

9th September 2021

RE: INQUIRY INTO REFORM OF SOUTH AUSTRALIA'S REGULATORY FRAMEWORK

The following is feedback to the draft report on the Inquiry into reform of South Australia's Regulatory Framework of August 2021.

We believe legislation should be simple, and principles based. We also believe industries work better with clear prescriptive legislation that clearly spells out, so the industry and the community understand its intent and their primary obligations.

We also agree that ... "some of the benefits of regulation to the economy, when developed and applied efficiently and effectively, include maintenance of consumer confidence

However, when developing regulations, the process of policy development must consider small industries and small business. Benefits that come from more streamlined regulations, less red tape etc must be balanced with protection for the integral elements that many small businesses are based on.

For example, policy development and regulations for trades-based businesses that have licensing and or qualifications, must be protected from unscrupulous operators who don't adhere to the regulations. Any regulatory framework must have at its core an appetite for and with sufficient resources made available for policing and enforcement of regulations for these businesses. Otherwise, if left unchecked, this illegal practice just chips away at the viability and future prosperity of legally operating businesses, and it lowers business confidence in the system and in the government.

The hairdressing industry is a small business-based industry with simple legislation - South Australia Hairdressers Act 1988 (Hairdressers Act) and accompanying regulations – South Australia Hairdressers Regulations 2016 (Hairdressers Regulations).

Our industry is in favour of more proactive policing and enforcement of our regulations. Our members regularly tell us of unqualified operators who are either ignorant of the legal requirement or are just flouting the legislation and regulations. This practice has become almost uncontrolled, because human nature being what it is, if not checked and "nipped in the bud" it always leads to more people acting in the same way.



To date, the issue of unqualified operators and the regulations for hairdressing has not been satisfactory because we know of no enforceable action that has led to any offending operator becoming compliant. If the government and the regulator charged with managing our regulations cannot enforce and stop this situation, it will only worsen.

Finally, we agree that there are *“significant gaps ..., including in accountability, transparency, and assessment of regulator performance; governance, policy guidance and policy capability; and across government strategy and coordination”*.

There must be understanding, collaboration and linking between the policy makers and the regulation enforcers. And there needs to be the will to enforce regulations, coupled with the necessary resources for regulators to police and enforce them. In do so the gaps identified in the Commission’s draft can be meaningfully filled with policies that that are effective and uphold industries and the community’s expectations of good government.

Sincerely

Rose Bradshaw - SAHBA