



Australian Government Regulation Impact Statement status - by agency: 2014–15

The Office of Best Practice Regulation (OBPR) publishes Regulation Impact Statements (RISs) on its website as soon as practicable from the date of regulatory announcements, in consultation with the relevant agency. Consequently, the RIS status in aggregate and by agency is also reported 'live' in the following tables. The Australian Government introduced a new Regulatory Impact Analysis (RIA) process in March 2014. During 2013-14, there were RISs assessed under the June 2010, July 2013 and March 2014 RIA processes. Information is available on [compliance for previous years](#) under these different processes.

Under the March 2014 Australian Government RIA process, the OBPR publishes the RIS, the associated agency certification letter and the OBPR assessment letter. A RIS can evolve during the policy development process, and can also be published for consultation at an early stage. The OBPR assesses RISs for compliance and best practice at the final decision point.

RIS Summary of compliance

Stage	2013–14		2014–15 ^a	
	ratio	%	Ratio	%
RIS compliant	47/48	98	55/55	100
Best practice^b	4/9	44	43/55	78
RISs for consultation^c		8		10
Exceptional circumstances		1		0
Estimated annual impact on Regulatory Burden^d				-\$865.2 million ^e

a Year to date.

b. An assessment of best practice is only made under the March 2014 RIA process. In 2013-14, five from nine RISs were considered compliant but not best practice.

c. RISs published for consultation includes options-stage RISs under the July 2013 RIA process.

d. Regulatory burden in RISs are estimated using the Commonwealth Regulatory Burden measurement framework and are assumed to be spread over 10 years. The estimate is based on RISs published at the final decision point.

e. The total estimated annual impact on regulatory burden may differ from the other figures in this document due to rounding.

Regulation Impact Statement compliance 2014-15 (by proposal)

	RIS Compliance	Best practice	PIR required	Regulatory Burden (\$m)
Agriculture	6/6	5/6		-\$15.3
<i>Department of Agriculture</i>	6/6	5/6		-\$15.3
Biosecurity legislation	Compliant	Yes	No	-\$6.9
Export regulation enabled by the Horticulture Marketing and Research and Development Services Act 2000	Compliant	Yes	No	\$0.0
Future Status of Super Trawlers	Compliant	No	No	\$0.0
Mandatory Code of Conduct for Grain Export Terminals	Compliant	Yes	No	-\$0.6
Reducing the Regulation of Stock Food and Pet Food	Compliant	Yes	No	-\$7.8
Regulations for Honey Levy Reforms	Compliant	Yes	No	\$0.0
Attorney General's	3/3	2/3		\$0.1
<i>Attorney General's Department</i>	3/3	2/3		\$0.1
Ban on importation of new psychoactive substances	Compliant	No	No	\$0.0
Extending the Legal Deposit Regime to Digital Material	Compliant	Yes	No	-\$0.1
Telecommunications Sector Security Reforms	Compliant	Yes	No	\$0.2
Communications	7/7	7/7		-\$62.7
<i>Department of Communications</i>	6/6	6/6		-\$62.9
Carrier Licence Conditions (Networks supplying Superfast Carriage Services to Residential Customers) Declaration 2014	Compliant	Yes	No	\$1.8
Enhancing Online Safety for Children	Compliant	Yes	No	\$0.4
Optimal Period of Registration for the Do Not Call Register	Compliant	Yes	No	-\$3.5
SBS Advertising Flexibility	Compliant	Yes	No	\$0.0
Telecommunications Infrastructure in New Developments	Compliant	Yes	No	-\$61.3
Telstra Retail Price Controls	Compliant	Yes	No	-\$0.3
<i>Australian Communications and Media Authority</i>	1/1	1/1		\$0.2

	RIS Compliance	Best practice	PIR required	Regulatory Burden (\$m)
Informed Decisions for Backup Power Supply Arrangements	Compliant	Yes	No	\$0.2
Education	1/1	0/1		-\$9.8
<i>Department of Education</i>	1/1	0/1		-\$9.8
Higher Education Reforms	Compliant	No	within five years	-\$9.8
Employment	4/4	4/4		-\$16.7
<i>Department of Employment</i>	4/4	4/4		-\$16.7
Building Code 2014 further advance release	Compliant	Yes	No	\$0.0
Office of the Federal Safety Commissioner and the Building and Construction Work Health and Safety Accreditation Scheme	Compliant	Yes	No	-\$9.7
Safety, Rehabilitation and Compensation Amendments (Improving the Comcare Scheme) Bill 2015	Compliant	Yes	No	-\$0.1
Workplace Gender Equality Reporting	Compliant	Yes	No	-\$6.9
Environment	3/3	2/3		-\$522.5
<i>Department of the Environment</i>	2/2	2/2		-\$526.7
Renewable Energy (Electricity) Amendment Bill 2012	Compliant	Yes	No	-519.6
Changes to the National Television and Computer Recycling Scheme	Compliant	Yes	No	-\$7.1
<i>Great Barrier Reef Marine Park Authority</i>	1/1	0/1		\$4.2
Ban on the disposal of capital dredge spoil material	Compliant	No	No	\$4.2
Foreign Affairs and Trade	3/3	1/3		-\$0.6
<i>Department of Foreign Affairs and Trade</i>	3/3	1/3		-\$0.6
China Free Trade Agreement (ChAFTA)	Compliant	No	within five years	\$0.0
Japan-Australia Economic Partnership Agreement (JAEPA)	Compliant	No	within five years	\$0.0
First Protocol to amend the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area	Compliant	Yes	No	-\$0.6
Health	4/4	4/4		-\$28.5
<i>Department of Health</i>	4/4	4/4		-\$28.5

