

ANZSOG Case Program

The National Occupational Licensing Project (B)

2016-177.2

On 28 September 2010, the Victorian Government gained royal assent to the *Occupational Licensing National Law Act*, signalling that other jurisdictions should now apply it. All but two had by June 2011. The ACT government announced that it reserved the right to apply the legislation until the financial impact of the National Occupational Licensing System on other jurisdictions was known. In WA, where there had just been a change to a Liberal government, the Standing Committee on Uniform Legislation and Statutes recommended not passing the bill at that time, because of the lack of detail; most of which was to be in regulations that were still to be developed.¹ Both jurisdictions continued to be involved in the development process through advisory committees and on the IT Working Group, where ACT in particular was very vocal about its requirements for the new national register.

It had taken 35 iterations to reach the agreed draft, which was enacted three months after the original milestone (*Exhibit 1*). More serious were the missed milestones for the new National Licensing Register, a year after the recommendation that it should be developed from the NSW Government Licensing System (GLS). As Rod Stowe from NSW Fair Trading saw it, 'I think NSW tried to take a rational point of view and say, let's build something that basically does the job, but others wanted every bell and whistle, and that made the negotiation over the system take a lot longer than it needed to.'

This case study has been written by Janet Tyson for Dr Michael Di Francesco, Australia and New Zealand School of Government. It has been prepared as a basis for class discussion rather than to illustrate either effective or ineffective handling of a managerial situation. The contributions of Milton Cockburn, Barbara El-Gamal, Amanda Lynch, Gary Newcombe, Rod Stowe, Peter Tighe, and Julie Yeend is acknowledged, but final responsibility for the material rests with the author.

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¹ Queensland passed the law on 28 October 2010, NSW on 9 November 2010, South Australia on 25 February 2011, Tasmania 14 April 2011 and NT in June 2011.

After the supervisory Business Regulation and Competition Working Group (BRCWG) expressed concerns, the Steering Committee engaged another consultant to assess whether GLS represented value for money, or tendering for an alternative should begin. IT Working Group experts from Queensland and WA refused to endorse GLS until a second report, in late December 2010, 'strengthened the analysis...that GLS did provide value for money'.²

This paved the way for the Steering Committee to agree, out of session and subject to Ministerial Committee approval, to negotiate a contract with NSW GLS. As recruitment for NOLA's Board and CEO was only just beginning in January 2011, the Chair of the Steering Committee or Head of the Taskforce were authorised to negotiate any necessary contracts. A new NOLS Register Implementation Committee took over, with a regulator as well as an IT representative from each jurisdiction, and two representatives of the Legislative Committee. The aim was to ensure that both business process and policy were being considered in the specifications for the register. However, protracted discussions about scope and cost to jurisdictions of alignment with the new system continued. It would be another year before the contract was signed and work could begin to build the new national register in December 2011.

Policy advice, point by point

Throughout 2010 and into 2011 more than 50 meetings of the Interim Advisory Committees (IACs) and their supporting Regulator Working Groups (RWGs) were held as they toiled point by point through policy elements. Taskforce head Julie Yeend, who chaired most of them, including at least one with her broken wrist in plaster, saw substantive progress:

The people, all those union groups, the employer groups, the regulators and the Commonwealth officials had worked incredibly hard at a number of meetings to nut through some very tricky problems that had plagued the country, [such as] everybody thinking they had the best system and not wanting to give way. People did give way, sometimes not gracefully, but they did, to come to a consensus position on the best way forward.

Peter Tighe, then the Secretary of the Communications and Electrical Plumbing Union, was a member of the Electrical Occupations Interim Advisory Committee (EOIAC). He also felt a good start had been made, with some early sceptics won over to the advantages of a national body setting uniform standards and leaving local regulators to issue licences, check compliance and follow up complaints and prosecutions.

So while some of their powers would have been absorbed, to a large extent it would have been business as usual. A couple of them still asked why we need to change, and there was a bit of one-upmanship: 'Our licensing system is the best in Australia, why should we go to a national system where it's likely our standards will be watered down.' Well, every regulator says that...

