



Commissioner for Better Regulation

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10 February 2016

Ms Marisa De Cicco
Deputy Secretary
Department of Justice and Regulation
121 Exhibition Street
Melbourne VIC 3000

Dear Ms De Cicco

Marisa

I would like to thank the staff of the Department of Justice and Regulation for working with my team on the preparation of the Regulatory Impact Statement (RIS) for the *Infringements Regulations 2016*. These regulations bring together the previous *Infringements (General) Regulations 2006* and the *Infringements (Reporting and Prescribed Details and Forms) Regulations 2006*.

As you know, the Commissioner for Better Regulation is required to provide independent advice on the adequacy of analysis presented in Regulatory Impact Statements in Victoria, under section 10 of the *Subordinate Legislation Act 1994*.

It is important to emphasise that my role is not to provide a view on the merits of any policy or regulatory change, but to advise specifically only on the adequacy or otherwise of a RIS. To be adequate, a RIS must be logical, draw on relevant evidence, be transparent about any assumptions made and be proportionate to the proposal's expected effects. It also needs to be suitable as a basis for public consultation.

I am pleased to advise you that the final version of the RIS received by us on 9 February meets the adequacy requirements of the Act.

As the Department has made clear in the RIS, a broader review of the infringements system will take place as part of the implementation of the *Fines Reform Act 2014*, which is expected in 2017. This will involve impact assessments through the RIS process.

Consequently, the analysis in this RIS focusses on the proposed updates to fees at the four stages of the infringement system. In regard to the non-fee elements of the regulations, this RIS contains limited analysis of these, as no significant changes were deemed feasible to make before the implementation of the *Fines Reform Act 2014*.

Should you wish to discuss any subsequent changes to the proposed regulations with us, please don't hesitate to contact me on (03) 9092 5800.

Yours sincerely



Anna Cronin
Commissioner for Better Regulation