



### COAG Regulation Impact Statement status: 2018-19

The Office of Best Practice Regulation (OBPR) publishes Regulation Impact Statements (RIS) and the OBPR’s assessment of RISs on its website as soon as practicable after a regulatory announcement is made, in consultation with the relevant Council, Forum or national standard-setting body (NSSB). Consequently, the RIS status in aggregate and by Council, Forum or NSSB is also reported ‘live’ in the following tables.

In the financial year 2018-19, fifteen COAG Decision RISs were finalised, assessed as compliant by the OBPR, and published. Five COAG consultation RISs were assessed by the OBPR, and published.

### Compliance with the COAG RIS requirements 2015-16 to 2018-19

Stage	2015-16		2016-17		2017-18		2018-19	
	ratio	%	ratio	%	ratio	%	ratio	%
Consultation stage <sup>a</sup>	13/14	93	10/11	90	6/6	100	15/15	100
Decision-making stage	11/14	78.5	10/11	90	6/6	100	15/15	100

<sup>a</sup> The consultation stage figures relate to those decisions at the consultation stage for which a corresponding decision RIS at the decision-making stage has been announced.

### COAG Consultation RISs prepared 2015-16 to 2018-19

	2015-16	2016-17	2017-18	2018-19 <sup>a</sup>
Consultation RISs prepared <sup>a</sup>	9	8	14	5

<sup>a</sup> These numbers represent all Consultation RISs that were prepared and published in the relevant financial year.

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## Detailed information

### Australia and New Zealand Ministerial Forum on Food Regulation

Proposal	Decision date	Compliant at consultation	Compliant at decision	Final RIS published
<b>Pregnancy Warning Labels on Packaged Alcoholic Beverages</b>	<b>11 Oct 2018</b>	<b>Yes</b>	<b>Yes</b>	<b>12 Oct 18</b>
<p>The Forum agreed, based on the evidence, a mandatory labelling standard for pregnancy warning labels on packaged alcoholic beverages should be developed and should include a pictogram and relevant warning statement. The Forum requested Food Standards Australia New Zealand develop this mandatory labelling standard as a priority.</p>				

### Australian Building Codes Board

Proposal	Decision date	Compliant at consultation	Compliant at decision	Final RIS published
<b>Accessible Adult Change Facilities in Public Buildings</b>	<b>18 Dec 18</b>	<b>Yes</b>	<b>Yes</b>	<b>22 Jan 19</b>
<p>The RIS examines the impact of proposed amendments to the National Construction Code to require the construction of separate accessible adult change facilities (AACF) in public buildings including shopping centres and other public assembly buildings.</p>				
<b>Energy Efficiency of Commercial Buildings</b>	<b>21 Dec 18</b>	<b>Yes</b>	<b>Yes</b>	<b>22 Jan 19</b>
<p>The Australian Building Codes Board agreed to amend the National Construction Code to improve the energy efficiency of commercial buildings, which included changes to performance requirements, verification methods, and performance solutions.</p>				
<b>Inclusion of Heating and Cooling Energy Load Limits in Nationwide House Energy Rating Scheme Assessments</b>	<b>18 Dec 18</b>	<b>Yes</b>	<b>Yes</b>	<b>28 Feb 19</b>
<p>The RIS examines the impact of proposed amendments to the National Construction Code (NCC) to implement separate heating and cooling load limits for assessments subject to the Nationwide House Energy Rating Scheme (NatHERS) compliance pathway for Class 1 and Class 2 dwellings, and Class 4 parts of buildings, in relevant climate zones. This change will be reflected in NCC 2019 and subject to a one year transition, taking effect from 1 May 2020.</p>				
<b>Fire Safety Provisions for New Mid-rise Residential Buildings</b>	<b>22 Nov 18</b>	<b>Yes</b>	<b>Yes</b>	<b>1 Mar 19</b>
<p>The Australian Building Codes Board agreed to amend the deemed-to-satisfy (DtS) provisions of the National Construction Code to require fire sprinkler systems in new Class 2 and 3 residential buildings of four or more storeys and less than 25 metres in effective height (generally those buildings four to eight storeys in height).</p>				

