
A Compliance by portfolio

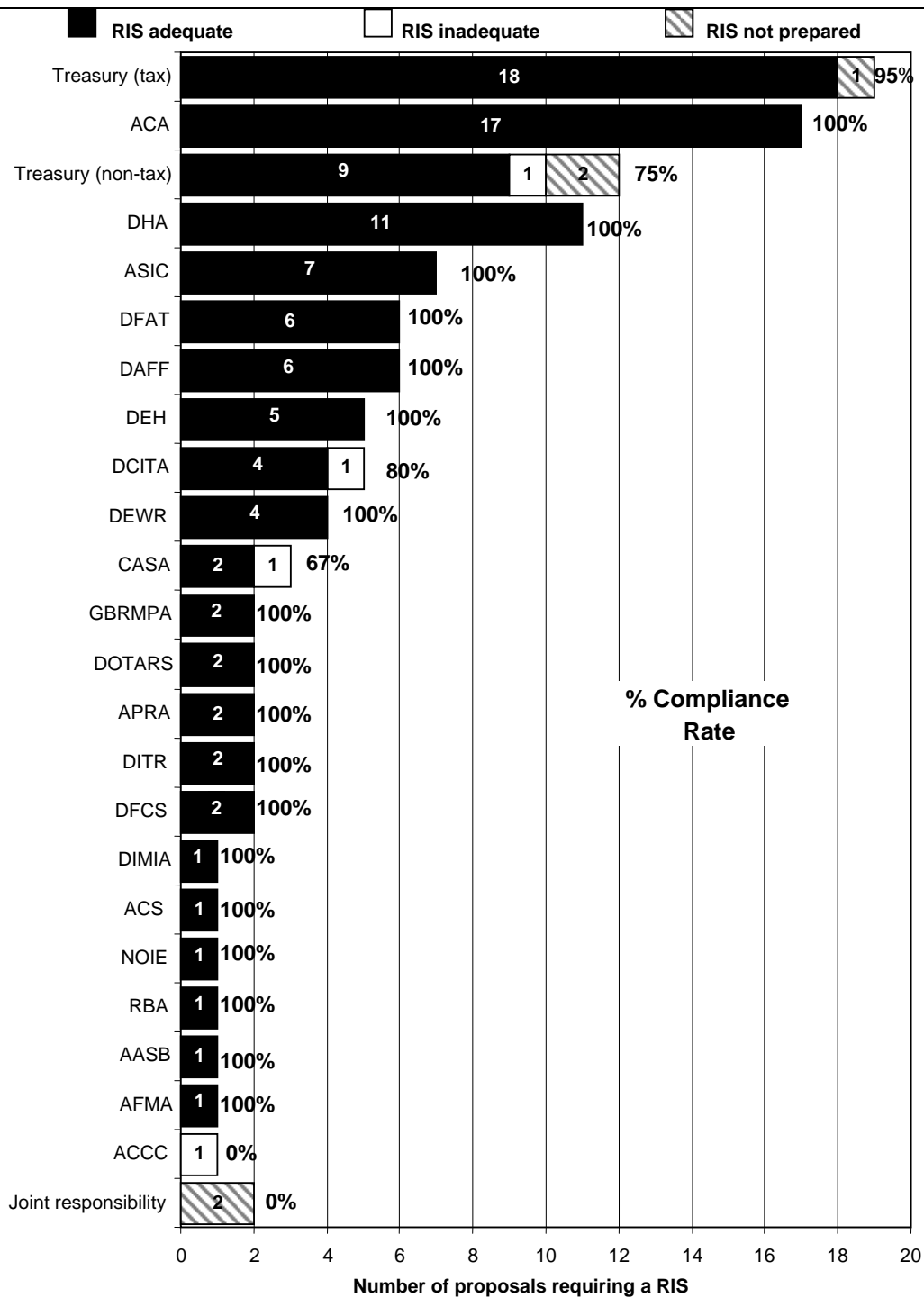
In 2003-04, 24 departments and agencies were required to prepare 114 Regulation Impact Statements (RISs) for the decision-making stage under the Australian Government's RIS requirements. In total, 105 adequate RISs were prepared — a compliance rate of 92 per cent, which is higher than in previous reporting periods. However, compliance varied both between and within portfolios. Eighteen of the 24 departments and agencies required to prepare a RIS were fully compliant.

