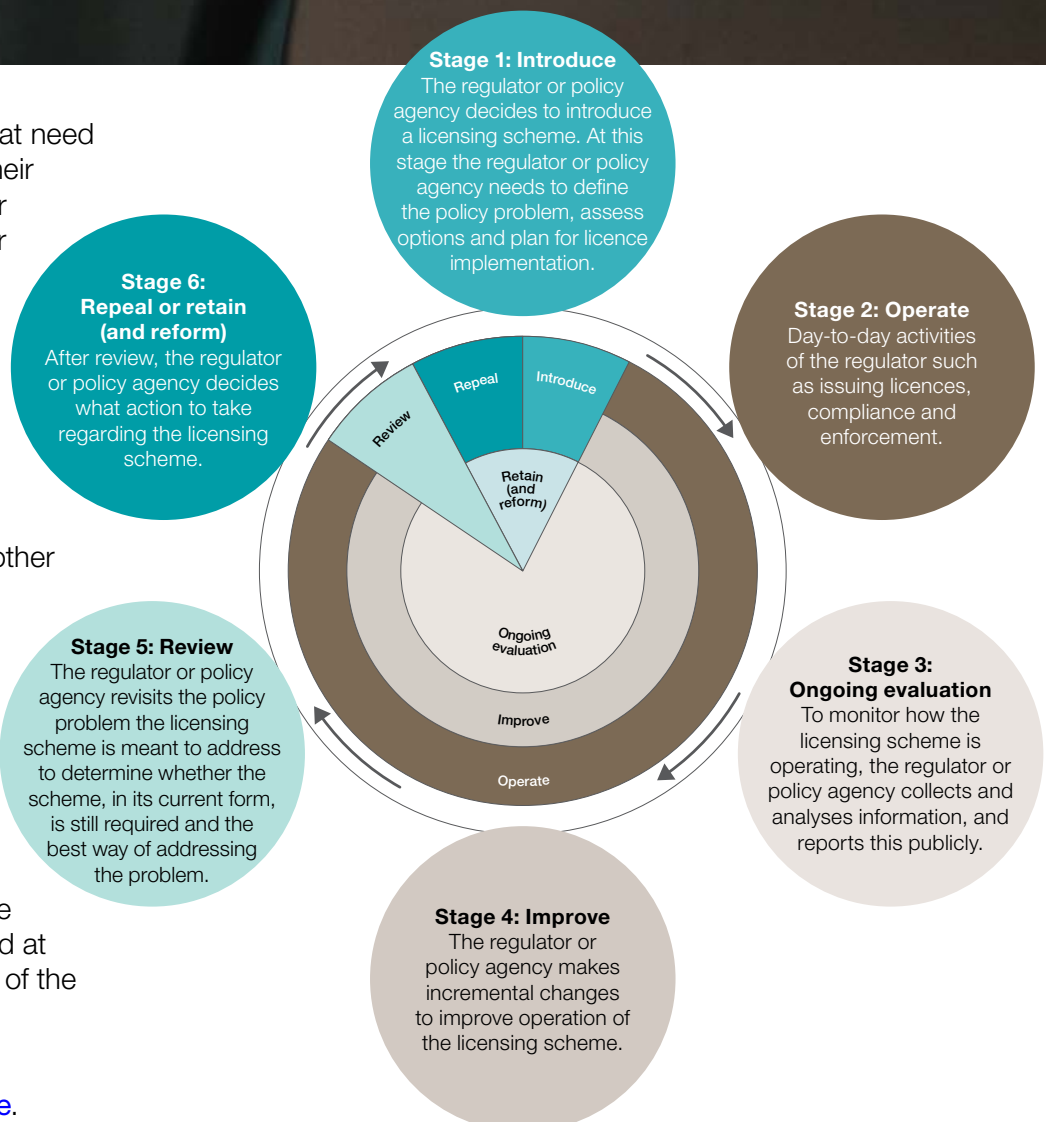


Inquiry into reform of business licensing in Western Australia

Analytical framework and existing resources

Licences are public assets that need to be managed throughout their lifecycle to ensure they deliver current and future benefits for Western Australians. There are six stages to managing licences. Guidance material and external support is available to assist agencies to manage licences well at each of these stages. This document collates guidance from Western Australia, and other Australian and international jurisdictions. The document also lists Western Australian initiatives and organisations that can provide further support, and programs that agencies can access at each stage of the lifecycle. The two assessment tools the ERA has developed are aimed at assisting agencies at stage 3 of the lifecycle.

