



**Australian Government**

**Department of the Prime Minister and Cabinet**  
Office of Best Practice Regulation

# Best Practice Regulation Report

2013-14

**Best Practice  
Regulation Report**  
2013-14

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## Abbreviations

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AASB	Australian Accounting Standards Board
ACNC	Australian Charities and Not-for-profits Commission
ADI	Authorised Deposit-taking Institution
AO	Order of Australia
ASEAN	Association of Southeast Asian Nations
ASIC	Australian Securities and Investments Commission
AUSTRAC	Australian Transaction Reports and Analysis Centre
BCC	Business Cost Calculator
CEO	Chief Executive Officer
COAG	Council of Australian Governments
COAG Guide	<i>COAG Best Practice Regulation: A Guide for Ministerial Councils and National Standard Setting Bodies</i>
E/c	Exceptional circumstances
ESS	Employee Share Schemes
FOFA	Future of Financial Advice
KAFTA	Korea-Australia Free Trade Agreement
N/a	Not applicable
NBN	National Broadband Network
NOPSEMA	National Offshore Petroleum Safety and Environmental Management Authority
NSSB	National standard-setting body
OBPR	Office of Best Practice Regulation
OECD	Organisation for Economic Co-operation and Development
PIR	Post-implementation Review
PSM	Public Service Medal
R&D	Research and Development
RBM	Regulatory Burden Measure
RIA	Regulatory Impact Analysis
RIS	Regulation Impact Statement
TFN	Tax File Number
The Guide	<i>Australian Government Guide to Regulation</i>
Treasury	Department of The Treasury



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## Foreword

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The Office of Best Practice Regulation (OBPR) reports annually on compliance with the Australian Government and the Council of Australian Governments (COAG) best practice regulation requirements.

The OBPR is a division in the Department of the Prime Minister and Cabinet. The OBPR maintains day-to-day independence from government in its regulatory decision making.

This report is prepared by the staff of the OBPR in cooperation with relevant agencies, authorised by the Executive Director of the OBPR and presented to the Government as a final report. The transparency associated with the publication of this report is an important element of best practice regulation for both the Australian Government and COAG.

The year was challenging. The key theme, or constant, has been change. During 2013-14 four different Australian Government regulation impact statement (RIS) systems applied. The OBPR moved to the Department of the Prime Minister and Cabinet; deregulation units, headed by Senior Executive Service Officers were established in each portfolio; and COAG Ministerial Councils were substantially reorganised.

The change in Australian Government RIS processes changed the nature of work in the OBPR with a greater focus on regulatory costings. With the impact on individuals now included in the RIS system and all Cabinet submissions requiring a RIS, the volume of work increased substantially.

The OBPR set itself the goal of being a best practice regulator and has sought to use a wider range of tools to implement the RIS system. These are discussed in more detail in the report.

I would like to thank all those across the Australian Public Service and COAG Ministerial Councils who contributed to RIS work in 2013-14. A number deserve particular recognition. First, the new Deregulation Units, whose staff have shown remarkable leadership in starting a cultural change to improve regulatory analysis. Second, our new colleagues in the Department of the Prime Minister and Cabinet, who have been both welcoming and willing to work together to implement the new RIS system. Third, our sister division, the Office of Deregulation, who were great partners in implementing these changes. Finally, the team in the OBPR, who showed resilience and maintained their professional approach in the face of considerable challenges.

**Jason McNamara**  
**Executive Director**

**Office of Best Practice Regulation**  
**January 2015**





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# 1. Best Practice Regulation

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The Office of Best Practice Regulation (OBPR) administers the Australian Government and Council of Australian Governments (COAG) best practice regulation requirements. It has a dual role of assisting departments and agencies to meet the requirements and improving the quality of regulatory analysis, and in monitoring and reporting on compliance with the requirements.

In assessing the quality of the regulatory impact analysis (RIA), the OBPR does not endorse or support particular regulatory options or outcomes. Rather, its role is to assess whether good regulatory policy development has been followed, in accordance with the processes and requirements outlined in the *Australian Government Guide to Regulation* (the Guide) or in the *COAG Best Practice Regulation: A Guide for Ministerial Councils and National Standard Setting Bodies* (COAG Guide).

In facilitating government decision-making processes, the OBPR assists departments and agencies to ensure that all regulatory decisions are supported by an appropriate level of impact analysis. Compliance with individual proposals is reported on the OBPR website ([ris.dpmc.gov.au](http://ris.dpmc.gov.au)) as soon as practicable after decisions are announced. Current and previous financial year summaries of compliance are also published online.

Regulatory activity triggering the regulation impact statement (RIS) requirements was lower in 2013-14, compared to 2012-13, for both the Australian Government and COAG RIS requirements. Compliance with the Australian Government RIS system at the decision making stage increased in 2013-14 compared to the previous year with one instance of non-compliance. For the COAG RIS requirements, compliance has increased in 2013-14 with a single instance of non-compliance at the decision-making stage, compared to two in the previous year.

## 1.1 Evolving Australian Government RIS process

There has been considerable change to the RIS process in 2013-14 with the OBPR administering four different RIS systems at various stages of the year. The main attributes of each RIS process are listed in Table 1.1.

In July 2013, the then Government introduced a system which incorporated a two-stage RIS process. A transition period allowed agencies nearing the completion of the RIS process under the previous arrangements (the June 2010 process) to finalise the RIS and have it assessed under this previous process.

RIS arrangements were again changed immediately following the election of the current Government in September 2013. These changes applied on an interim basis until they were replaced with the current RIS arrangements in March 2014 with the publication of the Guide.

Table 1.1: Main attributes of the RIS arrangements which have applied in 2013-14

RIS process	Main attributes
June 2010	<p>Single stage RIS</p> <p>OBPR gatekeeper - non-compliant RISs prevented from proceeding to the decision maker</p>
July 2013	<p>Two-stage RIS process (Options stage and Details stage)</p> <p>Non-compliant RIS can proceed to decision maker after being assessed by OBPR</p> <p>Independent reviews can be used in lieu of a RIS</p> <p>Prime Minister's exemptions only available for defined criteria</p>
September 2013 Interim arrangements	<p>RIS is required for every Cabinet Submission</p> <p>Regulatory costs must be quantified for all regulatory proposals and offsetting regulatory costs must be identified</p> <p>Individuals brought into the scope of the RIS requirements</p>
March 2014	<p>Evolving RIS which can be submitted to the OBPR for formal assessment at two points in the RIS's development - an early and final assessment</p> <p>Option with the highest net benefit should be recommended</p> <p>Post-implementation review required for proposals which have a substantial and widespread impact on the economy</p>

### July 2013 RIS Process

The July 2013 RIS process introduced a two-stage RIS process. This reflected a key recommendation of the *Independent Review of the Australian Government's Regulatory Impact Analysis Process*<sup>1</sup> conducted by David Borthwick AO PSM and Robert Milliner. The two-stage approach aimed to provide a more effective consultation when options for implementation were being considered. This approach was a reflection of the key frustration that business and community organisations had with inadequate consultation processes under the June 2010 RIS system.

The July 2013 RIS process comprised an 'options-stage' RIS to consider the problem, the objective and the options; and a 'details-stage' RIS to present to the decision maker following consultation. This latter RIS combined the options-stage RIS with four further elements: impact analysis, consultation, conclusion/recommendation and implementation/review. OBPR's role was to assess the adequacy of the details-stage RIS.

Feedback received during the Borthwick and Milliner Review indicated a level of concern with the OBPR's role which could effectively block a proposal being considered by the decision maker if the RIS as assessed by the OBPR was not adequate. In response, accountability and ongoing responsibility for the quality of the RIS was in part transferred to departments and agencies in the July 2013 RIS process. The agency was required to certify at the Secretary or Deputy Secretary (or equivalent) level that the RIS requirements had been met. Following the subsequent assessment of the details-stage RIS by the OBPR, proposals with RISs assessed as non-compliant were no longer prevented from consideration by the decision maker.

<sup>1</sup> Borthwick, D & Milliner R, 2012, *Independent Review of the Australian Government's Regulatory Impact Analysis Process*, [https://pmc.gov.au/deregulation/obpr/riar/riareview\\_final\\_gov\\_response.cfm](https://pmc.gov.au/deregulation/obpr/riar/riareview_final_gov_response.cfm) (accessed 16 January 2015).

The shift in accountability was also reflected in the options stage of this RIS process. Stakeholders expressed concern that the OBPR's focus on policy options was inappropriately drawing it into the policy deliberation process. Agencies were therefore given responsibility for the quality of the options-stage RIS as well as the options contained in it by certifying the final version of the RIS prior to its consideration by the decision maker. The OBPR played no role in assessing the quality of the options-stage RIS or the options contained within, except to ensure a minimum number and type of options were explored.

Transparency played a pivotal role in reinforcing the shift in accountability to agencies under the July 2013 RIS process. Certification letters were published on the OBPR website along with the associated RIS/independent review that was considered by the decision maker.

The Borthwick and Milliner Review noted the increasing trend of policy processes being granted a Prime Minister's exemption from the RIS requirements, and that this may have had more to do with it being expedient to decisions the Government wanted to make. In response, criteria were introduced for when a Prime Minister's exemption could be sought. In addition, accountability for these exemptions was embedded with the OBPR transparently outlining the specific criteria that applied in granting the exemption.

## Interim Arrangements

Following the election in September 2013, the new Government began implementing one of its main election commitments - a deregulation agenda. The aim of the Government's deregulation agenda is to enable a more productive economy by reducing regulatory burden. The key objective of the deregulation agenda is to reduce Commonwealth red tape burden by \$1 billion a year. Supporting this objective were a number of initiatives including a more rigorous assessment of regulatory impacts; a comprehensive audit of the existing stock of regulatory activities of portfolios and the regulatory costs they impose; setting aside two Parliamentary sitting days per year dedicated to repealing unnecessary regulation; and the establishment of Ministerial Advisory Councils to advise the Government on its deregulation agenda.

As part of the Government's deregulation agenda the OBPR was transferred to the Department of the Prime Minister and Cabinet. Increasing the rigour of RIA involved a number of immediate changes to the RIS process. Firstly, the regulatory impacts on individuals were explicitly brought into the scope of the RIS requirements. Secondly, RISs were required for all Cabinet Submissions. Thirdly, quantification of regulatory costs to businesses, community organisations and individuals associated with an increase or decrease in regulation was required. Offsetting regulatory savings needed to be identified for proposals with a net regulatory cost. The interim RIS arrangements continued the two-stage (options-stage and details-stage) RIS approach that was introduced in July 2013.

## March 2014 RIS process

The RIS arrangements introduced on an interim basis following the election were largely formalised in the *Australian Government Guide to Regulation*, the current RIS process.

In keeping with the Government's focus on reducing regulatory burden, the RIS process reintroduced a net benefit test to guide decision makers. Moreover, the Government highlights that regulation should not be the default option. Policy makers are tasked with examining a range of options in a RIS, including a non-regulatory option, and the option with the highest net benefit must be the recommended option - even if this means not regulating.