In 2003-04, 24 departments and agencies developed regulatory proposals that triggered the requirements to prepare a RIS (this number includes those departments and agencies involved in joint proposals). Eighteen departments and agencies were fully compliant with the Government's RIS requirements at the decision-making stage (compared to 12 of 23 departments and agencies in the previous year). Four departments and agencies did not comply fully with the RIS requirements and four were non-compliant in respect of proposals where there was joint responsibility (one of which was otherwise fully compliant; another was already not fully compliant). Of the nine instances where the Government's requirements were not met, five RISs were not prepared and four RISs were assessed as inadequate.

Compliance at the decision-making stage is illustrated in figure A.1. The total length of each bar indicates the number of RISs required to be prepared at the decision-making stage. The area in black denotes RISs that were prepared and assessed as adequate by the ORR. The area in white shows the number of RISs that were prepared but were assessed as containing an inadequate level of analysis. The shaded area shows the RISs that should have been prepared but were not. The compliance rate for each department and agency, as a percentage of the number of RISs required for that department/agency, is shown at the end of each bar.

Detailed compliance results for departments and agencies follow. Brief descriptions of the application of the Government's requirements to significant regulatory proposals are also provided. Compliance results for individual proposals are provided in appendix B.

Figure A.1 Compliance with RIS requirements at the decision-making stage, 2003-04 ^a



^a When the Government's RIS requirements became mandatory, the Government introduced a modified RIS process for tax proposals. Compliance by the Department of the Treasury is accordingly reported for both tax RISs and non-tax RISs.

Source: ORR estimates.

A.1 Agriculture, Fisheries and Forestry

The Agriculture, Fisheries and Forestry portfolio includes the Department of Agriculture, Fisheries and Forestry (DAFF) and the Australian Fisheries Management Authority (AFMA). (The Australian Pesticides and Veterinary Medicines Authority (APVMA), which is within the portfolio, falls under the COAG RIS requirements.)

Department of Agriculture, Fisheries and Forestry

In 2003-04, the Department of Agriculture, Fisheries and Forestry was fully compliant with the RIS requirements for regulations made. Of the RISs required to be prepared by the Department — six at the decision-making stage and seven at the tabling stage — all were assessed as adequate by the ORR.

Table A.1 **DAFF: RIS compliance by type of regulation, 2003-04**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Bills	2/2	2/2	2/2	2/2
Disallowable instruments ^a	4/4	4/4	5/5	5/5
Total	6/6	6/6	7/7	7/7
<i>Percentage</i>	100	100	100	100

^a One disallowable instrument did not require a RIS at the decision-making stage as it was responding to an emergency.

Source: ORR estimates.

Australian Fisheries Management Authority

In 2002-03, the Australian Fisheries Management Authority (AFMA) was fully compliant with the Government's RIS requirements — preparing one RIS for a disallowable instrument that was assessed as adequate by the ORR at both the decision-making and tabling stages.

A.2 Attorney-General's

The Attorney-General's portfolio comprises the Attorney-General's Department (A-G's) and agencies including the Australian Customs Service (ACS). A-G's was not required to prepare any RISs in 2003-04.

Australian Customs Service

The ACS was fully compliant with the Government's RIS requirements in 2003-04, preparing one RIS for a disallowable instrument, which was assessed as adequate for both the decision-making and tabling stages.

A.3 Communications, Information Technology and the Arts

The Communications, Information Technology and the Arts portfolio includes: the Department of Communications, Information Technology and the Arts (DCITA); the Australian Broadcasting Authority (ABA); the Australian Communications Authority (ACA) and the Australian Sports Drug Agency (ASDA). In 2003-04, neither the ABA nor ASDA was required to prepare RISs.

On 8 April 2004, the National Office for the Information Economy (NOIE) became the Australian Government Information Management Office. The regulatory functions of the former NOIE were transferred to the Office for the Information Economy within DCITA.

Department of Communications, Information Technology and the Arts

In 2003-04, four of the five RISs required to be prepared by DCITA at the decision-making stage were assessed by the ORR as adequate. Both of the RISs required at the tabling stage were assessed as adequate.

