

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Additional Estimates 2015 - 2016

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet
Outcome/Program: Outcome 1: Prime Minister and Cabinet
Topic: Regulation Impact Statement Compliance

Senator: Wong, Penny

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Question:

What does it mean for a Regulation Impact Statement to be “not best practice”?

Answer:

Best practice is assessed against the 10 principles for Australian Government policy makers and the seven Regulation Impact Statement (RIS) questions set out in The Australian Government Guide to Regulation. The assessment, which is conducted at the final RIS assessment stage, judges whether the RIS is consistent with the Government’s requirements, and assesses whether the seven RIS questions have been adequately addressed. For example, has the problem been clearly articulated, or was the consultation process adequate given the magnitude of the problem or were the impacts of options sufficiently analysed. In addition, in assessing best practice, the Office of Best Practice Regulation (OBPR) also considers whether:

- the RIS provides an accurate description of its status at each major decision point;
- all viable options have been explored; and
- regulatory costs and offsets (where applicable) have been quantified and agreed with the OBPR.

What is considered best practice depends on the type of policy proposal and the type of RIS undertaken by the agency at the relevant decision making points. It is the agency completing the RIS alongside the policy development process which is responsible for achieving best practice.