Understanding that the IAC would be 'basically the group that would determine the requirements for occupational licensing,' Tighe said that the unions, employer groups and regulators on the EOIAC all 'beavered away...making all sorts of recommendations [on] ,what the technical requirements would be, what scope of work would be performed by the licence holder. We were a long way down the track to resolving the issues'.

Barbara El-Gamal from NSW Fair Trading felt that discussions were proceeding well in the property occupations committee (POIAC). The recommendation that Certificate IV (rather than the Diploma) would satisfy the training requirements for a real estate agent had been confirmed. POIAC also endorsed the exemptions Milton Cockburn from the Shopping Centre Council of Australia had been seeking for the largest commercial property owners.

² *Towards National Occupational Licensing: a compendium of key actions and documents relating to initiatives towards national occupational licensing in Australia*; NOLA, 4 December 2014. Hereafter 'Compendium', p78.

No sign of NOLA

On 1 January 2011, the National Occupational Licensing Authority, NOLA, should have been in action and managing the final stages of the policy advisory round to feed into new regulations and the preparation of a Consultation Regulatory Impact Statement (RIS). But with no sign of a NOLA Board or CEO, the Taskforce and Steering Committee continued these roles. By March, a cost-benefit analysis was commissioned for use in the Consultation RIS, and the Parliamentary Counsel's Committee had initial drafting instructions for regulations.

For the people who had put so much time and effort into the IACs, however, it seemed, activity stalled, and with it information on progress. Through communiques – which they were reminded should be strictly confidential, as no information should be released until final positions were reached – they learned that while the NOLS Legislation Committee largely endorsed the IAC recommendations, the Steering Committee wanted to make some changes. The changes, proposed to better meet the objectives of the original intergovernmental agreement, included excluding all commercial property work from licensing, removing 'design' from the electrician qualification, and rejecting proposals to increase plumber qualifications to Certificate IV.

When the IACs heard of these decisions, there were widespread objections, but no indication whether their concerns had been taken on board. Gary Newcombe from WA worried that an 'impenetrable wall' of problems was building up, without adequate process to confront or respond to them. The difficulty was 'that the Taskforce was reporting to the Steering Committee which was made up entirely of central agency representatives, and I just think that (advisory committee) views were passed on but dismissed'.

Another person very concerned about the process was Amanda Lynch, appointed as the new Chief Executive of the Real Estate Institute of Australia in April 2011. She was alarmed to hear from advisory committee members of 'reports being steamrolled, being shut out of the room for major decisions, and there being a pre-determined outcome,' with bureaucrats taking a dominant role in POIAC meetings. As the REIA had supported the concept of national occupational licensing, she wanted to see 'if anything could be salvaged'.³

Mounting concerns

The many missed milestones now made occupational licensing stand out in a largely successful programme of reform. However COAG still felt 'the future direction of these reforms is clear and that current governance processes are operating effectively'.⁴ At its April 2011 meeting, the Ministerial Council agreed NOLS budgets out to 2013, but did not have time to consider potential candidates for the NOLA Board; and when they did so, out of session, had difficulty reaching the required unanimous view. It was not until December 2011 that a nine member board was appointed (*Exhibit 4*) with former Railcorp director Elizabeth Crouch as its chair. Recruitment for a Chief Executive restarted.

It was also December when the draft Consultation RIS was issued. Despite the short time-frame for responding – by 20 January 2012 – there was a large volume of feedback with some predominant themes. The jurisdiction perspective needed to be considered more, and the cost-benefit assumptions questioned. Victoria, for example, estimated much higher direct costs of a national licensing scheme.

³ There was always a question why the 'white collar' activity of property, not known for the mobility of its workforce, was included as a priority occupation for national licensing. One reason given was to ensure the framework developed was appropriate for more than just 'blue collar' trades.

⁴ www.coag.gov.au/coag_meeting_outcomes_2011-02-13/docs accessed 12-10-2015 from <http://content.webarchive.nla.gov.au>.

