Australian Government
Department of Finance

Ministerial Statements of Expectations and responding regulator Statements of Intent – Prioritising Productivity

Whole-of-government objectives for Commonwealth regulators should be reflected in Statements of Expectations and Intent

Statements of Expectations (SOE) and responding regulator Statements of Intent (SOI) are important mechanisms to articulate and uplift regulator performance, including addressing the objectives and focuses of the government of the day. The Australian Government recommends as good practice that Ministers and Commonwealth regulators issue statements to promote accountability and transparency of regulatory activities and performance, with guidance on doing this through Resource Management Guide 128 (Regulator Performance) (RMG 128).

The government has set a **whole-of-government objective for Commonwealth regulators to better balance risk mitigation with efficiency, growth and dynamism and requiring Ministers' SOEs to address this**.

Updated or new Statements of Expectations should be in place by the end of 2025

The government has agreed Ministers should endeavour to issue new SOEs for regulators reflecting the whole-of-government objective by the end of 2025. Departments should put Ministers in a position to reissue SOEs by the end of 2025, including through proactively briefing up and providing strategic support. Some portfolios may have a number of regulators with SOEs to be updated and issued. Departments may need to consider prioritising or sequencing the SOEs to best manage the volume of SOEs to be issued by their Ministers.

For those regulators with current SOEs, departments will need to review and update Statements to ensure they address the policy objective. For those regulators without a current SOE in place, departments will need to develop new Statements, subject to the additional considerations discussed later in this document. Regulators should have their responding SOIs in place as soon as practicable after the end of 2025. Reflecting RMG 128 guidance, Secretaries and heads of Regulators should work closely with their Ministers in developing updated or new Statements.

Where a regulator has functions across multiple portfolios or regulatory schemes, the department of the Minister responsible for appointing the head of the regulator should lead on setting expectations through an SOE for that regulator in consultation with other relevant Ministers and their departments. Departments should work together with regulators to define and map regulatory roles and responsibilities, activities and interactions and ensure this is

captured through SOEs and responding SOIs. Roles and responsibilities must be clearly defined, risks understood and addressed proportionately, and performance measurement and reporting frameworks in place.

Statements should address prioritising productivity through specific measures

The government expects Secretaries and departments will work closely with their Ministers to support regulators to reform Australia's regulatory settings to achieve their regulatory objectives at the least cost to citizens and business. As part of setting performance expectations, departments should ensure updated or new SOEs address the whole-of-government objective through specific measures, which may include:

- reinforcing government expectations for regulators to take a more proportionate risk-based approach to regulation to better balance risk mitigation with efficiency, growth and dynamism as a priority, and consider the impact on productivity of all their regulatory activities. For example:
  - adjusting regulatory posture where appropriate to create a regulatory environment that enables productivity growth.
  - proactively reducing unnecessary regulatory burden, including looking for ways to support innovation, small business and new market entrants.
  - increasing the recognition of suitable risk assessments, standards and conformity assessment procedures to lower barriers to trade.
- requesting regulators work with their departments and the Department of Finance (Finance), where appropriate, through usual budget processes to implement and report on any reform proposals to reduce unnecessary regulatory burden that may require legislative reform or have funding implications.
- requesting regulators set KPIs and service standards for their regulatory activities, including in relation to any reform proposals.
- requesting regulators align their approach and implementation with the 6 principles of the Regulatory Policy, Practice and Performance Framework for the regulator's role, regulatory posture, specific legislative objectives, functions, and environment.
- requesting regulators identify and address international regulations and the global regulatory operating environment, and engaging with international regulatory bodies, relevant to the regulator's role, functions, and environment.
- requesting regulators address ideas proposed by regulators in response to the joint letter from the Treasurer and the Minister for Finance sent 4 July 2025, including how regulators will track and report progress.[1]

In their responding SOIs regulators should consider:

- identifying how they can support productivity through economic growth and resilience and reducing unnecessary regulatory burden, for example through removing duplication, improving clarity, and using modern tools to achieve the same or better outcomes.

- identifying how they can take a more proportionate risk-based approach to their regulatory actions that are achievable within existing resourcing and legislative frameworks, while not compromising core regulatory protections. This includes:
  - identifying and working with other regulators that regulate the same individuals and businesses, including in other Australian jurisdictions, with a view to reducing regulatory and administrative burden.
- identifying and addressing international regulations and the global regulatory operating environment, and engaging with international regulatory bodies, relevant to the regulator's role, functions, and environment.
- aligning their approach and implementation with the 6 principles of the Regulatory Policy, Practice and Performance Framework for the regulator's role, regulatory posture, specific legislative objectives, functions, and environment.
- addressing how delivery of any ideas proposed in response to the Treasurer and Minister for Finance's letter will be tracked and reported by the regulator.