Rather than a two-stage RIS process with two distinct RISs, the current RIS process involves an evolving RIS which must commence early in the policy making process. The development of the RIS evolves with the key decision making points in the policy's development. The OBPR can provide an early assessment and a final assessment of the RIS. It is best practice that the RIS is subject to an early assessment once the first four RIS questions have been completed (relating to the problem, objective, options and the likely net benefit of each option) and the consultation process

has been planned. Following consultation, the RIS is further developed so that all RIS questions are addressed. Prior to a final policy decision on a matter, the RIS must have been through a final assessment by the OBPR including agreement on regulatory compliance costs and offsets.

Policy makers have the ability to prepare a 'Short Form RIS'<sup>2</sup> for matters that are non-regulatory, minor or machinery in nature, or where the policy is a matter of national security, public safety, natural disaster or other pressing event. Short Form RISs, which are only available for matters to be considered by Cabinet, are abbreviated forms of RISs providing an overview of the proposed policy, the options considered and the likely impacts. Regulatory costs and offsets must be quantified and agreed by the OBPR and included in the RIS. In order to preserve the restrictions associated with revealing Cabinet deliberations, there is no requirement that Short Form RISs must be published.

The RIS process for non-Cabinet regulatory decision making is relatively unchanged under the current system. A RIS is only required if the impact is likely to be measurable, however the scope for this impact has been broadened to include individuals. As with all other policy proposals, regulatory costs and offsets must be quantified and agreed with the OBPR.

While COAG RIS arrangements have not changed, lead Commonwealth agencies are now required to quantify and offset the net impact of national reforms that result in a change to Commonwealth legislation or practices, or are a result of direct Commonwealth incentives or conditions. The proportion of these costs that the Commonwealth lead agency is required to quantify and offset is based on the level of Commonwealth control over the governance or regulatory arrangements. As such, the exact portion of burden is determined on a case by case basis.

PIR arrangements have changed under the current process. A PIR must now be completed within two years of the regulations being implemented for proposals subject to a non-compliant RIS or a Prime Minister's exemption. Previously, the requirement was for agencies to have started the PIR within one to two years of the regulation's implementation. The OBPR has provided transitional arrangements for those PIRs that have been most impacted by the change in requirements.

PIRs are now also required for proposals which have a substantial or widespread impact on the economy. Generally, these are proposals subject to a Long Form RIS. A PIR for these proposals must be completed within five years of implementation.

### Evolving role of the OBPR

Implementing the deregulation agenda involved a further shift in responsibility and accountability from the RIS process that commenced in July 2013. This is demonstrated by an agency's ability to choose which type of RIS and consultation method to undertake and when to have the RIS assessed by the OBPR. Responsibility for these decisions rests with the relevant department. Consequently the OBPR, in striving to promote best practice in the policy development process, has changed its approach to facilitating the RIS system. This entails more of a coaching role than the traditional gatekeeper role that the OBPR has previously fulfilled. The OBPR no longer focusses advice on what agencies need to do to be compliant with the RIS process, rather it assesses best practice with reference to the ten principles for Australian Government policy makers and the seven RIS questions. The previous focus on compliance had the perverse incentive that some agencies would do just enough to ensure that a RIS was compliant rather than strive for a more superior and informative RIS.

The OBPR encourages agencies to produce the best RIS possible by providing advice on matters such as what is the appropriate RIS type and consultation method for a particular policy proposal, and when to have the RIS assessed.

<sup>2</sup> Under the March 2014 RIS system, there are three categories of RIS - Short Form, Standard Form and Long Form. A full description of each of these categories is contained in the *Australian Government Guide to Regulation*.

The OBPR publishes information on its assessment of best practice, which may highlight areas of concern with a RIS or the process followed in its preparation. Ultimately, the OBPR can still make a determination of non-compliance if departures from best practice are serious enough.

Deregulation Units, headed by senior departmental officials, have been established in each portfolio. The Deregulation Units are supporting the shift in responsibility in the RIS process as they have been tasked with driving reductions in red tape and are the first point of contact for regulatory-related proposals initiated by a portfolio. The introduction of the Deregulation Units has also facilitated the OBPR's task of highlighting the importance of the RIS process. The Units are better placed to communicate this to the relevant policy developing areas. With a senior departmental official heading these units, the messages are delivered with a greater sense of authority within portfolios.

Notwithstanding the shift in responsibility in the RIS process, the OBPR's outputs have expanded, despite a reduction in resources in line with the wider public service. Since the election, the OBPR is processing significantly more preliminary assessments per month. The reason for the increase in preliminary assessments is two-fold. Firstly, all proposals considered by Cabinet now require a RIS (including regulatory burden costings), and secondly, the scope of the RIS requirements has been broadened to include the impacts on individuals.

A large focus of the Government's deregulation agenda is the commitment to reduce red tape by \$1 billion a year. For the purpose of calculating the overall red tape reduction, it is a requirement that the regulatory costs associated with a RIS are quantified and that these, along with any offsetting regulatory savings, are agreed by the OBPR prior to consideration by the decision maker. Departments and agencies are responsible for quantifying the regulatory costs and offsets, and in agreeing to the costings, the OBPR is effectively quality assuring them.

OBPR agreement is not required for regulatory costings outside the RIS process. These are generally non-Cabinet decision maker proposals which are non-regulatory, or have a minor or machinery impact on businesses, community organisations or individuals. In these circumstances, departments and agencies are responsible for self-assessing the regulatory costs and reporting these directly to the Office of Deregulation in the Department of the Prime Minister and Cabinet.

The OBPR has produced an extensive range of guidance notes detailing the application of the RIS process. It has also spent considerable time educating portfolios on the new regulatory costing process.

The OBPR has redeveloped the Business Cost Calculator (BCC) to more precisely measure burden under the Regulatory Burden Measurement framework. The new costing tool software is the Regulatory Burden Measure (RBM) <https://rbm.obpr.gov.au>.

Reporting on compliance with the RIS requirements has evolved over the four processes that existed during the year. Firstly, for the legacy RISs assessed under the June 2010 system, the OBPR simply reported on its assessment of whether the RISs were adequate. With the introduction of the two-stage RIS process in July 2013, the OBPR reported on the agency's compliance with the RIS requirements at the details-stage. Agencies self-assessed their compliance with the options-stage requirements in the detail-stage RIS, and this assessment was subsequently reported by the OBPR.

Reporting on the Government's interim RIS process, which applied between September 2013 and March 2014, largely reflected the July 2013 process.

Under the current RIS process, the OBPR reports on whether the RIS is compliant with the RIS requirements and whether it is consistent with best practice. Serious departures from best practice can lead to a finding of non-compliance and a requirement to complete a PIR within two years.

Compliance with the various reporting arrangements is detailed in subsequent chapters of this report.

## 1.2 Engagement

### Stakeholder engagement

The OBPR's interaction with departments and agencies has increased considerably to help embed the new RIS system in their organisations. OBPR participates in regular senior executive level reference group meetings on deregulation, as well as officer level deregulation community of practice meetings. Both forums allow the OBPR to provide advice on various costing and RIS-related processes.

Deregulation Units, for their part, have been an important conduit for raising the profile of regulatory analysis in their portfolios. Most have been actively promoting cultural change within their departments through a range of means including delivering deregulation-themed training and developing portfolio-specific information on RIA for their intranets.

The OBPR continued to provide initial advice letters to departments and agencies during the year. The letters, which were first introduced in 2012-13, provide advice on what the OBPR considers to be the appropriate RIS type and consultation method for each new regulatory proposal, and guide the agency in understanding what would be best practice for their RIS process. Under the current RIS system, more weight is placed on the advice contained in these letters now that departments and agencies are responsible for the decisions they make on the type of RIS undertaken and the consultation method.

Throughout the year, the OBPR has also been engaged with a range of stakeholders, including industry groups and community organisations. These meetings have raised stakeholders' understanding of the RIS process. They have also given the OBPR a better understanding of issues that are affecting these stakeholders from their perspective, providing an important balance to information provided by agencies in their RISs.

Another strategy the OBPR uses to engage with stakeholders is its monthly e-newsletter, which is distributed to a number of peak bodies representing various business and community organisations. The e-newsletter helps peak bodies keep abreast of RIA developments, focusses on recent RIS issues and provides updates on OBPR activities. Requests to be added to the distribution list can be sent to [helpdesk-OBPR@pmc.gov.au](mailto:helpdesk-OBPR@pmc.gov.au).

An important role of the OBPR is to ensure transparency in the RIS process for stakeholders. The OBPR reports on compliance with Australian Government and COAG RIS requirements on its website (<http://ris.dpmc.gov.au/>) as soon as practicable after the decision is announced. Information on compliance with the PIR requirements are updated and published on the website on a quarterly basis.

The OBPR (@OBPRGov) can also be followed on Twitter at: <https://www.twitter.com/OBPRGov>. OBPR uses Twitter to complement the compliance information on its website, and to draw attention to general information on RIS processes, relevant academic work or articles, and regulatory policy developments in other countries.

### Outpostings

At the request of departments and agencies, the OBPR provides outposted officers (on a cost offsetting basis) to assist agencies in the preparation of RISs and post-implementation reviews (PIRs). The initiative covers Australian Government and COAG RIS requirements. Agencies utilise a variety of approaches when engaging an OBPR outposted officer. These range from assistance in providing overarching guidance about the RIS requirements to more technical support, including on cost-benefit analysis. The RIS or PIR remains the responsibility of the agency under the outposting initiative. To avoid any conflict of interest, outposted officers are not involved in the assessment of compliance of the RIS/PIR that they have been involved with.

In 2013-14, OBPR staff were seconded to work at the Departments of Industry, Innovation, Climate Change, Science, Research and Tertiary Education; Environment; Defence; Communications; and Immigration and Border Protection. These secondments assisted in the development of RISs for energy efficiency proposals, the repeal of the Carbon Tax, 'one stop shop' for environmental approvals; management arrangements for Woomera Prohibited Area; and the emissions reduction fund. The secondments also provided general advice on RIS matters and costing methodology.

## Training

One of the core functions of the OBPR is to provide training to policy makers on the RIS process. The OBPR's face-to-face training takes several forms: general and more comprehensive seminars for officers in agencies; group training focused on specific agencies; and one-on-one advice during the development of regulatory proposals such as the preparation of a RIS or the quantification of regulatory costs.

The comprehensive seminars, which are held quarterly, cover all aspects of RIA, including training on preparing a RIS, undertaking cost-benefit analysis, and using the BCC/RBM.

In 2013-14, RIS training was provided to around 520 Commonwealth, State and Territory officers from a number of departments and agencies. Of these, 80 officers also received training in cost-benefit analysis and use of the BCC. The numbers trained were considerably higher than the previous year (199 officers in 2012-13). This is a reflection of the multiple RIS processes operating at various stages of the year, and in anticipation of the new RIS arrangements prior to the publication of the Guide and the associated guidance material.

## International Engagement

Australia enjoys a strong international reputation in RIA. As a result, officials from foreign governments continue to express interest in sharing in Australia's experiences in RIA. This is highlighted by the frequent foreign government requests for the OBPR to travel to their countries to provide training or seminars on RIA. These requests are fulfilled by the OBPR on a cost-neutral basis. In 2013-14 OBPR officials travelled to:

- Thailand to present on the topic of "The importance of good regulatory practice" at an East Asian Summit Regulatory Roundtable;
- Taiwan to present on the Australian Government RIA system at the "Conference on Regulatory Impact Analysis";
- Malaysia as part of an OECD mission to provide mentoring and training to senior Malaysian officials; and
- New Zealand to present on the Australian Government RIA system at an ASEAN workshop on "Enhancing Domestic Regulation".