Again, the advisory committee members faced a long wait while the Steering Committee worked on a final version of the Consultation RIS. While there was official silence from the centre, a great deal of conversation was going on within each jurisdiction, where in many cases there had been a change to a Liberal government.⁵ State ministers, previously uninvolved, were starting to hear from their industry representative constituents, and some of their regulators about unresolved issues. While it was their voters who were aggrieved, the applied legislation process severely limited their powers to respond through their own parliament. State demands that their situation should be considered were also holding up final development of regulations.

For Julie Yeend, the 'long, long, long time taken to get those Regulatory Impact Statements right' for the final Consultation RIS was sapping the energy and the support base so carefully built up. She observed that, while the regulators as a group had been very helpful and contributed a huge amount of knowledge to the discussions, some of them were now actively undermining the process.

In April 2012, the Ministerial Council decided on a new level of oversight. A Deputy Senior Officials Meeting (DSOM) should 'assess the proposed occupational licence classes for consistency and to ensure no unnecessary burden was being introduced'.⁶ DSOM asked the various jurisdictions to pinpoint their main concerns, and over four meetings, managed to resolve seven of 15 issues.⁷ At least one solution rejected 'best practice regulation approach on deregulatory grounds' because 'the plumbing industry is strongly opposed to this option'.⁸ Unresolved issues went forward to NOLA, which was at last in business.

At its first official meeting, in February 2012, the NOLA Board had recommended an applicant for CEO. Again the nominee did not get consensus approval from the Ministerial Council. On 7 May 2012 the Board seconded Barbara El-Gamal from NSW Fair Trading as the Deputy Chief Executive of NOLA, a position that did not need consensus endorsement. The NOLA Board was now operating in parallel with the Steering Committee, which had control of financial expenditure. The Taskforce would take the Consultation RIS around the country for public comment and feedback, using NOLA's www.nola.gov.au website.

In July 2012 – the date when, all going to plan, the first national occupational licences were to be issued – the Electrical Occupations Consultation RIS was issued. By mid-August all RIS were in the public domain. Just before stakeholder discussions began, Julie Yeend, who had been the backbone of the Taskforce, fell seriously ill. It was another senior Commonwealth public servant, with very little background in occupational licensing, who would front what he was warned would be difficult meetings.

Anger and outrage

As each consultation RIS was issued, the public reaction was immediate. People saw 'that the Steering Committee had made [its own] decisions about what would be in and what would be out,' Gary Newcombe said. 'It had rejected a number of proposals that had come about through the industry consultation, it had imposed a number of its own and then released that as the consultation document. So the reaction was, well, we've been consulted, and it's just been ticking the box and you've not listened to what we have said.'

Between 29 August and 23 September 2012, 1038 people attended one round of the consultations held in each capital city. Western Australia arranged additional meetings where:

⁵ South Australia, Tasmania and Victoria had a change of government in 2010, and NSW on 26 March 2011. The governments of Queensland, NT and ACT all changed during 2012.

⁶ Compendium, p81.

⁷ Compendium, pp82-83.

⁸ Compendium, p83.

We had very angry electricians, and very angry plumbers, we had union representatives who were outraged at the impact on apprenticeships...We had small business people who were outraged at the changing qualifications, which they saw as a major downgrade with an impact on safety. A local regulator was opposed because it appeared their local safety and reporting system was going to be broken down, and there was concern that licence fees were going up to pay for all this. As the West Australians saw it, the new standards were based on those in NSW, which they believed to be totally inadequate...

Peter Tighe watched with dismay as hard-won support for national licensing and compromise negotiated in good faith were wiped away by 'a bureaucratic committee made of jurisdictional representatives, not necessarily involved in licensing'.

People said, this is our industry, we live and breathe the requirements of this area, we know what's required, we know what we need to have put in place, and what you are putting to us is untenable. In one word, it won't work. We've come to you without fear or favour to give you advice and now that advice has been rejected and now if you want us to be part of the process and not have our voices heard as part of the process, I'm sorry that is not the way we are prepared to participate... Licensing to occupational people, employers and unions is very important. There's a bit of trade pride in there, pride in the sector, pride in what they deliver to the public. As soon as they saw it was going to be a negative outcome rather than a positive outcome, you couldn't hold the forces together.

