

Abbreviations

AFFA	Department of Agriculture, Fisheries and Forestry
AG	Attorney-General's Department
CLRS	Commonwealth Legislation Review Schedule
CPA	<i>Competition Principles Agreement</i>
D	Department of Defence
DCITA	Department of Communications, Information Technology and the Arts
DEH	Department of the Environment and Heritage
DEST	Department of Education, Science and Training
DEWR	Department of Employment and Workplace Relations
DFA	Department of Finance and Administration
DFAT	Department of Foreign Affairs and Trade
DHA	Department of Health and Ageing
DIMIA	Department of Immigration and Multicultural and Indigenous Affairs
DITR	Department of Industry, Tourism and Resources
DTRS	Department of Transport and Regional Services
DVA	Department of Veterans' Affairs
ORR	Office of Regulation Review
PC	Productivity Commission
PMC	Department of Prime Minister and Cabinet
RIS	Regulation Impact Statement
T	Department of the Treasury
TPA	<i>Trade Practices Act 1974</i>

Legislation review schedule: Commonwealth

Updated to 1 April 2002¹

<i>Name of legislation</i>	<i>Agency</i>	<i>Major Restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	DEH	Preserves and protects from injury or desecration areas and objects that are of particular significance to Aboriginal and Torres Strait Islander peoples.	Evatt Review completed in 1996.		Recommendations were taken into consideration when formulating Aboriginal and Torres Strait Islander Heritage Protection Bill 1998. 197 amendments were made to the Bill in the Senate, most of which were unacceptable to the Government. The Government is continuing to pursue reform of the Act having consulted further with all major stakeholders during 2000-01.
<i>Aboriginal Land Rights (Northern Territory) Act 1976 and Regulation</i>	DIMIA	Provides for the granting of land to traditional Aboriginal owners and gives certain rights over granted land, including a veto over mineral exploration.	Review completed, and report released publicly in August 1999.	Publicly available	The Government is considering a response to: the Manning report; the review of the Aboriginal Land Rights (Northern Territory) Act by John Reeves QC; and the report of the inquiry into the Reeves review by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs.
<i>Affirmative Action (Equal Employment Opportunity for</i>	DEWR		Review by a five member independent committee completed in		Government announced its response to the review on 16 December 1998,

¹ In a small number of cases, information on developments since 1 April 2002 has been included.

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<i>Women) Act 1986</i>			July 1998.		<p>endorsing its main recommendations. Of those recommendations that were rejected, none were considered to be pro-competitive. Key changes to be implemented include the establishment of an Advisory Board and the introduction of a simpler reporting system to reduce the paperwork burden on business.</p> <p>To implement the endorsed recommendations from the report the revised and renamed Equal Employment Opportunity for Women in the Workplace Act 1999 came into effect from 1 January 2000.</p>
<i>Agricultural and Veterinary Chemicals Act 1994</i>	AFFA	<p>Chemicals not to be imported, supplied or held unless approved or exempt.</p> <p>Approval of chemicals solely by National Registration Authority (NRA). Assessment services purchased solely from certain authorities. Chemicals not approved unless NRA satisfied as to efficacy. Licensing of chemical manufacturers.</p> <p>Data protected from rivals unless compensation paid. Analysts must have minimum qualifications and experience. Fees and levies impose an entry barrier and discriminate between firms.</p>	<p>On 3 March 1999, the Standing Committee on Agriculture and Resource Management (SCARM) publicly released the report and established a jurisdictional Signatories (to the National Registration Scheme for Agricultural and Veterinary Chemicals) Working Group to prepare an inter-governmental response to the report's recommendations.</p> <p>In relation to the National Registration Scheme, the review recommended:</p> <ul style="list-style-type: none"> · retaining the monopoly on approval of chemicals; · lowering of regulatory costs for low risk chemicals; 	Publicly available	<p>SCARM/the Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ) endorsed the inter-governmental response to the review in January 2000. The COAG Committee on Regulatory Reform cleared the response.</p> <p>Following on from consideration of the recommendations in the review and preparation of the inter-governmental response, a number of processes were commenced to more closely examine how best to regulate low risk chemicals in response to the review recommendations on that issue. Based on the deliberations of the taskforce, amendments to the Agvet Chemicals legislation have been drafted for</p>