In 2013-14, the OBPR received a number of requests to meet with delegations of officials or representatives from other national governments including:

- a study tour from Laos of 14 officials (from six government agencies) who were visiting Australia to learn more about RIA;
- a delegation of 14 officials from the Legislative Affairs Office of the People's Republic of China;
- a delegation of senior officials from the Office of the Prime Minister of the Republic of Korea; and
- officials from the Indian Council for Research on International Economic Relations.

The OBPR has also met with, and responded to information requests from, officials from various Embassies in Canberra seeking information on RIA in Australia.



### 1.3 Lighter touch regulation

The Guide states that different groups are affected differently by regulation. For example, small businesses are disproportionately affected by regulation as the extra workload of the new obligations is spread among fewer staff. As such, a mix of options should be considered when addressing a problem. In particular, these include lighter touch or non-regulatory options where the target group is less likely to pose a risk, or that risk is small.

In administering the Government's RIS process, the OBPR encourages departments and agencies to consider policy options that may achieve desired outcomes without regulation or using a light touch regulatory approach. Such considerations can also have the effect of reducing the red tape burden on businesses, community organisations or individuals. In promoting such policy considerations, the OBPR has been raising awareness across the Australian Public Service of the use of behavioural insights and randomised control trials in terms of evidence-based decision making.

Behavioural insights draws on research in fields such as behavioural economics, psychology, neuroscience and other behavioural sciences. It could improve government policies and services by offering a more accurate understanding of how people will behave in response to certain policy settings. Many international examples show that by utilising behavioural insights policy makers can achieve their objectives in a more cost-effective manner, and without the need for heavy-handed, coercive regulation.

Related to this is the use of randomised control trials, which allow real-world, small-scale assessments of the effectiveness of new interventions compared to current policy. They are a cost-effective way to illustrate to policy makers what works and have been increasingly used internationally for evaluation of new and existing programmes. Such trials can also reveal any unexpected outcomes or loopholes before full-scale implementation. Results from trials often show that the effectiveness of a policy can be impacted by seemingly minor elements or policy interventions. Where trials are not possible, the OBPR strongly encourages the use of insights from trials and experiments conducted elsewhere.

## 2. Summary of Compliance

This chapter reports in aggregate on compliance with the respective RIS requirements by Australian Government portfolios and by COAG councils and national standard-setting bodies (NSSBs).

### 2.1 Australian Government's RIS requirements

This publication reports on department and agency compliance with the requirements of the RIS system operating at the time of the announcement of the proposal in 2013-14. More information on the RIS systems that operated in 2013-14 is contained in Chapter 1.

### 2.2 Australian Government compliance

Compliance with the Australian Government RIS requirements is measured by compliance with the requirement to prepare and publish an adequate RIS (unless a Prime Minister's exemption is granted) or whether an adequate PIR has been completed by the required due date.

Short Form RISs are not considered for the purpose of Australian Government RIS compliance reporting as they are only used for matters proceeding to Cabinet and are not required to be released to the public.

#### Aggregate compliance

For regulatory proposals announced in 2013-14, of the 48 RISs required at the decision-making stage, 47 RISs were prepared and assessed as compliant, giving a compliance rate of 98 per cent. This is up from the compliance rate of 97 per cent achieved in 2012-13 (Table 2.1). The Prime Minister granted exceptional circumstances in one case, compared to eight in 2012-13.

**Table 2.1: Australian Government RIS<sup>3</sup> compliance 2010-11 to 2013-14**

Stage	2010-11 ratio	%	2011-12 ratio	%	2012-13 ratio	%	2013-14 ratios	%
Decision-making stage	47/63	75	69/78	88	64/66	97	47/48	98
Transparency stage <sup>a</sup>	45/63	71	70/78	90	62/66	94	47/48	98
Exceptional circumstances	14		5		8		1	

*a The number of RISs required at the transparency stage can be lower than at the decision-making stage because some regulations are subject to multiple decision-making processes. For example, RISs are required for treaties at two separate decision-making stages.*

#### Exceptional circumstances

Although a RIS was not prepared for the Qantas Sale Amendment Bill 2014, the relevant department has complied with the requirements but will need to complete a PIR within two years of the regulation being implemented (Table 2.2). Further information is provided in Chapter 5.

<sup>3</sup> Australian Government RIS compliance includes independent reviews used in lieu of a RIS.

**Table 2.2: Proposals granted Prime Minister's 'exceptional circumstances' 2013-14**

Proposal	Portfolio	Announced
Qantas Sale Amendment Bill 2014	Infrastructure and Regional Development	3 March 2014

## Non-compliance

In the absence of 'exceptional circumstances' being granted by the Prime Minister, a regulatory proposal with more than a minor or machinery impact on business, community organisations or individuals should not proceed to a decision maker unless it has complied with the RIS requirements. A PIR is required when a proposal proceeds to the decision maker without an adequate RIS.

In 2013-14, only one proposal proceeded to the decision maker without the support of an adequate RIS (Table 2.3). Further details of RIS compliance by portfolio can be found at Chapter 3.

**Table 2.3: Australian Government non-compliant proposals 2013-14**

Proposal	Portfolio	Announced
Australian Education Regulation	Education	25 July 2013

## Post-implementation reviews

Australian Government agencies are required to undertake a PIR of regulation that did not have a compliant RIS, unless the impact was of a minor or machinery nature and the regulation did not substantially alter previous arrangements, or where the Prime Minister granted an exemption because of exceptional circumstances. In this instance a PIR is required to be completed within two years of the implementation of the regulation. In addition to this, a PIR is required to be completed within five years of implementation for any regulatory change that has a substantial or widespread impact on the economy.

The number of PIRs required as a result of regulatory proposals announced in 2013-14 has continued a downward trend after peaking in 2010-11. The number of Prime Minister's exemptions has also fallen from the previous year to one. There was also one non-compliant regulatory decision in 2013-14 for which a PIR will be required, significantly lower than in the past several years. Meanwhile, there are three PIRs required under the new category of regulatory changes with a substantial or widespread impact on the economy. Table 2.4 shows PIR numbers by source for the period 2010-11 to 2013-14.

**Table 2.4: Post-implementation review numbers 2010-11 to 2013-14**

Source	2010-11	2011-12	2012-13	2013-14
Compliant - Prime Minister's Exemption	14	5	8	1
Non-Compliant	16	9	2	1
Regulatory changes with substantial or widespread impacts on the economy <sup>a</sup>	n/a	n/a	n/a	3
<b>Total<sup>b</sup></b>	<b>30</b>	<b>14</b>	<b>10</b>	<b>5</b>

a In this instance a PIR is required to be completed within five years of implementation.

b Care should be taken when comparing the 2013-14 total figure with those from previous years as this year's total includes PIRs required as a result of regulatory changes with substantial or widespread impacts on the economy for which a RIS was prepared.

There were a total of 76 PIRs required as at 30 June 2014, of which eight were non-compliant for not having been completed by the due date (Table 2.5). Of the remaining 68 PIRs, in 18 cases the regulation has not yet been implemented and 50 PIRs fall within the timeframe for completion and have not been completed.

In 2013-14, there were 10 PIRs published, of which seven were from Treasury.

**Table 2.5: Outstanding Post-implementation review status as at 30 June 2014**

PIR Status	Number
Compliant	
Not implemented	18
Implemented (within the PIR due date)	50
Non-compliant	8
<b>Total</b>	<b>76</b>

As listed in Table 2.6, five portfolios, Agriculture, Attorney-General's, Environment, Health and Infrastructure and Regional Development, had a non-compliant PIR in 2013-14. The reason for non-compliance was because each PIR had not been completed within the required timeframe.

**Table 2.6: Post-implementation review non-compliance 2013-14**

Post-implementation review	Portfolio
Fishing Area Closure and Revised Monitoring Arrangements <sup>a</sup>	Agriculture
Resale Royalty Right for Visual Artists Bill 2008	Attorney-General's
Enhancements from the Review of the Australian Independent Screen Production Sector	Attorney-General's
Renewable Energy (Electricity Amendment Regulations 2010 (No. 3))	Environment
<i>Renewable Energy (Electricity) Amendment Act 2009 and Renewable Energy (Electricity) (Charge) Amendment Act 2009</i>	Environment
Renewable Energy (Electricity) Amendment Regulations 2010 (No. 8), Renewable Energy (Electricity) Amendment Regulations 2011 (No. 2) and Renewable Energy (Electricity) Amendment Regulations 2012 (No. 8)	Environment
Fifth Community Pharmacy Agreement <sup>a</sup>	Health
<i>Aviation Transport Security Amendment (Additional Screening Measures) Act 2007; Aviation Transport Security Amendment Regulations 2007 (No. 4)</i>	Infrastructure and Regional Development

<sup>a</sup> This PIR has been completed and published since 30 June 2014.

## 2.3 COAG best practice regulation requirements

Regulation making also occurs at a national or inter-jurisdictional level among eight COAG councils and NSSBs. In 1995, COAG agreed a set of principles and guidelines for such activities. In 2007, COAG strengthened these requirements and released the COAG Guide. The major element of the COAG Guide is the preparation of RISs for those national regulatory decisions that:

*'...would encourage or force business or individuals to pursue their interests in ways they would not otherwise have done.'* (COAG Guide, p.3).

COAG requires a RIS to be prepared at two stages: first for community consultation with parties likely to be affected by the regulatory proposal; and the second or decision RIS, reflecting feedback from the community, to assist the decision maker. The final RIS should be made public as soon as possible after the decision is announced. At each stage, the OBPR is required by COAG to assess whether:

- the COAG RIS guidelines have been followed;
- the type and level of analysis in the RIS is adequate and commensurate with the potential economic and social impacts of the proposal; and
- the RIS demonstrates that the preferred option results in the greatest net benefit to the community.

In addition, as required under the March 2014 Australian Government RIS requirements, the regulatory costs and offsets attributable to the Commonwealth from COAG and NSSB RIS processes must be agreed by the OBPR before a decision is made by COAG, the Ministerial Council or the standard setting body.

## 2.4 COAG compliance

Compliance with the COAG best practice regulation requirements is measured by compliance with the requirement to prepare and publish an adequate consultation RIS and a decision RIS.

### Aggregate compliance

The OBPR identified eight proposals that required the preparation of a RIS under the COAG requirements in 2013-14 (see Chapter 4 for more detail).

Of the eight proposals, seven adequate RISs were prepared for the decision-making stage, resulting in a compliance rate of 88 per cent – up from 86 per cent in 2012-13. At the consultation stage, there were also seven adequate RISs prepared, with the resulting compliance rate of 88 per cent, which was a decrease from 93 per cent in 2012-13. Further commentary is provided in Chapter 4.

**Table 2.7: Compliance with the COAG RIS requirements, 2010-11 to 2013-14**

Stage	2010-11 ratio	%	2011-12 ratio	%	2012-13 ratio	%	2013-14 ratios	%
Consultation stage	8/9	89	13/16	81	13/14	93	7/8	88
Decision-making stage	9/10	90	13/16	81	12/14	86	7/8	88

### Non-compliance

COAG's best practice regulation requirements were not met in one instance in 2013-14. The regulatory decision was non-compliant at both the consultation stage and at the decision-making stage. Table 2.8 provides further details of this regulatory decision.

