



## Australian Government

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

Reference: 17021  
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Mr Nico Padovan  
Deputy Secretary (A/g)  
Department of Agriculture

Dear Mr Padovan

#### **Final Assessment Regulation Impact Statement – Future Status of Super Trawlers**

Thank you for forwarding the Regulation Impact Statement (RIS) for the above proposal for final assessment on 27 March 2015. 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 Agriculture is compliant with the Government's RIS requirements. This assessment is based on:

- the RIS addresses the seven questions, as per the Australian Government Guide to Regulation;
- the RIS does not contain obvious errors;
- the regulatory costs and offsets having been agreed with the OBPR;
- the Department of Agriculture having twice submitted the certified RIS for the OBPR's assessment prior to a decision being taken; and
- your letter of 27 March 2015 certifying the RIS responds to the OBPR's formal comments on the RIS submitted for first-pass assessment.

However, the OBPR's assessment is that the RIS would have been assessed as best practice if it:

- provided further clarity on the evidence, or lack of it, of environmental risks presented by large vessels in comparison with smaller vessels;
- provided evidence of regulatory failure associated with the existing fisheries management framework; and
- made a stronger case for the relative costs and benefits expected under the three options in the context of the precautionary principle and risk-based approach to management of the fishery, and hence, the conclusion that Option 3 delivers the greatest net benefit.

*Publication requirements*

The OBPR maintains a RIS website and RISs are posted as soon as practicable after a regulatory decision is 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 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 17021. If you have any further queries, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T. Simovski', with a stylized flourish at the end.

Tony Simovski  
A/g Deputy Executive Director  
Office of Best Practice Regulation  
1 April 2015