



Australian Government

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

Reference: 17296
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Ms Nerida O'Loughlin
Deputy Secretary
Department of Communications

Dear Ms O'Loughlin

Regulation Impact Statement – Second Pass Final Assessment – SBS Advertising Flexibility

Thank you for forwarding the Regulation Impact Statement (RIS) for the above proposal for a second pass final assessment on 19 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 Communications is compliant with the Government's RIS requirements and is consistent with best practice. This assessment is based on:

- the regulatory costings having been agreed with the OBPR; and
- your letter of 19 March 2015 certifying that the issues raised in the OBPR's formal assessment of the RIS on 18 March 2015 have been addressed.

In addition, I note that the RIS:

- addresses 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 recommended option is a regulatory option that provides increased flexibility and revenue to SBS with minor impacts on audiences and the commercial broadcasters.

The OBPR also notes that the RIS explains the status of the RIS at major decision making points in the policy development process.

The OBPR maintains a RIS website and aims to post RISs as soon as practicable after the regulatory decision has been 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 17296. If you have any further queries, please do not hesitate to contact me.

Yours sincerely



Jason McNamara
Executive Director

q March 2015