



Policy costing request—during the caretaker period for a general election

Name of policy:	Digital Rights: Abolish Data Retention
Person requesting costing:	Senator Di Natale
Parliamentary party:	Australian Greens
Date of request to cost the policy:	1 July 2016
<i>Note: This policy costing request and the response to this request will be made publicly available.</i>	
Has a costing of this policy been requested under Section 29 of the Charter of Budget Honesty (ie from the Treasury or the Department of Finance)?	No
Details of the public release of this policy (Date, by whom and a reference to that release):	Thursday 30 th June 2016
Description of policy	
Summary of policy (as applicable, please attach copies of relevant policy documents):	<ol style="list-style-type: none">1. Abolish the government's Mandatory Data Retention Regime announced in the 2015-16 Budget2. 2. Create an additional commissioner position at the Human Rights Commission, responsible for Digital Rights. Specifically , creating an advocate for rights in the digital space, to focus on;<ul style="list-style-type: none">• Privacy policies• User rights• Government surveillance, from the Australian government and any others under existing or proposed treaties or cooperative arrangements.• Metadata retention and use• Recommendations on judicial oversight• Education and training <p>Resources for industry, educators, businesses and individuals</p>

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<p>What is the purpose or intention of the policy?</p>	
<p>What are the key assumptions that have been made in the policy, including:</p>	
<p>Is the policy part of a package? If yes, list the components and interactions with proposed or existing policies.</p>	<p>No</p>
<p>Where relevant, is funding for the policy to be demand driven or a capped amount? If a capped amount, are the costs of administering the policy to be included within the capped amount or additional to the capped amount?</p>	<p>n/a</p>
<p>Will third parties (for instance the States/Territories) have a role in funding or delivering the policy? If yes, is the Australian Government contribution capped, with additional costs to be met by third parties, or is another funding formula envisaged?</p>	<p>No</p>

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Are there associated savings, offsets or expenses? If yes, please provide details.	No
Does the policy relate to a previous budget measure? If yes, which measure?	No
If the proposal would change an existing measure, are savings expected from the departmental costs of implementing the program?	No
Will the funding/program cost require indexation? If yes, list factors to be used.	No

Expected impacts of the proposal				
<p>If applicable, what are the estimated costs each year? If available, please provide details in the table below. Are these provided on an underlying cash balance or fiscal balance basis?</p> <p>Ongoing salaried positions; see attached tables.</p>				
Estimated financial implications (outturn prices) ^(a)				
	2016–17	2017–18	2018–19	2019–20
Underlying cash balance (\$m)	43.8	13.4	-0.4	-0.4
Fiscal balance (\$m)	43.8	13.4	-0.4	-0.4
<p>(a) A positive number for the fiscal balance indicates an increase in revenue or a decrease in expenses or net capital investment in accrual terms. A positive number in the underlying cash balance indicates an increase in revenue or a decrease in expenses or net capital investment in cash terms.</p>				
<p>What assumptions have been made in deriving the expected financial impact in the party costing (please provide information on the data sources used to develop the policy)?</p>	<p>Digital rights commissioner would fall under the same pay scale as existing commissioners. Support staff costs have been calculated at a 12.5% increase in the size of the organisation, reflecting the expansion of one additional commissioner.</p>			
<p>Has the policy been costed by a third party? If yes, can you provide a copy of this costing and its assumptions?</p>	<p>No. Staffing costs obtained from Australian Human Rights Commission Annual Report 2014-2015 https://www.humanrights.gov.au/sites/default/files/document/publication/AHRC_Annual%20Report%202014%E2%80%9315_Web%20version.pdf</p>			
<p>What is the expected community impact of the policy?</p> <p>How many people will be affected by the policy?</p> <p>What is the likely take up?</p> <p>What is the basis</p>	<p>As more and more Australians conduct more and more of their personal and professional lives online, legislative responses have often failed to keep up, or have been heavy-handed, or had unforeseen consequences, or have added complexity to situations already poorly understood by the broader population.</p> <p>The Digital Rights Commissioner (DRC) would provide advice to lawmakers, resources for educators, and information to citizens about protection of privacy online, and the impact of existing and proposed legislation, and offer advice to businesses operating in Australia on best practice.</p>			

for these impact assessments/assumptions?	
Administration of policy:	
Who will administer the policy (for example, Australian Government entity, the States, non-government organisation, etc)?	The Australian Human Rights Commission, Department of the Attorney-General.
Please specify whether any special administrative arrangements are proposed for the policy and whether these are expected to involve additional transactions/processing (by service delivery agencies).	
Intended date of implementation:	1 September 2016
Intended duration of policy:	Ongoing positions.
Are there transitional arrangements associated with policy implementation?	
List major data sources utilised to develop policy (for example, ABS catalogue number 3201.0).	See attached.

Are there any other assumptions that need to be considered?	
<p>NOTE: <i>Please note that: The costing will be on the basis of information provided in this costing request. The PBO is not bound to accept the assumptions provided by the requestor. If there is a material difference in the assumptions used by the PBO, the PBO will consult with the requestor in advance of the costing being completed.</i></p>	

ATTACHMENT: Human Rights and Equal Opportunity Commission (HREOC): Staffing

Classifications	A. Staffing classification levels in Annual Report 2014-15			B. Commissioners increase by 1 (ie 12.5%), with proportionate increases in staff at other levels			C. New staffing profile, if all levels increase by 12.5%		
	Full Time	Part Time	Total	Full Time	Part Time	Total	Full Time	Part Time	Total
Statutory Office Holders	8	-	8	1	-	1	9	-	9
SES Band 2	1	-	1	-	-	-	1	-	1
SES Band 1	2	-	2	-	-	-	2	-	2
Executive Level 2 (\$111,285-130,787)	17	5	22	2	1	3	19	6	25
Executive Level 1 (\$92,560-103,493)	16	11	27	2	1	3	18	12	30
APS 6 (\$73,998-84,563)	20	9	29	3	1	4	23	10	33
APS 5 (\$66,848-73,617)	7	3	10	1	-	1	8	3	11
APS 4 (\$59,933-66,351)	17	4	21	2	1	3	19	5	24
APS 3 (\$53,775-59,178)	9	2	11	1	-	1	10	2	12
TOTALS	97	34	131	12	4	16	109	38	147