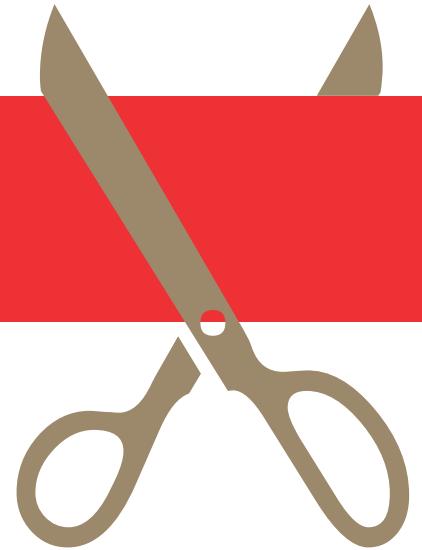




## Office of Deregulation – Guidance Note



### ESTABLISHMENT OF MINISTERIAL ADVISORY COUNCILS OR EQUIVALENT CONSULTATION MECHANISMS

As at 17 December 2013

The Government's deregulation agenda requires the establishment of stakeholder consultation mechanisms by the end of 2013, for each Cabinet Minister. These mechanisms, otherwise called Ministerial Advisory Councils (MACs), will comprise business, not-for-profit and other industry stakeholders and will provide advice to each Cabinet Minister and their respective departments on opportunities to reduce red and green tape within their respective portfolios, as well as provide a broader consultation mechanism on policy matters. Ministers should write to the Prime Minister advising of deregulation consultation arrangements for their portfolio by the end of 2013.

In establishing MACs portfolio departments should have regard to the following:

- › **Meeting Frequency** – MACs are to meet three to four times a year.
- › **Existing arrangements** – Ministers may wish to establish a new MAC or use an existing Committee or forum, in lieu of establishing a new MAC, where these have the capacity to consider deregulation issues. Some portfolios are considering establishing more than one MAC where the range of portfolio functions and existing advisory structure makes this appropriate.
- › **Selection and Appointment** – MAC members will be appointed by the relevant Minister, following agreement by the Prime Minister.
- › **Membership Conditions** – Ministers are to consider any appropriate remuneration. If MAC members are to be remunerated this should be in accordance with Remuneration Tribunal Determination 2013/11: Remuneration and Allowances for Holders of Part-Time Public Office or its successor. Members are to be subject to normal probity, confidentiality and conflict of interest requirements.
- › **Administrative Support** – Administrative support is to be provided by the relevant portfolio department. This includes secretariat support and meeting administration costs such as venues, accommodation, telepresence facilities and travel.
- › **Timeline** – Ministers are to write to the Prime Minister by the end of 2013 to advise on what stakeholder consultation mechanisms exist or will be established. Ministers should aim to hold the first meeting in the first quarter of 2014
- › **Composition** – Ministers should give consideration to MAC size and composition and the need for a balance of business, not-for-profit sector and other stakeholders (including sector and stakeholder type) without making MACs unwieldy. Ministers should also consider appropriate geographic representation and be cognisant of Australian Government policies in relation to gender balance.
- › **Membership Term** – Membership terms are no more than three years. Portfolios may choose to stagger initial membership terms to retain some continuity.
- › **Statement of Expectations** – It is recommended that each MAC be provided with a clear statement of expectations, such as a charter, terms of reference or ministerial directive. This should describe how the MAC will function in fulfilling its role, such as through:
  - identifying potential targets for regulatory reform (e.g. areas of inefficient regulation, excessive red tape or unnecessarily high regulatory burden);
  - providing a sounding board for regulatory reform or repeal proposals;
  - of feedback on the progress of regulatory reform within the portfolio; and
  - advice on broader policy issues relevant to the portfolio.
- › **Operating Conventions** – More detailed operating conventions for each MAC (e.g. minimum quorum requirements and liaison protocols with relevant portfolio bodies) may be developed. The means by which the MAC will advise its Minister (e.g. periodic reports in addition to the face-to-face meetings) should be identified at an early stage.
- › **Meeting Mechanisms** – It is recommended that at least one face-to-face meeting occur each year, with the remaining meetings using a mix of face-to-face and telepresence as appropriate.