

# Better Regulation



A report on how we are improving  
business regulation in the ACT

**Better Regulation Taskforce**

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## Making regulation better for business in the ACT

In response to the COVID-19 pandemic and its impact on local business, the ACT Government set up the Better Regulation Taskforce (the Taskforce). The aim of the Taskforce is to make it easier to start up, run and grow a business in the ACT.

We want to put in place the best settings for business recovery, longer-term growth and regulation in the ACT. We know the landscape of COVID-19 will continue to evolve, requiring adaptive government responses and fit-for-purpose regulation.

## A better experience for everyone

The pandemic and periods of lockdown changed consumer behaviour. It changed the ways in which business trade, operate and communicate. It showed how a broad range of regulation methods can be used to manage public health directions. We have all learnt from these experiences and it is important to take these learnings into our future regulatory practices.

The ACT Government has long been committed to better regulation. We want to continue to find the right balance between regulatory outcomes and burden – and support a ‘How can we help?’ mindset. That is why the Taskforce is focused on making interactions with business better, faster and simpler by improving the rules, regulations, government processes, information and supports for business.

Regulation that is done well can boost the economy and deliver the best outcomes for ACT business, consumers and the community at large.

## What we have heard so far

The Taskforce took a multifaceted approach to understanding what changes could be made to achieve this through best practice regulation.

The Taskforce began by talking with business. We heard that when it comes to dealing with government, business wants:

- government to better understand the needs and experiences of business
- information to be clearer and targeted to business
- to only tell government once
- to know where they can go to get help and for there to be someone they can talk to who understands business
- government to ‘think small first’
- government to say ‘yes’ whenever it practicably can
- government to be more transparent, coordinated and consistent
- streamlined, faster processes and approvals.

We also looked at best practice regulation in other jurisdictions and commissioned a wide-ranging review of legislation to find potential projects to reform existing ACT legislation.



## Next steps

After analysing this first phase of work, we developed a Better Regulation Agenda. This Agenda comprises two streams of government reform action:

- **Policy and legislation** – making continual improvements to the rules, regulations, and processes.
- **Business experience and regulator practice** – making government and business interactions better, faster and simpler.

These streams will be progressed in parallel so that improvements for business are delivered as quickly as possible.

This Agenda sets the pathway for making Canberra a place where it is easy to start up, run and grow a business. It will:

- support regulators to create certainty for business
- ensure consistency of information
- facilitate clear and open communication between business and government on regulatory issues.

This covers the way in which government procures business, how we manage cross-border regulation, the impact of regulation on our night-time and entertainment economy, and how business can better connect with someone in government to solve problems. We're working to better understand the day-to-day needs of business, to find innovative solutions and reduce duplication.

In time, we expect to create a regulator quality framework to underpin better regulation in the ACT.

We will keep talking with business and measure our progress against the Agenda through a business sentiment survey and measure of regulatory burden on business in the ACT. We will report back to government in early 2023.

**The ACT Government is making interactions with business better, faster and simpler by improving the rules, regulations, government processes, information and supports for business.**

# Better Regulation Agenda – 2-year work program

**Stream 1**  
Policy and legislation

**Review legislation, policies and processes with a SME lens and bring options to ACT Government to support a best practice procurement framework**

This measure acknowledges the importance of government procurement to business in the ACT. It includes a wide-ranging review of many components of the procurement framework.

This reform will put in place best practice regulatory settings. It will ensure that the procurement framework remains fit for purpose and is achieving its objective for SMEs in the Canberra Region.

- Check procurement policies for local industry participation and Aboriginal and Torres Strait Islander participation are achieving their objectives
- Review liability and insurance requirements
- Consider the process for government panels
- Review procurement thresholds
- Understand the cost on business to respond to requests for quotes/tenders and make sure they are proportionate to the tender requirements
- Review current systems for collection of procurement data
- Check Continuing Professional Development program includes content about SMEs for ACT procurement staff

**Ready the ACT for the commencement of Automatic Mutual Recognition (AMR) of occupational licensing**

Business wants reciprocal recognition of licences to support occupational mobility for interstate workers. As a cross-border community, automatic recognition of the occupational licences of workers registered in NSW will reduce barriers for ACT businesses, so they can quickly and easily onboard interstate workers.

AMR will increase flexibility for business and individuals, delivering savings on registration fees, paperwork and time.

- Put in place legislative instruments to ensure the effective operation of AMR in the ACT
- Align, where possible, with other states and territories
- Work with regulators on clear, consistent information for workers on how AMR works in the ACT

**Develop options to improve existing regulatory arrangements**

Several individual reform opportunities have been raised with the Taskforce and warrant consideration by government. These reforms are the first lot of important 'stock management' measures. We continue to listen to business and regulators to identify other reform opportunities for our future work program.

These reforms will put in place best practice regulatory settings. This will ensure that regulatory arrangements are meeting their intended objectives efficiently and effectively in a complex and changing environment.

- Review how statutory declarations and deeds are executed
- Review model rules for Incorporated Associations under the *Associations Incorporation Act 1991*
- Remove references to outmoded payment methods (including cheques) from legislation
- Investigate ACT refresher training courses for interstate Responsible Service of Alcohol certificate holders
- Review the licensing of employment agents under the *Agents Act 2003*
- Review options for the regulation of short-term rental accommodation

**Develop a night-time and entertainment economy regulatory quality framework approach**

The night-time and entertainment economy has been significantly impacted by the COVID-19 pandemic. The hospitality and entertainment sectors make a significant contribution to the ACT's economic recovery, the jobs market and the way of life for Canberrans.

Business has raised concerns about how this sector is currently regulated, covering noise management, a more coordinated approach to approvals, disproportionate burden of fees for differing scales of businesses, an overall lack of integration of policy and lack of clear information on compliance requirements.

This reform will put in place best practice regulatory settings. This will ensure that the regulatory arrangements for the night-time and entertainment economy are meeting their intended objectives efficiently and effectively in a complex and changing environment.

- Apply the draft Best Practice Regulation principles to work with industry and across government to review the policy, legislative, regulatory and process requirements that frame the night-time and entertainment economy industries
- Support the work to amend planning legislation to provide for a city entertainment precinct under the Parliamentary and Governing Agreement and Entertainment Action Plan (2019)
- Work with Access Canberra to map and streamline applications, licences and information for the industry
- Work with policy owners to consider core regulatory frameworks for noise, planning and liquor to ensure they are delivering the government's objectives

# Better Regulation Agenda – 2-year work program

