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| H:\Documents\Downloads\Waratah NSWGovt Two ColourHiRes_IMG_v01.jpg | Better Regulation Statement |

* For Guidance on how to fill out this template, please refer to the [Guide to Better Regulation](https://www.productivity.nsw.gov.au/sites/default/files/2022-05/TPP19-01_Guide-to-Better-Regulation.pdf) and contact [BetterRegulation@treasury.nsw.gov.au](mailto:BetterRegulation@treasury.nsw.gov.au) for any questions
* A BRS should not exceed 8 pages. Additional information can be provided in appendices.
* For licensing proposals, demonstrate the [Licensing Framework](https://www.ipart.nsw.gov.au/Home/Industries/Special-Reviews/Reviews/Licence-Design/Licence-Rationale-and-Design/22-May-2014-Consultants-final-licensing-guide/PWC-A-best-practice-approach-to-licensing-schemes-Guidance-Material-March-2013) has been applied in an appendix.
* For Guidance on whether there is a statutory requirement to produce a **Regulatory Impact Statement** (RIS) instead of a BRS, agencies should refer to their own legal branches in the first instance. The Cabinet Office can provide additional information on RIS requirements under the *Subordinate Legislation Act 1989*.

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| --- | --- |
| Title | Full title of Proposal |
| Agency | Name of agency |
| Status | Draft / Final |
| Submission Reference | Reference number of the corresponding Cabinet Submission |
| Date | Date of the Cabinet meeting |

|  |  |
| --- | --- |
| Contacts | Name, Position Department/agency Phone number |

# Executive summary (Principle 4)

[Maximum 3 bullet points]

**Provide a very short summary of the proposal, and a short justification for why the preferred option is recommended**

* Explain what the proposal is and what problem it seeks to address.
* Demonstrate the preferred option provides the greatest net benefit, or least cost, to the community.

# Need for Government action (BR Principle 1)

**Demonstrate government intervention is justified.**

* + Clearly identify and provide evidence of the policy problem.
  + Describe the nature of the market failure, if any (appendix A, page 24 of the [Guide to Better Regulation](https://www.productivity.nsw.gov.au/sites/default/files/2022-05/TPP19-01_Guide-to-Better-Regulation.pdf) provides guidance on market failures)
  + Explain the actual, or potential impacts, of not acting and summarise the outcome of any risk analysis.

# Objective of Government action (BR Principle 2)

**Clearly articulate the objectives of government action.**

* + Clearly describe the objectives of the proposal.
  + Ensure the objectives are consistent with existing government policies.

# Consideration of options (BR Principles 3 & 6)

**Assess a range of realistic options to achieve the objectives.**

* + Estimate the economic, social and environmental costs and benefits for each option, in line with the NSW Government [Guide to Cost-Benefit Analysis](https://www.treasury.nsw.gov.au/sites/default/files/2023-04/tpg23-08_nsw-government-guide-to-cost-benefit-analysis_202304.pdf).
  + Consider non-regulatory alternatives.
  + Demonstrate that
    - * opportunities to simplify, repeal, reform or consolidate existing regulation has been considered and acted on.
      * opportunities for national, or cross border uniformity or harmonisation, have been pursued.
  + The depth and detail of impact analyses should be proportionate to the potential impacts of the proposal.
  + Where costs and benefits cannot be quantified, the costs and benefits of the proposal should be described qualitatively. Please refer to page 22 and Appendix C of the Guide to Better Regulation for recommended list of cost and benefit categories to consider.

**Option 1 – status quo**

* + Describe option 1
  + Outline the costs and benefits of option 1.
  + Specify which stakeholders would be impacted, how many, and how.

**Option 2 – name option**

* + Describe option 2
  + Outline the costs and benefits of option 2.
  + Specify which stakeholders would be impacted, how many, and how.

**Option 3– name option**

* + Describe option 3
  + Outline the costs and benefits of option 2.
  + Specify which stakeholders would be impacted, how many, and how.

# Consultation (BR Principle 5)

## Demonstrate consultation was conducted in a way which informed the development of the options considered, as well as the determination of the final regulatory proposal.

* + Provide information on which stakeholders were consulted, when consultation occurred, matters on which input was sought and the time for comment.
  + Describe how the proposal addresses the major concerns raised in the consultation process.

## External stakeholders

## NSW Government agencies

# Preferred option (BR Principles 3 & 4)

Identify the preferred option.

* + Justify the preferred option based on its ability to meet the objectives and achieve the greatest net benefit or least cost to the community

# Evaluation and review (BR Principle 7)

* + Explain the strategy for monitoring the performance of the regulatory proposal, both for the realisation of benefits and costs.
  + State when a review of the policy objectives will be undertaken and explain any divergence from a review period of five years.
  + Where relevant, given the likely impact and complexity of the regulation and the impact on stakeholders, report on whether the regulation should be reviewed with other instruments, and whether any specific elements should be reviewed at an earlier time.

# Attachments

A – Title

B – Title

For licensing proposals, attach here an assessment of application of the [Licensing Framework](https://www.ipart.nsw.gov.au/Home/Industries/Special-Reviews/Reviews/Licence-Design/Licence-Rationale-and-Design/22-May-2014-Consultants-final-licensing-guide/PWC-A-best-practice-approach-to-licensing-schemes-Guidance-Material-March-2013)