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			<ul style="list-style-type: none"> · including principles in the Code to guide inclusion/exclusion of chemicals in scheme; · accepting alternative suppliers of assessment services; · limiting of efficacy review to truth of claimed efficacy; · recovering National Registration Authority costs via a simple flat rate sales levy and cost-reflective application fees; · retaining licensing of veterinary chemical manufacturers; · removing provision to licence of agricultural chemical manufacturers until case is made; and · applying the <i>Trade Practices Act 1974</i> (TPA) third party access pricing to data protection provisions. <p>Data protection is to be considered in a wider review by AFFA of similar provisions.</p>		<p>consideration by the States and Territories prior to introduction into Federal, State and Territory Parliaments.</p> <p>Working groups were established to further examine and progress the review recommendations relating to manufacturer licensing, cost recovery and the use of alternative assessment providers. Reports of these working groups are expected to be finalised in 2002 and will then proceed to the Primary Industries Standing Committee /Primary Industries Ministerial Council. In addition to these groups, the Control of Use Taskforce was established by ARMCANZ to further examine the review recommendations covering matters relating to off-label chemical use, veterinary surgeons exemptions and control of use licensing. The Taskforce, comprising Commonwealth, State and Territory representatives, is in the process of implementing most of these recommendations and is giving consideration to its response to the issue of off-label chemical use.</p>
Anti-dumping legislation, <i>Customs Act 1901 Pt XVB</i> and <i>Customs Tariff (Anti-dumping) Act 1975</i>	AG		Review had not commenced by 1 April 2002. The Government has not finalised the timing or manner of review of legislation relevant to anti-dumping and countervailing		Reference to the Anti-dumping Authority Act 1988 has been deleted, as this Act was repealed in December 1998 following changes to the administration of the anti-dumping and countervailing

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			measures.		investigations.
<i>Australia New Zealand Food Authority Act 1991 Food Standards Code</i>	DHA	<p>The Act establishes the Australia New Zealand Food Authority (ANZFA) which develops food standards, coordinates food surveillance and recall systems, and develops codes of practice with industry.</p> <p>The Code sets standards for composition and labelling of food.</p>	<p>An interdepartmental review of the Food Standards Code was completed in late 2001. ANZFA called for submissions, which included a mail-out to over 200 stakeholders, inviting comments on the likely effects on competition and business of the legislative restrictions imposed by the Code, including the potential regulatory impact on consumers, industry, government and the wider community. Ten organisations made submissions, but none addressed the NCP review of the existing Code. The review report was forwarded to the responsible Minister in February 2002. The review followed ANZFA's detailed review of individual food standards.</p> <p>The review committee found that the Code did act to restrict competition and, while it achieved its objectives, particularly the protection of public health and safety, it also imposed costs on industry and government. The review committee recommended a more cost-effective means be adopted to achieve the Code's objectives through a new code based on minimum effective regulation principles. The report is available on the ANZFA website at www.anzfa.gov.au.</p>	Publicly available	<p>All Government Ministers in Australia and New Zealand have decided to replace the Code with a new code based on minimum effective regulation principles, and the old Code will be abolished from December 2002. Given this, Government considers no further action is required. The response will be posted on the ANZFA website in due course.</p>

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<i>Australian Maritime Safety Authority Act 1990</i>	DTRS		Review completed in 1997. Review recommended that the safety regulatory functions of Australian Maritime Safety Authority continue to be undertaken by government and that the current administrative arrangements should continue (with the Board able to review the scope to contract out administrative activities).		Recommendations implemented. The NCC's 2001 Assessment reports that this review meets <i>Competition Principles Agreement</i> (CPA) obligations.
<i>Australian Postal Corporation Act 1989</i>	DCITA	Legislated monopoly for Australia Post for activities including letter delivery and inwards international mail.	Review completed in 1998. Recommended a package of reforms to open up letter delivery to more competition. Review recommended reserving only household mail to Australia Post.	Publicly available	Government accepted that the letter delivery market could be opened to more competition, but decided to do this by way of an access regime. In April 2000, the Government introduced the Postal Services Legislation Amendment Bill 2000 into Parliament, which formed the Government's response to the review. The bill would have, <i>inter alia</i> , reduced Australia Post's reserved service to 50 grams and the standard rate; removed incoming international mail from the reserved service; provided a postal services access regime to assist competitors to gain access to services supplied by Australia Post; and converted Australia Post from a statutory corporation established under the Australian Postal Corporation Act 1989, to a public company under the general corporations law, wholly-owned by the Commonwealth. The Bill was unable to gain passage through Parliament and was withdrawn in March 2001. The Commonwealth continues to consider these policy

