

**Australian Capital Territory
Environment Protection Act 1997**

**Accreditation of a Code of Practice
Explanatory Statement**

INSTRUMENT NO. 114 OF 1999

Subsection 31 (1) of the *Environment Protection Act 1997* (the Act) provides that the Minister may accredit a code of practice that sets out ways of achieving compliance with the general environmental duty under the Act, when some or all of the activities of a particular industry are likely to cause environmental harm.

This instrument accredits the ACT Firewood Industry Code of Practice (the Code of Practice).

Under Section 33 of the Act, compliance with the Code of Practice will be taken to be compliance with the general environmental duty in respect of the matters covered by this Code.

Part II, Division 2 of the Environment Protection Regulations sets Emissions Standards for pollutants emitted through a chimney. In particular Regulation 14 stipulates that a person shall not light, use or maintain a fire inside a building unless the person takes such steps as are practicable and reasonable to prevent or minimise the environmental harm caused, or likely to be caused, by the emission of pollutants into the air from the fire. Division 3 of the Regulations details the prohibition of burning of certain substances.

The ACT Firewood Code of Practice has been developed for the sale and use of firewood and firewood heaters in the ACT. The Code of Practice will promote fair trading practices, detail correct burning techniques and provide the consumer with the necessary information to make an educated decision when buying firewood or a firewood heater in the ACT.

The specific objects of this Code of Practice are to:

- promote sustainability by utilising wood from various sources.
- minimise environmental harm which may be caused to habitat by the harvesting of hardwoods for firewood. This is to be achieved through the promotion of mixed fuel wood loads sourced increasingly from plantations.
- minimise environmental harm which may be caused by the incorrect burning of firewood for home heating.
- provide consumer protection to purchasers of firewood and enable them to make informed choices about the type of firewood that they buy.

Firewood merchants and retailers of solid fuel burning appliances who commit themselves to the Code of Practice will be permitted to use a logo which signifies that they have committed themselves to conducting their business in accordance with the ACT Firewood Industry Code of Practice (Attachment 1). Industry compliance with the code of practice is voluntary.

Subsection 32 (2) of the Act requires that the Minister shall not accredit a code of practice unless satisfied that the code of practice has been prepared in consultation with the relevant industry and the public. This Code of Practice was prepared by the ACT Firewood Strategy Working Group in conjunction with Environment ACT. Public comment on the draft Code of Practice was invited but no comments were received.

Circulated by authority of
Brendan Smyth MLA
Minister for Urban Services.