

Compliance with the Australian Government's RIS Requirements, 2014-15 to 2019-20

Over the period 2014-15 to 2019-20, 253 proposals required a standard or long form RIS.

RIS Compliance, by year, 2014-15 to 2019-20

Year	Best Practice RISs		Independent Reviews	Prime Minister's Exemptions	Total
	(No.)	(%)			
2014-15	38/48	(79)	6		54
2015-16	37/49	(76)	9		58
2016-17	26/35	(74)	12	1	48
2017-18	22/28	(79)	10	1	38
2018-19	11/16	(69)	9	1	26
2019-20	5/16	(31)	12	1	29
Total	139/192	(72)	58	4	253

In 2019-20, three Australian Government policy changes were not supported by an adequate RIS, the first time any measure has failed the RIA settings since the Government was elected in 2013:

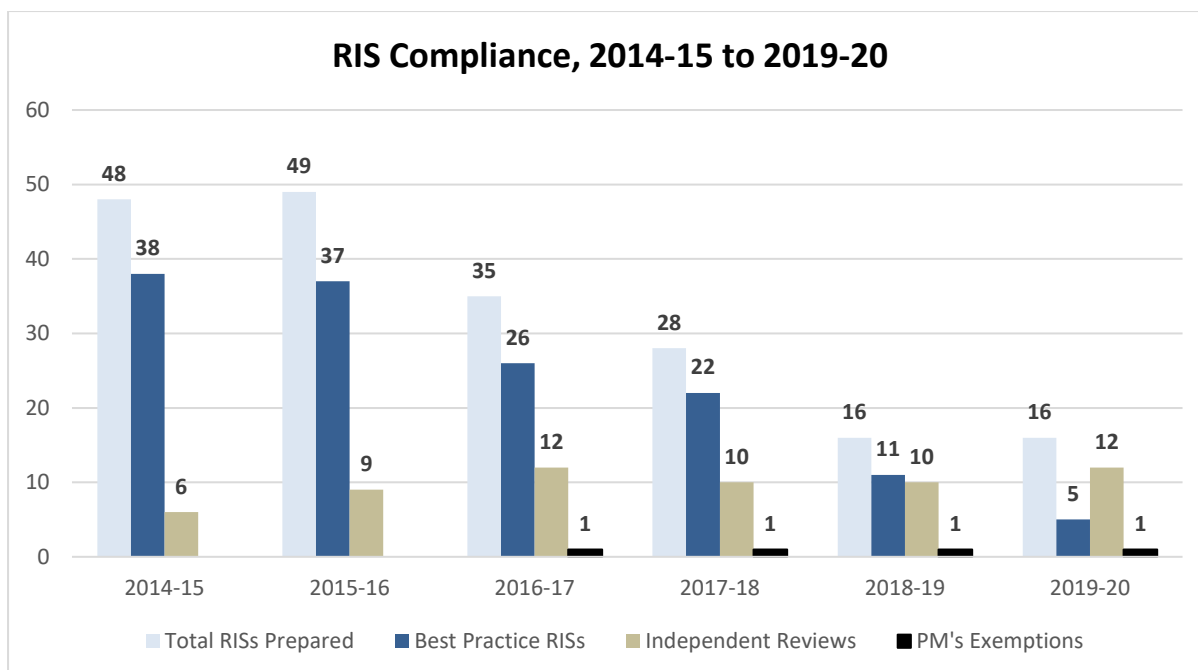
- In the Health portfolio, a RIS was not finalised to support the 7th Community Pharmacy Agreement, despite the complexity of the proposal and impacts.
- In the Treasury portfolio, RISs were not produced prior to the decisions to remove stamping fee exemptions for listed investment companies and trusts, and change requirements for litigation funders.

Agencies may comply with the RIS requirements in three ways:

- preparing and submitting a Regulation Impact Statement (RIS) to the OBPR for assessment;
- self-certifying the quality of analysis from an independent review or equivalent RIS-like process; or
- seeking an exemption from the RIS requirements from the Prime Minister.

Agencies prepared and submitted 192 RISs for formal assessment over the reporting period. The OBPR assessed the quality of analysis in 139 RISs as being consistent with best practice.

Agencies self-certified analysis from an independent review or RIS-like process in 58 cases. The OBPR does not assess the quality of analysis in such cases.



Prime Minister's exemptions were granted on four occasions over the reporting period.

Proposals exempted by the Prime Minister included:

- measures in response to the COVID-19 global pandemic;
- the Sugar Industry Code of Conduct;
- the phase-out of older vessels used in the live sheep export trade; and
- measures to address abhorrent violent material being accessed within Australia.

In accordance with the Government's post-implementation review (PIR) requirements, the impacts of each proposal is required to be assessed within two years of its introduction.

Examples of major proposals where the RIS was considered not consistent with best practice include:

- First Home Loan Deposit Scheme (Treasury) (introduced 12 September 2019);
- Default Market Offer Price Cap and Reference Bill on Retail Electricity Prices (Environment and Energy) (legislation tabled 4 April 2019);
- Dairy Industry (Farmer-Processor Transactions) Code of Conduct (Agriculture and Water Resources) (introduced 15 March 2019);
- Stronger Rural Health Strategy (Health) (tabled 11 March 2019);
- Prohibiting Energy Market Misconduct (Treasury) (tabled 5 December 2018);
- Private Health Insurance Reforms (Health) (tabled 28 March 2018);
- Banking Executive Accountability Regime (Treasury) (tabled 19 October 2017);
- Major Bank Levy (Treasury) (tabled 30 May 2017);
- Superannuation Reforms (Treasury) (tabled 9 November 2016);
- VET Fee HELP Redesign (Education) (tabled 13 October 2016);
- Working Holiday Maker Reforms (Treasury) (tabled 12 October 2016).