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					issues.
<i>Bankruptcy Act 1966 and Bankruptcy (Registration Charges) Act 1997</i>	AG	Trustee registration.	Review completed in December 1998. The review recommended that the Insolvency and Trustee Service Australia (ITSA) continue to register bankruptcy trustees; and that a handover of the trustee registration function to the private sector be considered if and when that sector has an appropriate and adequate infrastructure in place.		The registration of private sector trustees may be examined as part of the wider ranging review of the corporate insolvency system under consideration by the Government, in conjunction with ITSA.
<i>Bills of Exchange Act 1909</i>	T	Act's objectives are to provide uniformity of law across Australia in relation to bills of exchange and promissory notes, to provide legal certainty by confirming the nature of bills of exchange and promissory notes as negotiable instruments and to promote efficiency in the market place which utilises bills of exchange and promissory notes as financial instruments.	The review of the Act commenced in April 1997. It is being undertaken by a taskforce of officials, comprising representatives of the Commonwealth Treasury, the Reserve Bank of Australia and the Attorney-General's Department. A final report is being prepared by the working group.		
<i>Bounty (Books) Act 1986</i>	DITR		Review completed.		Bounty ceased on 31 December 1997.
<i>Bounty (Fuel Ethanol) Act 1994</i>	DITR		Review completed.		Ethanol Bounty Scheme terminated.
<i>Bounty (Machine Tools & Robots) Act 1985</i>	DITR		Review completed.		Bounty ceased on 30 June 1997.
<i>Broadcasting Services Act 1992, Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992, Radio Licence Fees Act 1964 and Television Licence Fees Act 1964</i>	DCITA	Entry restrictions, ownership and control restrictions.	Review by PC completed in March 2000. Public consultation involved public release of issues paper, draft report, consultation, public hearings and receipt of submissions. Review raised significant questions and made extensive recommendations for reform. The report was released	Publicly available	The Government will respond to the review's recommendations in due course.

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			publicly on 11 April 2000.		
<i>Census & Statistics Act 1905</i>	T		Review completed in 1996 as part of the Small Business Deregulation Taskforce.		Australian Bureau of Statistics required to reduce the cost of completing statistical returns by 20 per cent in 1996-97. Code of conduct for private sector statistical collection agencies.
Coastal Trade Provisions of the <i>Navigation Act 1912</i> (Part VI)	DTRS	The Navigation Act 1912 provides a legislative basis for many of Commonwealth's responsibilities for maritime matters including ship safety, coastal trade, employment of seafarers and shipboard aspects of the protection of the maritime environment. It also regulates wreck and salvage operations, passengers, tonnage measurement of ships and a range of administrative measures relating to ships and seafarers. Part VI relates to processes for engaging in coastal trade.	<p>The coastal trade provisions of Part VI of the Act were scheduled for review in 1998-99 and the Shipping Reform Group considered these provisions in its report. Accordingly, a comprehensive review of the other parts of the Act was substituted for Part VI review.</p> <p>The Act was reviewed in two stages. The first stage considered repeal of matters that impede shipping reform or are inconsistent with the concept of company employment. This was completed in 1998.</p> <p>The second stage was a comprehensive review of the Act (except for part VI dealing with coastal trade) and was completed in June 2000. The report was publicly released in August 2000. The Review was conducted by officials of the Department of Transport and Regional Services and the Australian Maritime Safety Authority under the guidance of an independent steering group. The review found that the benefits of regulating ship safety and environmental protection outweigh potential costs of restrictions on</p>	Publicly available	<p>Stage 1 review led to the Navigation Amendment (Employment of Seafarers) Bill 1998. The Bill removes the employment related provisions in the Act that are inconsistent with the Workplace Relations Act 1996 and the concept of company employment. The Bill was introduced into Parliament on 25 June 1998, and during the Senate debate on the Bill a significant number of items were rejected. No further action was taken on the Bill.</p> <p>The Government is considering the recommendations of the independent steering group.</p>

