



Best Practice Regulation – Preliminary Assessment

Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Code of Practice for the Safe Transport of Radioactive Material (Revision of 2001 Version to incorporate the 2005 IAEA Transport Regulations)

This form is designed to help you undertake a preliminary assessment of the impact of a regulatory proposal on business and individuals or the economy, and to determine what level of regulatory analysis is required. You should consult the *Best Practice Regulation Handbook* for a full outline of the requirements for developing regulatory proposals. All new and amending regulations and quasi-regulations, including those that impose a cost or confer a benefit, are subject to these processes.

Section 1: Business Compliance Costs

The Business Cost Calculator (BCC) Quickscan is to be used for all regulatory proposals to identify whether there will be business compliance costs. The following checklist will help you identify if there are compliance costs, and can be used as an alternative to the BCC Quickscan.

Will businesses incur costs when they are required to report certain events? Yes No

Will costs be incurred by business in keeping abreast of regulatory requirements? Yes No

Are costs incurred in seeking permission to conduct an activity? Yes No

Are businesses required to purchase materials or equipment? Yes No

Are businesses required to keep records up-to-date? Yes No

Will businesses incur costs when cooperating with audits or inspections? Yes No

Will businesses incur costs when producing documents for third parties? Yes No

Will business incur costs that are of a non-administrative nature? Yes No

Are there any other compliance costs associated with the regulatory proposal? Yes No

If you have answered no to each of these questions there would appear to be nil compliance costs and you may proceed to Section 2 on other impacts (including impacts on competition). If you answered yes to any of the questions you need to assess whether the impact on business is low, medium or significant.

Will this proposal have a low impact on business? Yes No

If you have assessed the impact on business as low you should attach an explanation of the reason for that assessment. If the impact is medium or significant you are required to estimate the compliance cost using the BCC. If the impact is medium or significant, or you are unsure, please contact the OBPR to discuss/confirm your preliminary assessment, and whether you need to prepare a Regulation Impact Statement (RIS).

Section2: Other impacts on business and individuals, including restrictions on competition

If a regulatory option is likely to have a significant impact on business and individuals *or* restricts competition you may be required to prepare a RIS. Restrictions on competition can include a limitation being placed on entry to a market, price, output or production methods. The following checklist will help you to assess whether a proposal restricts competition.

Would the regulatory proposal affect the number and range of suppliers? Yes No

For Example: Grant exclusive rights for a supplier to provide a good or service.

Establish a licence, permit or authorisation process as a requirement of operation.

Affect the ability of some types of firms to participate in public procurement.

Significantly alter costs of entry or exit to a supplier.

Create geographic barriers for businesses.

Would the regulatory proposal change the ability of suppliers to compete? Yes No

For Example: Control or substantially influence the price at which a good or service is sold.

Alter the ability of suppliers to advertise or market their products.

Set standards for product/service quality that are significantly different from current.

Significantly alter costs for some suppliers relative to others.

Would the regulatory proposal alter suppliers' incentives to compete vigorously? Yes No

For Example: Create a self-regulatory or co-regulatory regime.

Impact on the mobility of customers between suppliers.

Require/encourage the publishing of data on company outputs/price, sales/cost.

Exempt an activity from general competition law.

If you tick yes to any of these boxes contact the OBPR to determine whether a RIS is required. If there are other impacts on business and individuals which may be significant you should seek advice from the OBPR.

Further action

This form and any supporting documents, including a brief outline of the proposal to which it relates, should be kept on file and copied to the person in your department/agency responsible for coordinating matters relating to best practice regulation.

Keith Dessent
1 August 2007