	RIS Compliance	Best practice	PIR required	Regulatory Burden (\$m)
Amendments to the new regulatory framework for in-vitro diagnostic medical devices	Compliant	Yes	No	-\$0.1
Industrial chemicals assessment reforms	Compliant	Yes	No	-\$22.7
Pre-market assessment of Australian-manufactured medical devices	Compliant	Yes	No	-\$6.1
Proposed changes to the personally controlled electronic health record system	Compliant	Yes	No	\$0.4
Immigration	2/2	2/2		-\$26.6
<i>Department of Immigration and Border Protection</i>	2/2	2/2		-\$26.6
Section 457 Visa Reforms	Compliant	Yes	No	-\$29.9
Office of the Migration Agents Registration Authority Review	Compliant	Yes	No	\$3.3
Industry	3/3	3/3		-\$3.2
<i>Department of Industry</i>	3/3	3/3		-\$3.2
Energy White Paper	Compliant	Yes	No	\$0.0
Exploration Development Incentive	Compliant	Yes	No	\$0.1
Revised regulation of 'scope of registration' applications in VET sector	Compliant	Yes	No	-\$3.3
Infrastructure and Regional Development	2/2	1/2		-\$21.4
<i>Department of Infrastructure and Regional Development</i>	2/2	1/2		-\$21.4
Coast Shipping Reform	Compliant	Yes	Yes	-\$21.4
Western Sydney Airport Market Access Facilitation	Compliant	No	No	\$0.0
Treasury	17/17	12/17		-\$158.0
<i>Australian Accounting Standards Board</i>	2/2	1/2		\$47.3
Revised Accounting Standard for Financial Instruments	Compliant	No	No	\$32.2
Revised Accounting Standard for Revenue from Contracts with Customers	Compliant	Yes	No	\$15.1
<i>Australian Competition and Consumer Commission</i>	1/1	0/1		\$0.0
Domestic Mobile Terminating Access Service Declaration	Compliant	No	No	\$0.0

	RIS Compliance	Best practice	PIR required	Regulatory Burden (\$m)
<i>Australian Prudential Regulation Authority</i>	2/2	1/2		\$1.0
Basel III Disclosure Requirements: leverage ratio; liquidity coverage ratio; the identification of potential global systemically important banks; and other minor amendments	Compliant	Yes	No	\$1.0
Regulation of Registered Financial Corporations	Compliant	No	No	\$0.0
<i>Australian Securities and Investments Commission</i>	3/3	2/3		-\$95.3
Over-The-Counter Derivatives Reform: Amendments to ASIC Derivative Transaction Rules (Reporting) 2013	Compliant	Yes	No	-\$4.9
Relief for 31 day notice term deposits	Compliant	No	No	-\$77.3
Removal of short sale tagging obligation	Compliant	Yes	No	-\$13.1
<i>Australian Taxation Office</i>	1/1	0/1		-\$80.9
Simplified Transfer Price Record Keeping	Compliant	No	No	-\$80.9
<i>The Treasury</i>	8/8	8/8		-\$30.1
Accelerated Depreciation for Primary Producers	Compliant	Yes	No	-\$1.4
Australian Small Business and Family Enterprise Ombudsman	Compliant	Yes	No	\$0.0
Expanding Accelerated Depreciation for Small Businesses	Compliant	Yes	No	-\$6.1
Fuel Excise Indexation	Compliant	Yes	No	\$5.0
Incorporated Small Business Tax Cut	Compliant	Yes	No	\$3.2
Increase in Tobacco Excise	Compliant	Yes	No	\$0.0
Reducing Superannuation Compliance Costs for Small Business	Compliant	Yes	No	-\$46.4
Unincorporated Small Business Tax Discount	Compliant	Yes	No	\$15.6

totals may not match exactly due to rounding

Contents

Department of Agriculture..... 7

Attorney-General's Department..... 8

Department of Communications 9

Australian Communications and Media Authority 11

Department of Education..... 11

Department of Employment..... 11

Department of Environment..... 13

Department of Foreign Affairs and Trade 13

Department of Health 14

Department of Immigration and Border Protection..... 15

Department of Industry..... 16

Department of Infrastructure and Regional Development 17

Australian Accounting Standards Board 17

Australian Competition and Consumer Commission..... 18

Australian Prudential Regulation Authority..... 18

Australian Securities and Investments Commission 19

Australian Taxation Office..... 20

The Treasury..... 20

Appendix A – RISs used for consultation during 2014-2015..... 22

Detailed information

Department of Agriculture

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Biosecurity legislation	Compliant	Yes	No	-\$6.9

The *Biosecurity Bill 2014* will replace the *Quarantine Act 1908*. The proposed legislation provides a more flexible risk-based approach to compliance, which will cost businesses less to administer and improve Australia's biosecurity risk management. The legislation encourages industry participants to actively manage biosecurity risk in return for a commercial advantage.

