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Mr Simon Phemister
Secretary
Department of Jobs, Precincts and Regions
121 Exhibition Street
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Dear Secretary *Simon*

STATEMENT OF EXPECTATIONS FOR AGRICULTURE VICTORIA

I am writing to outline my Statement of Expectations (SOE) for Agriculture Victoria's regulatory functions for the period 1 July 2019 to 30 June 2021. This SOE replaces the SOE previously issued to Agriculture Victoria.

The purpose of this SOE is to foster better practice in agriculture regulation and reduce regulatory burden on businesses, organisations and the community. In response to these expectations, I expect Agriculture Victoria to clearly outline how its regulatory effort contributes to public benefit.

Acknowledging Agriculture Victoria's broad functions, I regard issues of biosecurity, animal welfare, and the security and wellbeing of agricultural businesses and communities as key areas of focus during the period covered by this SOE. While all elements of regulatory practice are important, I regard improvement in risk-based strategies and role clarity as key focus areas for this SOE.

I make this SOE in my capacity as the Minister for Agriculture, with primary or shared responsibility for administering the following legislation and associated regulations:

- *Agriculture and Veterinary Chemicals (Control of Use) Act 1992*
- *Domestic Animals Act 1994*
- *Drugs, Poisons and Controlled Substances Act 1981*
- *Impounding of Livestock Act 1994*
- *Livestock Disease Control Act 1994*
- *Livestock Management Act 2010*
- *Plant Biosecurity Act 2010*
- *Prevention of Cruelty to Animals Act 1986*
- *Stock (Seller Liability and Declarations) Act 1993*
- *Catchment and Land Protection Act 1994*
- *Food Act 1984.*

Elements of good regulatory practice

I have formed my expectations based on the elements of good regulatory practice I regard as most appropriate to Agriculture Victoria.

Risk-based strategies

I expect Agriculture Victoria to build on its understanding and use of risk-based approaches in monitoring and enforcing regulation, and to have a clear vision of the public benefit it creates through compliance management. This includes understanding the challenges facing agriculture industries and prioritising compliance effort according to the risk of detriment to industry or the community. I expect Agriculture Victoria to inform its assessment of compliance priorities through analysis of evidence from its regulatory environment.

I expect Agriculture Victoria's compliance planning and enforcement approach to be consistent with any compliance policy adopted by the Department of Jobs, Precincts and Regions. Agriculture Victoria's regulatory approach should also reflect any applicable statements of government agriculture policy or whole-of-government initiatives relevant to regulatory practice. Where enforcement action becomes necessary, I expect Agriculture Victoria to adopt responses proportionate to the circumstances.

Role clarity

To help industry and the community know who to go to for advice and assistance, and who to engage with to fulfil obligations, I expect Agriculture Victoria to:

- clearly communicate what part it plays in delivering these frameworks
- where applicable, direct stakeholders to other relevant entities
- make information readily accessible to explain the scope of Agriculture Victoria's roles and responsibilities.

I expect Agriculture Victoria to ensure its regulatory staff have a sound knowledge of their applicable authorising legislation and to provide them with a working understanding of any parallel or complementary regulatory frameworks.

I expect Agriculture Victoria to broker memoranda of understanding (or similar agreements) with relevant regulatory bodies or other agencies to clarify roles, responsibilities and authorisation under legislation. These agreements should be supported by establishing memoranda of understanding for operational requirements and actions, as applicable.

Timeliness

My expectation is that Agriculture Victoria will provide clear instructions to its stakeholders about any administrative, licensing or certification processes or procedures they need to comply with, including expected completion timeframes. I expect Agriculture Victoria to:

- adhere to its stated processing times
- track and report its performance against those timeframes

- evaluate its performance to identify potential for ongoing improvement.

I expect that Agriculture Victoria will continue to transition administrative process to digital and web-based formats, and to explore further technological solutions, including through partnerships with other government innovation agencies. I expect Agriculture Victoria to retain enough flexibility to assist those who have limited digital literacy or capacity.

Compliance-related assistance and advice

I expect Agriculture Victoria to continue to publish reliable and current information about regulatory requirements. I expect advice provided to regulated entities or individuals about compliance obligations will:

- be consistent and accurate
- explain the objectives of the regulation
- explain the impact of enforcement on regulated parties if they fail in their obligations.

Where enforcement action becomes necessary, I expect Agriculture Victoria to explain the reasons in writing to the person or entity against whom regulatory action is being taken. This should be conveyed both in terms of legislative provisions and prevention of harm to industry and the community, and the public benefit the regulation aims to protect.

Well-informed, prudent advice from regulators about key compliance priorities can assist stakeholders to anticipate important compliance obligations and allocate their resources accordingly. This can reduce regulatory burden through better planning and enables regulated entities and regulators to address harm through preventative action.

I expect Agriculture Victoria to continue improving the way it communicates with the regulated entities and the public about its approach to compliance management, including finding ways to signal its high priority areas for compliance attention, based on evidence from the agriculture regulatory environment.

Clear and consistent regulatory activities

I expect Agriculture Victoria to demonstrate a clear rationale for its decisions and that its actions will be guided by a uniformly applied set of principles. It should show fairness, due diligence and impartiality by dealing with stakeholders consistently and applying appropriate quality assurance to processes.

I expect Agriculture Victoria to apply the compliance principles described in the department's compliance management policy, which commit regulators to being helpful, impartial, predictable, respectful, proportionate, transparent and reasonable. I expect Agriculture Victoria to apply proportionate and risk-based decision making to its monitoring

and enforcement actions, and to promote regulatory adherence through a variety of measures.

Stakeholder consultation and engagement

I expect Agriculture Victoria to engage constructively and thoughtfully with industry and the community. This includes incorporating education, communication and engagement strategies into its compliance approach. I encourage Agriculture Victoria to work collaboratively with and learn from other parts of the department regarding best practice stakeholder engagement approaches and activities.

Accountability and transparency

I expect Agriculture Victoria to continue using and refining its information systems and evidence databases to review the results of its regulatory activities. I expect Agriculture Victoria to use this information to measure the efficiency and impact of its compliance effort, identify continuous improvement opportunities and assist further planning of its compliance operations.

Where possible and appropriate, I encourage Agriculture Victoria to publish information about the outcome of its compliance efforts. This may help to deter further non-compliant behaviours and provide assurance to the community that Agriculture Victoria is fulfilling its regulatory functions.

I expect Agriculture Victoria to review and update its management of complaints about its regulatory actions in line with current best practice for complaint resolution.

Reporting

I expect that the department's annual report will contain Agriculture Victoria's outputs from its regulatory functions.

I expect that within two months of receipt of this letter, Agriculture Victoria will respond to this SOE. I expect that the response will outline how Agriculture Victoria proposes to deliver on these expectations. Both the SOE, and Agriculture Victoria's response should be published on Agriculture Victoria's website.

Yours sincerely



Jaclyn Symes MP
Minister for Agriculture

Date: 3/8/19