Consumer Product Safety Act (CCPSA)

Similar ongoing challenges

Benefits of Canada Hospital Injury Reporting System CHIRPP (like NEISS)



Vietnam

Guidelines for business recall program (9 step program)

Benefits of such programs: products have a quality guarantees, consumers are guaranteed rights, communities benefit, policymakers benefit, business reputations and competitive advantage improve as well

Common challenges: definition of commodity subject to recall, lack of monitoring resources, enterprise initiative, early warning, investigation, detection



UNCTAD

Network the networks; existing developments and need to collaborate; leverage existing opportunity

Need for common rules and standards, definitions, placing ASEAN in a good position to lead

Need to communicate and encourage participation, a great challenge is consensus building and motivation



Indonesia

Experiences in product quality enforcement and injury reporting

Various types of supervisions; periodic, special, integrated, border area

References 10 Laws

Requires internal and external coordination

Positive results for compliance, penalties including criminal charges for non compliance

Key Takeaways

ASEAN is well positioned for this and it is a timely initiative: **networking the networks**

Clear definitions about injuries and what qualifies; potential for numerous overlapping jurisdiction; need to delineate and prioritize with this in mind

Reporting methods + capacity building, staff training, teaching and incentivizing industry + consumer participation (reports \neq liability, reports = confidential), report design trade offs, using data gathered effectively in policy and advocacy

Challenges are various but shared by many states and supranational groups

Entrepreneurial approach required in terms of engaging various groups for information

Consumer Reporting on Product Injury brings significant benefits to all stakeholders

Questions?

bfox@greentechasia.com