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			competition.		
Commerce (Imports) Regulations, Customs (Prohibited Imports) Regulations and <i>Commerce (Trade Descriptions) Act 1905</i>	AG		The Commerce (Trade Descriptions) Act 1905 was added to the scheduled review in 2001. The review of the Commerce (Imports) Regulations and Commerce (Trade Descriptions) Act commenced on 3 July 2001. Submissions were sought by 17 October 2001, however, public forums originally scheduled for mid-September 2001 were postponed until mid-November due to travel restrictions. The reporting date has been extended from 28 February 2002 to 31 May 2002 and it is expected to report by 31 July. The timing and scope of the review of the Customs Prohibited Imports Regulation is still under consideration.		
<i>Corporations Act 1989</i>	T		Deleted from the CLRS. Review subsumed into Corporate Law Economic Reform Program, which commenced March 1997.	Publicly available	New Corporations Act 2001 passed along with consequential State and Territory legislation.
<i>Customs Act 1901</i> Regulation 11 (Prohibited exports - nuclear materials)	AG		This review was deleted from the CLRS in 1999, with the agreement of the Prime Minister, as the removal of the "three mines policy" and the discontinuation of price scrutiny have removed the anti-competitive elements of the Regulation.	N/A	
<i>Customs Act 1901</i> Sections 154-161L	AG	Provides the basis for determining the customs value of goods imported into Australia. Customs value is used to determine the duty payable on imported goods, to	Interdepartmental review completed, released on 16 June 1999 recommended: sections 154 to 161L be repealed and redrafted in a clear straightforward 'plain English' format	Publicly available	Implementation of the review recommendations commenced in early 2001 with Customs seeking the necessary approvals for legislative amendments. The Prime Minister and

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		<p>compile import statistics and also contributes to the collection of sales tax where this is payable at the time of importation. Customs value also contributes to the calculation of GST on imported goods.</p> <p>Legislation enacts Australia's obligations under the World Trade Organisation Customs Valuation Agreement.</p>	<p>that incorporates the language and terms of the World Trade Organisation Agreement on Customs Valuation as far as possible and is consistent with that Agreement; the redrafted legislation contain statements of its purpose and objectives; the proposed new legislation make clear the statutory basis on which importers are required to self-assess the value of imported goods; the legislation or its supporting material should clearly explain the principles which underpin import valuation procedures and the intent behind each of the provisions; the Customs Service examine the feasibility of adopting a system of public valuation rulings; and the Customs Service introduce, at the same time the new legislation comes into effect, a public information program about the requirements for valuation of imports under the proposed new legislation.</p>		<p>relevant Ministers have supported the amendment of the legislation. The ORR has advised that a RIS is not required. Legislative guidelines were released for public comment in March 2002.</p>
<i>Customs Tariff Act 1995 - Automotive Industry Arrangements</i>	DITR		Industry Commission inquiry into the automotive industry completed in 1997.		Tariff phase down to 15% in 2000, followed by a pause until 2005, then further tariff reductions to 10% in 2005.
<i>Customs Tariff Act 1995 - Textiles Clothing and Footwear Arrangements</i>	DITR		Industry Commission Inquiry into the textile, clothing and footwear industry completed in 1997.		Tariff phase down until 2000, maintained until 2005, then further tariff reductions, with the aim of a free trade environment beyond 2010.
Dairy Industry Legislation	AFFA	The <i>Dairy Produce Act 1986</i> at the time of the establishment of the CLRS specified the objectives, functions and administrative requirements for the Australian	The review was scheduled to be undertaken by the PC in 1998-99, and the terms of reference were cleared by the ORR in December 1998. However, the Australian dairy		At a meeting on 9 May 2002, the Departments of Treasury, Prime Minister and Cabinet and Agriculture, Fisheries and Forestry - Australia,

