The Secretary
Senate Economics Committees
Parliament House Canberra

Dear Mr Bryant

I refer to the National VET Regulator (Charges) Bill 2012. The Legislation Committee is conducting an Inquiry into this.

As Board Chair of a private training firm dealing with the regulatory authority, ASQA, I would like to submit from recent experience that cost control within the regulator needs to be a consideration reflected in the Bill itself and not left to less binding accountability mechanisms.

At present there is considerable bureaucratic discretion as to the intensity and associated resourcing of compliance and complaint activity. This discretion is not necessarily well used. To ensure that efficiency and fairness do operate, this submission proposes that:

- Section 7 (a) be amended to read "any reasonable costs incurred by the Regulator in conducting the audit;"
- Section 10 (a) be amended to read "any reasonable costs and expenses incurred by the Regulator in conducting: (I) the investigation; and (ii) any compliance audit conducted as part of the investigation;"

The emphasis here is upon qualifying costs and expenses by the word "reasonable". This word "reasonable" has already been used in the Bill in the clauses dealing with investigations outside Australia and is clearly especially needed there. But there is no logical reason why domestic costs and expenses should not also be explicitly required too to be reasonable under this Bill.

Regards
Glenn Withers

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