

APPENDIX B

Previous definitions relevant to quasi-regulation

Quasi-regulation

<p>Quasi-regulations are rules or instruments for which there is a reasonable expectation of compliance but which do not have the full force of law. This definition includes:</p> <ul style="list-style-type: none"> • codes of conduct; • self-regulation; • co-regulation; and • standards made by Standards Australia or other bodies such as international organisations. <p>Quasi-regulation does not include ministerial directions and guidelines, or statutory instruments.</p>	<p>Bell, C. 1996, <i>Time for Business</i>, Report of the Small Business Deregulation Task Force, 1 November, p.123</p>
<p>Quasi-regulation includes codes of conduct, standards and guidelines.</p>	<p>Minister for Small Business and Tourism (Vic) 1996, <i>Presentation to the National Small Business Summit</i>, The Hon Louise Asher MP, 12 June, p.10</p>
<p>Quasi-regulations include instruments such as codes of practice, standards, guidelines, determinations and declarations.</p>	<p>National Small Business Summit 1996, <i>Communique</i>, 12 June, p.8</p>
<p>Quasi-regulation includes codes of practice, guidance notes and standards.</p>	<p>Australian Chamber of Manufactures Business Council Bulletin 1995, <i>Regulatory Reform — the Australian Experience</i>, Oct/Nov p.29</p>

Self-regulation and codes

A code of conduct can be described as a self-regulatory arrangement whereby rules which govern behaviour in the market are developed, administered and enforced by the people whose behaviour is to be governed.	FBCA (Federal Bureau of Consumer Affairs) 1996, <i>Codes of Conduct</i> , Issues Paper, November, p.4
Voluntary codes of practice or industry self-regulation describe the types of actions or procedures, as determined by the particular industry or profession, that are believed to be acceptable within the peer group and the wider society. They can range from simple statements of intent to rules of professional conduct and are applicable in a wide cross section of the economy. They are usually developed via a consultative process between all parties in a particular industry and, in many cases with Government.	Office of Regulation Reform (Vic) 1996, <i>Regulatory Alternatives</i> , p.27
Self-regulation is the acceptance of mutual obligations by firms in an industry or by members of a profession.	ORR (Office of Regulation Review) 1993, <i>Recent developments in regulation and its review</i> , Information Paper, November, p.33
Self-regulation is defined as the implementation of codes of practice (or conduct) embodying mutual obligations by competing players in a market.	TPC (Trade Practices Commission) 1988, <i>Self-regulation in Australia and the professions: report by the Trade Practices Commission</i> , February, Vol.1, p. 2
<p>Market pressures aside, complete self-regulation can be said to exist if industry both designs and enforces regulation affecting the way it acts.</p> <p>Complete Government regulation, on the other hand, exists if regulation is designed and enforced by government. Between these extremes partial self-regulation exists if industry designs regulations which are later enforced by government or, indeed, if it has responsibility for enforcing regulation designed by government.</p>	Victorian Ministry of Consumer Affairs Self-Regulation Working Party 1984, <i>Industry self regulation: its role in consumer policy</i> , November, pp.9-10