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		Dairy Corporation (ADC) and provided for the operation of the Commonwealth's Domestic Market Support scheme.	industry has undergone significant reforms, with cessation of the Commonwealth Domestic Market Support Scheme and State deregulation of farm gate prices for drinking milk. The ADC has also announced the cessation, from June 2002, of the cheese single desk sales arrangements to Japan. Against this background, discussions are continuing to determine the appropriate scope and modality of this review.		agreed that there was a case for deferring this review pending further industry reforms. The Minister for Agriculture, Fisheries and Forestry is expected to write to the Prime Minister and Parliamentary Secretary to the Treasurer seeking their agreement to a further deferral.
<i>Defence Act 1903 (Army and Airforce Canteen Services Regulations)</i>	D		This review had not commenced by 1 April 2002.		
<i>Defence Force (Home Loans Assistance) Act 1990</i>	D		The review had not commenced by 1 April 2002.		
<i>Defence Housing Authority Act 1987</i>	D		The terms of reference for this review were agreed to in June 1998. A comprehensive external review of the Defence Housing Authority Act 1987 was commissioned by the DHA and reported in November 2000. The outcome of this review is planned to be considered by Ministers in the first half of 2002.		The Government is applying competitive neutrality principles to the Defence Housing Authority from 2000-01, involving a commercial rate of return, debt neutrality and a tax equivalent regime. A Services Agreement has also been instituted to set Defence Housing Authority (DHA) relations with Defence on a commercial footing, and this Agreement does not oblige Defence to exclusively use the services of the DHA.
<i>Disability Discrimination Act 1992</i>	AG		This Act was added to the CLRS timetable in 1998-99. The review was deferred to 1999-2000, however, this review has not commenced by 1 April 2002. Draft terms of reference and timeframe for the review are yet to be finalised.		

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Dried Vine Fruits Legislation	AFFA	<p><i>The Dried Vine Fruits Equalization Act 1978</i> equalises returns from the export of dried fruit.</p> <p><i>The Dried Sultana Production Underwriting Act 1982</i> underwrites the production of sultanas.</p> <p>The regulations under the <i>Australian Horticultural Corporation Act 1987</i> restrict the export of dried fruits.</p>	<p>Review has not commenced. Only the Australian Dried Fruits Board Regulation and Dried Fruit Export Control Regulations 1991 under the <i>Australian Horticultural Corporation Act 1987</i> remain on the CLRS.</p> <p>The Australian Horticultural Corporation Act was repealed by the <i>Horticulture Marketing and Research and Development Services (Repeals and Consequential Provisions) Act 2000</i>, abolishing the statutory bodies that were established under those Acts once their assets, liabilities and staff were transferred to the new industry services company. This occurred on 1 February 2001 when the new industry services company, Horticulture Australia Limited (HAL), started operation.</p> <p>The provisions of the Australian Dried Fruits Board Regulation were not transferred to the new Act. The export control powers of the Australian Dried Fruits Board were transferred to HAL for a transitional period of a maximum of 2 years. A review, where a RIS will be undertaken, will determine whether HAL should continue to have such powers after the transition period.</p>		<p>The following Acts have been repealed without review: Dried Vine Fruits Equalization Act 1978, Dried Sultana Production Underwriting Act 1982 and Dried Vine Fruits Legislation Amendment Act 1991.</p> <p>It is expected that the remaining regulation will be reviewed under the RIS process in 2003.</p>
Duty Drawback (Customs Regulations 129-136B) and TEXCO (Tariff Export Concession Scheme) - <i>Customs Tariff Act 1995</i> ,	AG		Review completed in 1997.		TEXCO and Duty Drawback integrated into simplified and more accessible scheme - TRADEX.

