



Victorian
Competition & Efficiency
Commission

7 August 2013

Ms Caitlin Ryan
Manager Legislation Development
Earth Resources Legislation and Reform
Department of State Development, Business and Innovation
Level 13, 121 Exhibition St, Melbourne 3001

Level 37, 2 Lonsdale Street
Melbourne Vic 3000
GPO Box 4379
Melbourne Vic 3001
T (03) 9092 5800
F (03) 9092 5845
E contact@vcec.vic.gov.au
www.vcec.vic.gov.au

Dear Ms Ryan

ADVICE ON THE ADEQUACY OF REGULATORY IMPACT STATEMENT

Thank you for seeking advice on the Regulatory Impact Statement (RIS) on the proposed Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2013.

The Victorian Competition and Efficiency Commission (VCEC) advises on the adequacy of RISs as required under section 10(3) of the *Subordinate Legislation Act 1994* (the Act). I advise the final version of the RIS received by the VCEC on 6 August 2013 meets the requirements of section 10 of the Act.

The VCEC's advice is based on the adequacy of the evidence presented in the RIS and is focused on the quality of the analysis rather than the merits of the proposal itself. **Therefore, the VCEC's advice the RIS is adequate does not represent an endorsement of the proposal.**

In providing this advice, VCEC notes that broader reforms to the framework for regulating the mineral and extractive industries are being considered by the Government. Consequently, the analysis in the RIS focuses on remaking the regulations with a new fee structure and level of cost recovery, and minor administrative, process and technical amendments. The proposed regulations also include an expiry provision of five years to enable the review of the other elements of the remade regulations following the outcomes of the broader reforms.

In the interests of transparency, it is government policy VCEC's advice be published with the RIS when it is released for consultation.

If you have any questions, please contact RegulationReview@vcec.vic.gov.au.

Yours sincerely

Andrew Walker

Assistant Director

Victorian Competition and Efficiency Commission