## COAG Energy Council

Proposal	Decision date	Compliant at consultation	Compliant at decision	Final RIS published
<b>Energy Efficiency for Swimming Pool Pumps</b>	<b>19 Dec 18</b>	<b>Yes</b>	<b>Yes</b>	<b>18 Jan 19</b>
<p>The COAG Energy Council agreed, based on modelled benefits, that Minimum Energy Performance Standards (MEPS) and mandatory labelling would be introduced for swimming pool pumps.</p>				
<b>Retailer Reliability Obligation</b>	<b>19 Dec 18</b>	<b>Yes</b>	<b>Yes</b>	<b>7 Feb 19</b>
<p>The COAG Energy Council agreed to implement the Retailer Reliability Obligation (RRO) for the National Electricity Market. The RRO builds on existing spot and financial market arrangements in the electricity market to facilitate investment in dispatchable capacity.</p>				
<b>Changes to Minimum Energy Performance Standards for Air Conditioners</b>	<b>19 Dec 18</b>	<b>Yes</b>	<b>Yes</b>	<b>3 Jun 19</b>
<p>The COAG Energy Council agreed to more stringent Minimum Energy Performance Standards (MEPS) for air conditioners. This includes applying MEPS to single duct portable air conditioners, increasing MEPS for air conditioners with a capacity greater than 65 kW, reducing MEPS for double duct portable air conditioners and adopting the Seasonal Energy Efficiency Ratio (SEER) standard for rating air conditioner energy efficiency on the energy rating label.</p>				

## Department of Social Services

Proposal	Decision date	Compliant at consultation	Compliant at decision	Final RIS published
<b>National Consumer Protection Framework for Online Wagering</b>	<b>26 Nov 18</b>	<b>Yes</b>	<b>Yes</b>	<b>30 Nov 18</b>
<p>Commonwealth and all state and territory governments formally committed to the National Consumer Protection Framework (National Framework) for online wagering in Australia. The National Framework has been developed in response to the recommendations made in the 2015 Review of Illegal Offshore Wagering. The National Framework provides 10 consumer protection measures, which aim to reduce the harm that can be caused to individuals and their families from online wagering, from a voluntary opt-out pre-commitment system to a national multi operator self exclusion scheme.</p>				

## Legislative and Governance Forum on Gene Technology

Proposal	Decision date	Compliant at consultation	Compliant at decision	Final RIS published
<b>Technical Amendments to the Gene Technology regulations</b>	<b>8 Apr 19</b>	<b>Yes</b>	<b>Yes</b>	<b>3 Jun 19</b>
<p>The Legislative and Governance Forum on Gene Technology agreed to technical amendments to regulations made under the Gene Technology Act 2000. The technical amendments seek to address ambiguities in the regulations, update the categorisation of contained dealing with GMOs (genetically modified organisms) and clarify the regulatory status of organisms derived from GMOs.</p>				

## Legislative and Governance Forum on Consumer Affairs

Proposal	Decision date	Compliant at consultation	Compliant at decision	Final RIS published
<p><b>Gift Card Expiry Dates</b></p> <p>Proposal to amend the Australian Consumer Law to regulate the expiry period for retail gift cards and vouchers. The proposal introduces a minimum three-year expiry period, requires expiry date information to be prominently displayed and bans the charging of post-purchase fee.</p>	<b>26 Oct 18</b>	<b>Yes</b>	<b>Yes</b>	<b>29 Nov 18</b>
<p><b>Consumer Guarantees</b></p> <p>Amendments to the consumer guarantees framework within the Australian Consumer Law (ACL). The amendments arise from a review of the ACL that found the ACL to be generally beneficial and fit-for-purpose, but there were some ongoing difficulties with the operation of the consumer guarantee provisions.</p>	<b>26 Oct 18</b>	<b>Yes</b>	<b>Yes</b>	<b>29 Nov 18</b>
<p><b>Paper Billing</b></p> <p>Examined options to prevent vulnerable or disadvantaged consumers being charged to receive paper bills. Ministers agreed to encourage businesses to increase the uptake of their existing fee exemption programs.</p>	<b>26 Oct 18</b>	<b>Yes</b>	<b>Yes</b>	<b>29 Nov 18</b>
<p><b>Ticket Reselling</b></p> <p>The proposal requires ticket resale websites to disclose the face value of tickets and the fact that the website is not a primary ticket seller. This will ensure consumers can make an informed decision about whether to buy tickets from resale websites. The proposal does not restrict the continued operation of secondary ticket markets, in recognition that these provide a valuable service for consumers.</p>	<b>26 Oct 18</b>	<b>Yes</b>	<b>Yes</b>	<b>30 Nov 18</b>

