

Post-implementation Reviews: Required

Post-implementation Reviews (PIRs) are required for proposals that have substantial impacts, for proposals granted an exemption from the Government's RIS requirements by the Prime Minister, and for proposals that were non-compliant with the Government's RIS requirements. PIRs should be completed within two years of implementation where exceptional circumstances were granted or a proposal was assessed as non-compliant. PIRs should be completed within five years of implementation for proposals likely to have a substantial impact.

The status of Post-implementation Reviews (PIRs) required is updated regularly as the Office of Best Practice Regulation receives information from departments and agencies.

As of 1 July 2020, seventeen PIRs are yet to be completed. Of these, five are currently non-compliant as they have not been completed in the required timeframe.

Information on PIRs that are completed and published can be found in the associated table, Post-implementation Reviews: Completed and Published.

The [post-implementation review guidance note](#)¹ provides advice on the preparation of PIRs and compliance with the Government's requirements.

Note that specific PIRs resulting from the Prime Minister's exemption granted 18 March 2020 for all urgent and unforeseen Australian Government measures made in response to COVID-19 are yet to be finalised. Future updates of this document will provide clarity on this matter.

Table 1: Post-implementation review status and compliance

PIR Status	Compliant	Non-compliant ^c	TOTAL
Not yet fully implemented	2 ^a	-	2
Fully implemented	10	5 ^b	15
TOTAL	12	5	17

a Measures that have not yet been fully implemented remain compliant under the PIR process are indicated throughout this document in blue.

b Measures that have been implemented but are non-compliant under the PIR process are indicated throughout this document in yellow.

c. Under the March 2020 Australian Government RIA system, non-compliant RISs are referred to as 'insufficient'. These insufficient RISs are included in the non-compliant tally.

¹ This guidance note was revised in March 2020.



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Attorney-General's Department

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
Sharing of Abhorrent Violent Material Place obligations on internet service providers, hosting service providers and content service providers to proactively refer abhorrent violent material to law enforcement, and on hosting service providers and content service providers to expeditiously remove it or cease hosting it if it is reasonably capable of being accessed within Australia.	E/c	April 2019	April 2021	Compliant

Australian Maritime Safety Authority

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
Marine order 43 (Cargo and Cargo Handling – livestock) 2018 Specify requirements for the carriage and stowage of livestock	E/c	Jun 2018	Jun 2020	Compliant

Australian Prudential Regulation Authority

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
Implement the Basel III Liquidity Framework in Australia				
Implement the Basel III Liquidity Coverage Ratio^a	Substantial Impact	Jan 2015	Dec 2021	Compliant
Implement the Basel III Net Stable Funding Ratio^a	Substantial Impact	Jan 2018	Dec 2021	Compliant

a Amalgamated in April 2019

Department of Communications and the Arts

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
Convergence Review^a Decision not to issue spectrum or broadcast licenses for a fourth 'free to air' television network.	E/c	Mar 2013	Mar 2015	Non-compliant
Changes to media ownership and control rules Remove the '75 per cent audience reach rule' and the '2 out of 3' cross-media control rule. Introduce new local programming obligations for regional commercial television broadcasting licensees in the event of a merger.	Substantial Impact	Oct 2017	Oct 2022	Compliant
Improved Competition in Telecommunications Markets^a Require the structural separation of Telstra' wholesale and retail operations	E/c	Jan 2020	Jan 2022	Compliant

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
Resale Royalty Right for Visual Artists Bill 2008^b Establishes an inalienable resale royalty right for visual artists.	Non-compliance	Jun 2010	Jun 2013	Non-compliant

a These matters were originally reported under the Department of Broadband, Communications and the Digital Economy.

b These matters were previously reported under the Attorney-General's Department. However, on 20 September 2015 these matters were transferred to the Department of Communications and the Arts.

E/c Exceptional circumstances were granted by the Prime Minister.

Department of Foreign Affairs and Trade

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
China-Australia Free Trade Agreement (ChAFTA) Reduces or eliminates tariffs on a range of Australian exports to China.	Substantial Impact	Dec 2015	Dec 2020	Compliant
Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) Create preferential supply chains with TPP parties.	Substantial Impact	Dec 2018	Dec 2023	Compliant

Department of Home Affairs

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
Customs and AusCheck Legislation Amendment (Organised Crime and Other Measures) Act 2013^a A package of measures to combat organised crime and strengthen security on the waterfront.	Non-compliance	May 2013 ^b	^b	Compliant

a Responsibility for this PIR was transferred from the Attorney-General's Department to the Department of Home Affairs.

b Some elements were implemented in May 2013, for which a post-implementation review has commenced. Others are still to be implemented

Department of Infrastructure and Regional Development

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
Qantas Sale Amendment Bill 2014 Remove foreign ownership and other restrictions on Qantas	E/c	August 2014	August 2016	Non-compliant

E/c Exceptional circumstances were granted by the Prime Minister.

Department of Health

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<p>The Seventh Community Pharmacy Agreement</p> <p>The Seventh Community Pharmacy Agreement (7CPA), signed by the Commonwealth, the Pharmacy Guild of Australia and the Pharmaceutical Society of Australia, commenced on 1 July 2020. Given its potential to have major impacts on businesses, individuals and the community, a RIS was required for the 7CPA.</p>	Insufficient RIS	June 2020	June 2022	Compliant

Department of the Treasury

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<p>Implementation of the United States Foreign Account Tax Compliance Act in Australia</p> <p>Reduces the costs to Australian financial institutions associated with complying with US tax information reporting requirements.</p>	Substantial Impact	July 2014	July 2019	Non-Compliant ^a
<p>Future of Financial Advice Amendments</p> <p>Reduces the complexity and compliance costs associated with Future of Financial Advice (FOFA) reforms.</p>	Substantial Impact	March 2016	March 2021	Compliant
<p>Sugar Industry Code^b</p> <p>Provides for an arbitration process for supply contracts between sugar suppliers and millers; an arbitration process for on-supply agreements between millers and marketers; and ensures that growers have a right to choose who markets their sugar.</p>	E/c	April 2017	April 2019	Non-Compliant
<p>Extend the ban on conflicted remuneration to listed investment companies and trusts</p> <p>The ban on conflicted remuneration is extended to listed investment companies and trusts (LICs), commencing 1 July 2020. The extension of the ban to LICs is intended to address risks associated with the potential mis-selling of these products to retail consumers, improve competitive neutrality and provide long term certainty in the funds management industry.</p>	Insufficient RIS	July 2020	July 2022	Compliant
<p>Litigation funders to be regulated under the Corporations Act 2001</p> <p>Litigation funders to be regulated under the Corporations Act, requiring them to hold an Australian Financial Services Licence and comply with the managed investment scheme regime. The Treasury was assessed as insufficient with the Australian Government's</p>	Insufficient RIS	August 2020	August 2022	Compliant



Title of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
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Description of regulatory proposal

Regulatory Impact Analysis requirements as a RIS was not prepared for the final decision to regulate.

a While Treasury is currently non-compliant with the PIR requirement, a PIR is currently being drafted. The status of this PIR will be changed to compliant once it is finalised and published on the OBPR's website.

b PM&C are working with the Treasury and Department of Agriculture to finalise the PIR.

E/c Exceptional circumstances were granted by the Prime Minister.