



Australian Government

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

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Ms Cath Patterson
Deputy Secretary
Strategy and Law Enforcement Group
Department of Home Affairs

Dear Ms Patterson

Regulation Impact Statement – Second Pass Final Assessment – Agreement between the Government of the United States of America and the Government of Australia on Access to Electronic Data for the Purpose of Countering Serious Crime (AUS-US CLOUD Act Agreement)

Thank you for your letter received on 2 August 2021 submitting a Regulation Impact Statement (RIS) on the AUS-US CLOUD Act Agreement 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) assessment is that the quality of the regulatory impact analysis in the RIS is good practice and therefore sufficient to inform a decision.

The analysis in the RIS is good quality overall. The RIS addresses the seven RIS questions and follows an appropriate policy development process commensurate with the significance of the problem and magnitude of the proposed intervention. The RIS may now be provided to the decision-maker to inform a final decision.

We would appreciate you advising us when a final decision has been announced and forwarding a copy of the RIS in a form meeting the Government's accessibility requirements. The OBPR will publish the RIS, along with your certification and this assessment, on the OBPR's website <https://obpr.pmc.gov.au/>.

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

Yours sincerely

A handwritten signature in black ink that reads 'Jason Lange'.

Jason Lange
Executive Director
4 August 2021