



Post-implementation Reviews: Required

Post-implementation Reviews (PIRs) are required for proposals that have substantial impacts, for proposals granted an exemption from the Government's RIS requirements by the Prime Minister, and for proposals that were non-compliant with the Government's RIS requirements. PIRs should be completed within two years of implementation where exceptional circumstances were granted or a proposal was assessed as non-compliant. PIRs should be completed within five years of implementation for proposals likely to have a substantial impact.

The status of Post-implementation Reviews (PIRs) required is updated regularly as the Office of Best Practice Regulation receives information from departments and agencies.

As of 30 June 2022, eighteen PIRs are yet to be completed. Of these, five are currently non-compliant as they have not been completed in the required timeframe.

Information on PIRs that are completed and published can be found in the associated table, [Post-implementation Reviews: Completed and Published](#).

The [post-implementation review guidance note](#) (updated 30 March 2020) provides advice on the preparation of PIRs and compliance with the Government's requirements.

Note that specific PIRs resulting from the Prime Minister's exemption granted 18 March 2020 for all urgent and unforeseen Australian Government measures made in response to COVID-19 will not be completed individually. Future updates of this document will provide clarity on this matter.

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PIR status and compliance

Figure 1. PIR status and compliance

PIR Status	Compliant	Non-compliant ^c	Total
Not yet fully implemented	4 ^a	-	4
Fully implemented	9	5 ^b	14
Total	13	5	18

a Measures that have not yet been fully implemented remain compliant under the PIR process are indicated throughout this document in blue.

b Measures that have been implemented but are non-compliant under the PIR process are indicated throughout this document in yellow.

c Under the March 2020 Australian Government RIA system, non-compliant RISs are referred to as 'insufficient'. These insufficient RISs are included in the non-compliant tally.

PIRs Required

Attorney-General's Department

Figure 2. Attorney-General's Department

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Sharing of Abhorrent Violent Material Place obligations on internet service providers, hosting service providers and content service providers to proactively refer abhorrent violent material to law enforcement, and on hosting service providers and content service providers to expeditiously remove it or cease hosting it if it is reasonably capable of being accessed within Australia.	E/c ^d	Apr 2019	Apr 2021	Non-compliant

d Measures that have not yet been fully implemented remain compliant under the PIR process are indicated

Australian Prudential Regulation Authority

Figure 3. Australian Prudential Regulation Authority

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Implement the Basel III Liquidity Framework in Australia	-	-	-	-
Implement the Basel III Liquidity Coverage Ratio ^e	Substantial Impact	Jan 2015	Jun 2022 ^f	Compliant
Implement the Basel III Net Stable Funding Ratio ^e	Substantial Impact	Jan 2018	Jun 2022 ^f	Compliant

^e Amalgamated in April 2019

^f As a result of the impacts of COVID-19, which led to the suspension of APRA's planned policy initiatives and subsequent flow on impacts for the timing of the planned PIRs, OBPR agreed to an extension to the due date to June 2022.

Department of Agriculture, Water and the Environment

Figure 4. Department of Agriculture, Water and the Environment

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Pathway to a National Voluntary Biodiversity Stewardship Market Legislation to give effect to a national voluntary agriculture biodiversity stewardship market. This will enable agricultural landholders to undertake projects that enhance or protect biodiversity in native species and receive a tradeable certificate for doing so. It will facilitate private investment in projects that will support biodiversity protection and restoration. It will be primarily administered by the Clean Energy Regulator.	Agency commitment	Feb 2022	Feb 2027	Compliant

Department of Communication and the Arts

Figure 5. Department of Communication and the Arts

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Convergence Review ^g	E/c	Mar 2013	Mar 2015	Non-compliant

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Decision not to issue spectrum or broadcast licenses for a fourth 'free to air' television network.				
Changes to media ownership and control rules Remove the '75 per cent audience reach rule' and the '2 out of 3' cross-media control rule. Introduce new local programming obligations for regional commercial television broadcasting licensees in the event of a merger.	Substantial Impact	Oct 2017	Oct 2022	Compliant
Improved Competition in Telecommunications Markets^f Require the structural separation of Telstra's wholesale and retail operations	E/c	Jan 2020	Jan 2022	Compliant
Resale Royalty Right for Visual Artists Bill 2008^h Establishes an inalienable resale royalty right for visual artists.	Non-compliance	Jun 2010	Jun 2013	Non-compliant

g These matters were originally reported under the Department of Broadband, Communications and the Digital Economy.

h These matters were previously reported under the Attorney-General's Department. However, on 20 September 2015 these matters were transferred to the Department of Communications and the Arts.