Table A.2 **DCITA: RIS compliance by type of regulation, 2003-04**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Disallowable instruments ^{a, b}	3/3	2/3	2/2	2/2
Non-disallowable instruments	2/2	2/2	..	..
Total	5/5	4/5	2/2	2/2
<i>Percentage</i>	100	80	100	100

.. Not applicable. ^a One proposal required a RIS for each of two decision-making stages. The first decision-making RIS was assessed as inadequate, and the second decision-making RIS and the tabling RIS were assessed as adequate. ^b For one proposal requiring a RIS, a Bill and a disallowable instrument were required for implementation. The RIS was attached to the disallowable instrument.

Source: ORR estimates.

Australian Communications Authority

The Australian Communications Authority (ACA) was fully compliant with the Government's RIS requirements in 2003-04. The ACA prepared 17 adequate RISs at the decision-making stage. Of the seven RISs required at the tabling stage, all were adequate.

Table A.3 **ACA: RIS compliance by type of regulation, 2003-04**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Disallowable instruments	7/7	7/7	7/7	7/7
Non-disallowable instruments	5/5	5/5	..	..
Quasi-regulations	5/5	5/5	..	..
Total	17/17	17/17	7/7	7/7
<i>Percentage</i>	100	100	100	100

.. Not applicable.

Source: ORR estimates.

National Office for the Information Economy

In 2003-04, NOIE was fully compliant with the Government's RIS requirements, preparing one RIS for a Bill which was assessed by the ORR as adequate at both the decision-making and tabling stages.

A.4 Employment and Workplace Relations

The Department of Employment and Workplace Relations was fully compliant with the Government's RIS requirements in 2003-04. The Department prepared four RISs at the decision-making stage for three Bills (the Bill relating to the building and construction industry had two decision-making stages), each of which was assessed as adequate by the ORR. Three adequate RISs were tabled with the enabling Bills.

Significant issue

The Department implemented key recommendations of the Royal Commission into the Building and Construction Industry. A RIS was prepared that examined the overall impacts of the Royal Commission recommendations. After endorsement of

the key recommendations had been obtained, exposure draft legislation was released for public comment, and a second RIS was prepared examining implementation options. Each RIS was assessed as adequate by the ORR.

A.5 Environment and Heritage

Within the Environment and Heritage portfolio, the Department of the Environment and Heritage (DEH), the Australian Greenhouse Office (AGO) and the Great Barrier Reef Marine Park Authority (GBRMPA) were required to prepare RISs in 2003-04. For the AGO, compliance with the Australian Government's RIS requirements is reported under DEH and compliance with the COAG RIS requirements is reported in appendix C.

Department of the Environment and Heritage

The Department of the Environment and Heritage was fully compliant with the Government's RIS requirements in 2003-04. The Department prepared five RISs at the decision-making stage, each of which was assessed as adequate by the ORR. The five RISs were subsequently tabled.

Table A.4 **DEH: RIS compliance by type of regulation, 2003-04**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Bills	1/1	1/1	1/1	1/1
Disallowable instruments	4/4	4/4	4/4	4/4
Total	5/5	5/5	5/5	5/5
<i>Percentage</i>	<i>100</i>	<i>100</i>	<i>100</i>	<i>100</i>

Source: ORR estimates.

Significant issue

On 2 October 2003, the Environment and Heritage Ministers of the Australian, State and Territory, and New Zealand Governments agreed to examine a national mandatory water efficiency labelling scheme covering showerheads, washing machines, dishwashers and toilets. The Ministers agreed that the Australian Government would develop the proposal.

A draft RIS was prepared and released for public comment by the Department of the Environment and Heritage from 13 March to 16 April 2004. In light of comments received, the proposal was modified to include the mandatory registration and labelling for water efficiency of bathroom basin, kitchen sink and laundry taps and urinals and urinal flushing systems. Legislation to implement the proposal was introduced on 24 June 2004. An Executive Summary of the RIS was attached to the Explanatory Memorandum to the Bill and a complete copy of the RIS is available from the Department's web-site.

The Department met regulatory best practice requirements in engaging with stakeholders during the policy development process, releasing a draft RIS for consultation and modifying the proposal to address concerns raised during consultation.

Great Barrier Reef Marine Park Authority

The Great Barrier Reef Marine Park Authority prepared two adequate RISs at the decision-making stage. Both RISs were subsequently made public.