The Department of Agriculture has estimated regulatory cost savings of \$6.9 million per annum. However the compliance cost burden on some industry participants is estimated to increase. This is primarily through the increased regulation to manage the biosecurity risk associated with ballast water on domestic vessels.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Export regulation enabled by the Horticulture Marketing and Research and Development Services Act 2000	Compliant	Yes	No	\$0.0

The Minister for Agriculture decided to extend the Export Efficiency Powers for two years to enable the citrus industry to work with Horticulture Innovation Australia Limited to improve the operational effectiveness (including compliance), transparency and communication activity associated with the powers.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Future status of super trawlers	Compliant	No	No	\$0.0

The proposal is to introduce a permanent ban on commercial fishing in Commonwealth waters by vessels more than 130 metres in length. The ban seeks to avoid irreversible damage to the marine environment (especially protected species) associated with the operation of very large vessels which have not been used previously in Australian waters. The RIS was not consistent with best practice because it did not provide sufficient evidence and clarity on the extent of the problem and the analysis of the preferred option.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Mandatory Code of Conduct for Grain Export Terminals	Compliant	Yes	No	-\$0.6

The Minister for Agriculture and the Minister for Small Business have jointly released a mandatory code of conduct designed to give bulk wheat exporters fair and transparent access to port terminal services, regardless of who owns the infrastructure. The previous regulation was seen to impose an unnecessarily high burden on a small number of port operators. The new Code applies to all port terminal service providers, including some operators who were not subject to the previous

arrangements. The Australian Competition and Consumer Commission has powers to monitor and enforce compliance with the Code.

The proposal has been assessed as likely to have a measurable but contained impact on the economy with significant impacts on competition.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Reducing the Regulation of Stock Food and Pet Food	Compliant	Yes	No	-\$7.8

The Australian Government announced amendments to the *Agricultural and Veterinary Chemicals Code Regulations 1995* to simplify existing regulations relating to whether animal feed products are declared to be, or not to be, veterinary chemical products, provide that animal feeds that meet certain requirements for labelling, claims, ingredients and manufacture are not veterinary chemical products, and make other amendments consequential to the amendments.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Regulations for Honey Levy Reforms	Compliant	Yes	No	\$0.0

The Australian Government announced changes to the honey levy and export charge to provide for the industry's ongoing biosecurity obligations and priorities.

The changes aim to reform the honey industry levy to address inefficiencies in the collection and disbursement of levy revenue and to align the levy with other levies in the plant sector. In addition, the proposed changes will provide a more effective revenue stream for the industry to manage its biosecurity activities.

Attorney-General's Department

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Ban on importation of new psychoactive substances	Compliant	No	No	\$0.0

The Minister for Justice has introduced a Bill to ban the importation of all substances that have a psychoactive effect that are not otherwise regulated. The amendments criminalise the importation of new psychoactive substances and permit Australian Customs and Border Protection Service officers to seize unknown substances that are not existing illicit drugs or do not have a regulated legitimate use. The proposed ban would complement state and territory government actions to control the manufacture, sale and advertisement of these substances.

The OBPR found the Attorney-General's Department to be compliant with the RIS requirements. The RIS was not consistent with best practice because the RIS was not consulted on for at least 30 days.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Extending the Legal Deposit Regime to Digital Material	Compliant	Yes	No	-\$0.1
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Legal deposit is a requirement under section 201 of the Copyright Act 1968 that publishers deposit a copy of library material to the National Library of Australia (NLA). This requirement currently applies to material that is in print form, published in Australia, and in which copyright subsists.

The proposal enables the NLA to meet its statutory function of providing a comprehensive collection of publications relating to Australia and the Australian people. Currently if a publisher publishes relevant documents in digital-only form they do not need to deposit that material with the NLA. Given the increase in digital-only publications over recent years there is concern that the record of Australia's cultural heritage held by the NLA is being eroded.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Telecommunications Sector Security Reforms	Compliant	Yes	No	\$0.2
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The Australian Government announced amendments to the Telecommunications Act 1997 to require telecommunications carriers and carriage service providers (CSPs) to protect their networks from unauthorised access and interference, and to provide government with new regulatory powers to request information and issue directions to help promote compliance.

Department of Communications

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Carrier Licence Conditions (Networks supplying Superfast Carriage Services to Residential Customers) Declaration 2014	Compliant	Yes	No	\$1.8
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Imposes new obligations on carriers operating designated telecommunications networks supplying superfast carriage services or specified broadband services to residential customers

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Enhancing Online Safety for Children	Compliant	Yes	No	\$0.4
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On 3 December 2014, the Parliamentary Secretary to the Minister for Communications introduced legislation containing a range of proposals to combat cyber-bullying and provide a safer online environment for children. These included the establishment of the Children's e-Safety Commissioner and setting out the Commissioner's functions and powers, and are supported by a range of non-regulatory actions including an education and awareness raising campaign. The proposals were informed by public and industry consultation conducted throughout 2014.

The proposals have been assessed as likely to have a measurable but contained impact on the economy.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Optimal Period of Registration for the Do Not Call Register	Compliant	Yes	No	-\$3.5

The Minister for Communications introduced legislation to make the registration period for numbers on the Do Not Call Register indefinite. This will allow consumers to avoid having to periodically re-register their telephone and fax numbers.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
SBS Advertising Flexibility	Compliant	Yes	No	\$0.0

On 25 March 2015, the Minister for Communications introduced the Communications Legislation Amendment (SBS Advertising Flexibility and Other Measures) Bill 2015.

The Bill contains a range of measures, including a proposal to increase SBS's hourly advertising limit from 5 minutes to 10 minutes, but maintain SBS's daily advertising cap of 120 minutes. The amendments also clarify that SBS is allowed to earn revenue through the use of product placement in its programming.

