

Compliance with the Australian Government’s RIS Requirements, 2014-15 to 2019-20*

Departments and agencies were fully compliant with the Australian Government’s Regulation Impact Statement (RIS) process over the period 2014-15 to 2019-20. In total, 237 proposals required a standard or long form RIS.

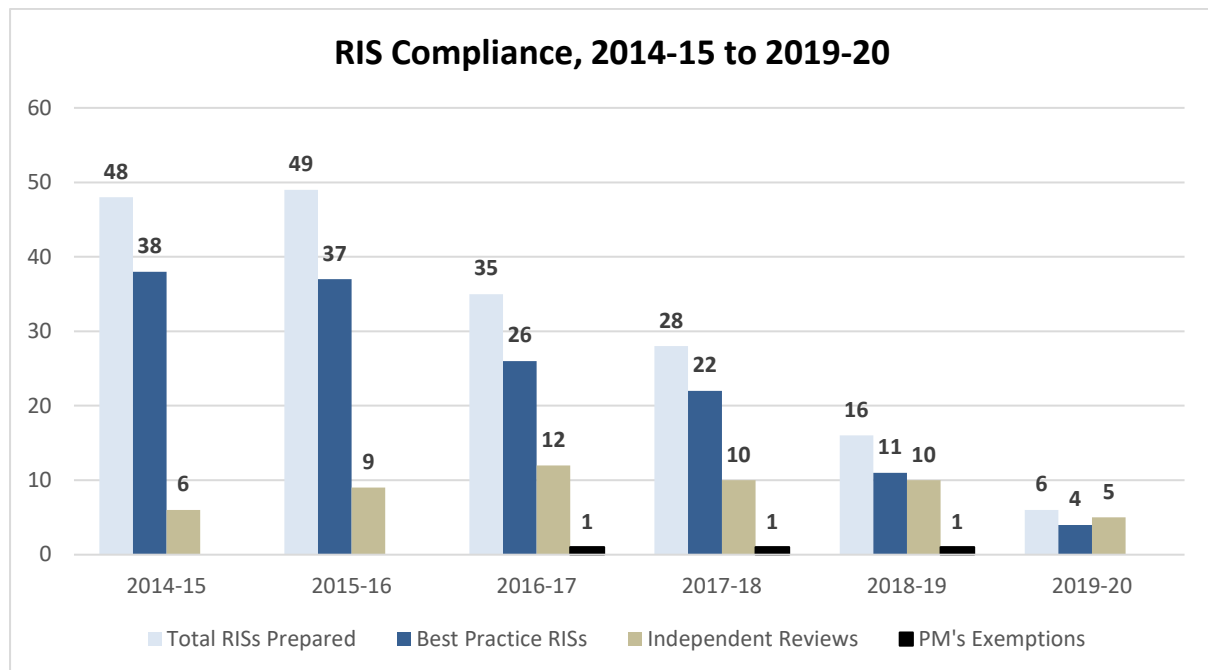
Agencies may comply with the RIS requirements in three ways:

- preparing and submitting a Regulation Impact Statement (RIS) to the OBPR for assessment;
- self-certifying the quality of analysis from an independent review or equivalent RIS-like process; or
- seeking an exemption from the RIS requirements from the Prime Minister.

Agencies prepared and submitted 182 RISs for formal assessment over the reporting period. The OBPR assessed the quality of analysis in 138 RISs as being consistent with best practice.

Agencies self-certified analysis from an independent review or RIS-like process in 52 cases. The OBPR does not assess the quality of analysis in such cases.

Prime Minister’s exemptions were granted on three occasions over the reporting period.



RIS Compliance, by year, 2014-15 to 2019-20

Year	Best Practice RISs		Independent Reviews	Prime Minister's Exemptions	Total
	(No.)	(%)			
2014-15	38/48	(79)	6		54
2015-16	37/49	(76)	9		58
2016-17	26/35	(74)	12	1	48
2017-18	22/28	(79)	10	1	38
2018-19	11/16	(69)	9	1	26
2019-20 ^a	4/6	(67)	5		11
Total	138/182	(77)	52	3	237

^a As at 14 February 2020

Proposals exempted by the Prime Minister included:

- the Sugar Industry Code of Conduct;
- the phase-out of older vessels used in the live sheep export trade; and
- measures to address abhorrent violent material being accessed within Australia.

In accordance with the Government's post-implementation review (PIR) requirements, the impacts of each proposal is required to be assessed within two years of its introduction.

Examples of major proposals where the RIS was considered not consistent with best practice include:

- First Home Loan Deposit Scheme (Treasury) (introduced 12 September 2019);
- Default Market Offer Price Cap and Reference Bill on Retail Electricity Prices (Environment and Energy) (legislation tabled 4 April 2019);
- Dairy Industry (Farmer-Processor Transactions) Code of Conduct (Agriculture and Water Resources) (introduced 15 March 2019);
- Stronger Rural Health Strategy (Health) (tabled 11 March 2019);
- Prohibiting Energy Market Misconduct (Treasury) (tabled 5 December 2018);
- Private Health Insurance Reforms (Health) (tabled 28 March 2018);
- Banking Executive Accountability Regime (Treasury) (tabled 19 October 2017);
- Major Bank Levy (Treasury) (tabled 30 May 2017);
- Superannuation Reforms (Treasury) (tabled 9 November 2016);
- VET Fee HELP Redesign (Education) (tabled 13 October 2016);
- Working Holiday Maker Reforms (Treasury) (tabled 12 October 2016);
- Enterprise Tax Plan (Treasury) (tabled 1 September 2016);
- Media Reform (Communications) (tabled 2 March 2016);
- Home Care Reform (Health) (tabled 11 February 2016).

