



Australian Government

**Department of Infrastructure, Transport,
Regional Development and Communications**

Deputy Secretary

PDR ID: EC21-000024
Contact name: Alan Chalmers

Mr Jason Lange
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet

Email: helpdesk-OBPR@pmc.gov.au

Dear Mr Lange

Spam Regulations 2004

I am writing regarding the *Spam Regulations 2004*, which, as per the *Legislation Act 2003*, are currently scheduled to sunset on 1 April 2021. Consideration is being given to remaking the instrument with only minor amendments.

The Department of Infrastructure, Transport, Regional Development and Communications certifies that the *Spam Regulations 2004* are operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for this regulation to be remade.

The assessment that the regulation is operating effectively and efficiently has been informed by a consultation process which sought input from key stakeholders between 26 October and 13 November 2020, with two responses received (and accepted) after the close of submissions. Comments were sought from the Australian Communications and Media Authority, the Australian Competition and Consumer Commission, the Office of the Australian Information Commissioner, the Association for Data-driven Marketing and Advertising, Communications Alliance and the Australian Communications Consumer Action Network.

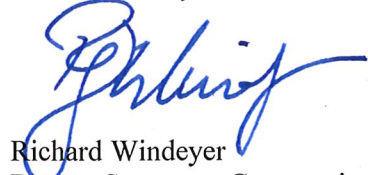
I also note that the regulatory burden to business, community organisations or individuals has been quantified using the Australian Government's *Regulatory Burden Measurement framework*. These are provided below.

Average annual regulatory costs (from business as usual)				
Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	\$ Nil	\$ Nil	\$ Nil	\$ Nil

I acknowledge that the Office of Best Practice Regulation will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Alan Chalmers on 03 9097 8304 or alan.chalmers@infrastructure.gov.au.

Yours sincerely



Richard Windeyer
Deputy Secretary, Communications and Media

16/03/2021