Table A.5 **GBRMPA: RIS compliance by type of regulation, 2003-04**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Disallowable instruments	1/1	1/1	1/1	1/1
Quasi-regulation	1/1	1/1	..	..
Total	2/2	2/2	1/1	1/1
<i>Percentage</i>	<i>100</i>	<i>100</i>	<i>100</i>	<i>100</i>

.. Not applicable.

Source: ORR estimates.

Significant issue

The Great Barrier Reef Marine Park Authority followed regulatory best practice principles in the preparation of a comprehensive zoning plan for the Great Barrier Reef Marine Park. The Great Barrier Reef Marine Park Zoning Plan 2003 provides the framework for the conservation and management of the Amalgamated Great Barrier Reef Section, provides for the division of the Amalgamated Great Barrier Reef Section into zones and makes provision for the purposes for which each zone may be used or entered. The Zoning Plan also provides for the management of remote natural areas of the Marine Park, and the designation of shipping and special

management areas, as well as additional purposes for which zones may be entered or used. The Plan provides its highest level of protection for one-third of the entire Great Barrier Reef Marine Park.

The Authority was fully compliant with the Government's regulatory guidelines. The Authority consulted the ORR early in the policy development process and consulted widely with all stakeholders in developing the Plan. Over 21 300 submissions were received on the draft Zoning Plan during the second stage of consultation. The RIS examined the impacts of options at the national, state, regional and sub-regional levels.

A.6 Family and Community Services

The Department of Family and Community Services (DFCS) was fully compliant with the RIS requirements for regulations made in this period. For the two RISs required to be prepared by the Department for two disallowable instruments, each was assessed as adequate both at the decision-making and tabling stages.

A.7 Foreign Affairs and Trade

The Department of Foreign Affairs and Trade was responsible for preparing RISs for four treaties tabled in 2003-04.

RISs are required at three stages of the treaty-making process — entry into negotiations, before signature (endorsement) and before ratification (tabling).

Of the four treaties tabled, entry into negotiations occurred before the RIS requirements were made mandatory in two cases. The Department was fully compliant at this stage for the other two treaties. The Department was also fully compliant with the Government's RIS requirements at both the signature and tabling stages.

Significant issues

The Department of Foreign Affairs and Trade was responsible for preparing RISs for the Australia-United States Free Trade Agreement (AUSFTA), which was tabled in Parliament in 2003-04. The agreement is wide-ranging, covering, among other areas, reductions in tariffs for goods, improved market access for services (including the ability to tender for government contracts), increased protection for intellectual property rights and easing restrictions on bilateral investment.

The AUSFTA was unusual for a treaty in that it was tabled prior to it being signed. A RIS, assessed as adequate by the ORR, was prepared for entry into negotiations in 2003. At the tabling stage, a preliminary or draft RIS was submitted to the Joint Standing Committee on Treaties (JSCOT) and made public. Following revisions, including the incorporation of quantitative modelling results, a final RIS was submitted to Cabinet Ministers for the signing stage and to JSCOT. That RIS was assessed by the ORR as adequate.

The Department was also responsible for preparing RISs for the Thailand-Australia Free Trade Agreement. Adequate RISs were prepared at the entry into negotiations, signing and tabling stages. The Agreement contains commitments to reduce tariffs across a wide range of agricultural and industrial goods, and provides a basis for future negotiations on improved access for services and investment.

A.8 Health and Ageing

The Department of Health and Ageing (DHA) was fully compliant with RIS requirements for regulations made in this period for which it had sole responsibility. All 11 RISs required to be prepared by the Department at the decision-making stage and the 12 RISs required at the tabling stage were assessed by the ORR as adequate.

Table A.6 **DHA: RIS compliance by type of regulation, 2003-04**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Bills ^a	4/4	4/4	5/5	5/5
Disallowable instruments ^a	5/5	5/5	6/6	6/6
Treaties	2/2	2/2	1/1	1/1
Total	11/11	11/11	12/12	12/12
<i>Percentage</i>	<i>100</i>	<i>100</i>	<i>100</i>	<i>100</i>

^a The Department was responsible for preparing RISs at the tabling stage for an amending Bill and a disallowable instrument that implemented the Government's response to the Review of Pricing Arrangements in Residential Aged Care. Adequate RISs were tabled for each. The Department also tabled an adequate RIS for a set of non-disallowable instruments that implemented the Government's response, although it is not a formal requirement to table RISs for non-disallowable instruments. Compliance with the Government's RIS requirements at the decision-making stage for the proposal, where responsibility was shared with the Department of the Prime Minister and Cabinet, is reported in section A.13.

