



# **Presidential Business Working Group – Regulatory Impact on Investment**

# Objectives

- Establish a collaborative approach to identifying and addressing legislation that contributes to a challenging business environment

# Task Team Priorities

- Improve poor turnaround times at the Companies and Intellectual Property Commission (CIPC)
- Introduction of formal regulatory impact assessment.
- Development of a set of regulatory principles, upon which regulations should be developed and administered
- Enhancing policy certainty and aligning regulation in the mining industry
- Engagement on current legislation requiring impact assessment in line with commitment in the State of the Nation Address (SONA)
- Address challenges in implementation of the Waste Amendment Act

## **Priority 1: Improve poor turnaround times at the Companies and Intellectual Property Commission (CIPC).**

- This issue deals with delays, errors and frustration experienced by companies seeking to register (or change their registrations) with the Companies and Intellectual Property Commission
- Through the extension of on line registrations, and by addressing administrative shortcomings the turnaround time in these processes has been reduced to an average of 11 days
- Ongoing monitoring of performance introduced

## **Priority 2: Introduction of formal regulatory impact assessment.**

### **Development of a set of regulatory principles, upon which regulations should be developed and administered.**

- A tool for assessing the socio-economic impact of legislation has been developed and implemented
- This is considered to be a critical milestone in converting red tape to smart tape, improving the quality of legislation and better aligning regulations with Government's priorities such as inclusive growth, social cohesion and poverty alleviation
- Engagements are on-going between Business and Government on the implementation.
- A set of regulatory principles has been developed includes, for example, specified time limits applying to regulatory decision-making, and the provision of effective channels of appeal, independent from the original decision
- The regulatory principles will now be taken through Government processes and submitted for Cabinet approval. The regulatory principles will be complementary to the SEIAS in improving the quality and implementation of legislation

### **Priority 3: Enhancing policy certainty and alignment of regulation in the mining industry**

- Engagement on areas of concern resulted in agreement on MPRDA with respect to mining. Finalisation of the Bill by parliament is now awaited
- Implementation of the “one environmental system for mining” has commenced and establishment of a task team between Government and Business to address challenges as they arise has been agreed
- Integration of the water licensing regime into this one environmental system is also being addressed in a task team

## **Priority 4: Engagement on current legislation requiring impact assessment in line with commitment in the State of the Nation Address (SONA)**

- An effective review of the intended and unintended consequences of new immigration rules has been made difficult by the lack of credible data on these effects
- It is therefore proposed that a technical task team be established between Government and Business to agree on a common set of indicators and data that could be used to reflect the impact of specific sub-regulations, which would then be used to undertake assessments, which would feed into the cabinet task team established for this purpose
- It is proposed that a deadline of three months be set for the finalisation of the agreement on indicators and collection of agreed data

## **Priority 4: Address challenges in implementation of the Waste Amendment Act**

- The application, for the first time, of this Act to both waste and residues and stockpiles generated by mining has caused unintended consequences for both mining and other sectors
- A joint business/ government team has been working to resolve these problems and work is continuing to address specific challenges



# CONCLUSIONS

The collaborative engagements in the Task Team have increased mutual understanding of the challenges faced by both Business and Government in the regulatory arena and the solution orientated approach adopted has allowed challenges that may have remained intractable without a joint approach