



Mr Jason Lange
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Dear Mr Lange

Certification of independent review: Final Report of the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) - OBPR22-03675

I am writing to certify that the attached Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999*, which was delivered by Professor Graeme Samuel AC (the Samuel Review) has undertaken a process and analysis equivalent to a Regulation Impact Statement (RIS).

I certify that this document adequately addresses all seven RIS questions, and is submitted to the Office of Best Practice Regulation to support the government's full response to the Samuel Review (the Response).

I am satisfied that the scope of the problem and the recommendations identified in the Samuel Review are substantially the same as the reforms outlined in the Response. While the government's election commitment to establish a national Environment Protection Agency (EPA) was not specifically recommended by the Samuel Review, it will deliver on central recommendations of this review including independent decision-making, strong assurance and strengthened compliance.

I further certify that policy options examined in the Final Report are adequate based on the extensive consultation undertaken by the Independent Reviewer. This consultation included nearly 100 meetings with key stakeholders, and consideration of almost 30,000 written submissions. A broad range of options were considered, analysed, discussed, refined, including through consultation on an Interim Report, before the Final Report was settled.

As agreed with OBPR, and in accordance with the Australian Government's *Regulatory Burden Measurement Framework*, there is no change to the regulatory burden associated with the government's agreement to the Response. This is confirmed in the table below.

Regulatory burden estimate table

Average annual regulatory cost savings (from business as usual)

Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	\$ 0	\$ 0	\$ 0	\$ 0

Regulatory impacts are expected when the reforms set out in the Response are implemented. Further detailed design is required before regulatory changes can be measured and the full range of impacts is understood. This includes design of national environmental standards, the final scope and design of the EPA, and settling arrangements to deliver improved environmental data and information.

The Department will provide further analysis to OBPR regarding these changes prior to the introduction of the legislation that will give effect to the reform package. I understand that this additional analysis will be published by OBPR.

In summary, I am satisfied that attached report is consistent with the *Australian Government Guide to Regulatory Impact Analysis* to support the Response.

Yours sincerely



Dean Knudson
Deputy Secretary
17 November 2022

Attached: Final Report of the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999*