The assessment tools are [available on the ERA website](#).



STAGE 1: INTRODUCING NEW REGULATION

Western Australian guidance material

WA Department of Treasury, *Regulatory Impact Assessment Guidelines for Western Australia*, 2010.

WA Department of Treasury, *Preliminary Impact Assessment Template*, (undated).

WA Department of Treasury, *Fact Sheets*, ([online](#)).

WA Department of Treasury, *Costing and Pricing Government Services*, 2015.

WA Parliamentary Counsel's Office, *Getting Government Legislation Drafted and Enacted: Guidelines and Procedures*, 2018.

Support available in Western Australia when designing licensing schemes

WA Department of Treasury Economic Policy Unit ([online](#)).

ANZSOG/National Regulators Community of Practice (WA Chapter) ([online](#)).

Australian and international guidance material

Allen Consulting Group for Consumer Affairs Victoria, *A framework for considering the use of occupational licensing*, 2007.

Australian Government, *Influencing Consumer Behaviour: Improving Regulatory Design*, 2012.

Australian Government, *The Australian Government Guide to Regulation*, 2014.

Australian Government, *Guidance Note: Cost-Benefit Analysis*, 2016.

Australian Government, *Guidance Note: Risk Analysis in Regulation Impact Statements*, 2016.

Australian Government, *Guidance Note: Competition and Regulation*, 2016.

Australian Government, *Guidance Note: Best Practice Consultation*, 2016.

Australian Government, *Guidance Note: Small Business*, 2017.

Australian National Audit Office, *Better Practice Guide: Successful Implementation of Policy Initiatives*, 2014.

Bureau of Industry Economics (now Productivity Commission), *Business Licences: International benchmarking*, 1996.

Bureau of Industry Economics (now Productivity Commission), *Business Licences and Regulation Reform*, 1996.

Consumer Affairs Victoria, *Choosing Between General and Industry Specific Regulation*, *Research Paper No. 8*, 2006.

Consumer Affairs Victoria, *Using Licensing to Protect Consumers' Interests*, *Research Paper No. 9*, 2006.

Council of Australian Governments, *Maintaining Consistency with the Australian Consumer Law: A Guide to Maintaining a Harmonised and Consistent Approach when Developing and Reviewing Legislation*, 2013.

Natural Resources Canada, *Literature Review to Assess the Relevance of Outcome-Based Regulations to Innovation*, 2013.

NSW Department of Finance, Services and Innovation, *Guidance for Regulators to Implement Outcomes and Risk-based Regulation*, 2016.

NSW Department of Finance, Services and Innovation, *Assessment Against the Competition Test*, 2017.

OECD, 'Behavioural Insights', ([online](#)).

OECD, 'Regulatory Impact Assessment', ([online](#)).

OECD, 'Risk and Regulatory Policy', ([online](#)).

PricewaterhouseCoopers for the NSW Independent Pricing and Regulatory Tribunal, *A Best Practice Approach to Designing and Reviewing Licensing Schemes*, 2013.

Queensland Productivity Commission, *Guidance Note: Assessing Competition Impacts*, 2018.

Queensland Productivity Commission, *Guidance Note: Identifying and Defining the Problem*, 2018.

Queensland Productivity Commission, *Guidance Note: Policy Objectives*, 2018.

US Department of the Treasury Office of Economic Policy, Council of Economic Advisers and US Department of Labour, *Occupational Licensing: A Framework for Policymakers*, 2015.