Fury from the property industries

No recommendation proved more incendiary than the decision that real estate agents dealing in commercial property should not need a licence. Milton Cockburn agreed that 'it was the correct economic decision...If you believe in evidence-based decision making there was no evidence that a commercial licence was necessary at all'. However, he thought the proposal, coming from senior treasury and central government officials, was politically naïve.

Reaction to the proposal created a platform that brought together the previously independent state members of the REIA, joined by the unaffiliated REINSW, in vocal protest against a range of things, the main one being the 'dumbing down of our industry' by not requiring a Diploma qualification for a licensed real estate agent. The REIA chair and Board replaced the representative on the POIAC who had supported Certificate IV and optional professional development. 'Our mission is to promote professional standards and service to members of the community,' Amanda Lynch said. 'We were hoping the focus would be on a professional industry where there was a national set of standards which were at the high level.'

Once the RIS came out, that was it, the gloves were off. This was going to be total war with the bureaucrats. ...They radicalised us with their incompetence. We think that NOLS was the worst-executed government initiative in 28 years of industry experience. ... The concept had industry support but they lost [it] through the bungled process.

Rod Stowe from NSW also saw people who, largely because of the process, finally decided that they couldn't support national licensing. 'The momentum developed, the tide shifted, and former supporters decided it's not going to happen so they joined the forces against it.'

Against this background the two Commonwealth Ministers, Deregulation Minister Penny Wong and Education Minister Chris Emerson (responsible for the Taskforce), turned to NOLA to find a mechanism to move forward. To do so, NOLA appointed interim versions of the Occupational Licensing Advisory Committees (OLACs), with a mix of new members and people from the IACs. The REIA was quick to point out that their 60,000 members had one representative on the OLAC, while 'the big end of town' had two. When property occupations were not invited to the first of two round table discussions in Canberra, Amanda Lynch was confirmed in her view that both NOLA deputy chief executive Barbara El-Gamal and chair Elizabeth Crouch 'were too involved in the advocacy side of it'.

Following the round tables, '[w]e had two very volatile meetings with each of the occupational groups, each one separately to work out what their issues were in relation to the consultation RISs,' Barbara El-Gamal recalled. Based on their views, NOLA prepared an alternative stream of advice for the Ministerial Council to consider alongside the responses they were getting from the general public through the Steering Committee:

We think that if you peg a line somewhere between your strict deregulation line and where the industry wants to go, if you try and get somewhere down the middle, you have got a chance of getting it up. But if you stick with deregulation you are not going to get anywhere.

El-Gamal thought it was likely that members of the Steering Committee would recommend the need for some compromise when they sent the Decision RIS for the final approval of the Office of Best Practice Regulation. However, spurred on by the real estate industry clamour, a New South Wales Fair Trading representative enlisted Queensland and Victoria to go directly to COAG, asking that each jurisdiction should go out and consult yet again on the Decision RIS. The Steering Committee, which had been 'offline' for four months, came back into action to send the RIS out. Again they used the NOLA website. To Barbara El-Gamal's frustration:

there was no explanation that, although this is the Decision RIS that outlines the options with the greatest net public benefit, we have the opportunity to consider what other options should be put up. They didn't explain anything. Some really basic questions were asked again. It looked as if a lot of discussions that had been had with NOLA had been totally ignored, and decisions had already been made when the decisions hadn't yet been made.

As Peter Tighe recalled, people started to have a view that it was the NOLA Board (rather than the Steering Committee) making 'fundamental changes to the recommendations we were putting to them'. In reality, El-Gamal said, NOLA was the strongest advocate for the concerned stakeholders. 'We were trying to find a pathway through, to get them into the tent and then over time look at how to move to where you needed to be.'

In April 2013, the NOLS Legislation Committee was disestablished, with responsibility for policy development and legislation formally passed to NOLA. Now in control of its website, NOLA started a comprehensive information and communication programme.

In July 2013, once again out of session, the Ministerial Council on Federal Financial Relations approved the Decision RIS, incorporating a number of revisions from the final round of consultations, and enabling the final legislative steps to be taken through the amendment Bill and regulations. Recruitment for a NOLA CEO began again, and a budget for 2013-2014 was approved.