Compliance by portfolio

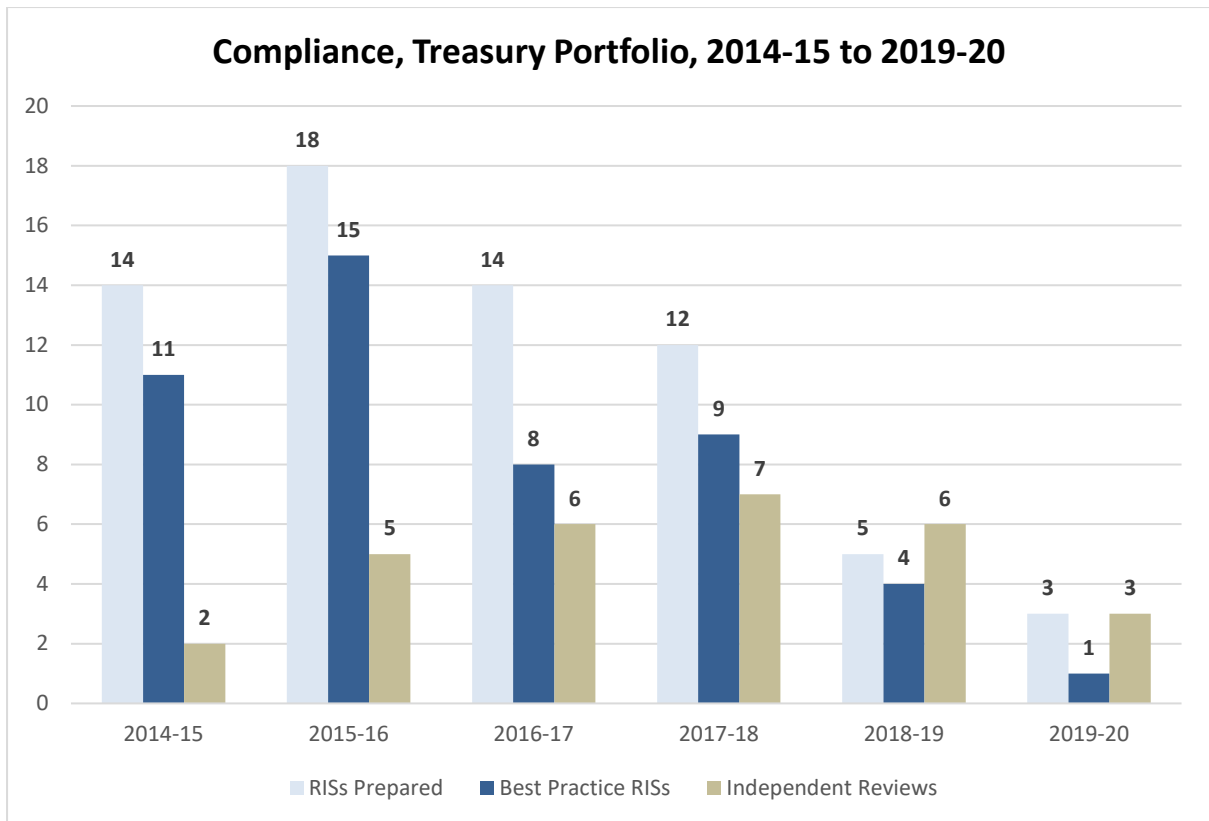
Compliance with the Australian Government's RIS requirements over the period 2014-15 to 2019-20 by portfolio is reported in the table below.

RIS Compliance, by portfolio, 2014-15 to 2019-20^a

Portfolio	Best Practice RISs (No.)	(%)	Independent Reviews (No.)	Prime Minister's Exemptions
Agriculture & Water Resources	19/22	(86)	4	-
Attorney-General	4/5	(80)	-	1
Communications & the Arts	19/22	(86)	3	-
Defence	1/1	(100)	-	-
Education	3/8	(38)	-	-
Employment, Skills and Family Business	8/9	(89)	4	-
Environment & Energy	6/8	(75)	-	-
Foreign Affairs & Trade	2/4	(50)	4	-
Health	9/15	(60)	4	-
Home Affairs (includes former Immigration)	6/7	(86)	2	-
Industry, Innovation and Science	5/6	(83)	1	-
Infrastructure, Regional Development & Cities	8/9	(89)	-	1
Prime Minister & Cabinet	0/1	(0)	1	-
Social Services	2/2	(100)	-	-
Treasury	48/66	(73)	29	1
Total	138/182	(76)	52	3

^a As at 14 February 2020

The Treasury portfolio was responsible for 40 per cent of proposals that required a RIS over the period 2014-15 to 2019-20. Of the 66 RISs prepared, 48 (73 per cent) were assessed as consistent with best practice. The Department and its agencies used the independent review process to self-certify analysis for 29 proposals, and received an exemption from the RIS requirements from the Prime Minister for the Sugar Industry Code of Conduct.



Aggregate compliance by the other portfolios over the period 2014-15 to 2018-19 is shown in the figure below. Two portfolios, Social Services and Defence were fully compliant and consistent with best practice over the period. Most portfolios were not consistent with best practice on one or two occasions over the period. The Health portfolio was not consistent with best practice for 6 of 15 RISs submitted to the OBPR for assessment and the Education portfolio was not consistent with best practice on 5 of 8 occasions. Eight portfolios used the independent review process to self-certify analysis for 23 proposals.

Compliance, Other Portfolios, 2014-15 to 2019-20