**Table 2.8: COAG non-compliant decisions in 2013-14**

Regulatory decision	COAG Council	Date of decision	Compliant at consultation	Compliant at decision	Final RIS published
Endorsement of Health Star Calculator for front-of-pack labelling	Legislative and Governance Forum on Food Regulation	Dec 2013	No	No	No

### 3. Australian Government Compliance by Portfolio

Compliance with the Australian Government's RIS requirements for proposals announced during 2013-14 is reported by portfolio and department/agency in this chapter.

The OBPR administered and reported on four different RIS systems at various times during the year. As a consequence, the compliance information reported on in this chapter reflects the RIS arrangements that each RIS was assessed under. A description of these RIS systems and the reporting arrangements is outlined in Chapter 1.

In 2013-14, fourteen portfolios were required to prepare RISs. Of these, thirteen complied with the requirements in full. The Department of Education did not comply with the requirements for its only proposal in 2013-14.

Each RIS and the OBPR's compliance assessment of that RIS are published on the OBPR website as soon as practicable after the announcement. Where a RIS involves new or amended legislation, the RIS is also required to be tabled with the explanatory material in the Parliament.

Compliance with the requirements at the final assessment stage for each portfolio is illustrated in Table 3.1. Detailed compliance results by department and agency follows. Further details on any of the listed regulatory decisions can be obtained from the OBPR website.

**Table 3.1: Regulatory Impact Analysis compliance by portfolio 2013-14 (final assessment stage)**

Portfolio	Regulation Impact Statements	Regulation Impact Statements	Exceptional circumstances
	Compliant	Non-Compliant	
Department of Agriculture	3		
Attorney-General's Department	4		
Department of Communications	4		
Department of Defence	1		
Department of Education		1	
Department of Employment	5		
Department of Environment	2		
Department of Foreign Affairs and Trade	1		
Department of Health	4		
Department of Immigration and Border Protection	1		
Department of Industry	4		
Department of Infrastructure and Regional Development	3		1
Department of Social Services	3		
The Treasury	12		
<b>Total</b>	<b>47</b>	<b>1</b>	<b>1</b>

### 3.1 Detailed compliance results by department or agency

The following tables show more detailed compliance by portfolio, department and agency. The Prime Minister's exemption for exceptional circumstances is also identified.

#### 3.1.1 Agriculture - Department of Agriculture

##### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Regulation for Onion Levy Increase</b> <i>To change the levies on onions to provide funds for R&amp;D and marketing.</i>	N/a	Yes	Yes	No
<b>Regulation for Mushroom Levy Increase</b> <i>To change the levies on mushrooms to provide funds for R&amp;D and marketing.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

##### RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Mandatory Code of Conduct for Grain Export Terminals (Bulk Wheat Exports)</b> <i>Examines options for improving access to port terminals for bulk wheat exporters.</i>	Published for consultation <sup>a</sup>	No

a This RIS was prepared for consultation and was subject to an early assessment by the OBPR.

#### 3.1.2 Agriculture - Australian Fisheries Management Authority

##### RIS compliance - July 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Managing Interactions with Dolphins in the Gillnet Hook and Trap Sector of the Southern and Eastern Scalefish and Shark Fishery</b> <i>Aims to protect dolphins via prohibition of fishing by gillnets, in an area of the fishery off the South Australian coast, for a period of one year.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

### 3.1.3 Attorney-General's - Attorney-General's Department

#### RIS compliance - July 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Reforms to the Native Title System<sup>a</sup></b>  <i>Provides for the establishment of an entity based on the concept of the Indigenous Community Development Corporation and development of appropriate governance arrangements for land related payments.</i>	N/a	Yes	Yes <sup>b</sup>	No

a This matter was previously reported under the Department of Families, Housing, Community Services and Indigenous Affairs. However, on 3 October 2013 Native title matters were transferred to the Attorney-General's Department.

b The agency has assessed that an independent review or other mechanism has undertaken analysis of a regulatory proposal equivalent to a RIS. The OBPR does not assess independent reviews.

N/a An options-stage RIS was not required.

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Cost Recovery for the Marriage Celebrants Programme</b>  <i>Introduction of cost recovery charges for Commonwealth-registered marriage celebrants.</i>	N/a	Yes	Yes	No
<b>Amendments to the Personal Property Securities Act 2009</b>  <i>Changes to requirements for leases of less than 12 months.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

#### RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Ban the Importation of Substances which Mimic the Effects of Illicit Drugs</b>  <i>Make new psychoactive substances a prohibited import to prevent the importation of potentially harmful psychoactive substances into Australia.</i>	Published for consultation <sup>a</sup>	No

a This RIS was prepared for consultation and was subject to an early assessment by the OBPR.



### 3.1.4 Attorney-General's - Australian Transaction Reports and Analysis Centre

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Proposed Reform to Strengthen Customer Due Diligence</b> <i>Changes to Australia's anti-money laundering and counter-terrorism financing regime.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

### 3.1.5 Communications - Department of Communications

#### RIS compliance - June 2010 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS adequate	RIS published	PIR required
<b>Cellular Mobile Repeaters: Proposed Amendments to the Radiocommunications Regulations 1993<sup>a</sup></b> <i>Restricts the supply of repeaters and prevents their unauthorised use under the Radiocommunications Act 1992.</i>	Yes	Yes	No

a This matter was previously reported under the Department of Broadband, Communications and the Digital Economy. However, on 18 September 2013 the *Radiocommunications Act 1992* was transferred to the Department of Communications.

### 3.1.6 Communications - Australian Communications and Media Authority

#### RIS compliance - June 2010 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS adequate	RIS published	PIR required
<b>Consideration of Options to Address the Impact on Stakeholders of the Annual Numbering Charge on Four Types of Short-digit Access Codes</b> <i>Aims to encourage competition and innovation by lowering the barriers to entry for smaller and new carriage service providers.</i>	Yes	Yes	No
<b>International Mobile Roaming Industry Standard</b> <i>The Standard contains measures aimed at reducing 'Bill Shock' arising from the use of International Mobile Roaming services.</i>	Yes	Yes	No

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS adequate	RIS published	PIR required
<b>Proposed Changes to the Regulation of Cellular Mobile Repeaters</b> <i>Options to restrict the supply of repeaters and prevent their unauthorised use.</i>	Yes	Yes	No

### 3.1.7 Defence - Department of Defence

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Management Arrangements for the Woomera Prohibited Area</b> <i>Implementation of Non-Defence User Management Arrangements for the Woomera Prohibited Area.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

### 3.1.8 Education - Department of Education

#### RIS compliance - June 2010 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS adequate	RIS published	PIR required
<b>Australian Education Regulation<sup>a</sup></b> <i>Regulations to prescribe the conditions placed on schools for Commonwealth financial assistance.</i>	No	No	Yes

<sup>a</sup> This matter was previously reported under the Department of Education, Employment and Workplace Relations. However, on 18 September 2013 education policy was transferred to the Department of Education.

### 3.1.9 Employment - Department of Employment

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Registered Organisations</b> <i>Imposes additional statutory obligations on registered organisations.</i>	Yes	Yes	Yes	No
<b>Licensing and Other Amendments under the Safety, Rehabilitation and Compensation Act 1988</b> <i>Allow national employers to become licensees in the Comcare Scheme and be covered by the Commonwealth workers compensation scheme, among other changes.</i>	N/a	Yes	Yes	No
<b>Amendments to the Fair Work Act 2009</b> <i>Numerous amendments to the Fair Work Act 2009, including relating to greenfields employment agreements and union right of entry.</i>	Yes	Yes	Yes	No

N/a An options-stage RIS was not required.

#### RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Revocation of Fair Work Principles and Commonwealth Cleaning Service Guidelines</b> <i>Revocation of Fair Work Principles and Commonwealth Cleaning Service Guidelines.</i>	Finalised, published, compliant and best practice	No
<b>Advance release of the Building Code 2014</b> <i>The Building and Construction Industry (Fair and Lawful Building Sites) Code 2014 sets out the expected standards for all building industry participants involved in Commonwealth-funded construction projects.</i>	Finalised, published, compliant and not best practice <sup>a</sup>	No

<sup>a</sup> The agency has assessed that an independent review or other mechanism has undertaken analysis of a regulatory proposal equivalent to a RIS. The OBPR does not assess independent reviews. While the OBPR found the Department of Employment to be compliant with the RIS requirements, it was not consistent with best practice because the self-assessment of the independent review and agreement to regulatory costs occurred after the final decision.

### 3.1.10 Environment - *Department of Environment*

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Repeal of the Carbon Tax</b> <i>Repeals the carbon tax.</i>	Yes	Yes	Yes	No
<b>Shortages of Some Species of Greenhouse Gases</b> <i>Exempts importers of synthetic greenhouse gases from paying the carbon tax equivalent under certain circumstances.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

#### RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Emissions Reduction Fund White Paper</b> <i>Establish an Emissions Reduction Fund to help reduce Australia's greenhouse gas emissions.</i>	Published for consultation <sup>a</sup>	No

a A White Paper was certified by the Department of the Environment as having undertaken analysis of a regulatory proposal equivalent to a RIS for initial decisions on the Emissions Reduction Fund. The OBPR does not assess independent reviews.

### 3.1.11 Foreign Affairs and Trade - *Department of Foreign Affairs and Trade*

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Negotiations-stage compliant	Signing-stage RIS compliant	Final RIS published	PIR required
<b>Korea-Australia Free Trade Agreement</b> <i>This RIS relates to the Korea-Australia Free Trade Agreement (KAFTA). Negotiations on KAFTA with the Republic of Korea which were launched in March 2009 and concluded on 5 December 2013.</i>	Yes <sup>a</sup>	Yes	Yes <sup>b</sup>	No

a The RIS for the decision to enter into negotiations was prepared in 2009-10.

b The final RIS was tabled in Parliament with the National Interest Analysis and the draft treaty text.

### 3.1.12 Health - Department of Health

#### RIS compliance - June 2010 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS adequate	RIS published	PIR required
<b>Premarket Scrutiny of Medical Devices<sup>a</sup></b> <i>Changes to the premarket assessment requirements for medical devices.</i>	Yes	Yes	No
<b>Changes to the Required Advisory Statement for Medicine Labels<sup>a</sup></b> <i>Changes to the required advisory statement for medicine labels for non-prescription medicines.</i>	Yes	Yes	No

<sup>a</sup> This matter was previously reported under the Department of Health and Ageing. However, on 18 September 2013 the regulation of therapeutic goods was transferred to the Department of Health.

#### RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Protection of Images and Indicia for Major Sporting Events</b> <i>Extends trademark and copyright protections for major sporting events organisers to reduce ambush marketing.</i>	Finalised, published, compliant and best practice	No

### 3.1.13 Health - Private Health Insurance Administration Council

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Reform of Capital Adequacy and Solvency Standards</b> <i>Changes to the capital adequacy and solvency standards for private health insurers.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

### 3.1.14 Immigration and Border Protection - Department of Immigration and Border Protection

#### RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Migration Amendment (Offshore Resource Activity) Repeal Bill 2014</b> <i>Repeal intended requirements to prescribe relevant visa for non-citizens employed in the offshore resources industry.</i>	Finalised, published, compliant and not best practice <sup>a</sup>	No

a See OBPR website for details.

