

# Released under FOI



## ACCC Minute

**Date** 26 May 2016

**To** Rayne de Gruchy, Chief Operating Officer

**Cc** Nigel Ridgway, Executive General Manager, Consumer, Small Business and Product Safety Division  
Neville Matthew, General Manager, Consumer Product Safety Branch

**From** John Jamieson, Director Standards & Policy, Consumer Product Safety Branch

**Subject:** Certification letter to the Office of Best Practice Regulation for the draft final Regulation Impact Statement for self-balancing scooters

### Purpose

The Consumer Product Safety Branch has developed a draft final Regulation Impact Statement (RIS) to consider the options to ensure the ongoing supply of safe self-balancing scooters, also known as 'hoverboards'.

The Office of Best Practice Regulation (OBPR) must assess the RIS according to best practice requirements and consistency with the ten principles for Australian Government policy makers as set out in *The Australian Government Guide to Regulation*.

A certification letter from you must accompany the draft final RIS.

The regulatory options will result in additional regulatory burden that the Treasury portfolio must offset with an equivalent regulatory burden reduction. Treasury has advised that it has not yet established 2016 offsets and that it sees no reason why it will not meet its red tape reduction targets. The Treasury has advised that this is what we should say in the certification letter.

### Background

On 18 March 2016, the Minister for Small Business and Assistant Treasurer imposed a 60 day interim ban on hoverboards that do not meet specific safety requirements. The Minister extended the interim ban by 30 days from 18 May 2016. The ban can be extended another 30 days (until 16 July 2016) after which, it will lapse.

The draft final RIS considers the viable options, one of which we will need to implement before the interim ban lapses.

Commissioners Rickard and Court have reviewed the draft final RIS and we have incorporated their feedback.

[REDACTED] Nigel Ridgway also provided feedback and Neville Matthew has cleared the draft final RIS.

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The OBPR assessed previous versions of the draft final RIS and provided feedback to the ACCC. We have discussed feedback with OBPR and have amended the draft final RIS accordingly. The OBPR alerted other parts of the Department of the Prime Minister and Cabinet that this will progress during the caretaker period in accordance with caretaker conventions.

The attached draft final RIS is for 'first pass' assessment that will take up to 5 business days. It will not be released into the public domain by OBPR. We will address OBPR feedback on the first pass draft final RIS prior to submitting the final RIS for the second (and final) pass assessment.

Once OBPR agrees that the final RIS meets requirements, the final RIS will inform our recommendation to the Minister.

## Recommendation

That you sign the attached certification letter to OBPR.

## Attachments (provided separately)

Draft certification letter

Draft final RIS