



## Australian Government

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

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Ms Meghan Quinn  
Deputy Secretary, Markets Group  
Department of the Treasury

Dear Ms Quinn

### **Regulation Impact Statement – Second-Pass Final Assessment – Timeliness of processes under the National Access Regime**

Thank you for your letter received on 7 May 2021 submitting a Regulation Impact Statement (RIS) on options to improve procedural timeliness under the National Access Regime (NAR) for formal second-pass Final Assessment. I note the RIS has been formally certified at the Deputy Secretary level consistent with the *Australian Government Guide to Regulatory Impact Analysis*.

I appreciate the Department's constructive engagement on the RIS.

The Office of Best Practice Regulation's (OBPR's) assessment is that the quality of the regulatory impact analysis in the RIS is adequate.

The RIS is sufficient to inform a decision, but there are minor shortcomings in the impact analysis. In particular, and given the polarised views held by infrastructure owners and users, the analysis in the RIS would have been improved by estimating and/or describing the total costs and benefits attributable to all affected stakeholders in order to more clearly demonstrate why options 1 and 4-7 are all preferred over the status quo, and why options 2 and 3 are not. In addition, the RIS would also have been improved by describing the necessary and complex transitional arrangements required before full implementation of the preferred options can be achieved, including any grandfathering arrangements. Nonetheless, the RIS may now be provided to the decision maker to inform their decision.

I would appreciate the Treasury advising the OBPR when a final decision has been announced and forwarding copies of both the RIS and certification letter in a form meeting the Government's accessibility requirements. The OBPR will then publish the RIS, along with your certification and this assessment, on the OBPR's website <https://ris.pmc.gov.au/>.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Lange', written in a cursive style.

Jason Lange  
Executive Director  
10 May 2021