The proposal aims to allow SBS to earn additional advertising revenue which will lessen its dependence on government funding and could be directed towards producing new content or services in the future.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Telecommunications Infrastructure in New Developments	Compliant	Yes	No	-\$61.3

Encourages sustainable competition in the provision of telecommunications infrastructure for new developments by having NBN Co charge developers to build infrastructure on a partial upfront cost recovery basis.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Telstra Retail Price Controls	Compliant	Yes	No	-\$0.3

Retail price controls that currently apply to Telstra include price caps and other restrictions to the price of certain services offered by Telstra at the retail level such as fixed telephone services.

On 18 March 2015, the Minister for Communications announced the Australian Government's decision to repeal these retail price controls.

The decision was informed by an independent review which found that retail price controls were redundant and no longer have an impact on the prices Telstra actually charges.

The process was certified by the Department of Communications as meeting the requirements of a Regulation Impact Statement (RIS). The Office of Best Practice Regulation (OBPR) does not assess independent reviews.

Australian Communications and Media Authority

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Informed Decisions for Backup Power Supply Arrangements	Compliant	Yes	No	\$0.2

The Australian Communications and Media Authority (ACMA) announced that telecommunications service providers must inform customers connecting to the NBN fibre network about how a mains power failure could affect their voice service. A backup battery supply ensures continued access to fixed-line telephone services during a power outage. Under the previous rules, telecommunication service providers may have had an incentive to minimise the amount of information provided to consumers regarding the backup battery supply. The new requirement will help to ensure consumers are adequately informed while keeping the costs to providers of maintaining records of informed consent reasonable. The proposed regulation has been assessed as likely to have a limited impact on the economy with minor impacts on competition.

Department of Education

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Higher Education Reforms	Compliant	No	within five years	-\$9.8

Existing price controls can distort the efficient functioning of the higher education market by limiting which institutions can deliver subsidised higher education, constraining competition within the market.

The *Higher Education and Research Reform Amendment Bill 2014* would allow registered higher education institutions (including public and private universities, and non-university higher education institutions) to set their own tuition fees for Commonwealth supported students. The changes will give institutions additional flexibility to structure their fees to suit their strategic goals and offer services at prices and in quantities that reflect their specific circumstances and the preferences of their students.

The OBPR did not consider that the RIS represented best practice, given the scale and significance of the higher education reforms and the likely impacts on the higher education market. In particular, the OBPR considered that the impact analysis was not sufficiently accessible to a range of stakeholders.

As the reforms have been assessed by the OBPR as having a substantial impact on the sector and the economy, the Government requires a Post-implementation Review to be completed for the higher education reforms within five years of them being implemented.

Department of Employment

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Building Code 2014 further advance release	Compliant	Yes	No	\$0.0

On 28 November 2014 the Government published a further advance release of the Building and Construction Industry (Fair and Lawful Building Sites) Code 2014 ('the Building Code').

The Building Code sets out the standard of workplace relations conduct expected from those contractors that want to perform work funded by the Commonwealth Government. The advance release of the Code notes that the provisions will apply in respect of enterprise agreements made after 24 April 2014, or that were varied in accordance with the *Fair Work Act 2009*. These clauses are likely

to have influenced enterprise agreements negotiated in the building and construction industry since that date.

The decision to make a further advance release of the Building Code was informed by analysis and consultations undertaken by the Coalition Taskforce on Re-establishing the Australian Building and Construction Commission prior to the 2013 Federal election, and by the Department of Employment subsequently.

This process was certified by the Department of Employment as meeting the requirements of a RIS. The OBPR does not assess independent reviews. The Department of Employment followed best practice process in relation to the decision to publish the further advance release.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Office of the Federal Safety Commissioner and the Building and Construction Work Health and Safety Accreditation Scheme	Compliant	Yes	No	-\$9.7
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The Australian Government announced changes to safety accreditation arrangements for builders working on Commonwealth-funded construction projects in response to a review of the Australian Government Building and Construction WHS Accreditation Scheme.

Changes to the Scheme included adopting measures as recommended in the review to modernise the Office of the Federal Safety Commissioner and the Scheme, including amending the scope of the Scheme to exclude coverage of single dwelling domestic housing, and increasing the current maximum re-accreditation period from three to up to six years.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Safety, Rehabilitation and Compensation Amendments (Improving the Comcare Scheme) Bill 2015	Compliant	Yes	No	-\$0.1
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Worker's compensation and rehabilitation arrangements for most Commonwealth and Australian Capital Territory (ACT) Government employees are governed by the Safety, Rehabilitation and Compensation Act 1988 (SRC Act). This scheme is administered by Comcare. This proposal outlines changes to the SRC Act aimed at improving return-to-work outcomes for injured workers; improving the focus on early intervention and health outcomes of injured workers; and improving administration of the scheme.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Workplace Gender Equality Reporting	Compliant	Yes	No	-\$6.9
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The proposal removes some of the requirements in relation to reporting by organisations such as providing data on remuneration of Chief Executive Officers or equivalent and workers engaged on a contract for services basis.

The proposal seeks to strike a balance between the effort of reporting and the benefits to be gained by individual businesses using the data to analyse gender equality in their organisations.