## Transport and Infrastructure Council

Proposal	Decision date	Compliant at consultation	Compliant at decision	Final RIS published
<p><b>Safety Assurance for Automated Driving Systems</b></p> <p>Endorsed the Safety Assurance approach for the introduction of automated vehicles in Australia at first supply. The RIS identified and assessed options to address these risks including a safety assurance system based on mandatory self-certification and an option containing a primary safety duty on entities responsible for the Automatic Driving Systems (ADS).</p>	<b>15 Nov 18</b>	<b>Yes</b>	<b>Yes</b>	<b>28 Feb 19</b>

## Appendix A - RISs prepared for consultation in 2018-19

The following Council of Australian Governments (COAG) consultation RISs have been published for consultation in 2018-19.

Proposal	Decision-making body	Closing date
<p><b>National Energy Guarantee</b></p> <p>The COAG Energy Council released a consultation RIS to explore possible options for addressing climate and energy policy issues in the National Electricity Market. The RIS examines options including the status quo, a National Energy Guarantee and a Physically Backed Contracts option. The RIS responds to issues around maintaining energy reliability, lowering emissions in line with international policy commitments and improving affordability.</p>	<b>COAG Energy Council</b>	<b>13 July 2018</b>
<p><b>Independent Price Regulation of Heavy Vehicle Charges</b></p> <p>The Transport and Infrastructure Council of COAG released a consultation RIS to explore the costs and benefits of options for the implementation of independent price regulation of heavy vehicle charges. The desired objective of the reform program is to improve customer focus for heavy vehicle road users, linking their needs with the level of service they receive, the charges they pay and the investment of those charges back into heavy vehicle road services.</p>	<b>Transport Infrastructure Council</b>	<b>31 Aug 2018</b>
<p><b>Western Australian Container Deposit Scheme</b></p> <p>The Department of Water and Environmental Regulation (DWER) of the Government of Western Australia released a consultation RIS on examining permanent exemption from mutual recognition arrangements for the WA Container Deposit Scheme (CDS). The WA CDS imposes requirements on the sale of beverages that are not required in other jurisdictions that do not have a CDS. As such, the WA CDS may be inconsistent with the Commonwealth mutual recognition acts, which allow goods that are lawfully sold in another jurisdiction to be sold in WA. WA is seeking COAG agreement for the WA CDS to be permanently exempt from the <i>Mutual Recognition Act 1992</i> (Cth) and the <i>Trans-Tasman Mutual Recognition Act 1997</i> (Cth).</p>	<b>WA Department of Water and Environmental regulation</b>	<b>10 Sep 2018</b>
<p><b>Retail Reliability Obligation</b></p> <p>Impact assessment of the Retailer Reliability Obligation (RRO) for the National Electricity Market (NEM). The RRO builds on existing spot and financial market arrangements in the electricity market to facilitate investment in dispatchable capacity. It is designed to incentivise retailers, on behalf of their customers, to support the reliability of the power system through their contracting and investment in resources.</p>	<b>COAG Energy Council</b>	<b>12 Sep 2018</b>
<p><b>Labelling of Sugars on Packaged Foods and Drinks</b></p> <p>The Food Regulation Standards Committee released a consultation RIS exploring regulatory and non-regulatory options for labelling of sugars on packaged foods and drinks for sale in Australia and New Zealand, with the aim of ensuring food labels provide adequate information about sugars to enable consumers to make informed choices in support of dietary guidelines.</p>	<b>Australia and New Zealand Forum on Food Regulation</b>	<b>19 Sep 2018</b>