### 3.1.15 Industry - Department of Industry

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Streamlining Offshore Petroleum and Greenhouse Gas Activities</b> <i>Allows environmental approvals to be assessed solely by the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA).</i>	N/a	Yes	Yes	No
<b>Export of Patented Pharmaceuticals to Countries Experiencing a Health Crisis</b> <i>Grants licence to export patented pharmaceuticals during a health crisis.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

#### RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Removal of Australian Industry Participation Officers</b> <i>Removes the requirement for large construction projects to employ an Australian Industry Opportunity Officer to advocate procurement from Australian suppliers.</i>	Finalised, published, compliant and best practice	No
<b>Repeal of the Energy Efficiency Opportunities Program</b> <i>Repeals the Energy Efficiency Opportunities Program.</i>	Finalised, published, compliant and best practice	No

### 3.1.16 Infrastructure and Regional Development - Department of Infrastructure and Regional Development

#### RIS compliance - June 2010 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS adequate	RIS published	PIR required
<b>National Heavy Vehicle Braking Strategy Phase I – Antilock Braking Systems<sup>a</sup></b> <i>Aims to improve heavy vehicle braking safety performance.</i>	Yes	Yes	No

a This matter was previously reported under the Department of Infrastructure and Transport. However, on 18 September 2013 the *Motor Vehicle Standards Act 1989* was transferred to the Department of Infrastructure and Regional Development.

#### RIS compliance - July 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Electronic Stability Control for Light Commercial Vehicles</b> <i>Electronic Stability Control for Light Commercial Vehicles.</i>	N/a	Yes	Yes	No
<b>Brake Assist Systems</b> <i>Mandating Brake Assist Systems for passenger cars, passenger vans, four-wheel drives and light commercial vehicles.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Qantas Sale Amendment Bill 2014</b> <i>Remove the foreign ownership and other restrictions that apply to Qantas but do not apply to other airlines based in Australia.</i>	E/c	E/c	..	Yes

E/c Exceptional circumstances were granted by the Prime Minister.

.. Not applicable

### 3.1.17 Social Services - Department of Social Services

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Remove Mandatory Employer Role</b> <i>Removing the mandatory requirement for employers to administer parental leave payments to eligible employees.</i>	N/a	Yes	Yes	No
<b>Regulation of Aged Care Accommodation Payments</b> <i>Instituting the process by which accommodation payments in residential aged care are approved.</i>	N/a	Yes	Yes	No
<b>Repeal of the Australian Charities and Not-for-profits Commission</b> <i>The first stage of a two-stage process to repeal the ACNC and determine replacement arrangements.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

### 3.1.18 Treasury - The Treasury

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<b>Minerals Resource Rent Tax and Associated Measures</b> <i>Repeal of the Minerals Resource Rent Tax and Associated Measures.</i>	N/a	Yes	Yes	No
<b>Future of Financial Advice Amendments</b> <i>Amendments aimed at reducing the complexity and compliance costs associated with the Future of Financial Advice (FOFA) reforms.</i>	Yes	Yes	Yes	Yes <sup>a</sup>
<b>Proposed Changes to Franchising Regulation</b> <i>Amends the Franchising Code of Conduct.</i>	N/a	Yes	Yes	No
<b>Streamlining Disclosure and Liability Requirements</b> <i>Reduces the disclosure and liability requirements associated with issuing simple retail corporate bonds.</i>	N/a	Yes	Yes	No

N/a An options-stage RIS was not required.

a A Post-implementation Review is automatically required because the proposal was noted as having a major economic impact.



## RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Implementation of the United States Foreign Account Tax Compliance Act in Australia</b> <i>The intergovernmental agreement seeks to limit the compliance costs and other impacts for Australian financial institutions associated with complying with US tax information reporting requirements.</i>	Finalised, published, compliant and not best practice <sup>a</sup>	Yes <sup>b</sup>
<b>Changing the Schedule for Increasing the Superannuation Guarantee</b> <i>Assesses options for delaying the increases in the rate of the Superannuation Guarantee.</i>	Finalised, published, compliant and not best practice <sup>c</sup>	No

a The RIS was not consistent with best practice because, having regard to the significance of the proposal and the scale of the impacts, the RIS did not contain a commensurate level of detailed analysis.

b A Post-implementation Review is automatically required because the proposal was noted as having a substantial or widespread economic impact.

c The RIS was not consistent with best practice because it would have benefited from a more balanced discussion of the business certainty outcomes under the status quo, as well as the uncertainties associated with household incomes and savings behaviours resulting from the changes.

## 3.1.19 Treasury - Australian Accounting Standards Board

## RIS compliance - March 2014 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS status	PIR required
<b>Replacement Accounting Standard for Superannuation Entities</b> <i>Replaces existing accounting standard for superannuation entities.</i>	Finalised, published, compliant and not best practice <sup>a</sup>	No

a The RIS was not consistent with best practice because it did not assess the impacts on stakeholders' financial statements.

### 3.1.20 Treasury - Australian Prudential Regulation Authority

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	Options- stage RIS compliant	Details- stage RIS compliant	Details- stage RIS published	PIR required
<b>Harmonising Cross-industry Risk management Requirements</b>  <i>Implements harmonised risk-management frameworks for prudentially-regulated entities, including Authorised Deposit-taking Institutions (ADIs), general and life insurers, and regulated groups.</i>	N/a	Yes	Yes	No
<b>Implementing Basel III liquidity reforms in Australia</b>  <i>Implements reporting and liquidity governance requirements for ADIs in Australia.</i>	N/a	Yes	Yes	Yes <sup>a</sup>

a A Post-implementation Review is automatically required because the proposal was noted as having a major economic impact.

N/a An options-stage RIS was not required.

### 3.1.21 Treasury - Australian Securities and Investments Commission

#### RIS compliance - June 2010 system

Title of regulatory proposal <i>Description of regulatory proposal</i>	RIS adequate	RIS published	PIR required
<b>Over-the-Counter Derivatives Transaction Reporting Regime</b>  <i>Specifies the information that must be reported to trade repositories; which entities must report; and rules relating to trade repositories.</i>	Yes	Yes	No
<b>Australian Market Structure: Further Proposals</b>  <i>Outlines ASIC's market rules for crossing system operators and high-frequency trades.</i>	Yes	Yes	No

### 3.1.22 Treasury - Reserve Bank of Australia

#### RIS compliance - Interim September 2013 system

Title of regulatory proposal	Options-stage RIS compliant	Details-stage RIS compliant	Details-stage RIS published	PIR required
<i>Description of regulatory proposal</i>				
<b>Payment Card Access Regimes</b>	Yes	Yes	Yes	No
<i>Allows non-ADI entities to participate in Mastercard and Visa credit and debit schemes.</i>				

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## 4. Compliance by COAG Council

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The OBPR is required to report on compliance by COAG councils and national standard-setting bodies (NSSBs) with the COAG Guide. The reporting requirement flows from the COAG Agreement to Implement the National Competition Policy and Related Reforms (COAG 1995).

The COAG Guide states that:

*If regulatory options are being considered (such as self-regulation where governments expect businesses to comply, quasi-regulation, co-regulation and 'black letter law') then ministerial councils must subject these options to a regulatory impact assessment process through the preparation of a draft [consultation] and final [decision] Regulation Impact Statement. (COAG Guide, p. 7)*

In this context, the COAG Guide defines regulation as:

*The broad range of legally enforceable instruments which impose mandatory requirements upon business and the community, as well as those government voluntary codes and advisory instruments for which there is a reasonable expectation of widespread compliance. (COAG Guide, p. 3)*

As required in the COAG Guide, the OBPR assesses RISs at two stages: consultation and decision. The OBPR advises the decision-making body at each decision-making stage whether the analysis contained in the RIS meets COAG's adequacy criteria. The OBPR in making its assessment considers the seven elements specified under COAG's RIS guidelines – problem, objectives, options, impact analysis, consultation, evaluation and conclusion, and implementation and review.

*It is expected that the level of analysis in a draft [consultation] RIS would be lower than the level of analysis in the final [decision] RIS. This is because the impacts of options are sometimes unclear. The community consultation process is designed to allow interested parties and stakeholders to help identify such impacts. In such cases the OBPR may focus its assessment primarily on the first three parts of the draft [consultation] RIS, the problem, objectives and options section of the RIS. (COAG Guide, p. 8)*

The COAG Guide emphasises transparency by requiring RISs to be made public.

*After a decision is taken, the final RIS, which should be of a standard suitable for publication, will generally be made public. (COAG Guide, p. 9)*

On 16 August 2010, COAG agreed that COAG RISs will be published on the OBPR website after the regulatory decision has been publicly announced.

At its meeting on 13 December 2013, COAG agreed that its Council system should be streamlined over the next 12-18 months. The 22 COAG Councils that existed at the time were replaced by eight Councils. COAG also agreed that where there are important areas of Commonwealth and State cooperation outside the Council system, Ministers may meet on an ad hoc basis. As a result, reporting on compliance in this chapter includes some Councils that have since been abolished.

## 4.1 Compliance by COAG council and national standard-setting bodies

During 2013-14, five COAG councils made decisions which triggered the COAG best practice regulation requirements. Four COAG councils were fully compliant, while the Legislative and Governance Forum on Food Regulation was not (see Table 4.1).

This chapter also contains information on the 11 consultation RISs that have been made public but for which no regulatory decisions have been made.

**Table 4.1: Compliance with COAG's RIS requirements (consultation, decision-making and publishing stage) 2013-14**

COAG Council/ NSSB	Consultation		Decision		Published	
	Compliant	Non-compliant	Compliant	Non-compliant	Compliant	Non-compliant
Legislative and Governance Forum on Food regulation		1		1		1
Standing Council on Energy and Resources	1		1		1	
Standing Council on Environment and Water	1		1		1	
Standing Council on Federal Financial Relations	4		4		4	
Standing Council on Transport and Infrastructure	1		1		1	
<b>Total</b>	<b>7</b>	<b>1</b>	<b>7</b>	<b>1</b>	<b>7</b>	<b>1</b>

## 4.2 Detailed compliance results by COAG council and national standard-setting bodies

The following tables show more detailed compliance by COAG council and NSSB at the consultation and decision-making stages.

### 4.2.1 Agriculture Ministers' Forum

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
Australian Animal Welfare Standards and Guidelines – Exhibited Animals <i>Specifying uniform standards and guidelines for all animals kept for exhibition purposes.</i>	*	Yes	..	..

\* A decision has not been made as at 30 June 2014.

.. Not applicable

## 4.2.2 Australian Building Codes Board

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
Fire Hose Reels in New Residential Buildings <i>Assessment of the need for fire hose reels in new residential buildings under the National Construction Code.</i>	*	Yes	..	..

\* A decision has not been made as at 30 June 2014.

.. Not applicable

## 4.2.3 Consumer Affairs Australia and New Zealand

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
Extending Unfair Contract Term Protections to Small Business <i>The proposal considers options to best protect small businesses against unfair contract terms included in standard form contracts.</i>	*	Yes	..	..

\* A decision has not been made as at 30 June 2014.