Department of Environment

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Renewable Energy (Electricity) Amendment Bill 2015	Compliant	Yes	No	-\$519.6

Reduces the profile of annual targets under the Large scale Renewable Energy Target (LRET) so that the 2020 target becomes 33,000 GWh of renewable electricity; introduces a full exemption for the electricity used in emissions-intensive trade-exposed (EITE) activities to replace the current partial exemption; and reinstates biomass from native forest wood waste as an eligible source of renewable energy.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Ban on the disposal of capital dredge spoil material	Compliant	No	No	\$4.2

This proposal aims to improve water quality in the Great Barrier Reef Marine Park (Marine Park) by banning the disposal of materials such as gravel, sands, silts and clays in the Marine Park that are displaced during major capital dredging projects. The ban will primarily affect major capital dredging projects in the Marine Park relating to the development of ports.

The Regulation Impact Statement (RIS) and associated process departed from best practice in relation to the problem definition, consultation and timing of preparing the RIS.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Changes to the National Television and Computer Recycling Scheme	Compliant	Yes	No	\$7.1

Makes changes to the National Television and Computer Recycling Scheme to improve the operation of the scheme, including by providing stability to the recycling industry and maintaining employment of disadvantaged workers.

Department of Foreign Affairs and Trade

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
China Australia Free Trade Agreement	Compliant	No	Yes	\$0.0

On 17 June 2015, Australia's Trade and Investment Minister and the Chinese Commerce Minister signed the China-Australia Free Trade Agreement (ChAFTA). The reduction or elimination of tariffs on Australian exports to China under ChAFTA is expected to increase demand in China for goods produced in Australia.

The OBPR considers that the Regulation Impact Statement prepared by the Department of Foreign Affairs and Trade is not consistent with best practice because it does not contain a degree of detail and a depth of analysis that is commensurate with the potential impacts of the proposal. As the free trade agreement has been assessed by the OBPR as having a substantial impact on the economy, the Australian Government RIS process requires a post-implementation review to be completed within five years of the ChAFTA being implemented.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Japan-Australia Economic Partnership Agreement (JAEPA)	Compliant	No	within five years	\$0.0

The Prime Ministers of Australia and Japan signed the *Japan-Australia Economic Partnership Agreement* on 8 July 2014. The implementation of the Agreement will reduce tariffs on a number of Australian exports and improve access for Australian workers in some professional services markets. It will also see tariff reductions on some Japanese products imported into Australia, notably consumer electronics, white goods and motor vehicles.

The OBPR final assessment was that the Department of Foreign Affairs and Trade (DFAT) was compliant with the Australian Government's requirements at the final decision point. However, the OBPR did not consider that the RIS prepared represents best practice having regard to the significance of the agreement; the RIS did not provide a depth of analysis of the likely scale and scope of its impacts of key sectors of the Australian economy. DFAT is non-compliant with the RIS requirements because a RIS to enter into negotiations was not prepared in 2006-07.

As this regulatory change has been assessed as being likely to have widespread and significant impacts on the Australian economy, the Government requires a Post-implementation Review to be completed within five years of the agreement being implemented.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
First Protocol to amend the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area	Compliant	Yes	No	-\$0.6

The First Protocol amends the Agreement establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) to remove regulatory impediments that have been identified as hindering business use of the Agreement. It will reduce the information requirements imposed on business when completing certificates of origin, simplify the presentation of the Agreement's Rules of Origin, and provide for the use of HS 2012 nomenclature.

Department of Health

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Amendments the new regulatory framework for in-vitro diagnostic medical devices	Compliant	Yes	No	\$0.1

The Australian Government announced amendments to the regulatory framework for in-vitro diagnostic medical devices (IVDs) to overcome previously unanticipated problems when previous regulatory changes were introduced in 2010. IVDs are pathology tests and related instrumentation used to carry out testing on human samples. Changes to the regulatory framework were introduced in 2010 that require all IVDs to undergo a level of regulatory scrutiny that is commensurate with the risks associated with their use. Prior to its full implementation, however, a number of previously unanticipated issues with the new framework were identified. The proposed changes address these problems. In particular, the proposed changes to the regulation of Class 4 in-house IVDs are expected to allow for the continued supply of these IVDs, which was not assured under the July 2010 changes. The proposed rule changes have been assessed as likely to have a measurable but contained impact on the economy with minor impacts on competition.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Industrial chemicals assessment reforms	Compliant	Yes	No	-\$22.7

The Australian Government announced amendments to the National Industrial Chemicals Notification and Assessment Scheme new chemicals assessment process to introduce a more proportionate risk-based framework. Most significantly, the new arrangements streamline the process for introducing new lower-risk chemicals and make greater use of information from overseas regulatory agencies. At the same time more flexible arrangements are to be introduced for post-market assessment of existing chemicals.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Pre-market assessment of Australian-manufactured medical devices	Compliant	Yes	No	-\$6.1

On 15 October 2014, the Australian Government announced changes to the regulation of therapeutic goods that will allow Australian manufacturers of medical devices to obtain market approval for most of their products using conformity assessment certification from European notified bodies. Conformity assessment ensures that both the medical device and the process used to make the device comply with the therapeutic goods legislation. The proposed changes allow Australian manufacturers the choice of having a conformity assessment conducted by an alternative conformity assessment body, such as a European notified body. This will allow manufacturers to export their products whilst avoiding the need for duplicate conformity assessments.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Proposed changes to the personally controlled electronic health record system	Compliant	Yes	No	\$0.4

The proposal will implement opt-out participation trials with targeted communications in the trial regions and introduce new governance arrangements to develop the existing national electronic health record system.

