

Ministerial Statement of Expectations

Comcare

The Australian Government agreed to portfolio Ministers issuing a Statement of Expectations to their portfolio agencies. A Statement of Expectations enables Ministers to provide greater clarity on the objectives and priorities of the Government's deregulation agenda relevant to portfolio agencies.

Comcare provides for the health and safety of workers and workplaces through education and assurance and is integral in the management of workers' compensation claims for the Australian Government. Comcare is responsible for the management of the expanded national workers' compensation regime for self-insurance and the authorisation, accreditation and licensing decisions of third parties to operate plants, systems and equipment. The *Safety, Rehabilitation and Compensation Act 1988* (the Act) establishes Comcare and the Safety, Rehabilitation and Compensation Commission as co-regulators of the Comcare Scheme. As well as its own regulatory functions, Comcare has claims management functions under the Act.

Under Section 76 of the Act, the Minister may, by notice in writing given to the Chief Executive Officer, give a direction to Comcare on the performance of its functions or the exercise of its powers under this Act or the *Work Health and Safety Act 2011*, otherwise than in relation to a particular case.

Comcare is encouraged to be mindful of the Government's approach to regulation, to the extent that the agency has discretion in conducting and exercising its regulatory and administrative functions, consistent with the Government's deregulation agenda.

THE GOVERNMENT'S DEREGULATION AGENDA

The Government is committed to reducing red tape for business and the community as part of its broader objective of improving Australia's productivity. It has committed to reduce regulatory compliance costs on business, community organisations and individuals by at least \$1 billion a year.

The Government expects that Comcare will:

- look for opportunities to reduce compliance costs for business, community organisations and individuals and to contribute to the Government's annual red tape reduction target
- act in accordance with regulatory best practice in its decision-making, policies, processes and communication practices to maximise transparency and minimise compliance costs
- seek to balance the effort of complying with the outcomes and benefits of regulation, in any instance where regulation is deemed necessary
- comply with the enhanced Regulatory Impact Statement requirements as outlined in the Australian Government Guide to Regulation and in accordance with other material issued by the Department of the Prime Minister and Cabinet

- consider adopting a risk-based approach to compliance obligations, engagement and enforcement allowing for proportionate approaches suited to the risk of regulated entities
- use international standards and risk assessments where appropriate and in accordance with guidance material issued by the Department of the Prime Minister and Cabinet
- apply the Regulator Performance Framework to its regulatory functions to assess its performance and engagement with stakeholders and make results publically available
- consider the specific impact of regulatory proposals on small business.

RELATIONSHIP WITH THE DEPARTMENT OF EMPLOYMENT

- The Department of Employment supports and advises the Employment portfolio Ministers in its role as the primary source of advice on policy development and the performance of the portfolio's regulatory systems.
- The Minister expects that the department and Comcare maintain a collaborative working relationship to communicate the objectives of the deregulation agenda and to report progress on regulatory reforms delivered by the Employment portfolio to the Government.
- Comcare should work closely with the Deregulation Unit to advise the Minister of regulatory reform opportunities and of the implications of the Government's policy initiatives on the regulatory framework. The department takes into account the knowledge and expertise of Comcare when considering changes to policy and legislation that impact on the health and safety of workers and workplaces and the management of workers' compensation claims.