

27 November 2017

Erin Cini  
Director, Licensing and Compliance  
Independent Pricing and Regulatory Tribunal  
Level 15, 2-24 Rawson Place,  
Sydney NSW 2000

**Comments on *Draft IPART Compliance and Enforcement Policy***

Dear Erin

Thank you for the opportunity to comment on the *Draft IPART Compliance and Enforcement Policy*. Overall, the policy is well written and easy to read. We have a few minor comments/suggestions outlined below.

**Page 3 – The application of this compliance and enforcement policy**

- “*The specific policies prevail*” suggest replace the word ‘policies’ with ‘guides’, consistent with the reference in the preceding sentence.

**Page 5 – We apply a risk-based regulatory model to compliance and enforcement**

- Last paragraph - suggest adding the word “expected” to “level of compliance”, (as explained later in document, on page 8).
- Consider adding a statement that the expected level of compliance is assessed based on a range of factors that are described on page 8.

**Page 6 – Table 3.2: Consequence descriptors**

For the Major descriptor - suggest reordering opening sentence to ‘Actual or potential fatality, severe injury/illness to a person requiring life support’.

**Page 11- We inform, educate and support regulated entities**

Third bullet point - comment about Audit Panels appears to suggest regulated entities can choose their own auditor from a panel. This should be clarified as to when or to whom this applies.

**Page 14 – Our decision making framework for enforcement action**

Second bullet point “*whether action has already been taken*” – it is unclear whether the action taken refers to IPART or the regulated entity.

Please contact Sandra Spargo, Corporate Compliance Manager on [REDACTED] if you wish to discuss these comments or require more information.

Yours sincerely,

Patrick Gallagher  
Head of Risk