

Quality Regulatory Services Initiative

Minimum standards for implementation

Government commitment	Requirement	Minimum standards for implementation	Timeframe	Exemptions**
1. Enable electronic transactions*	1.1 Allow business to lodge or renew licence applications electronically	<ul style="list-style-type: none"> All licence application and renewal forms are available online. Forms should be in an electronic format as a minimum (e.g. PDF available for download; interactive PDF is good but not necessary). Forms can be submitted either by fax, secure email or through a secure online system. Forms may still be processed manually by the agency. 	December 2013	In cases where it is inappropriate to collect information electronically (e.g. when identity checks are required in the licensing process).
	1.2 Accept electronic payments	<ul style="list-style-type: none"> Payment authorisation forms are available for download online. Forms should be in an electronic format as a minimum (e.g. PDF available for download; interactive PDF is good but not necessary). Payment can be made either with a credit card over the phone which can then be processed manually by the agency, by fax or through a secure online payment system (such as electronic bank transfer, BPAY or PayPal etc). 	December 2013	In cases where the volume of licensing activity is so small that the benefits of implementing an electronic payment system is outweighed by the cost.
	1.3 Allow business to update their details electronically	<ul style="list-style-type: none"> Forms for updating personal information are available for download online. Forms should be in an electronic format as a minimum (e.g. PDF available for download; interactive PDF is good but not necessary). Forms can be submitted either by fax, secure email or through a secure online system. Forms may still be processed manually by the agency. 	December 2013	None
	1.4 Provide access to reporting templates online and lodge reports electronically	<ul style="list-style-type: none"> Reporting templates are available for download online. Templates should be in an electronic format as a minimum (e.g. PDF available for download; interactive PDF is good but not necessary). Reporting templates can be completed electronically and submitted in a secure electronic format (e.g. emailing of encrypted forms etc) or fax. In instances where compliance reporting requires disclosure of commercial-in-confidence information, the regulator will need to ensure stringent security measures are in place. Forms may still be processed manually by the agency. A system is in place to regularly review reporting templates to ensure that only necessary information is collected (this may be linked to existing review mechanisms such as statutory reviews). 	December 2013	None
2. Provide clarity in processing times	2.1 Set, communicate and report on maximum processing timeframes	<ul style="list-style-type: none"> Set clear timeframes for processing applications and renewals. Information about maximum timeframes for processing should be disclosed in the licence application and renewal form as well as on the regulator's 	December 2013	None

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		<p>website.</p> <ul style="list-style-type: none"> Applicants are notified of the maximum timeframe taken by government to make a decision. 'Stop the clock' provisions will be clearly articulated to applicants. Report publicly (e.g. online, in annual reports etc) on how actual processing times compare with target. 		
3. Provide transparent appeal mechanisms	3.1 Availability and transparency of appeal mechanisms for licensing, compliance and enforcement decisions.	<ul style="list-style-type: none"> Information about appeal mechanisms for licence determinations is available online and communicated to applicants whenever a licence is refused. Criteria for appeals should be clearly defined Appeal mechanisms are available for individuals and business on compliance and enforcement decisions so they are able to appeal adverse decisions. 	December 2013	None
4. Promote a risk-based approach to compliance and enforcement	4.1 Adopt a risk based approach to compliance and enforcement.	<ul style="list-style-type: none"> Review compliance and enforcement in line with guidance material prepared by BRO. Publish a policy consistent with the guidance outlining a risk based approach to compliance and enforcement. Commence reporting against the policy. <p>NOTE: BRO is developing guidance material and undertaking various pilot studies throughout 2013 to ensure guidance is available by end 2013. This will allow regulators 12 months to review their activity in-line with the guidance material.</p>	December 2014	None
5. Require a greater focus on regulatory outcomes	5.1 Focus more strongly on regulatory outcomes rather than compliance outputs.	<ul style="list-style-type: none"> Clearly define regulatory outcomes, ensuring alignment with objectives of all legislation administered by the regulator. Review outcome monitoring mechanisms as part of regular legislative reviews. Commence reporting regularly on outcomes. <p>NOTE: BRO is developing guidance material and undertaking various pilot studies throughout 2013 to ensure guidance is available by end 2013. This will allow regulators 12 months to review their activity in-line with the guidance material.</p>	December 2014	None

*All electronic transactions must adhere to the *NSW Government Digital Information Security Policy* at http://www.dpc.nsw.gov.au/data/assets/pdf_file/0006/146688/Digital_Information_Security_Policy_2012.pdf

**Additional exemptions may be identified during consultations.

For further information go to www.betterregulation.nsw.gov.au

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Frequently asked questions

- *What is defined as a licence in the QRS initiative?*

For the purposes of the QRS initiative, a licence was considered any instrument labelled as a:

- licence
 - registration
 - notification
 - authorisation
 - accreditation
 - approval
 - certification
 - permit
- *Why is NSW implementing minimum standards for electronic transactions?*
Implementing electronic transactions will save business time when applying and renewing licences as forms can be downloaded immediately when the need arises and they will no longer need to travel to submit their application, either to the agency or to a post box, post office or bank. Agencies will benefit by dealing with fewer in-person enquiries.
 - *Why should regulators set and report on maximum processing times?*
Holding cost delays are often one of the biggest areas of administrative burden for business. Implementing maximum processing times will provide business with greater certainty about the timeframe involved in processing applications and renewals and greater certainty about the outcomes of their applications. This allows businesses to manage their operations and deadlines around the expected waiting times.
 - *What are the benefits of a transparent appeals mechanism?*
Businesses will have greater certainty about the regulatory process and a system will be in place for Government to correct any errors of interpretation about applications. Agencies will be more accountable for their decisions.