Victorian Competition and Efficiency Commission, *Smart regulation: Grappling with Risk*, *Guidance Note*, 2015.

STAGE 2: OPERATING LICENSING SCHEMES

Accessing information about Western Australian licensing schemes online

Australian Business Licence and Information Service (ABLIS) ([online](#)).

WA Department of Treasury, 90-Day regulatory mapping and reform projects ([online](#)).

WA Small Business Development Corporation Business Licence Finder ([online](#)).

wa.gov.au ([online](#)).

Opportunities for collaboration and information sharing between Western Australian agencies

ANZSOG/ National Regulators Community of Practice (WA Chapter) ([online](#)).

Bilateral agreements and memoranda of understanding between agencies.

Australian and international guidance material

- Australian Government, *Guidance Note: Best Practice Consultation*, 2016.
- Australian Government, *Guidance Note: Small Business*, 2017.
- Australian National Audit Office, *Administering Regulation: Achieving the Right Balance*, 2014.
- Consumer Affairs Victoria, *Better Business Regulation, Research Paper No. 14*, 2008.
- NSW Department of Finance, *Services and Innovation, Guidance for Regulators to Implement Outcomes and Risk-based Regulation*, 2016.
- PricewaterhouseCoopers for the NSW Independent Pricing and Regulatory Tribunal, *A Best Practice Approach to Designing and Reviewing Licensing Schemes*, 2013.

STAGES 3 AND 5: ONGOING EVALUATION AND REVIEW

Guidance at the introduction stage can also be used at this stage.

Western Australian guidance material

- WA Department of Treasury, Tools to assist with Red Tape Reduction, ([online](#)).
- WA Department of Treasury, *Program Evaluation: Evaluation Guide*, 2015.
- WA Public Sector Commission, *Guidelines for the Review of Legislation*, 2013.

Western Australian independent and public review processes

- WA Department of Treasury's 90-Day regulatory mapping and reform projects ([online](#)).
- WA Department of Treasury's Program Evaluation ([online](#)).
- WA Office of the Auditor General's audit program ([online](#)).
- WA Parliamentary Committee inquiries ([online](#)).
- WA Regulatory Impact Assessment program ([online](#)).

Support available in Western Australia to identify reform opportunities

- WA Department of Treasury's Economic Policy Unit, ([online](#)).
- ANZSOG/National Regulators Community of Practice (WA Chapter) ([online](#)).

Australian and international guidance material

- Her Majesty's Treasury, *The Green Book: Central Government Guidance on Appraisal and Evaluation*, 2018.
- Her Majesty's Treasury, *The Magenta Book: Guidance for Evaluation*, 2011.
- OECD, 'Measuring Regulatory Performance', ([online](#)).
- Productivity Commission, *Regulator Engagement with Small Business*, 2013.
- Queensland Productivity Commission, *Guidance Note: Implementation and Evaluation*, 2018.

STAGES 4 AND 6: IMPROVE, RETAIN (AND REFORM) OR REPEAL

Western Australian guidance material

- WA Parliamentary Counsel's Office, *Getting Government Legislation Drafted and Enacted: Guidelines and Procedures*, 2018.
- WA Department of Treasury, *Regulatory Impact Assessment Guidelines for Western Australia*, 2010.

Mechanisms to implement legislative changes in Western Australia

- Statutes (Repeals and Minor Amendments) Bill, coordinated by the WA Department of Justice (ongoing) ([online](#)).

Australian and international guidance material

- Australian Government, *Guidance Note: Sunsetting Legislative Instruments*, 2016.
- Australian National Audit Office, *Successful Implementation of Policy Initiatives*, 2014.
- Her Majesty's Government, Department for Business, Innovation and Skills, *Sunsetting Regulations: Guidance*, 2011.
- OECD, 'Administrative Simplification and Reducing Burdens', ([online](#)).

You can read the final report for the ERA's inquiry into state government business licensing at www.erawa.com.au/licensinginquiry

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