



Australian Government

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

Reference: 16143
Telephone: 6271 6187
e-mail: helpdesk-opbr@pmc.gov.au

Mr Drew Clarke
Secretary
Department of Communications
GPO Box 2154, Canberra

Dear Mr Clarke

Regulation Impact Statement – Enhancing Online Safety for Children

Thank you for forwarding the Regulation Impact Statement (RIS) for the above proposal for a second pass final assessment on 25 November 2014. I note that you have formally certified the RIS as required by the best practice regulation requirements.

The Office of Best Practice Regulation (OBPR) has assessed the RIS for consistency and adequacy – consistency relates to following the prescribed process and adequacy relates to the quality of the analysis. The OBPR's final assessment is that the Department of Communications (the department) is compliant with the Government's RIS requirements and is consistent with best practice.

I note our comments of 19 November 2014 on the initial draft have been appropriately addressed, and the department has been consistent with the RIS guidelines, having twice provided a certified details-stage RIS to the OBPR for the two-pass assessment before the decision-maker considers the RIS.

In addition, the regulatory savings having been agreed with the OBPR, the RIS addresses the seven RIS questions; does not contain obvious errors; and considers a minimum of three policy options, one of which is a non-regulatory option.

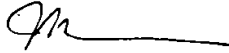
The OBPR notes that the recommended options are a combination of regulatory and non-regulatory measures to address cyber-bullying. These measures will comprise of an education and awareness raising campaign, including a voluntary certification process that is aimed to provide quality assurance of online safety education provided in schools and a two-tiered scheme, backed by legislation, for the rapid removal of cyber-bullying material from social media services as well as a separate cyber-bullying notice regime.

Additionally, the OBPR maintains a RIS website and the Government requires that RISs be posted within five business days of a regulatory decision being publicly announced. Please forward a final copy of the 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 RIS is amended. It is the agency preparing the RIS, not the OBPR, which is responsible for the content of the published RIS.

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

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'J' and 'M' followed by a horizontal line.

Jason McNamara
Executive Director
28 November 2014