



Australian Government

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

Reference: 17344
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Ms Sandra Parker
Deputy Secretary
Department of Employment

Dear Ms Parker

Final Assessment of Regulation Impact Statement – response to the review of the Office of the Federal Safety Commissioner and the Australian Government Building and Construction WHS Accreditation Scheme

Thank you for forwarding the Regulation Impact Statement (RIS) on the above matter for final assessment on 26 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's (OBPR) final assessment is that the Department of Employment is compliant with the Government's RIS requirements and is consistent with best practice. This assessment is based on:

- the regulatory costs and cost offsets having been agreed with the OBPR; and
- your letter of 26 November 2014 certifying that the issues raised in the OBPR's formal assessment of the RIS on 19 November 2014 have been addressed.

In addition, I note that 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 option – implementing the measures as recommended in the Review, and making changes to the definition of building work and increasing the accreditation interval from three to six years – has the potential to reduce overall compliance costs for building and construction operations participating in the scheme. The estimated reduction in compliance costs is \$9.7 million per year. In addition, the recommended option introduces a risk-based compliance model that will allow the Office of the Federal Safety Commissioner to concentrate its resources on those firms that need more assistance in meeting the scheme's requirements.

The OBPR also notes that the status of the RIS at each major decision making point in the policy process is explained.

The OBPR maintains a RIS website and aims to post RISs as soon as practicable after the regulatory decision has been publicly announced. To assist with this, we would appreciate your department advising us when a decision on this proposal is announced and forwarding 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 liaison 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. The OBPR website provides a public comment facility. 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 17344. If you have any further queries, please do not hesitate to contact me on 02 6271 6279.

Yours sincerely

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

Darrell Porter
Deputy Executive Director

27 November 2014