

22 January 2010

Mr Ben Plowman
Senior Policy Officer
Department of Sustainability and Environment
Level 2, 8 Nicholson Street
East Melbourne 3002

Dear Mr Plowman

ASSESSMENT OF REGULATORY IMPACT STATEMENT

Thank you for seeking an assessment of the Regulatory Impact Statement (RIS) on the proposed *Forests (Recreation) Regulations 2009*. The Victorian Competition and Efficiency Commission (VCEC) received the final version of the above RIS on 16 December 2009 and draft regulations on 22 January 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*.

The VCEC notes that this RIS was reassessed due to a change in the proposed regulations by the Department of Sustainability and Environment that occurred during the making of the *Forests (Recreation) Regulations 2009*. The *Forests (Recreation) Regulations 2009* RIS was originally assessed by the VCEC in September 2009 and met the requirements of section 10(3) of the *Subordinate Legislation Act 1994*.

I advise that the revised RIS meets the requirements of section 10(3) of the *Subordinate Legislation Act 1994*. This VCEC assessment is based on the written advice from the Department of Sustainability and Environment on 16 December 2009 that there are no substantive changes from the previous RIS to the revised RIS prepared for the *Forests (Recreation) Regulations 2009*.

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 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.

Yours sincerely

Kim Gusberti

Kim Gusberti
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Victorian Competition and Efficiency Commission



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