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

Department of Foreign Affairs and Trade

Figure 6. Department of Foreign Affairs and Trade

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Create preferential supply chains with TPP parties.	Substantial Impact	Dec 2018	Dec 2023	Compliant

Department of Health

Figure 7. Department of Health

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
The Seventh Community Pharmacy Agreement The Seventh Community Pharmacy Agreement (7CPA), signed by the Commonwealth, the Pharmacy Guild of Australia and the Pharmaceutical Society of Australia, commenced on 1 July 2020. Given its potential to have major impacts on businesses, individuals and the community, a RIS was required for the 7CPA.	Insufficient RIS	Jun 2020	Jun 2022	Non-compliant

Department of Home Affairs

Figure 8. Department of Home Affairs

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013ⁱ A package of measures to combat organised crime and strengthen security on the waterfront.	Non-compliance	May 2013 ⁱ	j	Compliant
Protecting Critical Infrastructure and Systems of National Significance regulatory reforms Establishes a Positive Security Obligation for critical infrastructure, including a risk management program, to be delivered through sector-specific requirements, and mandatory cyber incident reporting.	Substantial Impact	k	-	Compliant

ⁱ Responsibility for this PIR was transferred from the Attorney-General's Department to the Department of Home Affairs.

^j Some elements were implemented in May 2013, for which a post-implementation review has commenced. Others are still to be implemented

^k The sector-specific requirements of this proposal are yet to be implemented

Department of Infrastructure and Regional Development

Figure 9. Department of Infrastructure and Regional Development

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Qantas Sale Amendment Bill 2014 Remove foreign ownership and other restrictions on Qantas	E/c	Aug 2014	Aug 2016	Non-compliant

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

Department of the Treasury

Figure 10. Department of the Treasury

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
Removing the preferential tax treatment for Offshore Banking Units (OBUs) Reform Australia's Offshore Banking Unit (OBU) regime to avoid Australia's continued designation, by the OECD and European Union, as having a harmful tax regime.	E/c	Mar 2021	Mar 2023	Compliant
Foreign Investment Review Reforms Ensure Australia's foreign investment screening framework keeps pace with emerging risks and global developments, whilst maintaining Australia as an attractive destination for foreign investment	Substantial Impact	Nov 2020	Oct 2025	Compliant
Extend the ban on conflicted remuneration to listed investment companies and trusts The ban on conflicted remuneration is extended to listed investment companies and trusts (LICs), commencing 1 July 2020. The extension of the ban to LICs is intended to address risks associated with the potential mis-selling of these products to retail consumers, improve	Insufficient RIS	Jul 2020	Jul 2022	Compliant

Title of regulatory proposal	Reason for PIR	Implementation date	Due date	PIR compliance
competitive neutrality and provide long term certainty in the funds management industry.				
Litigation funders to be regulated under the Corporations Act 2001^l Litigation funders to be regulated under the Corporations Act, requiring them to hold an Australian Financial Services Licence and comply with the managed investment scheme regime.	Insufficient RIS	Aug 2020	Aug 2022	Compliant
Strengthening Regulatory Protection for Franchise Automotive Dealership^m Remove foreign ownership and other restrictions on Qantas	E/c	Mar 2021	Mar 2023	Compliant

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

^l On 25 July 2022, the Prime Minister agreed to set aside the requirement to complete a PIR on the basis that the policy is no longer government policy and is no longer in effect. The substantive elements of the current requirements no longer have full legal effect due to the Federal Court decision in LCM Funding Pty Ltd v Stanwell Corporation Limited. The OBPR assessed the remaining requirements as having a no more than minor regulatory impact.

^m Responsibility for this PIR was transferred from the Department of Industry, Science, Energy and Resources in July 2021.