



Our ref: 55744
Your ref: 17628
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29 July 2016

Mr Peter Saunders
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 Saunders

Certification of independent review: Declaration of a Superfast Broadband Access Service

I am writing to certify that the attached independent review of whether to declare a Superfast Broadband Access Service under Part XIC of the *Competition and Consumer Act 2010* (CCA) has undertaken a process and analysis equivalent to a Regulatory Impact Statement (RIS).

I certify that the review has adequately addressed all seven RIS questions, and is submitted to the Office of Best Practice Regulation for the purposes of the final decision of the Australian Competition and Consumer Commission.

I also note that the regulatory burden to business, community organisations or individuals has been quantified using the Australian Government's *Regulatory Burden Measurement* framework. These have been agreed with your office and are provided in the table below.

<u>Regulatory burden and cost offset estimate table</u>				
Average annual regulatory costs (from business as usual)				
Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	\$1.225	\$0	\$0	\$1.225
Cost offset (\$ million)	Business	Community organisations	Individuals	Total, by source
Agency	\$0	\$0	\$0	\$0

<u>Regulatory burden and cost offset estimate table</u>
Average annual regulatory costs (from business as usual)
Are all new costs offset? No
Total (Change in costs – Cost offset) (\$ million) = \$1.225

The ACCC administers the communications industry specific legislation contained in the CCA (including Part XIC) and associated changes in regulatory burden are included in the portfolio of the Department of Communications and the Arts. As specific offsets have not been identified at this stage, Mr Philip Mason, Assistant Secretary, Market Structure , Department of Communications and the Arts, has advised that its portfolio net regulatory objective will be met by the end of the relevant reporting period.

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

Yours sincerely



Rod Sims
Chairman

cc: Mr Philip Mason
Assistant Secretary, Market Structure
Department of Communications and the Arts