



Consultations
Energy Safe Victoria
PO Box 262
Collins Street West, Victoria 8007

Via email: consultation@energysafe.vic.gov.au

Dear Consultations Team,

Re: Electrical safety requirements for lithium-ion battery powered e-transport devices

eBay Australia welcomes the opportunity to provide a submission to the review of electrical safety requirements for lithium-ion battery powered e-transport devices.

As Energy Safe Victoria would be aware, eBay is one of Australia's largest pure third party online marketplaces. While eBay does not stock, ship, sell or supply items listed on our marketplace we invest in technology, people and resources to enable and ensure transactions between buyers and sellers can shop and sell safely online.

We recognise the particular safety risks lithium-ion battery-powered devices can present and welcome steps to improve safety through the introduction of clear, consistent and harmonised standards to address those risks.

Although we appreciate the drivers behind Energy Safe Victoria bringing forward these proposed reforms, we believe the current proposal to declare e-transport devices "controlled electrical equipment" under section 55 of the Electricity Safety Act 1998 would be a significant misstep and counter productive to achieving a consistent and harmonised safety framework for these items.

As noted in the consultation paper, under Victoria's *Electricity Safety Act 1998* (Vic) and the *Electricity Safety (Equipment Safety Scheme) Regulations 2019*, the effect of a declaration of e-transport devices as controlled equipment would require those devices to comply with AS/NZS 3820:2009 prior to supply. That standard allows for two pathways for compliance:

- Compliance with the "relevant standard" – an Australian or joint Australia/New Zealand standard, or, if none exists, an IEC international standard
- A "technical construction file" – documentation specified by AS/NZS 3820 to demonstrate safety through design and construction evidence.

While this provides a level of flexibility for suppliers, as noted in the Paper, “*EN and UL standards cannot be called up under the Victorian legislation as they do not meet the definition of “relevant standard”*”.

This distinguishes the Victorian Framework from NSW which has the capacity to recognise these standards for e-micromobility devices.

This creates a significant regulatory barrier for imported products and international manufacturers that already comply with standards such as:

- **EN 15194 / EN 17128 (EU)** – covering e-bikes and personal light electric vehicles.
- **UL 2849 / UL 2272 (US)** – covering e-bikes and hoverboards, focusing on battery and charging safety.

While the limitation is acknowledged in the consultation paper, no suggestion is made by Energy Safe Victoria to pursue legislative changes which would allow these standards to be recognised. Although we note work being undertaken at a national level to bring standards such as UL 2849 under AS/NZS 3820, it is not currently a “relevant standard” so does not apply in Victoria.

We believe prior to any declaration being made on e transport devices, the policy problem to be solved is to reform the *Electricity Safety Act 1998* (Vic) to enable international electrical safety standards — including IEC, EN, and UL standards — to be recognised where these provide equivalent or higher safety outcomes.

Doing so would significantly assist in communicating, monitoring and driving compliance with safety requirements of these devices both in Victoria and across Australia.

We thank you for the opportunity to respond. If you have any further questions in relation to our submission please feel free to contact the writer via [REDACTED]

Yours sincerely,

[REDACTED]
[REDACTED]
**Director, Government Relations and Public Policy
eBay Australia and New Zealand**