



Victorian  
**Competition & Efficiency**  
Commission

2 June 2010

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Dear Mr Shepherd

## ASSESSMENT OF REGULATORY IMPACT STATEMENT

Thank you for seeking an assessment of the Regulatory Impact Statement (RIS) on the proposed *Bus Safety Regulations 2010*. The Victorian Competition and Efficiency Commission (VCEC) received the final version of the above RIS and draft regulations on 1 June 2010.

The VCEC assesses the adequacy of the RIS prior to the public consultation process as required under section 11 of the *Subordinate Legislation Act 1994*. I advise that the RIS meets the requirements of section 10(3) of the *Subordinate Legislation Act 1994*.

In making this assessment, the VCEC notes that the Department has transparently highlighted the data deficiencies that have limited the extent of the analysis possible in the RIS, particularly in relation to the benefits of the proposal and of alternative approaches.

In light of this, the VCEC acknowledges the questions for stakeholders that have been included in the RIS to seek information about the areas of particular uncertainty. The VCEC also acknowledges the Department's commitment to collect data and undertake a post-implementation review of the Regulations (including the approach to fees) five years after the commencement of the Regulations.

The VCEC's assessment 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. Feedback from affected parties during public consultation may provide further information on the nature and size of the costs and benefits, which must be taken into account when making the final decision as to whether or not to proceed with the proposal.

In the interests of transparency, most departments and agencies publish this assessment letter alongside the RIS when it is released for consultation. The VCEC recommends that you do the same.

The VCEC is building a database of Victorian Government RISs and statements of reasons for change, and will be putting your material on our website when it is released. Please inform us when you have placed this RIS on your website. Please also provide us with an electronic copy of your statement of reasons for changes to the final regulations when they are provided to the Scrutiny of Acts and Regulations Committee (refer 5.53 Subordinate Legislation Act 1994 Guidelines, 17 January 2005).

If you have any questions, please contact [RegulationReview@vcec.vic.gov.au](mailto:RegulationReview@vcec.vic.gov.au).

Yours sincerely

Sam Abusah  
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Victorian Competition and Efficiency Commission