

EMBARGO: Tuesday 25th September, 9.00 pm.

Farm regulators need to do homework to stop unfair laws: Report

Achieving a regulatory balance between successful environmental protection and fairness to farmers is difficult but possible, according to a new research report from the **Australian Farm Institute** and **Land & Water Australia**.

Conducted by the **Australian Centre for Agriculture and Law** at the University of New England, the research reviewed how governments across the world develop new environmental laws. The research team then used that information to evaluate recent laws intended to address environmental issues on farms and identify ways to improve the processes used to deliver better outcomes.

Lead researcher **Professor Paul Martin** said there was no such thing as a perfect regulatory structure, but many improvements could be made.

‘We have too many laws and government agencies often are insufficiently resourced to be fully effective,’ Professor Martin emphasised. ‘At the same time, the costs of either the constraint or the failures of the law often fall heavily on a small number of people – usually the farmers – some of whom are innocent of causing the harm being addressed.’

‘Designing a law that will prevent harm to the environment, but which is not unfair to those who are trying to do the right thing, requires that the regulators do their homework.’

The new research highlights the need for a more streamlined national regulatory architecture and for the design of systems to reduce transaction costs and red tape.

‘One step is to ensure that governments make greater use of legislative impact statements that are transparent about costs and benefits, identify potential unfairness and clarify the resources required to administer the new arrangements,’ Professor Martin advised.

‘There is little point in governments enacting legislation if the complexities associated with administering that legislation place huge demands on under-resourced government agencies or on those who are being regulated.’

The results and key recommendations of this research will be discussed at a seminar to be held at the Hotel Kurrajong in Canberra on Wednesday, 26 September from 2 to 4.30 pm.

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