

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Additional Estimates 24-28 February 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1 Prime Minister and Cabinet

Topic: Deregulation

Senator: Senator the Hon Penny Wong

Question reference number: 81

Type of Question: Written

Date set by the committee for the return of answer: 11 April 2014

Number of pages: 3

Question:

With reference to the answer to question on notice 119 from the Supplementary Budget Estimates round:

1. Why could the Office of Deregulation not answer a question about the number of regulations made and repealed since 18 September 2013?
2. How many regulations have been made and repealed since 18 September 2013?
3. When will the Government hold itself accountable to its \$1 billion a year target and conduct an audit to measure progress?
4. When will SES remuneration be linked to reductions in regulation? How will remuneration be linked?
5. Has this department's Ministerial Advisory Committee on deregulation been established yet? If so, please provide details including membership and terms of reference. If not, why not, and when will it be established?
6. Has a PM&C-specific deregulation unit been established yet? If so, please provide details of its staffing and resourcing. If not, why not, and when will it be established?
7. Has a specific regulatory performance target been set for the Secretary, Dr Watt? If not, why not, and when will it be established?
8. Have charter letters been issued to the chairs and CEOs of regulatory agencies? If not, why not?
9. Has the Productivity Commission been asked to identify and describe the framework by which the performance of regulatory agencies will be established? If not, why not?
10. Has the policy to replace mandatory regulatory reporting requirements with random audits been implemented? If not, why not?

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11. Has a whole of government risk management framework for Commonwealth regulators been developed? If not, why not?

Answer:

1. The Department of the Prime Minister and Cabinet (PM&C) response provided previously indicated that information about the number of regulations made and repealed since 18 September 2013 is not held by the department.
The Office of Parliamentary Counsel manages the registration and publication of Commonwealth law, including the ComLaw database. ComLaw is the authoritative source of information relating to Commonwealth Acts and legislative instruments.
2. The Office of Parliamentary Counsel advises, in the period 18 September 2013 to 28 February 2014, 700 legislative instruments were made and 549 were repealed (noting this does not include proposals currently in Parliament as part of the Red Tape Repeal package introduced on 19 March 2013).
3. A whole-of-government annual report on progress against the \$1 billion target will be tabled in the Parliament in the 2015 autumn sitting period.
4. A criterion on deregulation performance will be included in SES performance agreements when they are revised in 2014.
The way SES performance on deregulation is weighted against performance on other criteria is at the discretion of individual Secretaries.
5. Yes, the Prime Minister has agreed that the Indigenous Advisory Council (IAC) will act as a Ministerial Advisory Council on deregulation for PM&C, with a focus on Indigenous-specific issues. Parliamentary Secretary to the Prime Minister, the Hon Alan Tudge MP, has written to officially advise the IAC of its additional functions. No amendments to the IAC's current terms of reference are considered necessary at this time.
Membership and terms of reference for the IAC are available at: http://www.dpmc.gov.au/indigenous_affairs/indigenous_advisory_council/index.cfm.
6. Yes, a PM&C-specific deregulation unit has been established as a function within the Programme Office and Deregulation Branch. This Branch provides support and advice for the management of grants and programmes across the department, and is led by a Senior Executive Service Band One officer. As at 28 February 2014, the Deregulation Unit had two staff.

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7. Deregulation targets are set in relation to portfolios. Together with other portfolio agency heads, Dr Watt will be responsible for ensuring that the portfolio's deregulation target is met.
8. The Minister for Indigenous Affairs, Senator the Hon Nigel Scullion, is writing letters of expectation to chairs of regulatory bodies in this portfolio.
9. Yes, the Productivity Commission has been asked to identify and describe a framework by which the performance of regulatory agencies can be audited. The Productivity Commission's report was released on 19 March 2014.
10. Advice on options for replacing mandatory reporting requirements with random audits is being developed for consideration by the Government.
11. A whole-of-government risk management framework for Commonwealth regulators is currently being developed for consideration by the Government.