Department of Immigration and Border Protection

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Subclass 457 Visa Reforms	Compliant	Yes	No	-\$29.9

The 457 visa programme is a temporary visa programme aimed at meeting skills shortages. It allows businesses to address labour shortages by sponsoring genuinely skilled overseas workers.

The proposal seeks to strike a balance between strengthening necessary integrity measures whilst reducing cost of compliance to businesses and individuals.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Office of the Migration Agents Registration Authority Review	Compliant	Yes	No	\$3.3
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The 2014 Independent Review of the Office of the Migration Agents Registration Authority examined the regulatory framework and powers for the OMARA to assess if the powers are still appropriate and identify opportunities to reduce regulatory burden.

The 2014 Independent Review of the Office of the Migration Agents Registration Authority has been certified as a Regulation Impact statement by the Department of Immigration and Border Protection. The OBPR does not assess independent reviews. The OBPR agreed to the regulatory cost estimates and offsets.

Department of Industry

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Energy White Paper	Compliant	Yes	No	\$0.0
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On 8 April 2015, the Minister for Industry and Science announced the release of the Government's Energy White Paper that sets a policy framework to give industry and consumers certainty in energy policy.

The objectives of the framework include increasing competition and energy productivity and encouraging investment. The Energy White Paper outlines a number of Government priorities, one of which is to improve national energy productivity by up to 40 per cent by 2030.

The proposal has been assessed by the Office of Best Practice Regulation (OBPR) as likely to have a widespread impact on the economy.

The Energy White Paper was developed by the Department of Industry and Science.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Exploration Development Incentive	Compliant	Yes	No	\$0.7
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Establishes a refundable tax offset to encourage investment in small mineral exploration companies undertaking 'greenfields' mineral exploration in Australia.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
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Revised regulation of 'scope of registration' applications in VET sector	Compliant	Yes	No	-\$3.3
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On 11 September 2014, the Minister for Industry announced that the Australian Skills Quality Authority (ASQA) will expand the delegation for registered training providers (RTOs) to make decisions about changing the scope of their registration. The new approach will reduce red tape for highly compliant RTOs, by addressing the need for training providers to seek approval from ASQA before they offer new courses or make changes to the courses they are already delivering. The change is expected to reduce the compliance costs for those RTOs who no longer need to prepare change of scope

applications, reduces their delay costs from waiting for approvals, and avoids the need for them to pay application fees.

Department of Infrastructure and Regional Development

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Coastal Shipping Reform	Compliant	Yes	Yes	-\$21.4

The reforms introduce a simplified permit system to give foreign and Australian flagged vessels access to coastal shipping. They are estimated to deliver a net economic benefit of \$667.4 million to the economy.

As the reforms have been assessed by the OBPR as having a substantial impact on the sector and the economy, the Australian Government's RIS process requires a post implementation review to be completed for the coastal shipping reforms within five years of being implemented.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Western Sydney Airport Market Access Facilitation	Compliant	No	No	\$0.0

The Airports Amendment Bill 2015 removes the airport cross-ownership restrictions placed on Sydney West Airport. The Office of Best Practice Regulation considers that the Regulation Impact Statement required a higher level of analysis to be considered best practice. In particular, the RIS does not explain the purpose of the cross-ownership restrictions, or the competition problem that they seek to address.

Australian Accounting Standards Board

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Revised Accounting Standard for Financial Instruments	Compliant	No	No	\$32.2

The Australian Accounting Standards Board (AASB) announced that it had approved a new standard for accounting for financial instruments. The standard incorporates the international financial reporting standard IFRS 9 which made changes in relation to: reporting impairment of financial assets; and classification and measurement of financial assets, including the introduction of a measurement category of 'fair value through other comprehensive income' for debt instruments. By incorporating the requirements of IFRS 9, the new Australian standard both addresses concerns in Australia and ensures that financial statements prepared by Australian entities in accordance with Australian accounting standards will remain compliant with international financial reporting standards.

The proposal has been assessed as likely to have a measurable but contained impact on the economy with no impacts on competition. The OBPR notes that the preparation of the RIS was not consistent with best practice because of the limited depth of analysis of the benefits to business of maintaining harmonisation with international standards and the full economic costs of adopting the new standard.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Revised Accounting Standard for Revenue from Contracts with Customers	Compliant	Yes	No	\$15.1

The Australian Accounting Standards Board (AASB) announced that it had approved a new standard, *Revenue from Contracts with Customers*, which addresses the financial reporting of revenue and cash flows arising from an entity's contracts with customers. The new standard establishes principles, and includes disclosure requirements, for reporting information about the nature, amount, timing and uncertainty of revenue and cash flows arising from contracts with customers, based on the international financial reporting standard, IFRS 15.

IFRS 15 addressed concerns by users of financial statements that existing revenue standards have led to inconsistencies between entities' reported revenues, principally in relation to when an entity recognises revenue under some long term contracts (e.g. some construction contracts) and contracts that bundle together goods and services (e.g. contracts that bundle a telephone handset with network services). By incorporating the requirements of IFRS 15, the new Australian standard addresses these issues as they apply to Australia and ensures that financial statements prepared by Australian entities in accordance with Australian accounting standards will remain compliant with international financial reporting standards.

