



Australian Government

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

Reference: 16067

Telephone: 6271 6270

e-mail: helpdesk@obpr.gov.au

Ms Jo Wood
a/g Deputy Secretary
Workplace Relations and Economic Strategy
Department of Employment

Dear Ms Wood

Final Single stage Regulation Impact Statement – Licensing and other immediate amendments under the *Safety, Rehabilitation and Compensation Act 1988*

Thank you for forwarding the single stage Regulation Impact Statement (RIS) for the above proposal for final assessment on 13 February 2014. I note that you have formally certified the RIS as required by the best practice regulation requirements.

The proposal seeks to provide the option for firms with employees in multiple jurisdictions to self-license in the Comcare workers' rehabilitation and compensation scheme, and to be able to access the Commonwealth's workplace health and safety scheme. Firms that chose to participate would no longer have to deal with regulations and regulators in multiple jurisdictions, and may experience a significant reduction in regulatory costs.

The Office of Best Practice Regulation (OBPR) assesses details-stage RISs for consistency and adequacy – consistency relates to following the prescribed process and adequacy relates to the quality of the analysis. I note our comments of 7 February 2014 on the initial draft have been appropriately addressed, as you confirmed in your letter certifying the final version of the RIS.

I note the agency has been consistent with the RIS guidelines, having twice provided a certified details-stage RIS (addressing all seven elements) to the OBPR for assessment before the decision-maker considers the RIS. We also note that as no decision has been previously announced an options-stage RIS was not required, and that this was flagged in the RIS.

I note that the details-stage RIS is adequate as it does not contain obvious errors and has a degree of detail and depth of analysis that is commensurate with the magnitude of the problem and the size of the potential impact of the proposal – the OBPR considers that the RIS is a category 'C' RIS, reflecting that the issue is of medium significance in the broader economy with minor competition impacts.

I note that the regulatory costs and cost offsets have been agreed with the OBPR.

The Government's *Best Practice Regulation Handbook* (June 2013), at paragraph 6.4, requires that for legislation which is tabled in the Parliament, a copy of the details stage RIS must be included in the explanatory memorandum (for primary legislation) or the explanatory statement (for legislative instruments). Please ensure that your officers provide the OBPR with a copy of (or link to) the explanatory memorandum or explanatory statement when these are made public.

Additionally, the OBPR maintains a RIS website and the Government requires that details stage RISs be posted within 5 business days of a regulatory decision being publicly announced. We would appreciate you advising us when a decision on this proposal is announced, and forwarding a final copy of the details stage RIS in *Microsoft Word .doc* format in a form meeting the Australian Government's *Web Content Accessibility Guidelines*. We suggest liaising with your web services team to ensure these guidelines are met. The OBPR should be consulted if the details stage RIS is amended. It is the agency preparing the RIS, not the OBPR, which is responsible for the content of the published details stage RIS.

The website provides a public comment facility on RISs posted on the site. The OBPR moderates this facility for offensive content but does not moderate debate.

Please retain this letter as a record of the OBPR's advice. Our reference number for this issue is 16067. If you have any further queries, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. J. Porter', with a stylized flourish underneath.

Darrell Porter
Deputy Executive Director
18 February 2014