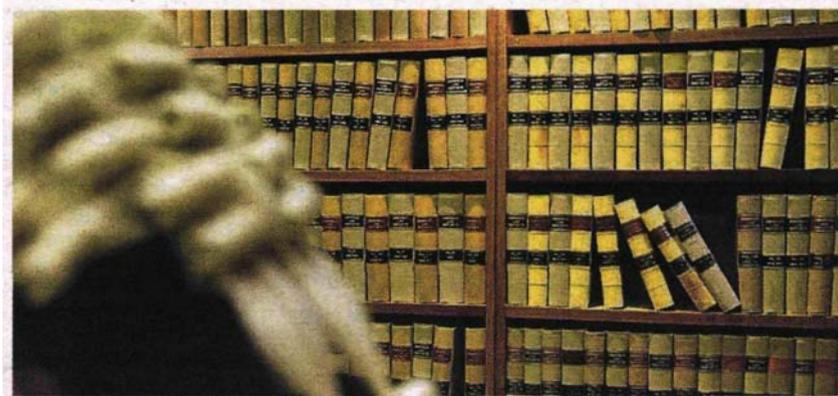


Codify, don't legislate



Rather than regulations, our first resort should be agreed standards. PHOTO: TANYA LAKE

Bronwyn Evans

The removal of 8000 redundant laws, some dating back to 1900, is a welcome initiative. It is also a signature policy of the Abbott government, setting the tone for its model of decision-making, and establishing some of their key principles.

All too often we collectively look to government to solve our problems, when we should really be looking at each other.

More often than not, voluntary and consensus-based standards have the imprimatur needed to guide the market, or society, to the desired outcome.

As evidence of this, of the 6500-plus Australian Standards, three-quarters remain voluntary and only about one-quarter become mandated either through law or contracts.

This means that the carrot beats the stick on three out of four occasions.

There are, of course, going to be instances where regulation is required, and few would argue with that. But the trouble with regulation is its "shoot first and ask questions later" potential.

How often have we seen legislation passed, only to be amended or discarded due to a raft of unintended consequences?

Over the past five years, imagine the lasting change that could have been achieved by developing consensus-based Australian Standards to solve public policy dilemmas, rather than reaching for the

regulatory toolbox. The "codification, not legislation" approach is about re-setting our biases towards developing appropriate standards, rather than opting for regulatory remedies in the first instance.

The government's efforts to reduce the regulatory burden to promote innovation, competitiveness, re-growth and efficiency are to be applauded. And it's that focus on re-growth that must be fundamental. We know the removal of barriers creates opportunity, so where possible, let's do it.

Repeal Day is a clarion call to replace the all too common refrain "What is the government doing about it?" with "What are we doing about it?"

The Blair government championed the "one in, one out" approach to regulation, which became a mantra for de-regulationists everywhere. But the Statute Law Revision Bill and the Amending Acts 1901-1969 Bill take this to a new level of "one in, 8000 out".

In the policy-setting environment, we achieve more by working together than not. Sensible, measured, consensus-based Australian Standards offer the remedial power to effect lasting change. At a time when government intervention should be the last resort, appropriate standards should be the first.

Bronwyn Evans is chief executive, Standards Australia.