Australian Competition and Consumer Commission

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Domestic Mobile Terminating Access Service Declaration	Compliant	No	No	\$0.0

The Australian Competition and Consumer Commission (ACCC) have made a declaration that regulates the price mobile phone network operators can charge each other for connecting calls and text messages on their networks. There is currently no effective substitute for mobile phone calls and text messages which gives mobile networks the ability and incentive to set unreasonable terms with other networks. This could cause detriment to consumers in the long run if left unregulated. This regulation should ensure that the prices that networks charge each other will be cost-based, and should also promote connectivity between networks. The decision does not affect the prices that mobile phone networks can charge consumers.

The RIS was not consistent with best practice because the self-assessment of the independent review and agreement to regulatory costs occurred after the final decision.

Australian Prudential Regulation Authority

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Basel III Disclosure Requirements: leverage ratio; liquidity coverage ratio; the identification of potential global systemically important banks; and other minor amendments	Compliant	Yes	No	\$1.0

On 4 May 2015, the Chairman of the Australian Prudential Regulation Authority (APRA) made two determinations (APS 110 and APS 330) which incorporate new disclosure requirements for specified authorised deposit-taking institutions.

These requirements are based on additions to the Basel Committee on Banking Supervision's disclosure framework. They aim to improve the comparability of banking institutions' risk profiles and facilitate market discipline by providing consistent information about key risk metrics to market participants and other interested parties. The disclosure requirements are in relation to the leverage ratio, the liquidity coverage ratio and the identification of potential global systemically important banks.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Regulation of Registered Financial Corporations	Compliant	No	No	\$0.05
Removes the ability of registered financial corporations to offer at-call deposit accounts and imposes stricter conditions on certain terminology and marketing practices RFCs can use. The RIS was not consistent with best practice because consultation was inadequate and feasible options provided to APRA by stakeholders were not analysed in sufficient depth.				

Australian Securities and Investments Commission

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Over-The-Counter Derivatives Reform: Amendments to ASIC Derivative Transaction Rules (Reporting) 2013	Compliant	Yes	No	-\$4.9
Reduces compliance costs for reporting entities while ensuring that regulators continue to obtain comprehensive and complete derivative trade data.				

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Relief for 31 day notice term deposits	Compliant	No	No	-\$77.3
Provides relief for 18 months to enable 31-day notice term deposits of up to five years to be given concessional regulatory treatment as basic deposit products under the Corporations Act.				

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Removal of short sale tagging obligation	Compliant	Yes	No	-\$13.1

On 27 July 2014, the Australian Securities and Investments Commission (ASIC) repealed the short sale tagging obligation. The obligation was introduced in July 2012, to commence in July 2014, and its aim was to improve data available to the market and regulators about short selling.

Consultation since July 2012 has revealed significant implementation issues with tagging. Many stakeholders submitted that it was difficult for them to know if, at a given point in time, they were short or long on a particular asset given they could have multiple trading desks taking either position. It was also noted that there have been regulatory and market developments since 2012 that have improved the effectiveness of the existing end-of-day reporting regime.

Removing this obligation was estimated to reduce industry compliance costs by approximately \$13 million per year. These savings are mostly the result of avoided implementation costs, such as in relation to IT systems. The proposal has been assessed as likely to have a measurable but limited impact on the economy.

Australian Taxation Office

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Simplified Transfer Pricing Record Keeping	Compliant	No	No	-\$80.9

Simplifies transfer pricing reporting requirements for small business taxpayers, distributors, intra-group services and low level loans. The ATO's certification of the Division 815 Implementation Project means they are compliant with the Government's RIS requirements. However, by certifying after the final decision had been made, the ATO did not follow best practice.

The Treasury

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Accelerated depreciation for primary producers	Compliant	Yes	No	-\$1.4

Allows primary producers to immediately depreciate water and fencing assets, and depreciate fodder assets over three years, for those assets purchased after 12 May 2015. The measure will provide farmers an incentive to invest in their businesses, and more effectively store and use water and fodder to better manage periods of drought.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Australian Small Business and Family Enterprise Ombudsman	Compliant	Yes	No	\$0.0

Creates the position of the Australian Small Business and Family Enterprise Ombudsman to advocate for and assist small business, including a dispute resolution role.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Expanding accelerated depreciation for small businesses	Compliant	Yes	No	-\$6.1

Allows small businesses to immediately depreciate any assets of up to \$20,000 in value between 7.30pm (AEST) 12 May 2015 and 30 June 2017.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Fuel Excise Indexation	Compliant	Yes	No	\$5.0

Reintroduces the bi-annual indexation of fuel duty. The RIS notes that due to the inelasticity of demand for most fuel products the effect on demand of an increase in the fuel tax is expected to be minimal.

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Incorporated Small Business Tax Cut	Compliant	Yes	No	\$3.2
Reduces corporate tax rates for small companies with annual turnover of less than \$2 million from 30 per cent to 28.5 per cent starting from the 2015-16 financial year.				

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Increase in Tobacco Excise ^a	Compliant	Yes	No	\$0.0
The proposals increase the rates of excise on tobacco and tobacco products through a series of four staged increases of 12.5 per cent, commencing on 1 December 2013 with subsequent increases on 1 September each year until the last of the staged increases on 1 September 2016. The proposal also changes the basis of indexation of excise duty on tobacco and tobacco products from the consumer price index (CPI) to average weekly ordinary time earnings (AWOTE).				

a. This proposal was implemented in March 2014

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Reducing Superannuation Compliance Costs for Small Business	Compliant	Yes	No	-\$46.4
Reduces the compliance costs of the superannuation system on small businesses by amending choice of fund obligations so that employers are no longer required to offer choice of fund to temporary resident employees and in circumstances when superannuation funds merge.				

