



Australian Government

Department of the Prime Minister and Cabinet

Office of Best Practice Regulation

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Mr James Penprase
Assistant Secretary
Media Reform
Department of Infrastructure, Transport, Regional Development, Communications and Arts

Dear Mr Penprase

Regulation Impact Statement – Second Pass Assessment – Remaking the Broadcasting Services Exclusion Determination

Thank you for your letter received on 10 September 2022, submitting a Regulation Impact Statement (RIS) for formal Second Pass Assessment. I note the RIS has been formally certified at your level, consistent with the delegation arrangement under the *Australian Government Guide to Regulatory Impact Analysis* (the Guide).

The Office of Best Practice Regulation's (OBPR's) assessment is that the quality of the regulatory impact analysis in the RIS is adequate and therefore sufficient to inform a decision on the proposed Determination.

To be considered 'good practice' as per the Guide, the RIS would have benefitted from additional analysis setting out:

- the benefits to community from the Broadcasting Services Act and why those benefits should continue to apply to traditional broadcasters but not providers of internet services;
- a more detailed quantified cost analysis of the market conditions created by the Determination; and
- a more thorough examination of the implementation and evaluation section to articulate next steps in the broader reform.

The RIS may now be provided to the decision-maker to inform a final decision.

Next steps

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, appearing to read 'Jason Lange', written in a cursive style.

Jason Lange
Executive Director
12 September 2022