

INQUIRY INTO REFORM OF BUSINESS LICENSING IN WESTERN AUSTRALIA TERMS OF REFERENCE

I, BEN WYATT, Treasurer, pursuant to Section 32 (1) and Section 38 (1) (a) of the *Economic Regulation Authority Act 2003*, request that the Economic Regulation Authority (the ERA) undertake an inquiry into options to reduce the regulatory burden and other economic costs of State government business and occupational licences ('business licences') in Western Australia.

In conducting this inquiry, the ERA will:

- identify all State government business licences in Western Australia;
- develop an analytical framework to help:
 - assess when licensing is the most efficient way of addressing identified problems and risks compared with other options;
 - assess whether the design elements of a licence are consistent with its purpose;
 - assess any other significant ways to improve the administration of licences;
- consider best practice design elements across licence types and in other jurisdictions;
- identify priority areas of reform for business licences in Western Australia and the impacts of the current licensing arrangements in those areas on all relevant stakeholders;
- assess high priority business licences against the analytical framework to determine whether individual licences are necessary, well-designed and well-administered;
- recommend reforms to specific business licences and licensing arrangements more generally that will produce net benefits for Western Australia;
- identify opportunities to improve the overall administration of business licences in Western Australia; and
- develop a guideline that Departments can use to self-assess against the framework.

In undertaking the inquiry and proposing changes, the ERA is to have regard to the approach, findings and recommendations of the NSW Independent Pricing and Regulatory Tribunal's 2014 report *Reforming licensing in NSW*.

The ERA will release an issues paper as soon as possible after receiving this terms of reference. The paper is to facilitate public consultation on the basis of invitations for initial written submissions from State government agencies, the business community and other relevant stakeholder groups, including the general community.

The ERA will release a draft report, including recommendations, for further targeted consultation.

The ERA will complete a final report, including recommendations, by 22 February 2019.

BEN WYATT MLA
TREASURER

30 NOV 2017