Source: ORR estimates.

The Department was responsible for preparing a RIS for the Trans-Tasman Treaty for the Establishment of a Joint Scheme for the Regulation of Therapeutic Products.

RISs assessed by the ORR as adequate were prepared at the entry into negotiations, signing and ratification stages for this treaty.

Significant issue

One significant measure was tabled. It dealt with several new aspects of the Government's medical indemnity package, to replace the Incurred But Not Reported (IBNR) Claims Contribution with the United Medical Protection support payment and to implement the Premium Support Scheme. These measures addressed doctors' concerns about the IBNR levy and about the affordability of medical indemnity insurance.

A.9 Immigration and Multicultural and Indigenous Affairs

In 2003-04, the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) was fully compliant with the RIS requirements. The one RIS required to be prepared for a Bill by the Department was assessed by the ORR as adequate at the decision-making and tabling stages.

A.10 Industry, Tourism and Resources

In 2003-04, the Department of Industry, Tourism and Resources (DITR) was required to prepare RISs for two Bills. Both RISs were prepared, and assessed as adequate by the ORR, at the decision-making and tabling stages.

Significant issue

New tariff and assistance arrangements for the Textiles, Clothing and Footwear (TCF) sector were introduced. These extended the Textile, Clothing and Footwear Strategic Investment Program and included two five-year pauses in the rate of scheduled tariff reductions for Australia's TCF industry. An adequate RIS was prepared at both the decision-making and tabling stages.

A.11 Transport and Regional Services

The Transport and Regional Services portfolio includes the Department of Transport and Regional Services (DOTARS), the Australian Maritime Safety Authority (AMSA), the Civil Aviation Safety Authority (CASA), Airservices

Australia and the National Capital Authority (NCA). In 2003-04, AMSA and the NCA were not required to prepare RISs.

Airservices Australia and CASA were jointly responsible for the implementation of the National Airspace System (NAS) Stage 2b. The ORR assessed this as a significant issue. It is reported in section A.13.

Department of Transport and Regional Services

In 2003-04, the Department of Transport and Regional Services (DOTARS) was required to prepare two RISs at the decision-making stage. Both were prepared and assessed as adequate. Of the three RISs required for tabling, all were prepared and assessed as adequate.

Table A.7 **DOTARS: RIS compliance by type of regulation, 2003-04 ^a**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Bills ^a	..	..	1/1	1/1
Disallowable instruments	1/1	1/1	1/1	1/1
Treaties ^b	1/1	1/1	1/1	1/1
Total	2/2	2/2	3/3	3/3
<i>Percentage</i>	<i>100</i>	<i>100</i>	<i>100</i>	<i>100</i>

.. Not applicable. ^a The *Maritime Transport Security Bill 2003* was considered concurrently with the RIS for the *International Convention for the Safety of Life at Sea (SOLAS)* treaty, and therefore did not require a separate RIS at the decision-making stage. The Department prepared a separate RIS for tabling. ^b Entry into negotiations for the treaty (see below) pre-dated the RIS requirements.

Source: ORR estimates.

The Department was responsible for meeting the RIS requirements for the Protocol to Amend the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 17 February 1978. The entry into negotiations pre-dated the RIS requirements. Adequate RISs were prepared at the signing and ratification stages for the amending Protocol.

Civil Aviation Safety Authority

In 2003-04, CASA prepared three RISs required at the decision-making and tabling stages. The ORR assessed two of the three RISs as adequate.

Table A.8 **CASA: RIS compliance by type of regulation, 2003-04** ^a

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Disallowable instruments	3/3	2/3	3/3	2/3
Total	3/3	2/3	3/3	2/3
<i>Percentage</i>	100	67	100	67

^a CASA also shared responsibility for preparing a RIS for a proposal involving joint responsibility with Airservices Australia. (See section A.13.)

Source: ORR estimates.

