

## Post-implementation Reviews: Required

The status of PIRs required is updated regularly as the Office of Best Practice Regulation receives information from departments and agencies.

In total, 102 PIRs have been required under the Australian Government's PIR requirements since September 2013. To date 75 PIRs have been completed and published on the OBPR website. A further 11 PIRs are no longer required as the Prime Minister has agreed that the previously implemented regulation is no longer in force or the previously implemented regulation is no longer Government policy.

As at the week ending 11 May 2018, there are 16 PIRs outstanding. Of these, three PIRs are currently non-compliant as they were not completed in the required timeframe. A further five PIRs require further steps to be taken (e.g. passage through Parliament) before the relevant measures can be implemented.

Information on PIRs that are completed and published can be found in the associated table, Post-implementation Reviews: Completed and Published.

The [post-implementation review guidance note](#)<sup>1</sup> provides advice on the preparation of PIRs and compliance with the Government's requirements.

**Table 1: Post-implementation review status and compliance**

PIR Status	Compliant	Non-compliant	TOTAL
Not implemented	5 <sup>a</sup>	0	5
Implemented	8	3 <sup>b</sup>	11
<b>TOTAL</b>	<b>13</b>	<b>3</b>	<b>16</b>

*a Measures that have not been implemented remain compliant under the PIR process are indicated throughout this document in blue.*

*b Measures that have been implemented but are non-compliant under the PIR process are indicated throughout this document in yellow.*

<sup>1</sup> This guidance note was revised in February 2016.



Contents

Australian Prudential Regulation Authority .....	3
Department of Communications and the Arts.....	3
Department of Education and Training.....	4
Department of Foreign Affairs and Trade.....	4
Department of Immigration and Border Protection .....	4
Department of Infrastructure and Regional Development.....	5
Department of the Treasury .....	5

## Australian Prudential Regulation Authority

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Implement the Basel III Liquidity Framework in Australia</b>				
Implement the Basel III Liquidity Coverage Ratio	Substantial Impact	Jan 2015	Jan 2020	Compliant
Implement the Basel III Net Stable Funding Ratio	Substantial Impact	Jan 2018	Jan 2023	Compliant

## Department of Communications and the Arts

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Convergence Review<sup>a</sup></b>				
Decision not to issue spectrum or broadcast licenses for a fourth 'free to air' television network.	E/c	March 2013	March 2015	Non-compliant
<b>Changes to media ownership and control rules</b>				
Remove the '75 per cent audience reach rule' and the '2 out of 3 cross-media control rule. Introduce new local programming obligations for regional commercial television broadcasting licensees in the event of a merger.	Substantial Impact	Not implemented	..	Compliant
<b>Improved Competition in Telecommunications Markets<sup>a</sup></b>				
Proposes structural or functional separation of Telstra wholesale and retail operations.	E/c	June 2016	June 2018	Compliant
<b>Resale Royalty Right for Visual Artists Bill 2008<sup>b</sup></b>				
Establishes an inalienable resale royalty right for visual artists.	Non-compliance	June 2010	June 2013 <sup>c</sup>	Non-compliant

<sup>a</sup> These matters were originally reported under the Department of Broadband, Communications and the Digital Economy. However, on 18 September 2013 the Department was renamed the Department of Communications. On 21 September 2015 the Department was renamed the Department of Communications and the Arts.

<sup>b</sup> These matters were previously reported under the Attorney-General's Department. However on 20 September 2015 these matters were transferred to the Department of Communications and the Arts.

<sup>c</sup> OBPR agreed that the commencement of this PIR could be delayed to allow the agency to collect data. However, the PIR was not completed by the revised due date.

E/c Exceptional circumstances were granted by the Prime Minister.

.. Not applicable

## Department of Education and Training

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Higher Education Reforms</b> Reforms to higher education sector, including deregulation of tuition fees, changes to Government subsidies and extension of demand driven funding system.	Substantial Impact	Not implemented	..	Compliant

.. Not applicable

## Department of Foreign Affairs and Trade

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>China-Australia Free Trade Agreement (ChAFTA)</b> Reduces or eliminates tariffs on a range of Australian exports to China.	Substantial Impact	December 2015	December 2020	Compliant
<b>Japan Australian Economic Partnership Agreement (JAEPA)</b> Reduces tariffs on a number of Australian exports and improves access for Australian workers in some professional services markets.	Substantial Impact	January 2015	January 2020	Compliant
<b>Trans-Pacific Partnership (TPP) Agreement</b> The agreement will create preferential supply chains with TPP parties.	Substantial Impact	Not implemented	..	Compliant

.. Not applicable

## Department of Immigration and Border Protection

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Organised Crime on the Waterfront<sup>a</sup></b> A package of measures to combat organised crime and strengthen security on the waterfront.	Non-compliance	Not implemented <sup>b</sup>	..	Compliant

<sup>a</sup> Responsibility for this PIR was transferred from the Attorney-General's Department to the Department of Immigration and Border Protection.

<sup>b</sup> Although certain parts of this package have already been implemented, the main regulatory aspects have not yet been implemented.

.. Not applicable

## Department of Infrastructure and Regional Development

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Coastal Shipping Reform</b> Amend arrangements for vessels and crew trading between Australian ports.	Substantial Impact	Not implemented	...	Compliant
<b>Qantas Sale Amendment Bill 2014</b> Remove foreign ownership and other restrictions that apply to Qantas but not to other airlines in Australia.	E/c	August 2014	August 2016	Non-compliant <sup>a</sup>

<sup>a</sup> The Department is currently consulting with stakeholders. The status of this PIR will be changed to compliant once it is finalised and published on the OBPR's website.

E/c Exceptional circumstances were granted by the Prime Minister.

.. Not applicable

## Department of the Treasury

Title of regulatory proposal Description of regulatory proposal	Reason for PIR	Implementation date	Due Date	PIR Compliance
<b>Implementation of the United States Foreign Account Tax Compliance Act in Australia</b> The intergovernmental agreement seeks to limit the compliance costs and other impacts for Australian financial institutions associated with complying with US tax information reporting requirements.	Substantial Impact	July 2014	July 2019	Compliant
<b>Future of Financial Advice Amendments</b> Amendments aimed at reducing the complexity and compliance costs associated with the Future of Financial Advice (FOFA).	Substantial Impact	March 2016	March 2021	Compliant
<b>Sugar Industry Code</b> Provides for an arbitration process for supply contracts between sugar suppliers and millers; an arbitration process for on-supply agreements between millers and marketers; and ensures that growers have a right to choose who markets their sugar.	E/c	April 2017	April 2019	Compliant

<sup>a</sup> The OBPR allowed additional time to complete these PIRs as the regulation has not been fully implemented.

E/c Exceptional circumstances were granted by the Prime Minister.