Regulators could consider attaching a summary of tangible, achievable actions they propose in response to the policy objective to their SOIs.

Consistent with RMG 128 guidance, regulators should integrate updated Statements into performance reporting through their corporate plan and annual report, especially where specific KPIs have been identified. Statements should be made publicly available on regulator websites and links to these provided to Finance for inclusion in the Australian Government Regulator Stocktake. Statements may also be made available on transparency.gov.au where part of a corporate plan and/or annual report.

Additional considerations for Statements

Some Commonwealth regulators do not need to have Statements in place

Some Commonwealth regulators do not need to have SOEs and SOIs in place such as where:

- the regulatory function is only to regulate Commonwealth entities or employees.
- an entity is only responsible for law enforcement activities such as policing or prosecution services, for example the Australian Federal Police or the Office of the Director of Public Prosecutions.

These regulators do not need Statements to be issued in response to this policy advice.

Regulators with cross-jurisdictional regulatory functions

Some Australian Government regulatory functions operate under National Partnership Agreements and/or with governance, legislative performance and reporting arrangements that sit across both Commonwealth and state and territory governments. Engagement with relevant state and territory counterparts by departments and regulators will be necessary to ensure appropriate expectations are set through updated or new SOEs and SOIs.

As a minimum, departments should have a final draft SOE for affected regulators agreed to by the Secretary of the relevant department by the end of 2025, noting the SOE may still be subject to final ministerial approvals from each jurisdiction.

For those cases where a separate Commonwealth SOE has been previously determined to not be appropriate, it is not necessary to develop new Statements. Entities should instead work with both levels of government to best align expectations of those regulators.

The nature of the activities regulated

Not all regulatory burden is equal. For example, a higher level of regulatory burden may be appropriate for regulation that is necessary to prevent serious injury and illness or loss of life. There may also be a need to balance ensuring independence as part of addressing the whole-of-government objective due to the nature of the activities or people regulated. Statements should address the nature of the activities regulated in relation to risk mitigation and how core regulatory protections will be maintained as part of a more proportionate risk-based approach to regulation.

Finance will update RMG 128 guidance to ensure consistency with this policy advice

Finance will update RMG 128 guidance in October 2025 to ensure consistency with this policy advice. This will include how departments can support Ministers to address policy priorities set during each term of government through SOEs.

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[1] **List of 38 regulators who received letters from the Treasurer and the Minister for Finance**

Agriculture, Fisheries and Forestry portfolio
Department of Agriculture, Fisheries and Forestry
Australian Fisheries Management Authority
Australian Pesticides and Veterinary Medicines Authority
Wine Australia

Attorney General's portfolio
Office of the Information Commissioner

Climate Change, Energy, the Environment and Water portfolio
Department of Climate Change, Energy, the Environment and Water
Australian Energy Regulator
Clean Energy Regulator
Great Barrier Reef Marine Park Authority
Murray Darling Basin Authority

Defence portfolio
Australian Naval Nuclear Power Safety Regulator

Education portfolio
Department of Education
Tertiary Education Quality and Standards Agency

Employment and Workplace Relations portfolio
Australian Skills Quality Authority
Fair Work Commission
Fair Work Ombudsman

Finance portfolio
Services Australia

Health, Disability and Ageing portfolio
Department of Health, Disability and Ageing
Aged Care Quality and Safety Commission
Food Standards Australia New Zealand

Home Affairs portfolio
Department of Home Affairs
Australian Transaction Reports and Analysis Centre

Industry, Science and Resources portfolio
Department of Industry, Science and Resources
Anti-Dumping Commission
IP Australia
National Offshore Petroleum Safety and Environmental Management Authority
Net Zero Economy Agency

Infrastructure, Transport, Regional Development, Communications and the Arts portfolio
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
Australian Communications and Media Authority
Civil Aviation Safety Authority

Treasury portfolio
The Treasury
Australian Charities and Not-for-Profits Commission
Australian Competition and Consumer Commission
Australian Financial Security Authority
Australian Prudential Regulation Authority
Australian Securities and Investments Commission
Australian Taxation Office
Payments System Board (Reserve Bank of Australia)