A.12 Treasury

Within the Treasury portfolio, the Department of the Treasury, the Australian Accounting Standards Board (AASB), the Australian Competition and Consumer Commission (ACCC), the Australian Prudential Regulation Authority (APRA), the Australian Securities and Investments Commission (ASIC) and the Reserve Bank of Australia (RBA) were all required to prepare RISs in 2003-04.

The Department was required to prepare RISs for both tax and non-tax proposals. As tax RISs are subject to slightly different requirements — where they focus on the assessment of implementation options rather than policy options — compliance for tax and non-tax proposals are reported separately here.

Department of the Treasury (non-tax proposals)

In 2003-04, the Treasury was required to prepare 12 RISs for non-tax proposals at the decision-making stage and nine for the tabling stage. For the decision-making stage, nine RISs were assessed as adequate. For the tabling stage, eight RISs were assessed as adequate.

Table A.9 **Treasury (non-tax): RIS compliance by type of regulation, 2003-04**

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Bills	3/3	3/3	3/3	3/3
Disallowable instruments	4/6	4/6	5/6	5/6
Non-disallowable instruments ^a	3/3	2/3	..	..
Total	10/12	9/12	8/9	8/9
<i>Percentage</i>	83	75	89	89

.. Not applicable. ^a Although there is not a tabling requirement for RISs relating to non-disallowable instruments, RISs were published on an appropriate website, in line with regulatory best practice.

Source: ORR estimates.

Significant issues

The new audit regulation and corporate disclosure framework (the ninth phase of the Corporate Law Economic Reform Program) was introduced. The measures introduced in the *Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Bill 2003* affect all company auditors and institute new standards for corporate governance. The Treasury prepared adequate RISs for these measures at both the decision-making and tabling stages.

The introduction of the enhanced prudential supervision framework for superannuation trustees has required all trustees of superannuation funds regulated by the Australian Prudential Regulation Authority — that is, all funds apart from self-managed small funds — to become licensed and meet certain new standards. The Treasury prepared adequate RISs for both the decision-making and tabling stages.

The Government made its response to the Review of the Competition Provisions of the *Trade Practices Act 1974* (the Dawson Review). A comprehensive public review was undertaken which made significant recommendations. The Government accepted the majority of the recommendations, but of the remainder there were no variations of any significance, so the review report was considered to have complied with the RIS requirements at both the decision-making and tabling stages.

Department of the Treasury (tax proposals)

In 2003-04, the Treasury was required to prepare 19 RISs for tax proposals at the decision-making stage and 20 for the tabling stage. The tabling stage figure includes three proposals that originated from other portfolios where it was considered that a RIS was not required for the policy issues, but there were tax implementation issues that could be considered in a tax RIS. For both decision-making and tabling stages, 18 RISs were assessed as adequate.

Table A.10 Treasury (tax): RIS compliance by type of regulation, 2003-04

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Bills ^a	11/12	11/12	14/15	13/15
Disallowable instruments	3/3	3/3	3/3	3/3
Treaties	4/4	4/4	2/2	2/2
Total	18/19	18/19	19/20	18/20
<i>Percentage</i>	95	95	95	90

^a Three more RISs were required for the tabling stage than at the decision-making stage because for three proposals it was considered that there were only minor impacts at the policy decision-making stage, but they were considered to be non-minor at the tabling stage, reflecting the different focus of tax RISs and non-tax RISs.

Source: ORR estimates.

The Treasury was responsible for preparing RISs for two treaties — a revision of the double tax convention between Australia and the United Kingdom and a new double tax agreement between Australia and Mexico. The Treasury was fully compliant, preparing RISs at the negotiation, signing and ratification stages.

Significant issues

In 2003-04, the Government announced its response to the Review of International Taxation Arrangements, which aimed at reducing possible tax impediments to Australian companies expanding offshore, attracting domestic and foreign equity, and locating holding companies and conduit holdings in Australia. The Board of Taxation conducted the public review. The Treasury complied with the RIS requirements by preparing supplementary RISs for the decision-making stage to address variations from the report's recommendations. RISs were also prepared for the tabling stage.

Significant revisions to the double tax convention between Australia and the United Kingdom were also introduced in 2003-04. The revisions align the agreement with

modern business practices, the respective tax systems and modern tax treaty practice to facilitate trade and investment between the two countries.

