

Fw: FoFR - Correspondence from OBPR - for information  
[DLM=For-Official-Use-Only]

Alastair Furnival to: senator.nash,

10/01/2014 03:23 PM

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This email contains information which if compromised may cause limited damage to national security, Australian Government agencies, commercial entities or members of the public.

See interesting letter attached. I have asked the Department to advise as to how they intend to respond.

Kind regards,

**Alastair Furnival**  
Chief of Staff

Assistant Minister for Health | Ph: (02) 6277 7440 |  
Parliament House Canberra |

alastair.furnival@health.gov.au

----- Forwarded by Alastair Furnival/MINISTER/Health on 10/01/2014 15:23 -----

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**Australian Government**

**Department of the Prime Minister and Cabinet**  
Office of Best Practice Regulation

Reference: 14511  
Contact:  
Telephone:  
e-mail:

Dear

**Non-compliance with COAG best practice regulation guidelines**

I am writing regarding the decision by the Legislative and Governance Forum on Food Regulation ('the Forum') on Friday 13 December 2013 on implementation of the Front-of-Pack Nutrition labelling scheme in early 2014.

As you would be aware, decisions by Ministerial Councils, including the Forum, are subject to the Council of Australian Governments' (COAG) guidelines relating to best practice regulation. In particular, regulatory decisions made by the Forum – including quasi-regulatory decisions – require the preparation of a Regulation Impact Statement (RIS).

Specifically, the Forum released a communique on 13 December 2013 that they had endorsed a new Health Star Rating Calculator algorithm, which sets the star rating applied to dairy products. As advised in our email of 11 December 2013, the Office of Best Practice Regulation (OBPR) views such initiatives as quasi-regulatory and within the scope of the RIS requirements.

As RISs were not prepared for consultation or the decision on this matter, the OBPR has assessed the Forum's decision as being non-compliant with the COAG best practice regulation guidelines.

The OBPR maintains a RIS website that provides information on compliance with the COAG's RIS guidelines and an entry relating to this non-compliance will be posted shortly.

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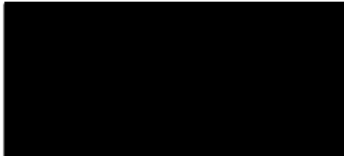
One National Circuit, BARTON ACT 2600

Helpdesk-OBPR@pmc.gov.au Telephone: (02) 6271 6270

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Should you have any questions please contact \_\_\_\_\_ on the number above.

Yours sincerely



Office of Best Practice Regulation  
10 January 2014

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One National Circuit, BARTON ACT 2600

[Helpdesk-OBPR@pmc.gov.au](mailto:Helpdesk-OBPR@pmc.gov.au) Telephone: (02) 6271 6270

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