



## Australian Government

### Department of the Prime Minister and Cabinet

#### Office of Best Practice Regulation

Reference: 18456

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Mr Ian Robinson  
Deputy Secretary  
Infrastructure

Dear Mr Robinson

### **Regulation Impact Statement – second-pass final assessment – Telecommunications in New Developments Policy**

Thank you for submitting the Regulation Impact Statement (RIS) for the above proposal to the Office of Best Practice Regulation (OBPR) for second-pass final assessment on 23 April 2015. I note that the RIS has been formally certified at the Deputy Secretary level consistent with best practice.

The Office of Best Practice Regulation's (OBPR) final assessment is that the Department of Communications is compliant with the Government's RIS requirements. This assessment is based on:

- the regulatory cost and savings estimates having been agreed with the OBPR; and
- your letter of 23 April 2015 certifying the RIS responds to the OBPR's formal comments on the RIS submitted for first-pass assessment.

In addition, I note that the RIS:

- answers the seven RIS questions;
- considers a minimum of three policy options, one of which is a non-regulatory option; and
- does not contain obvious errors.

The OBPR notes that the RIS considers the interests of developers and end-users, as well as the Government, NBN Co. and competing providers, in evaluating the different policy options for the provision of telecommunications infrastructure in new developments.

The OBPR also notes that the preferred policy option attempts to encourage sustainable competition and efficiency, while balancing the interests of developers and consumers.

The RIS outlines that the Department of Communications will evaluate the effectiveness of the new policy, including the level of the proposed charges, through its ongoing monitoring

of industry developments and liaison with carriers and developers. The Department envisages this will be done at least three years after implementation.

Given the expected magnitude of the impacts of the proposal the OBPR considers the level of analysis is consistent with best practice.

*Publication requirements*

The OBPR maintains a RIS website and the Government requires that 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 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.

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 matter is 18456. If you have any further queries, please do not hesitate to contact me.

Yours sincerely



Jason McNamara  
Executive Director  
Office of Best Practice Regulation

24 April 2015