

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates 15-18 October 2012

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet

Outcome/Program: 1.1.1 Domestic Policy

Topic: Consultation on Regulation Impact Statements

Senator: Senator Payne

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Question:

Senator PAYNE: There are a number of issues which we have discussed at previous estimates and which have been raised by a number of constituent organisations as well who are waiting on change. I guess it is all the reform process. One of those is the licensing of tradespeople. I understand that we have had the release of the draft legislation and the consultation RISs for that, and I think the consultation period has just closed, but what remaining steps are there for that process, what are the timeframes involved in that, and can you also indicate what sort of response was received to those consultations.

Dr de Brouwer: The consultation has just occurred for the consultation RIS, so it is a matter of really drawing that material together, along with all the information that jurisdictions have, from engagement from interested stakeholders. The aim is to get that together by the end of the year for the Standing Council on Federal Financial Relations to draw that together in a final-decision RIS and legislation regulations.

Senator PAYNE: And the time frame, Dr de Brouwer?

Dr de Brouwer: I think, in general, we are aiming for the end of the year, Senator, but that is subject to those discussions progressing.

Senator PAYNE: Thank you. For additional occupations, such as real estate agents and so on, what is the time frame? They are vocally concerned.

Dr de Brouwer: I think there are four trades. In general, the aspiration is to get that material together. It depends on the complexity and how divergent the views are. You asked where the views have got to from the consultations.

Senator PAYNE: That's right. Dr de Brouwer: They have just closed, so we are really just going through that now to get a sense of how that has come together. I think we will have to wait until we have drawn that material together, Senator.

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Senator PAYNE: Then, Dr de Brouwer, can I ask, on notice, please, for details of the response that was received in that consultation period in terms of both volume and complexity.

Ms Taylor: Senator, I understand that something like 3,000 submissions have been received by the department of industry. Some of those will be basically the same response from an number of different stakeholders-

Senator PAYNE: Exactly. That is the sort of thing I would like to see: the breakdown between form or standard letters, as it were, and substantive responses, and what the time frame is, flowing from that.

Ms Taylor: Yes.

Senator PAYNE: In the July 2012 BRCWG report card on progress of the deregulation priorities, there was a comment made on the National Mine Safety Framework, which is not one that we have heard very much about. Can you indicate to us where that reform is up to and any update on completion time frames, because I think the working group noted that it is expected to be operational by December 2012.

Ms Taylor: I will have to take that on notice.

Answer:

This information has been provided by the **National Occupational Licensing Scheme** (NOLS) Taskforce in the Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE). The NOLS Taskforce is responsible for the management of this COAG reform. Future questions on NOLS would be best directed to the NOLS Taskforce.

Consultations closed on the Consultation Regulation Impact Statements on 16 October for the four occupations included in the first phase of the introduction of a national occupational licensing system (property, electrical, plumbing and gasfitting and refrigeration and air-conditioning occupations). 3,600 submissions have been received and the breakdown is summarised in the table below.

Occupation	Submissions received			Of which campaign submissions
	<i>Total</i>	<i>Paper</i>	<i>Online</i>	

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Plumbing and gas fitting	1339	992	347	966
Electrical	1106	881	225	831
Property	802	367	435	285
Refrigeration and air-conditioning	333	253	80	224
TOTAL	3580	2493	1087	2306

The Department of Resources, Energy and Tourism is the lead Commonwealth department for the **National Mine Safety Framework**.

The National Mine Safety Framework (NMSF) was expected to be operational by December 2012; however there have been delays in finalising legislative provisions which will affect this timeline. The NMSF has informed the development of model Work Health and Safety (WHS) (Mines) Regulations, which have been endorsed by the Safe Work Australia Council. The regulations will be provided to the Select Council on Workplace Relations (SCWR) for endorsement in November 2012.

The regulations are intended to be enacted as mining specific regulations under the model WHS Act in the Commonwealth, ACT, NT, SA, Tasmania and Victoria. The timeline for the adoption of the model WHS (Mines) Regulations will depend on the endorsement of the regulations by SCWR and the prior enactment of the model WHS legislation by each jurisdiction.

NSW, Queensland and WA have used the model WHS (Mines) Regulations as the basis for separate mines safety legislation in their states, along with additional mining specific provisions developed under the NMSF. The timeline for adoption in these states will be dependent on the finalisation of the additional provisions and revisions to their mining specific legislation. It is expected that legislation in the three states will be completed and enacted during 2013.