

Office of Best Practice Regulation annual reporting (2–30 June 2021)

Queensland's regulatory review framework is set out in the Queensland Government Guide to Better Regulation. The framework provides a systematic approach to analyse the nature of a policy problem, consider whether there is a case for government action, identify feasible options to address the problem, and assess the costs and benefits of each option. This analysis provides evidence to decision-makers that any recommended regulation delivers the greatest net benefit to the Queensland community.

The Office of Best Practice Regulation (OBPR) supports agencies to apply effective regulatory impact analysis (RIA) in accordance with the guidelines.

A report on implementation of RIA by agencies for the period 1 July 2020 to 1 June 2021 is available in the Queensland Productivity Commission's¹ final annual report, available on the Queensland Treasury website.

This report covers the balance of the financial year, reporting RIA by agencies from 2–30 June 2021.

Over this period, the OBPR reviewed and provided advice on 24 proposed regulatory amendments.

Exclusions

Regulatory proposals that are low-risk are excluded from in-depth regulatory impact assessment - for example, they may reduce the burden of regulation, or involve minor updates to existing regulation.

From 2–30 June 2021, the OBPR provided formal advice to agencies on seven exclusions.

Sunset review

Under the *Statutory Instruments Act 1992*, statutory instruments automatically expire (or 'sunset') after 10 years unless action is taken to preserve them. If an agency wishes to remake a statutory instrument, a sunset review should be undertaken to evaluate its continuing need, effectiveness and efficiency.

From 2–30 June 2021, the OBPR provided formal advice to agencies on six sunset reviews.

Preliminary impact assessment

A preliminary impact assessment (PIA) is undertaken to determine whether further analysis and engagement with the community would improve the development of a regulatory proposal. If the PIA indicates there are likely to be significant adverse impacts on a sector or sections of the community, a regulatory impact statement should then be undertaken.

From 2–30 June 2021, the OBPR provided formal advice to agencies on 10 PIAs.

Regulatory impact statements

A regulatory impact statement (RIS) is an analytical document prepared to inform consultation with stakeholders and provide robust evidence for government decision-makers. It includes an assessment of the costs and benefits of different options to address the policy problem and identifies the best option with the highest net benefit for the community. A post-implementation review (PIR) is similar in scale and scope to a RIS but is prepared after a regulation is implemented.

From 2–30 June 2021, the OBPR provided formal advice on one PIR:

- *Strong and Sustainable Resource Communities Act 2017* (Decision PIR)

Exemptions

The guidelines provide for Cabinet to grant exemptions in exceptional circumstances including the need to urgently implement government policy priorities or in situations where public consultation on a proposal would not be appropriate and may compromise the public interest. Cabinet may grant an exemption from the RIA process on the advice of the responsible Minister. In doing so, Cabinet may place conditions on the exemption, such as a requirement to complete a post-implementation review.

From 2–30 June 2021, the Queensland Government exempted three regulatory proposals from the RIA process (based on data provided by government departments to the OBPR).

¹ The Queensland Productivity Commission was abolished on 2 June 2021 and its regulatory review functions transitioned to the Office of Productivity and Red Tape Reduction in Queensland Treasury.