



Australian Government

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

Reference: 17600

Telephone: 6271 6270

e-mail: helpdesk-obpr@pmc.gov.au

Mr Ian Robinson
Deputy Secretary
Department of Communications and the Arts

Dear Mr Robinson

Final assessment second pass Regulation Impact Statement – Amending NBN Co’s Non-Discrimination Obligations to allow it to conduct pilots or trials with specific persons

Thank you for forwarding the Regulation Impact Statement (RIS) for final assessment on 9 October 2015. I note that you have formally certified that the RIS meets the best practice regulation requirements.

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

- the regulatory costings having been agreed with the OBPR; and
- your letter of 9 October 2015 certifying that the issues raised in the earlier OBPR formal assessment of the RIS have been addressed.

I note that the 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 measures.

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

For legislation which is tabled in the Parliament, a copy of the 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 RISs are published as soon as practicable following 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 issue is 17600. If you have any further queries, please do not hesitate to contact me.



Jason McNamara
Executive Director
Office of Best Practice Regulation
13 October 2015