



Australian Government

Department of Communications

Drew Clarke

Secretary

Mr Jason McNamara
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600

Email: helpdesk@obpr.gov.au

Dear Mr McNamara

Regulation Impact Statement –final assessment second pass

I am writing in relation to the attached Regulation Impact Statement (RIS) prepared for Enhancing Online Safety for Children Policy. The regulatory burden to business, community organisations and/or individuals has been quantified and offsets have been identified and quantified using the Regulatory Burden Measurement framework. These have been agreed with your office.

I am satisfied that the RIS addresses the concerns raised in your letter of 19 November 2014.

Specifically, greater clarity of the options and further detail has been provided. The expected likely effects of each option on stakeholders has been set out informed by comments received in relation to the consultation process. Significant changes have been made to pages 8 and 9 of the RIS to provide further context, as requested, around the options. Additional commentary on the options can be found in the RIS in response to rapid removal of cyber-bullying material from social media services, page 2 of Appendix D to the RIS, page 2 of Appendix E of the RIS in relation to perpetrators of cyber-bullying and page 1 of Appendix F to the RIS in relation to quality assurance of online safety programmes offered in schools.

In addition, further analysis of the costs and benefits of each of the proposed options has been added to the RIS. Further context has been provided, as requested, around the

options. Detailed commentary on the cost and benefit of the proposed approach has been provided on page 14 of the RIS.

It should be noted that the Government has engaged in extensive consultation with stakeholders on options to Enhance Online Safety for Children. The Government has consulted widely through its public consultation process early in 2014 and has worked closely with key stakeholders including community groups, internet service providers, industry associations, business and government in the development of the legislation.

In line with the above, consultation was undertaken on the draft RIS and stakeholders delivered a variety of comments in response to this process. Overall, the policy proposal was supported with stakeholders noting the extensive work done by government in advancing their election commitment.

The views expressed by stakeholders including suggested alternative policy approaches have been summarised in new Appendix G to the RIS. Further, the revised RIS incorporates the feedback from stakeholders where appropriate throughout the document. In particular, commentary has been incorporated on pages 4, 6, 8, 9 and 15 of the revised RIS.

Overall, the preferred option was generally supported by stakeholders and this was reflected in the submissions received. Social media sites would prefer the status quo, but this does not accord with the Government's election commitment. Stakeholders were generally supportive of the Government's initiatives to enhance online safety for children, and in the context of the RIS, would agree that those initiatives could be expected to have a net benefit. Further detail can be found on page 3 of Appendix G to the RIS.

Accordingly, I am satisfied that the RIS now meets best practice consistent with the *Australian Government Guide to Regulation*.

I now submit the RIS to the Office of Best Practice Regulation for formal final assessment.

If you wish to discuss any further matters, the relevant contact is Mr Rohan Buettel, Assistant Secretary, Consumer Protection at rohan.buettel@communications.gov.au or via phone on 02 6271 1932.

Yours sincerely



Drew Clarke

25 November 2014