Proposal	RIS Status	Best practice	PIR required	Regulatory Burden (\$m)
Unincorporated small business tax discount	Compliant	Yes	No	\$14.8
Provides an annual 5 per cent tax discount capped at \$1000 for individual taxpayers with business income from an unincorporated small business from 1 July 2015.				

Appendix A – RISs used for consultation during 2014-2015

The RISs listed below have been certified by the authoring agencies, subject to an early assessment by the OBPR and published for consultation during the current financial year.

Proposal	Agency	Closing date
Improved Protection of Vehicle Occupants in Side Impact Crashes	Department of Infrastructure and Regional Development	31 July 2015
Child Care Assistance Package	Department of Social Services	31 July 2015
Improving Medicare funded diagnostic imaging services	Department of Health	25 June 2015
Superstream: Pass Through of Employee Details	Treasury	1 Sep 2014
Grocery Code of Conduct	Treasury	12 Sep 2014
Reducing the Regulation of Stock Food and Pet Food	Department of Agriculture	7 Nov 2014
Proposed Changes to the Annual Compliance Report	Australian Transactions Reports and Analysis Centre	28 Nov 2014
Employee Share Schemes and Start-ups	Treasury	6 Feb 2014
International Standards and Risk Assessments	Department of Prime Minister and Cabinet	Ongoing
Section 457 Visa Reforms	Department of Immigration and Border Protection	NA

Improved Protection of Vehicle Occupants in Side Impact Crashes (*Department of Infrastructure and Regional Development*)

Side impact crashes are one of the largest causes of road crash trauma in Australia. Side impact crashes with narrow objects such as poles and trees (referred to as pole side impacts) can be particularly dangerous because the point of impact is often very close to the vehicle occupant(s).

The proposal aims to improve the safety of vehicle occupants by regulating the pole side impact performance of light passenger vehicles and light commercial vehicles through the Australian Design Rules.

The proposal has been assessed by the Office of Best Practice Regulation (OBPR) as likely to have a measurable but contained impact on the economy.

Published: 19 June 2015

Child Care Assistance Package (*Department of Social Services*)

The proposal considers new child care subsidy and assistance arrangements. The proposal includes the introduction of smart technology to ensure better monitoring of the system, more efficient payment processes, and reduced red tape for both families and service providers.

Published: 29 June 2015

Improving Medicare funded diagnostic imaging services (*Department of Health*)

The proposal seeks to strengthen regulatory and accreditation requirements for Medicare-funded diagnostic imaging services to improve quality and safety. More rigorous supervision requirements, among other changes, are proposed to reduce inappropriate, unnecessary and poor quality diagnostic imaging services.

Published: 14 May 2015

Superstream: Pass Through of Employee Details (*Treasury*)

The proposed regulation would require any superannuation fund that receives data relating to a contribution being made to another fund to on-forward that data to the other fund.

Published: 1 August 2014

Grocery Code of Conduct (*Treasury*)

The proposal considers whether the activities of the major supermarket chains are harming Australian suppliers. The proposal examines whether there is an imbalance in bargaining power between supermarkets and suppliers that result in contractual arrangements significantly different to what could be realised in a competitive market.

One option discussed in-depth is an 'opt-in prescribed' code of conduct that makes certain elements of their contractual undertakings with suppliers transparent, and regulates whether certain things that can be contracted.

Published: 6 August 2014

Reducing the Regulation of Stock Food and Pet Food (*Department of Agriculture*)

The Australian Pesticides and Veterinary Medicines Authority regulate supply aspects of foods for livestock, pets, working animals, show animals and for any product that meets the definition of a Veterinary Chemical Product. The proposal discusses the case for reform to achieve greater alignment of regulatory effort and burden associated with stock foods given the risks posed by these products.

Published: 9 October 2014

Proposed Changes to Annual Compliance Report (*Department of Attorney General – Australian Transactions Reports and Analysis Centre*)

The proposal outlines changes to the annual compliance report to ensure that the report remains relevant to the appropriate stakeholders. The proposal advocates that the current report should be replaced with an enhanced compliance report and an annual return. This

will allow businesses to provide more relevant information whilst at the same time reducing regulatory burden.

Published: 2 October 2014

Employee Share Schemes and Start-ups (*Treasury*)

The proposal outlines possible improvements to the taxation arrangements for Employee Share Schemes. The proposal considers changing the taxation point for options in employee share schemes and allowing start-ups to offer options and shares at a small discount that will generally be exempt from up-front taxation.

Published: 14 October 2014

International Standards and Risk Assessments (*Department of Prime Minister and Cabinet*)

The proposal seeks to strengthen Australia's competitiveness specifically targeting job creation and higher living standards. This will build on the Government's deregulation agenda by not imposing any additional requirements under international regulation unless there is a good reason to do so.

Published: 14 October 2014

Closing date for submissions: Submissions taken on the "Cutting the Red Tape" Website

Section 457 Visa Reforms (*Department of Immigration and Border Protection*)

The proposal is regarding a temporary programme aimed at meeting skills shortages. It allows businesses to address labour shortages by sponsoring genuinely skilled overseas workers.

Published: 14 October 2014