Australian Accounting Standards Board

The Australian Accounting Standards Board was fully compliant with the Government's RIS requirements in 2003-04. The AASB prepared one RIS, which was assessed as adequate at both the decision-making and publication/tabling stages.

Australian Competition and Consumer Commission

In 2003-04, the Australian Competition and Consumer Commission was required to prepare one RIS for the decision-making stage for a non-disallowable instrument. The RIS prepared was assessed as inadequate against the Government's RIS requirements. A RIS was not required to be tabled.

Australian Prudential Regulation Authority

The Australian Prudential Regulation Authority was fully compliant with the Government's RIS requirements in 2003-04, preparing two RISs, both assessed as adequate, at the decision-making stage. One RIS was subsequently tabled.

Table A.11 APRA: RIS compliance by type of regulation, 2003-04

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Disallowable instruments	1/1	1/1	1/1	1/1
Non-disallowable instruments ^a	1/1	1/1	..	..
Total	2/2	2/2	1/1	1/1
<i>Percentage</i>	<i>100</i>	<i>100</i>	<i>100</i>	<i>100</i>

.. Not applicable. ^a Although there is not a tabling requirement for RISs relating to non-disallowable instruments, the RIS was published on an appropriate website, in line with regulatory best practice.

Source: ORR estimates.

Australian Securities and Investments Commission

The Australian Securities and Investments Commission was fully compliant with the Government's RIS requirements in 2003-04. ASIC prepared seven RISs, each of

which was assessed as adequate at the decision-making stage, for one non-disallowable instrument and six quasi-regulations.

Table A.12 ASIC: RIS compliance by type of regulation, 2003-04

<i>Regulatory proposals introduced via</i>	<i>RIS for decision</i>		<i>RIS for tabling</i>	
	<i>prepared</i>	<i>adequate</i>	<i>prepared</i>	<i>adequate</i>
Non-disallowable instruments ^{a, b}	1/1	1/1	..	..
Quasi-regulations	6/6	6/6	..	..
Total	7/7	7/7	..	..
<i>Percentage</i>	<i>100</i>	<i>100</i>		

.. Not applicable. ^a Refers to ASIC Policy Statements which may be implemented through Class Orders — a non-disallowable instrument. ^b Although there is not a tabling requirement for RISs relating to non-disallowable instruments, the RIS was published on an appropriate website, in line with regulatory best practice.

Source: ORR estimates.

Reserve Bank of Australia

The Reserve Bank of Australia was fully compliant with the Government's RIS requirements in 2003-04. The RBA prepared one RIS for a non-disallowable instrument, which was assessed as adequate for the decision-making stage. (The RIS was published on the RBA's website, in line with regulatory best practice.)

A.13 Joint responsibility for proposals

As noted in preceding sections, in 2003-04, two RISs were required, but not prepared, at the decision-making stage for two proposals involving joint responsibility.

Airservices Australia and CASA

Significant issue

The Government, in 2002, decided to introduce the National Airspace System (NAS) as the preferred model for airspace reform, subject to appropriate risk assessments and safety analysis being undertaken. NAS is being introduced in stages — Stage 1 was implemented in 2002 and Stage 2a was implemented in June 2003.

Airservices Australia and CASA were jointly responsible for implementing NAS Stage 2b in November 2003 (Campbell 2003, pp. 19194–6). Stage 2b involved reclassification of airspace, with associated changes in the level of air traffic control services provided en-route and standards of separation between aircraft.

While minor changes in airspace classifications, to cater for changes in weather conditions or one-off occurrences such as bush fires, are made on a daily basis by Airservices Australia, the changes being implemented under NAS are far more substantial and result from a Government decision to reform the system. A RIS is required for each stage of NAS prior to its implementation. A RIS was not prepared for the implementation of NAS Stage 2b. As a quasi-regulatory measure, a RIS was not required for tabling.

Department of the Prime Minister and Cabinet and Department of Health and Ageing

The Department of the Prime Minister and Cabinet and the Department of Health and Ageing were jointly responsible for RIS compliance at the decision-making stage for the Government's response to the Review of Pricing Arrangements in Residential Aged Care (the Hogan Review). A RIS was not prepared. The Department of Health and Ageing subsequently prepared adequate RISs for the tabling of three sets of legislative changes flowing from the decision (see section A.8).