



31 March 2022

Mr Jason Lange
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600
helpdesk-obpr@pmc.gov.au

Dear Mr Lange

PUBLIC ANCILLARY FUND GUIDELINES 2011

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Public Ancillary Fund Guidelines 2011*, which, as per the *Legislation Act 2003*, were scheduled to sunset on 1 April 2022. However, the instrument has been remade without significant amendment.

The Treasury certifies that the *Public Ancillary Fund Guidelines 2011* have been operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for this instrument to be remade.

The assessment that the instrument is operating effectively and efficiently has been informed through consultation with the Australian Taxation Office and a public consultation process. Public consultation on exposure draft guidelines to replace those that were sunseting was conducted over the period 18 November 2021 to 9 December 2021, and 40 submissions were received. In response to these submissions, minor drafting changes were made to clarify the operation of provisions in the guidelines.

Some submissions also proposed policy changes that are outside the scope of the remaking process. Should it be decided later to implement these proposals, their regulatory impact will be assessed.


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	\$0	\$0	\$0	\$0

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

If you have any queries about this advice, please contact Stephen Jones on (02) 6263 3218 or stephen.jones@treasury.gov.au.

Yours sincerely



Maryanne Mrakovic
Deputy Secretary
Revenue Group