Exhibit 1 Governance of the National Licensing Register

Name	Period of operation	Membership (type and position of person)	Role
Business Recognition and Competition Working Group (BRCWG)	2007-2013	Co-chaired by Minister and Minister Assisting the Minister for Finance and Deregulation; membership representatives of jurisdictional Treasuries and Departments of Premier and Cabinet.	Reporting to COAG on reform program as implemented by ten Ministerial Councils. Special focus on progress of National Licensing Register as delays apparent: pressure to meet milestones. Demanded decision on contract for register.
National Occupational Licensing (NOLS) Steering Committee	2009-mid 2013	Senior officers nominated by First Minister's Departments of each state and territory and chaired by the Department of the Prime Minister and Cabinet (DPMC).	Development, establishment and transitional management of National Occupational Licensing System, including national register of licensed occupations. Responsible for contract negotiations when NOLA establishment delayed.
National Occupational Licensing (NOLS) Taskforce	2009 - Disbanded early 2013	Julie Yeend, DPMC chair Staff from Department of Education, Employment and Workplace Relations (DEEWR).	Support the Steering Committee, including in contract negotiations.
IT working group	August 2009 – end of 2010 (as per terms of reference) Original intended operation of National Register March 2011.	IT representatives from each jurisdiction including ACT and WA not party to legislation.	Technical development of National Register; became 'bogged down' in technical detail.
NOLS Register Implementation committee (NOLSRIC)	Dec 2010 - 2013	Chair: Michael Maynard, Group Manager Skills, DEEWR, assisted by Taskforce. IT representative and a regulator from each jurisdiction, two members of legislation committee	'Ensure that the governance arrangements operate holistically in respect of the decision-making process that will affect the NOLS register solution, business process management and change management'
National Occupational Licensing Authority (NOLA)	Intended operation 1 Jan 2011, register operative from March. Actual hand over of responsibility 1 May 2013; delivery of register Nov 2013.	Chief Executive officer (operational role); Independent chair and board of nine members. Actual operation under Deputy CE seconded from NSW Fair Trading. Sole responsibility from April 2013.	Develop national licensing register, including negotiation of contract with provider.
New South Wales Government Licensing System (NSW GLS)	In existence before NOLS project: Contract to develop from December 2011-December 2013		Contracted to design and implement a national licensing register that would integrate with jurisdictional regulator licensing systems; delivered late 2013.

Exhibit 2 Governance of the National Occupational Licensing Authority

Name	Period of operation	Membership (type and position of person)	Role
Standing (Ministerial) Council on Federal Financial Relations (SCFFR)	2009- 2013	Chaired by the Commonwealth. Treasurers of the Commonwealth, the States and Territories (or their representatives).	Approve appointment of CE (to be unanimous) and Board of NOLA (by consensus): ensure appropriate balance of skills and expertise, including regulator representation from large and small jurisdictions Monitor performance of NOLA. No ongoing operational role.
National Occupational Licensing (NOLS) Steering Committee	2009-mid 2013	Senior officers nominated by First Minister's Departments of each state and territory and chaired by the Department of the Prime Minister and Cabinet (DPMC).	Development, establishment and transitional management of National Occupational Licensing System, including initial stakeholder consultations and policy development. Relinquished transitional role April 2013.
National Occupational Licensing (NOLS) Taskforce	2009 - Disbanded early 2013	Julie Yeend, DPMC chair Staff from Department of Education, Employment and Workplace Relations (DEEWR).	Support the Steering Committee, including transitional management and consultation.
National Occupational Licensing Authority (NOLA)	Intended establishment date: 1 January 2011, with CEO to be first appointment to manage transition process Actual operation as independent statutory authority, with Deputy CE: May 2012. Actual handover of responsibility 1 May 2013. COAG decision to disband:13 Dec 2013 Disestablishment complete: August 2014.	Chief Executive officer (operational role); Independent chair and board of nine members. Actual operation under Deputy CE seconded from NSW Fair Trading. Sole responsibility from May 2013.	National Delegated Agency (Statutory Authority legislatively independent of Commonwealth and jurisdictions although funded by jurisdictions). Operated in tandem with Steering Committee and Taskforce from May 2012.
National Occupational Licensing (NOLA) Board	To be appointed by June 2011. Actually appointed in December 2011, without CEO. Made 3 unsuccessful recommendations to Ministerial Council for CEO appointment Actual handover of responsibility 1 May 2013. COAG decision to disband:13 Dec 2013 Disestablishment complete: August 2014.	Independent chair 'an eminent person not currently practicing in any of the occupational areas under consideration' (Elizabeth Crouch) Up to nine general members with a range of union, employer, consumer advocacy and training experience, at least two being jurisdictional regulators. Initial appointees: Graham Anderson; Tony Arnel; Miranda Douglas-Crane Albert Koenig Wendy Machin	Governance of NOLA Develop policy for consideration of the Ministerial Council; administer the national licensing system and ensure its operation consistent with legislation. Provide authoritative, independent advice to assist Ministerial Council. Establish effective working relationships with jurisdictional regulators for each occupational area; consult with other stakeholders to ensure authoritative advice from Occupational Licensing Advisory Committees and other appropriate mechanisms. Develop national register of licensed occupations.