.. Not applicable

## 4.2.4 Equipment Energy Efficiency (E3) Committee

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>Heat Pump Water Heaters</b> <i>Options to improve the energy efficiency of air source heat pump water heaters.</i>	*	Yes	..	..
<b>Electric Storage Water Heaters</b> <i>Proposal to streamline regulations and reduce the operating costs of electric storage hot water heaters to consumers.</i>	*	Yes	..	..

\* A decision has not been made as at 30 June 2014.

.. Not applicable

#### 4.2.5 Food Standards Australia New Zealand

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>Primary Production and Processing Standard for Meat and Meat Products</b> <i>Introducing regulation for meat producers in relation to traceability, inputs and management of waste for farmed animals.</i>	*	Yes	..	..
<b>Maximum Level of Tutin in Honey</b> <i>Reducing the maximum levels of tutin in honey, and making these levels permanent.</i>	*	Yes	..	..

\* A decision has not been made as at 30 June 2014.

.. Not applicable

#### 4.2.6 Legislative and Governance Forum on Food Regulation

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>Endorsement of Health Star Calculator for front-of-pack labelling</b> <i>Endorsement of Health Star Rating Calculator (which is the algorithm that generates the star rating for food products), including addressing initial technical issues with respect to dairy.</i>	December 2013	No	No	No

#### 4.2.7 Safe Work Australia

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>Draft Model Code of Practice: Managing Risks in Stevedoring</b> <i>Examines options to address managing work safety risk in stevedoring.</i>	*	Yes	..	..
<b>Improving the Model Work Health and Safety Laws</b> <i>Investigating changes to model work health and safety laws to reduce red tape and make it easier for businesses and workers to comply with their work health and safety responsibilities.</i>	*	Yes	..	..

\* A decision has not been made as at 30 June 2014.

.. Not applicable

#### 4.2.8 Standing Council on Energy and Resources

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>Gas Transmission Pipeline Capacity Trading</b> <i>Information provision on contractual requirements aimed at improving gas pipeline trading capacity.</i>	13 Dec 2013	Yes	Yes	Yes

#### 4.2.9 Standing Council on Environment and Water

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>Northern Territory Container Deposit Scheme</b> <i>Options to address beverage container litter in the Northern Territory.</i>	August 2013	Yes	Yes	Yes

#### 4.2.10 Standing Council on Primary Industries

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>National Livestock Identification System</b> <i>Options for improving the national livestock identification system for sheep and goats.</i>	*	Yes	..	..

\* A decision has not been made as at 30 June 2014.

.. Not applicable

#### 4.2.11 Standing Council on Federal Financial Relations

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>National Injury Insurance Scheme</b> <i>Assessment of different approaches to improving the quality of care to people who sustain a catastrophic injury in a motor vehicle accident.</i>	*	Yes	..	..
<b>National Licensing for Electrical Occupations</b> <i>Examines the impact of replacing the current diverse state and territory licensing of the electrical occupational area with the proposed national licensing approach.</i>	13 Dec 2013	Yes	Yes	Yes



Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>National Licensing for Plumbing and Gasfitting Occupations</b>  <i>Examines the impact of replacing the current diverse state and territory licensing of the plumbing and gasfitting occupational area with the proposed national licensing approach.</i>	13 Dec 2013	Yes	Yes	Yes
<b>National Licensing for Refrigeration and Air-conditioning Occupations</b>  <i>Examines the impact of replacing the current diverse state and territory licensing of the refrigeration and air-conditioning occupational area with the proposed national licensing approach.</i>	13 Dec 2013	Yes	Yes	Yes
<b>National Licensing for Property Occupations</b>  <i>Examines the impact of replacing the current diverse state and territory licensing of the property occupational area with the proposed national licensing approach.</i>	13 Dec 2013	Yes	Yes	Yes

\* A decision has not been made as at 30 June 2014.

.. Not applicable

#### 4.2.12 Standing Council on Transport and Infrastructure

Title of regulatory proposal <i>Description of regulatory proposal</i>	Date of decision	Consultation RIS compliant	Decision RIS compliant	Final RIS published
<b>National Standard for Commercial Vessels: Arrangement, Accommodation and Personal Safety</b>  <i>Part C1 of the National Standard for Commercial Vessels to align domestic commercial vessel standards (for arrangement, accommodation and personal safety) to national laws and international agreements.</i>	15 Nov 2013	Yes	Yes	Yes

## 5. Post-implementation Review Status by Portfolio

This chapter provides a description of regulations that require a post-implementation review (PIR) as at 30 June 2014. Information on the PIR commencement and due dates as well as the compliance status is also provided. PIRs from previous years which have not previously been completed and published are also listed.

Table 5.1 shows the compliance status of outstanding PIRs by portfolio. As of 30 June 2014, there are twelve portfolios that are required to undertake PIRs, along with one PIR required for a cross-portfolio proposal. Treasury has 22 PIRs outstanding, while Communications has 12 and Employment 11.

The five departments with non-compliant PIRs are Agriculture, Attorney-General's, Environment, Health and Infrastructure and Regional Development.

A PIR is required to be completed within five years of implementation for all regulatory changes that have a substantial or widespread impact on the economy. PIRs must also be completed within two years where an adequate RIS was not prepared for the final stage of the regulatory change, the change has affected businesses, community organisations or individuals, and the change was neither minor nor machinery in nature. If a PIR is not completed within the required timeframe, the OBPR may report the agency as non-compliant with the Government's PIR requirements. Until such time, the agency is regarded as being compliant with the PIR requirements, and is reported as such in the following tables.

**Table 5.1: Outstanding Post-implementation reviews' compliance by portfolio as at 30 June 2014**

Portfolio	Compliant	Non-compliant
Department of Agriculture		1
Attorney-General's Department	2	2
Department of Communications	12	
Department of Defence	1	
Department of Education	2	
Department of Employment	11	
Department of Environment	3	3
Department of Health	3	1
Department of Immigration and Border Protection	3	
Department of Infrastructure and Regional Development	4	1
Department of Social Services	4	
The Treasury	22	
Department of Defence/Department of Industry	1	
<b>Total</b>	<b>68</b>	<b>8</b>

In 2013-14, 10 PIRs were published. Information on these PIRs is in Chapter 5.1. Information on the 76 PIRs that remain to be completed is in Chapter 5.2.

## 5.1 PIRs Published During 2013-14

### 5.1.1 Communications - *Department of Communications*

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Date PIR published	PIR status
<b>Broadcasting &amp; Datacasting Services (Parental Lock) Technical Standard 2010<sup>a</sup></b>  <i>Requiring particular digital television reception equipment to have parental lock capabilities.</i>	Non-compliance	April 2011	December 2013	Completed Published

a This matter was previously reported under the Department of Broadband, Communications and the Digital Economy. However, on 18 September 2013 this matter was transferred to the Department of Communications.

### 5.1.2 Industry - *Department of Industry*

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Date PIR published	PIR status
<b>Extension of the Energy Efficiency Opportunities Program to Major New Developments and Expansion Projects<sup>a</sup></b>  <i>Requires large construction projects to undertake energy savings audits at the design stage.</i>	Non-compliance	July 2013	July 2014	Completed Published <sup>b</sup>

a This matter was previously reported under the Department of Resources, Energy and Tourism. However, on 18 September 2013 this matter was transferred to the Department of Industry.

b A RIS was prepared for the repeal of the Energy Efficiency Opportunities Program which was assessed by the OBPR as meeting the PIR requirements for this proposal. The RIS was published in 2014-15.

### 5.1.3 Treasury - *The Treasury*

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Date PIR published	PIR status
<b>Tax Laws Amendment (2009 Budget Measures No. 1) Bill 2009</b>  <i>Limits tax concessions for income earned by Australians working overseas.</i>	E/c	July 2009	August 2013	Completed Published
<b>Tax Laws Amendment (2009 Budget Measures No. 2) Bill 2009</b>  <i>No longer allowing offsetting deductions from non-commercial activities for high income earners.</i>	E/c	July 2009	January 2014	Completed Published

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Date PIR published	PIR status
<b>Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009</b>  <i>Reforms to regulatory framework dealing with payment of termination benefits to company directors and executives.</i>	Non-compliance	November 2009	December 2013	Completed Published
<b>Tax Laws Amendment (2009 Budget Measures No. 2) Bill 2009 &amp; Income Tax (TFN Withholding Tax (ESS)) Bill 2009</b>  <i>Reforming taxation of employee share schemes.</i>	E/c	December 2009	January 2014	Completed Published
<b>Farm Management Deposits</b>  <i>Early access for primary producers suffering natural disasters and improved administration arrangements.</i>	Non-compliance	May 2010	February 2014	Completed Published
<b>Government Response to Australia's Future Tax System Review</b>  <i>Abolition of the entrepreneurs' tax offset.</i>	E/c	July 2012	January 2014	Completed Published
<b>Government Response to Australia's Future Tax System Review</b>  <i>Fringe benefit tax: reform of the car fringe benefit rule.</i>	E/c	May 2011	January 2014	Completed Published

E/c Exceptional circumstances were granted by the Prime Minister.

#### 5.1.4 Cross Portfolio - Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education / Department of Immigration and Citizenship

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Date PIR published	PIR status
<b>Job Ready Program<sup>a</sup></b>  <i>Amends the job skills test requirements for onshore applicants for permanent visas.</i>	E/c	January 2010	July 2013	Completed Published

a This PIR was published in July 2013 by the then Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education and Department of Immigration and Citizenship.

E/c Exceptional circumstances were granted by the Prime Minister.

## 5.2 PIR Status by department or agency

### 5.2.1 Agriculture - Australian Fisheries Management Authority

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Fishing Area Closure and Revised Monitoring Arrangements</b>  <i>Changes to management arrangements for the gillnet, hook and trap sector of the southern and eastern scalefish and shark fishery, including closure of fishing areas to protect sea lions.</i>	Non-compliance	April 2011	October 2013	Non-Compliant <sup>a</sup>

a This PIR has been completed and published since 30 June 2014.

### 5.2.2 Attorney-General's - Attorney-General's Department

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Banning the Importation of Unauthorised Psychoactive Substances<sup>a</sup></b>  <i>Institutes a 'reverse onus of proof' scheme to prohibit the importation of psychoactive substances unless they are authorised as safe and legal.</i>	Non-compliance	Not implemented	..	Compliant
<b>Resale Royalty Right for Visual Artists Bill 2008<sup>b</sup></b>  <i>Establishes an inalienable resale royalty right for visual artists.</i>	Non-compliance	June 2010	June 2013 <sup>c</sup>	Non-Compliant
<b>Enhancements from the Review of the Australian Independent Screen Production Sector<sup>b</sup></b>  <i>Implements a package of enhancements to the film tax offsets program.</i>	Non-compliance	September 2011	September 2013	Non-Compliant

a The policy options were revised and a compliant RIS was subsequently completed for the options that were implemented. As a consequence, OBPR have agreed that a PIR no longer needs to be conducted for the options that were not implemented. PIR compliance tables will be updated in 2014-15 to reflect this.

b These matters were previously reported under Regional Australia, Local Government, Arts and Sport. However, on 18 September 2013 these matters were transferred to the Attorney-General's Department.

c OBPR agreed that commencement of this PIR could be delayed to allow the agency to collect data. However, the PIR was not completed by the revised due date.

