

Tabled, ~~by leave,~~

Ms Sharpe

BETTER REGULATION AMENDMENT (MISCELLANEOUS) BILL 2024

STATEMENT OF PUBLIC INTEREST

Clerk of the Parliaments

Need: Why is the policy needed based on factual evidence and stakeholder input?

The *Better Regulation Amendment (Miscellaneous) Bill 2024* (the **Bill**) introduces minor and primarily administrative amendments to several Acts and Regulations as part of the routine and ongoing examination of legislation administered by the Minister for Better Regulation and Fair Trading and the Minister for Customer Service and Digital Government.

The Bill aims to update, clarify and modify provisions across 23 Acts and two Regulations. Many of the amendments in this Bill can be classed as minor or of a housekeeping nature that will ensure that laws can operate as intended. However, there are also amendments that despite their brevity are significant and aim to address key policy issues.

Objectives: What is the policy's objective couched in terms of the public interest?

There is a strong public interest in ensuring the accuracy, coherence, quality and relevance of NSW legislation. NSW Fair Trading and Building Commission NSW regulate a broad range of important sectors in the community. It is critical that the administered legislation remains relevant, effective and is kept up to date. Otherwise, there is a risk that consumers and businesses could lose confidence in the laws being administered or it could lead to an increase in misunderstandings and disputes.

Options: What alternative policies and mechanisms were considered in advance of the bill?

The issues addressed by the amendments and the targeted outcomes in the Bill can only be achieved through legislative amendment. If a miscellaneous bill was not used to deal with these amendments, it is likely that the Parliament would otherwise have to dedicate significant time and resources to considering a high number of separate amending bills.

Analysis: What were the pros/cons and benefits/costs of each option considered?

The main alternative to making the Bill that was considered was the 'do nothing' option. If the amendments were not made, then the legislation will continue to operate sub-optimally and would not be able to deliver a potentially better outcome for businesses and consumers.

Another option was to make the amendments in a piecemeal fashion over time. Some amendments could be progressed when more significant amendments are being made to each principal Act. However, under this option there would be a risk that some of the amendments in the Bill would be significantly delayed or may never be made. The consolidation of the amendments in one Bill is the most effective and efficient way to ensure that the NSW Parliament can consider the amendments without undue delay.

The preferred option is to amend the Acts and Regulations in a single Bill, to realise the benefits of increased clarity, efficiency and modernisation to ensure that the laws operate as intended.

Pathway: What are the timetable and steps for the policy's rollout and who will administer it?

The Minister for Better Regulation and Fair Trading and the Minister for Customer Service and Digital Government is responsible for administering the Acts being amended, with support from the Department of Customer Service (the **Department**). NSW Fair Trading and Building Commission NSW will inform stakeholders of the changes where relevant and implement any operational changes required.

The Bill will commence on assent.

Consultation: Were the views of affected stakeholders sought and considered in making the policy?

Many amendments in the Bill seek to introduce minor and primarily administrative amendments and will have little to no impact on external stakeholders. They were developed in consultation with the Parliamentary Counsel's Office.

Key internal and external Government stakeholders were consulted on the more significant amendments.

There will need to be ongoing consultation as part of the implementation process for certain amendments, in particular the amendments to the Fuel Check order to capture EV charging stations will be complex to implement and will need extensive external Government and industry stakeholder consultation.