Name	Period of operation	Membership (type and position of person)	Role
		John Sutton David Ford (regulator member, Qld) Anne Gale,(regulator member SA) to Aug 2012.	
Occupational Licensing Advisory Groups	To be established: 2011 Actually established (as interim) Sept 2012.	Chair to be appointed by NOLA General members to be appointed through 'transparent process....to ensure each committee had the range of expertise required to fulfil its function'. Interim OLAC membership included both former IAC members and new appointments by NOLA.	Intended: Principal source of advice on licence policy. Member of Advisory Committee able to attend any board meeting that considered licence policy for their occupation, to provide transparency and advance communication between the board and the relevant advisory committee. Actual: Convened by NOLA to help meet Ministers' request to break policy deadlock developing over Consultation RIS.

Exhibit 3 Consultants assisting National Occupation Licensing System

Name	Period of operation	Membership (type and position of person)	Role
Stening and Associates	2008- onwards		Assisted with first and second rounds of consultation prior to developing Intergovernmental Agreement. Assisted in policy research and development, facilitated Regulatory Working Groups, IACs and some stakeholder consultation sessions, attended information sessions.
PriceWaterhouse Coopers (PwC)	August 2009 onwards August 2012		Report to Steering Committee on estimated costs of establishment and operation of National Occupational Licensing System. Recommended NSW GLS as preferred system for National Licensing Register; later assisted with implementation. With Taskforce, consulted Office of Best Practice Regulation ahead of fast-tracked preparation of five Decision RIS for electrical, property, plumbing and gasfitting, and airconditioning and refrigeration occupations.
ProNed	November 2010		Recruited and recommended possible candidates for appointment as chair and members of the National Licensing Board, and researched appropriate levels of Board remuneration.
Ernst & Young	2010		Advice on establishing the legal entity for the national licensing authority and any related business registration requirements.
Clayton Utz	Nov 2010		Advised on proposed contract with the NSW GLS and interim administrative matters.
Gartner	August – Dec 2010		Provided national and international market comparability assessment and value for money report regarding the suitability of NSW GLS as the provider of the national licensing register. Evaluated minimum information requirements and business processes required. Revisited report satisfied that NSW GLS provided value for money so should be contracted to deliver.

Exhibit 4 Timeline of National Occupational Licensing System

Unless otherwise indicated, dates are drawn from the December 4 version of the Compendium

Legend
Type
NOLA the organisation
discussions about policy and regulations
legislation

