



## Chief Commissioner

Our reference: 2021-028  
Contact: Chris Guselli

23 July 2021

Mr Jason Lange  
Executive Director  
Office of Best Practice Regulation  
Department of the Prime Minister and Cabinet  
CANBERRA ACT 2600

Dear Mr Lange

### TRANSPORT SAFETY INVESTIGATION REGULATIONS 2003

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Transport Safety Investigation Regulations 2003*, which, as per the *Legislation Act 2003*, had been scheduled to sunset on 1 October 2021. However, it has been decided that the instrument is to be remade without significant amendment.

The Australian Transport Safety Bureau (ATSB) certifies that the *Transport Safety Investigation Regulations 2003* are operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for this regulation to be remade. The Office of Best Practice Regulation was consulted as part of this process (OBPR 26467).

The assessment that the regulation is operating effectively and efficiently has been informed by consultation processes which involved select industry and stakeholder groups in 2019, and consultation on the *Transport Safety Investigations Regulations 2021* which involved industry bodies, operators and Commonwealth agencies. This consultation process drew on the knowledge of persons having expertise in relevant fields and ensured that persons likely to be affected by any amendment had an adequate opportunity to comment on the content.

The amendment to these regulations is largely limited to the addition of the requirement for operators of remotely piloted aircraft to report transport safety occurrences to the ATSB. The regulatory burden associated with these requirements has been quantified using the Australian Government's Regulatory Burden Measurement (RBM) framework, and relies on the following:

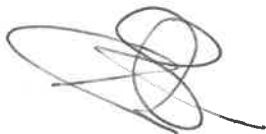
- a. the time taken to make a report to the ATSB is approximately 10 minutes (0.1667 of an hour);
- b. the default hourly cost rate of \$73.05 per hour is used (as provided by the RBM)
- c. the ATSB expects to receive 160 reports for RPA in 2021;

Based on the assumptions set out above and the RBM, the additional regulatory burden is quantified as \$1,908.80 in its first year. Subject to advances in technology and the potential for expanded RPA usage, it is reasonably expected that this will double every three years.

I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Chris Guselli on (02) 6122 1709 or [christopher.guselli@atsb.gov.au](mailto:christopher.guselli@atsb.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Colin McNamara', written in a cursive style.

Colin McNamara  
Acting Chief Commissioner