.. Not applicable

### 5.2.3 Attorney-General's - Australian Transaction Reports and Analysis Centre

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Cancellation and Suspension of a Remittance Dealer's Registration</b>  <i>Rules that specify the matters the AUSTRAC CEO must take into account to cancel or suspend the registration of a registered alternative remittance dealer.</i>	Non-compliance	October 2011	June 2015 <sup>a</sup>	Compliant

a The OBPR agreed to allow additional time for the agency to complete this PIR, to enable it to be conducted as part of a statutory review of the Anti-Money Laundering and Counter-Terrorism Financing Rules.

### 5.2.4 Communications - Department of Communications

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Changes to the Anti-siphoning System<sup>a</sup></b>  <i>Changes that will affect television coverage of key sporting events in Australia.</i>	E/c	Not implemented <sup>d</sup>	..	Compliant
<b>National Broadband Network (NBN) Decisions<sup>a</sup></b>  <i>Decisions in response to the establishment of the NBN.</i>	E/c	April 2009	July 2014 <sup>b</sup>	Compliant
<b>National Broadband Network (NBN) Decisions<sup>a</sup></b>  <i>Decisions in response to NBN implementation review.</i>	E/c	December 2010	July 2014 <sup>b</sup>	Compliant
<b>Improved Competition in Telecommunications Markets<sup>a</sup></b>  <i>Proposes structural or functional separation of Telstra wholesale and retail operations.</i>	E/c	June 2016	June 2018	Compliant
<b>Problem Gambling<sup>a</sup></b>  <i>Ban the promotion of live odds during sports coverage.</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Problem Gambling<sup>a</sup></b>  <i>Extend pre-commitment to online betting services.</i>	Non-compliance	Not implemented <sup>d</sup>	..	Compliant
<b>Problem Gambling<sup>a</sup></b>  <i>Limits on betting inducements and credit requirements.</i>	Non-compliance	Not implemented <sup>d</sup>	..	Compliant

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Extension of Telstra Retail Price Controls to June 2014<sup>a</sup></b> <i>Extending retail price controls on Telstra fixed-line telephone services to June 2014.</i>	E/c	June 2012	December 2014 <sup>c</sup>	Compliant
<b>Convergence Review<sup>a</sup></b> <i>Introduction of Australian content requirements.</i>	E/c	January 2013	January 2015	Compliant
<b>Convergence Review<sup>a</sup></b> <i>Repeal of the "75 per cent reach" rule.</i>	E/c	Not implemented <sup>d</sup>	..	Compliant
<b>Convergence Review<sup>a</sup></b> <i>Providing permanent spectrum for community television services on the sixth channel.</i>	E/c	Not Implemented <sup>d</sup>	..	Compliant
<b>Convergence Review<sup>a</sup></b> <i>Decision not to issue spectrum or broadcast licenses for a fourth 'free to air' television network.</i>	E/c	March 2013	March 2015	Compliant

a These matters were previously reported under the Department of Broadband, Communications and the Digital Economy. However, on 18 September 2013 these matters were transferred to the Department of Communications.

b Three statutory reviews will be collectively assessed in relation to these NBN PIR requirements.

c As a result of changes to the timing requirements for PIRs, the OBPR provided the Department with an extension to the revised deadline for this PIR under transitional arrangements for the new requirements.

d This proposal no longer reflects current government policy and has not been implemented. As a consequence, the OBPR has agreed that a PIR no longer needs to be conducted for this proposal and will update the PIR compliance tables in 2014-15 to reflect this.

E/c Exceptional circumstances were granted by the Prime Minister.

.. Not applicable

### 5.2.5 Defence - Department of Defence

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Defence Trade Cooperation Treaty with the United States</b> <i>Removes the administrative delays associated with the existing Australian and US export licensing systems, while ensuring that sensitive defence technology is appropriately protected.</i>	Non-compliance	June 2013	June 2015	Compliant

### 5.2.6 Education - Department of Education

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Australian Education Regulation<sup>a</sup></b> <i>Regulations to prescribe the conditions placed on schools for Commonwealth financial assistance.</i>	Non-compliance	January 2014	January 2016	Compliant
<b>Tuition Protection Service and Other Related Measures<sup>b</sup></b> <i>Single mechanism to place international students when an education provider closes, or as a last resort, to provide refunds of unexpended course fees.</i>	Non-compliance <sup>c</sup>	July 2012	December 2014 <sup>d</sup>	Compliant

a This matter was previously reported under the Department of Education, Employment and Workplace Relations. However, on 18 September 2013 this matter was transferred to the Department of Education.

b This matter was previously reported under the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education. However, on 18 September 2013 this matter was transferred to the Department of Education.

c An adequate RIS was not provided to the decision maker. However, an implementation RIS was completed for the transparency stage. A PIR is still required to be completed within two years of implementation.

d As a result of changes to the timing requirements for PIRs, the OBPR provided the Department with an extension to the revised deadline for this PIR under transitional arrangements for the new requirements.



## 5.2.7 Employment - Department of Employment

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Protection for Outworkers in the Textile, Clothing and Footwear Industry<sup>a</sup></b>  <i>Extends the operation of most provisions of the Fair Work Act to contract outworkers in the Textile, Clothing and Footwear industry.</i>	E/c	July 2012	December 2014 <sup>c</sup>	Compliant
<b>Amendments to the Transfer of Business Provisions in the Fair Work Act 2009<sup>a</sup></b>  <i>Requires business taking over state or territory public sector organisations to remunerate employees the same conditions as their previous employer (Fair Work Amendment (Transfer of Business) Act 2012).</i>	E/c	December 2012	December 2014	Compliant
<b>Amendments to the Fair Work Act 2009<sup>a,b</sup></b>  <i>Expands the scope of who can request flexible working arrangements.</i>	E/c	July 2013	July 2015	Compliant
<b>Amendments to the Fair Work Act 2009<sup>a,b</sup></b>  <i>Requires employers to consult on roster changes and consider the impacts on families.</i>	E/c	January 2014	January 2016	Compliant
<b>Amendments to the Fair Work Act 2009<sup>a,b</sup></b>  <i>Ensures employees would not lose unpaid parental leave when taking special maternity leave.</i>	E/c	July 2013	July 2015	Compliant
<b>Amendments to the Fair Work Act 2009<sup>a,b</sup></b>  <i>Provides pregnant employees with less than 12 months service the right to transfer to a safe job.</i>	E/c	July 2013	July 2015	Compliant
<b>Amendments to the Fair Work Act 2009<sup>a,b</sup></b>  <i>Increases the maximum period of concurrent unpaid parental leave from four to eight weeks.</i>	E/c	July 2013	July 2015	Compliant

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Amendments to the <i>Fair Work Act 2009</i><sup>a,b</sup></b> <i>Creates a definition of workplace bullying and allowing an employee who has suffered bullying at work the right to seek an order from the Fair Work Commission.</i>	E/c	January 2014	January 2016	Compliant
<b>Amendments to the <i>Fair Work Act 2009</i><sup>a,b</sup></b> <i>Amends right of entry provisions in relation to the location of discussions and interviews, as well as transport and accommodation arrangements for the facilitation of entry to premises in remote areas by permit holders.</i>	E/c	January 2014	January 2016	Compliant
<b>Amendments to the <i>Fair Work Act 2009</i><sup>a,b</sup></b> <i>Requires the Fair Work Commission to take into account the need to provide additional remuneration for employees working over-time; unsocial, irregular or unpredictable hours; working on weekends or public holidays; or working shifts when making or varying a modern award.</i>	E/c	January 2014	January 2016	Compliant
<b>Amendments to the <i>Fair Work Act 2009</i><sup>a,b</sup></b> <i>Amendments to bargaining for greenfields agreements.</i>	E/c	Not implemented	..	Compliant

a These matters were previously reported under the Department of Education, Employment and Workplace Relations. However, on 18 September 2013 these matters were transferred to the Department of Employment.

b These measures relate to two decisions to amend the *Fair Work Act 2009* announced in 2013-14.

c As a result of changes to the timing requirements for PIRs, the OBPR provided the Department with an extension to the revised deadline for this PIR under transitional arrangements for the new requirements.

E/c Exceptional circumstances were granted by the Prime Minister.

.. Not applicable

## 5.2.8 Environment - Department of the Environment

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Renewable Energy (Electricity Amendment Regulations 2010 (No. 3))<sup>a</sup></b>  <i>Extends safety and quality requirements for small-scale renewable energy generation systems.</i>	Non-compliance	June 2010	October 2012	Non-Compliant <sup>b</sup>
<b>Renewable Energy (Electricity) Amendment Act 2009 and Renewable Energy (Electricity) (Charge) Amendment Act 2009<sup>a,c</sup></b>  <i>Expands the renewable energy target from 9,500 GWh to 45,000 GWh by 2020 as announced on 1 December 2007.</i>	Non-compliance	December 2010	October 2012	Non-Compliant
<b>Renewable Energy (Electricity) Amendment Regulations 2010 (No. 8), Renewable Energy (Electricity) Amendment Regulations 2011 (No. 2) and Renewable Energy (Electricity) Amendment Regulations 2012 (No. 8)<sup>a,c,d</sup></b>  <i>Brings forward the scheduled annual reductions in the solar credits multiplier.</i>	Non-compliance	December 2010	October 2012	Non-Compliant <sup>b</sup>
<b>Phase Out of the Solar Credits Mechanism<sup>a,d</sup></b>  <i>To phase out the solar credits mechanism on 1 January 2013, six months earlier than scheduled.</i>	E/c	January 2013	January 2015	Compliant
<b>New fishing activities of size and scale unprecedented in Commonwealth marine areas<sup>e</sup></b>  <i>Extension of legislative powers available under the Environment Protection and Biodiversity Conservation Act 1999.</i>	E/c	September 2012	December 2014 <sup>f</sup>	Compliant
<b>Greater Protection for Water Resources<sup>e</sup></b>  <i>Amending national environmental law to require federal assessment and approval of coal seam gas and large coal mining developments that have a significant impact on a water resource.</i>	E/c	June 2013	June 2015	Compliant

a These matters were previously reported under the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education. However, on 18 September 2013 these matters were transferred to the Department of the Environment.

b The Department of Environment is currently in the process of finalising this PIR for publication.

c The completion date for these PIRs was extended to allow information to be included from a review undertaken by the Climate Change Authority.

d A single PIR was prepared for the Government's decisions in late 2010, mid-2011 and late 2012 to bring forward the phase-out of the solar credits mechanism under the Renewable Energy Target.

e These matters were previously reported under the Department of Sustainability, Environment, Water, Population and Communities. However, on 18 September 2013 these matters were transferred to the Department of the Environment.

f As a result of changes to the timing requirements for PIRs, the OBPR provided the Department with an extension to the revised deadline for this PIR under transitional arrangements for the new requirements.

E/c Exceptional circumstances were granted by the Prime Minister.