2010

Event or activity with milestone	Date	Event or activity actually achieved
	<i>Jan-March</i>	Policy and regulation consultations for Wave 1 occupations: RWG and IAC meetings on policy element 1: licence structure and scope.
	<i>Apr-June</i>	Policy and regulation consultations for Wave 1 consultations: RWG and IAC meetings on policy element 2: licence eligibility/maintenance requirements
Legislation: Bill finalised and approved by Ministerial Council and enacted in host parliament)	<i>Apr-June</i>	Legislation: Steering Committee sends draft Bill to PCC for sign off, noting need for future amendment. (May) presented to Ministerial Council for out-of-session approval
NOLA: Steering Committee approves expenditure for establishment, staff	<i>June</i>	
	<i>20 July</i>	Legislation: Occupational Licensing National Law Bill finalised and approved by Ministerial Council (after 35 drafts and 'unforeseen complexities')
	<i>Aug, Sept</i>	Policy and regulation consultations for Wave 1 occupations: RWG and IAC meetings on Policy element 3: exemptions, endorsements, restricted licenses.
	<i>28 Sept</i>	Legislation: Enacted in Victorian Parliament (host legislation). ACT reserves right to implement when financial impact known.
	<i>Oct-Dec</i>	Policy and regulation consultations for Wave 1 occupations:: RWG and IAC meetings on policy element 4: reconfirm previous agreements, consider consistency of approach.)
	<i>Oct</i>	Register: Steering Committee engages Gartner to assess value for money of NSW GLS proposal.
Policy and regulation consultations completed: Regulations and Regulatory Impact Statement approved by Ministerial Council and provided to Office of Best Practice Regulation, commence public consultation (8 weeks)	<i>Nov</i>	
	<i>28 Oct</i>	Legislation: Bill passed in Queensland
	<i>9 Nov</i>	Legislation: Bill passed in NSW
NOLA: Consultants ProNed contracted to identify CEO candidates for NOLA	<i>20 Nov</i>	
	<i>25 Nov</i>	Legislation: WA puts on hold
Legislation: Enacted in all jurisdictions. Draft regulations provided.	<i>late 2010</i>	
	<i>Dec</i>	Register: NOLS register implementation committee (NOLSRIC) replaces IT Working Group; Clayton Utz to advise on contract with NSW GLS (Dec); BCRWG ultimatum to decide on provider (Dec 10); agreement to negotiate with NSW on register with Taskforce/Steering Committee empowered to agree contract. (Dec 24)

2011

Event or activity with milestone	Date	Event or activity actually achieved
NOLA: National licensing body established (1 January) and continue managing interim advisory committees and stakeholder consultations on national licence policy matters such as licence levels, eligibility criteria, disciplinary arrangements for first wave occupations; develop Consultation RIS for Wave 1.	1 Jan	
	Jan	Transition: Steering Committee and Taskforce to progress NOLA tasks including consultation and development of Consultation RIS
Policy and regulations for Wave 1 occupations: to be settled and approved by Ministerial Council)	1 Feb	
	25 Feb	Legislation: Bill passed in SA
	Feb, March	Policy and regulation consultations for Wave 1 occupations: meetings policy element 5: transitional principles and transfer of licenses.
	March	Register: Implementation to begin once contract signed
	7 April	NOLA: short list of board candidates given to Ministerial Council which agrees to consider out of session through letters
	14 April	Legislation: Bill passed in Tasmania
	May, June	Policy and regulation consultations for Wave 1 occupations: meetings on Policy element 6, disciplinary measures.
Regulations: to be passed by host jurisdiction (June)	June	
NOLA: Board and CEO to be appointed	June	
	June	NOLA: Ministerial Council cannot reach consensus on CEO, re-advertised.
	June	Legislation: National law passed in NT; all jurisdictions except ACT and WA.
	July	Policy and regulation consultations for Wave 1 occupations: PwC contracted to assist with research and draft of consultation RIS, including cost-benefit analysis.
	July-August	Policy and regulation consultations for Wave 1 occupations: further meetings on Policy element 5 in particular mapping jurisdictional licensing categories to proposed national categories; mutual recognition concept brought back to discussions.
NOLA: PM as chair of COAG agrees NOLA to be located in Sydney.	6 August	
	29 August	NOLA: Commonwealth Treasurer as Ministerial Council chair again asks members to agree nominated candidates for NOLA.
	2 Sept	NOLA: Closing date for CEO applications
	Oct	Regulations and regulatory impact statements due to be circulated for public comment but still in development. All jurisdictions say will need minimum 6 months from approval of national regulations to commencement of National Licensing System.
	Dec	NOLA: Board appointed, chair but no CEO;; new advertisement for CEO
	Dec	National Licensing Taskforce issues draft Consultation RIS for all Wave 1 occupations, feedback deadline 20 Jan.
	19 Dec	Register. Contract with NSW GLS finally signed, development begins.