### 5.2.9 Health - Department of Health

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Fifth Community Pharmacy Agreement<sup>a</sup></b> <i>Retention of pharmacy location rules.</i>	Non-compliance	July 2010	July 2012	Non-compliant <sup>b</sup>
<b>Fairer Private Health Insurance Incentives Bill 2009<sup>a</sup></b> <i>Introduces three new private health insurance incentive tiers.</i>	E/c	July 2012	December 2014 <sup>c</sup>	Compliant
<b>Tobacco Plain Packaging<sup>a</sup></b> <i>Requires plain packaging for tobacco products.</i>	Non-compliance	December 2012	June 2015 <sup>d</sup>	Compliant
<b>Eligibility for Medicare Funding for Diagnostic Radiology Services<sup>a</sup></b> <i>Limits the conduct of Medicare-eligible diagnostic radiology procedures (excluding mammography) to medical practitioners, qualified dental practitioners and radiographers.</i>	E/c	November 2012	December 2014 <sup>c</sup>	Compliant

a These matters were previously reported under the Department of Health and Ageing. However, on 18 September 2013 these matters were transferred to the Department of Health.

b This PIR has been completed and published since 30 June 2014.

c As a result of changes to the timing requirements for PIRs, the OBPR provided the Department with an extension to the revised deadline for this PIR under transitional arrangements for the new requirements.

d OBPR has granted an extension to the due date for this PIR to June 2015 to enable the inclusion of relevant material expected to be available in the first half of 2015.

E/c Exceptional circumstances were granted by the Prime Minister.

### 5.2.10 Immigration and Border Protection - *Department of Immigration and Border Protection*

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Reforms to the Temporary Work (Skilled) (Subclass 457) Visa Program<sup>a</sup></b>  <i>Several measures to tighten foreign temporary skilled work visa obligations.</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Labour Market Testing for 457 Visa Sponsors<sup>a</sup></b>  <i>Introduces labour market testing requirements for prospective 457 visa sponsors.</i>	E/c	November 2013	November 2015	Compliant
<b>Organised Crime on the Waterfront<sup>c</sup></b>  <i>A package of measures to combat organised crime and strengthen security on the waterfront.</i>	Non-compliance	Not implemented <sup>b</sup>	..	Compliant

a This matter was previously reported under the Department of Immigration and Citizenship. However, on 18 September 2013 this matter was transferred to the Department of Immigration and Border Protection.

b Although certain parts of this package have already been implemented, the main regulatory aspects have not yet been implemented.

c Responsibility for this PIR was transferred from the Attorney-General's Department to the Department of Immigration and Border Protection.

E/c Exceptional circumstances were granted by the Prime Minister.

### 5.2.11 Infrastructure and Regional Development - *Department of Infrastructure and Regional Development*

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Aviation Transport Security Amendment (Additional Screening Measures) Act 2007; Aviation Transport Security Amendment Regulations 2007 (No. 4)<sup>a</sup></b>  <i>Restrictions on the quantity of liquid, aerosol and gel items that may be taken on international flights to, from or through Australia.</i>	Non-compliance	September 2007	September 2009	Non-Compliant
<b>Tripartite Deeds for 9 Federally Leased Airports<sup>a</sup></b>  <i>Offer of tripartite deeds to 9 federally leased airports for the remainder of the current airport lease.</i>	Non-compliance	July 2013	July 2015	Compliant

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Tripartite Deeds for 12 Australian Privatised Airports<sup>a</sup></b> <i>Extend the existing tripartite deeds for the 12 Australian privatised airports from 20 to 50 years.</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Aviation Transport Security Amendment Regulations 2009 (No. 3)<sup>a</sup></b> <i>Inspection of all airport staff, goods and vehicles entering and leaving airside at Australian airports.</i>	Non-compliance	Not implemented <sup>b</sup>	..	Compliant
<b>Qantas Sale Amendment Bill 2014</b> <i>Remove the foreign ownership and other restrictions that apply to Qantas but do not apply to other airlines based in Australia.</i>	E/c	Not implemented	..	Compliant

a These matters were previously reported under the Department of Infrastructure and Transport. However, on 18 September 2013 they were transferred to the Department of Infrastructure and Regional Development.

b This proposal no longer reflects current government policy and has not been implemented. As a consequence, the OBPR has agreed that a PIR no longer needs to be conducted for this proposal and will update the PIR compliance tables in 2014-15 to reflect this.

.. Not applicable

E/c Exceptional circumstances were granted by the Prime Minister.

### 5.2.12 Social Services - Department of Social Services

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Problem Gambling<sup>a</sup></b> <i>New gaming machines capable of supporting precommitment.</i>	Non-compliance	Not implemented <sup>b</sup>	..	Compliant
<b>Problem Gambling<sup>a</sup></b> <i>Introduce a \$250 daily withdrawal limit from ATMs in gaming venues (excluding casinos).</i>	Non-compliance	February 2014	February 2016	Compliant
<b>Problem Gambling<sup>a</sup></b> <i>Gaming machines to have a state linked pre-commitment system.</i>	Non-compliance	Not implemented <sup>b</sup>	..	Compliant
<b>Problem Gambling<sup>a</sup></b> <i>Electronic warnings and cost of play displays on gaming machines.</i>	Non-compliance	Not implemented <sup>b</sup>	..	Compliant

a These matters were previously reported under the Department of Families, Housing, Community Services and Indigenous Affairs. However, on 18 September 2013 these matters were transferred to the Department of Social Services.

b These proposals no longer reflect current government policy and have not been implemented. As a consequence, the OBPR has agreed that PIRs no longer need to be conducted for these proposals and will update the PIR compliance tables in 2014-15 to reflect this.

.. Not applicable

## 5.2.13 Treasury - *The Treasury*

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Regulation of Litigation Funding</b> <i>Clarifying that class actions are not managed investment schemes.</i>	Non-compliance	January 2013	January 2015	Compliant
<b>Future of Financial Advice</b> <i>Prospective ban on up-front and trailing commissions and like payments for both individual and group risk insurance within superannuation.</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Future of Financial Advice</b> <i>Requirement for advisers to renew client agreement to ongoing advice fees every two years (opt-in regime).</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Future of Financial Advice</b> <i>Ban on soft dollar benefits over \$300 per benefit.</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Future of Financial Advice</b> <i>Limited carve-out for basic products from the ban on certain conflicted remuneration structures and best interests duty.</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Future of Financial Advice</b> <i>Access to scaled financial advice.</i>	Non-compliance	July 2013	July 2015	Compliant
<b>Taxation of Financial Arrangements - Amendments to Tax Hedging Rules</b> <i>Amendments to ensure rules operate as intended and provide clarification.</i>	Non-compliance	Not implemented <sup>a</sup>	..	Compliant
<b>Government's Response to the Super System Review (Cooper Review)</b> <i>Australian Government's initial response to the Super System (Cooper) Review.</i>	E/c	July 2013	July 2015	Compliant <sup>b</sup>
<b>Competitive and Sustainable Banking System</b> <i>Ban home loan exit fees.</i>	E/c	July 2011	July 2014 <sup>c</sup>	Compliant
<b>Competitive and Sustainable Banking System</b> <i>Allow banks to issue covered bonds.</i>	E/c	October 2011	July 2014 <sup>c</sup>	Compliant

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Government Response to Australia's Future Tax System Review</b> <i>Expanding the definition of geothermal energy.</i>	E/c	July 2012	December 2014 <sup>d</sup>	Compliant
<b>Government Response to Australia's Future Tax System Review</b> <i>Mineral Resource Rent Tax - adoption of the recommendations of the Policy Transition Group.</i>	E/c	July 2012	December 2014 <sup>d</sup>	Compliant
<b>Government Response to Australia's Future Tax System Review</b> <i>Better targeting of not-for-profit tax concessions.</i>	E/c	July 2014	July 2016	Compliant
<b>Government Response to Australia's Future Tax System Review</b> <i>Introducing a statutory definition of charity.</i>	E/c	January 2014	January 2016	Compliant
<b>Government Response to Australia's Future Tax System Review</b> <i>Small business depreciation - accelerated initial deduction for motor vehicles.</i>	E/c	July 2012	December 2014 <sup>d</sup>	Compliant
<b>Duty Free Allowances - Cigarettes and Tobacco</b> <i>Reduces the inbound duty free allowance for cigarettes and tobacco for international travellers aged 18 years and over to 50 cigarettes or 50 grams of tobacco, effective from 1 September 2012.</i>	E/c	September 2012	December 2014 <sup>d</sup>	Compliant
<b>Stronger Super Reforms - Aspects of MySuper</b> <i>The ability of funds to offer tailored MySuper products to employers with more than 500 employees, and extension of the date by which trustees will be required to have transferred the balance of existing default funds into MySuper products.</i>	E/c	July 2013	July 2015	Compliant



Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Implementation of the United States Foreign Account Tax Compliance Act in Australia</b>  <i>The intergovernmental agreement seeks to limit the compliance costs and other impacts for Australian financial institutions associated with complying with US tax information reporting requirements.</i>	Substantial impact	Not implemented	..	Compliant
<b>Future of Financial Advice Amendments</b>  <i>Amendments aimed at reducing the complexity and compliance costs associated with the Future of Financial Advice (FOFA).</i>	Substantial impact	Not implemented	..	Compliant

a This proposal no longer reflects current government policy and has not been implemented. As a consequence, the OBPR has agreed that a PIR no longer needs to be conducted for this proposal and will update the PIR compliance tables in 2014-15 to reflect this.

b Elements of this proposal have been subject to regulatory impact analysis (through separate RISs), and therefore will not need to be considered by the PIR.

c The Department was allowed more time in order to include additional information requested by the OBPR in the PIR.

d As a result of changes to the timing requirements for PIRs, the OBPR provided the Department with an extension to the revised deadline for this PIR under transitional arrangements for the new requirements.

E/c Exceptional circumstances were granted by the Prime Minister.

.. Not applicable

### 5.2.14 Treasury - Australian Accounting Standards Board

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Amendments to Australian Accounting Standards AASB 1 &amp; 7</b> <i>Amendments to disclosure requirements around transfers of financial assets.</i>	Non-compliant	November 2010	June 2015 <sup>a</sup>	Compliant
<b>Reducing the Financial Reporting Burden: A Second Tier of Requirements for General Purpose Financial Statements</b> <i>Provides a second tier of requirements for general purpose financial statements to reduce the financial reporting burden.</i>	Non-compliant	June 2010	June 2015 <sup>b</sup>	Compliant

a The OBPR agreed to the AASB's request to defer the commencement date for the PIR to allow necessary data to be available for the review, having regard to the financial cycle for the relevant requirements.

b The OBPR agreed to the AASB's request to defer the commencement date for the PIR to coincide with an expected review of the relevant standards by the International Accounting Standards Board.

### 5.2.15 Treasury - Australian Prudential Regulation Authority

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Implementing Basel III Liquidity Reforms in Australia</b> <i>Implements reporting and liquidity governance requirements for Authorised Deposit-taking Institutions (ADIs) in Australia.</i>	Substantial impact	Not implemented	..	Compliant

.. Not applicable

### 5.2.16 Cross Portfolio - Department of Defence / Department of Industry

Title of regulatory proposal <i>Description of regulatory proposal</i>	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Government's Response to the Review of the Woomera Prohibited Area<sup>a</sup></b>  <i>Implements a new framework for managing Department of Defence and non-Defence use of the Woomera Prohibited Area.</i>	E/c	Not implemented	..	Compliant

a This matter was previously reported under the Department of Resources, Energy and Tourism. However, on 18 September 2013 this matter was transferred to the Department of Industry.

E/c Exceptional circumstances were granted by the Prime Minister.

.. Not applicable