2012

Event or activity with milestone	Date	Event or activity actually achieved
NOLA: to be managing interim advisory committees and stakeholder consultations on national licence policy matters for Wave 2 occupations	<i>Throughout 2012</i>	
	<i>20 Jan</i>	Policy and regulations for Wave 1 occupations: Deadline for feedback on draft consultation RIS
	<i>21 Feb</i>	NOLA: Board holds first meeting; recommends CEO appointee to Ministerial Council.
	<i>3 April</i>	Policy and regulations for Wave 1: COAG Senior Officials Group proposes DSOM to review consistency of new occupational license classes, resolve escalated issues
	<i>13 April</i>	Policy and regulations for Wave 1 :COAG agrees to release final consultation RIS for consultation and stakeholder comment
	<i>26 April</i>	Policy and regulations for Wave 1: DSOM manages to resolve some outstanding issues.
	<i>7 May</i>	NOLA: Barbara El-Gamal seconded as Deputy CE, sets up temporary office in Sydney.
	<i>May</i>	NOLA: Ministerial Council chair again writes to members seeking agreement on appointment of CE
NOLA and jurisdictions: Commencement of National Licensing Scheme for Wave 1 occupations (1 July), complete with National Licensing Register.	<i>1 July</i>	
	<i>16 July</i>	Wave 1 consultation: Steering Committee and Taskforce issue Consultation RIS issued for Electrical Occupations)
	<i>13 Aug</i>	Property, plumbing and gas fitting, and refrigeration and air conditioning Consultation RIS.
	<i>Aug-Sept</i>	Face to face meetings to discuss Consultation RIS; preliminary work on Decision RIS;
	<i>Aug, Sept</i>	Further DSOM meetings to resolve outstanding issues (22 Aug, 14 Sept, 26 Sept)
	<i>12 Oct</i>	Wave 1 Policy consultation: Deadline for consultation on RIS, legislation and regulation.
	<i>16 Oct</i>	Further DSOM meetings
	<i>Nov onwards</i>	Dissatisfied stakeholders contact state politicians; Real Estate institute 'gloves off' media campaign.
<i>Nov</i>	Ministers Wong and Emerson ask NOLA to find way through stalemate on policy and regulations.	

2013

Event or activity with milestone	Date	Event or activity actually achieved
	<i>Jan</i>	NOLA: sets up interim Occupational Advisory Committees, holds round tables and meetings to try and resolve Wave 1 policy consultation issues.
	<i>Late Jan</i>	Wave 1 consultation: Taskforce staff complete upload of submissions on Consultation RIS
	<i>Feb</i>	NOLA: independent report to Ministerial Council suggesting compromise on strict deregulation.
	<i>March</i>	Wave 1 policy consultation: Draft Decision RIS and proposed regulations provided to Steering Committee and (reconvened) Legislation Committee for consideration.
	<i>March</i>	Demands for additional rounds of consultation at the urging of state representatives
	<i>5 April</i>	Revised Decision RIS circulated to Steering Committee and Office of Best Practice Regulation;
	<i>12 April</i>	NOLA: NOLS legislation committee disbanded under Taskforce, responsibility for policy development and legislation passes to NOLA.
	<i>19 April</i>	Office of Best Practice Regulation clears the decision RIS and package goes to the Ministerial Council Secretariat and jurisdictions
	<i>12 July</i>	Wave 1 policy consultation: Ministerial Council considers and approves final decision RIS, amendment bill and regulations (out of session)
<i>NOLA and jurisdictions: Commencement of national licensing scheme for Wave 2 occupations (as soon as possible)</i>	<i>1 July</i>	
	<i>July</i>	NOLA: recruitment of CEO restarts
Change of Federal Government: Liberal National Coalition	<i>September</i>	
	<i>Nov</i>	Register: GLS delivers public search function
	<i>13 Dec</i>	NOLA: COAG decides not to proceed with National Licensing System; NOLA will cease to exist after August 2014.