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Schedule 4, Item 21, Treatment Code 421					
<i>Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991</i>	DEST	Requires registration of providers of education to overseas students.	Review completed.		Act extended until 2001 to allow development of self regulating measures.
<i>Employment Services Act 1994 (case management issues)</i>	DEWR		Review removed from timetable.		Provisions to be replaced by Reform of Employment Services Bill 1996.
<i>Environmental Protection (Nuclear Codes) Act 1978</i>	DHA		Review has not commenced, although Codes are being subjected to the RIS process. Radiation protection legislation generally was subject to a national legislation review in 2000.		The <i>Australian Radiation Protection and Nuclear Safety (Consequential Amendments) Act 1998</i> repeals the Environmental Protection (Nuclear Codes) Act 1978. The making of Codes, formally undertaken through this Act, will take place through the process established by the <i>Australian Radiation Protection and Nuclear Safety Act 1998</i> .
Export Control (Unprocessed Wood) Regulations under the <i>Export Control Act 1982</i>	AFFA	To control the export of unprocessed wood (including woodchips and logs), amendments to the Regulations have lifted export controls on plantation sourced wood in all States except Queensland and the NT, and wood sourced from native forests in regions covered by Regional Forest Agreements (RFAs).	Review completed in 2001. It recommended the Government should: <ul style="list-style-type: none"> . remove export controls over sandalwood; . consider its position on export controls over plantation-sourced wood following the outcome of the review of the plantation codes of practice for Queensland and the Northern Territory; and . reconsider its position on export controls over hardwood woodchips sourced from native forests and either remove requirement for an export licence for hardwood 		Government response is expected during 2002.

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			woodchips or other unprocessed wood produced from wood harvested in a native forest — including those native forests outside RFA regions, or allow the export of hardwood woodchips from regions not covered by an RFA under licence where options for a future comprehensive, adequate and representative forest reserve system would not be compromised by the granting of such a licence.		
<i>Export Control Act 1982 (fish, grains, dairy, processed foods etc)</i>	AFFA	Provides a legislative base for export inspection and controls. The Act provides for application of export controls to goods specified in Regulations; details inspection responsibilities and provides the authority for inspection staff to carry out these responsibilities; and sets penalties to apply in the case of fraud or deliberate malpractice.	Review of provisions related to fish, grain, dairy and processed food completed in February 2000. It recommended: <ul style="list-style-type: none"> · introducing a three-tier model for export standards; · harmonising domestic and international standards; · retaining a monopoly on certification of exports; and · making monitoring and inspection contestable. 	Publicly available	The Minister signed off on the Government's response to this review on 22 April 2002. The timeframes for implementation are being developed in consultation with industry.
<i>Export Finance & Insurance Corporation Act 1991 and Export Finance & Insurance Corporation (Transitional Provisions and Consequential Amendments) Act 1991</i>	DFAT		Review deferred pending the outcome of a separate review process required by the Government and with overlapping issues.		The Export Finance and Insurance Corporation Amendment Act 2000 implements the Government's decision to apply competitive neutrality principles to the Export Finance & Insurance Corporation's (EFIC) short-term insurance operations. The separate

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					<p>review led to a decision that EFIC would enter an alliance with a private insurer in regard to short-term credit insurance, with the Government looking eventually to withdraw from this commercial element of EFIC's business. The 2000 Review of Export Credit and Finance Services considered whether there is a need to extend competitive neutrality to EFIC's medium-term export finance business, having regard to the development of any viable competition in the private sector. It was a comprehensive public review involving a national series of consultations and public submissions. The Government decided in November 2000 to continue its involvement in medium-term export finance business through EFIC and that the business be reviewed again by the end of 2003. The Government decided that competitive neutrality was not to be applied to EFIC's medium-term export finance business.</p> <p>This review process followed earlier reforms to the Act that applied competitive neutrality to EFIC's short term credit insurance operations and also removed exemptions from the Insurance (Agents & Brokers) Act 1984 and the <i>Insurance Contracts Act 1984</i> for its short term credit insurance operations.</p> <p>The Minister for Trade has written to the Prime Minister and the Parliamentary</p>

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					Secretary to the Treasurer seeking deletion of this review from the CLRS. The Parliamentary Secretary to the Treasurer replied on 15 May 2002 agreeing to the deletion, subject to the Prime Minister's agreement (the Prime Minister's Department has indicated it supports the deletion of the legislation).
<i>Financial Corporations Act 1974</i>	T		Deleted from the CLRS following its review as part of the Wallis Inquiry process.	Publicly available	
Financial system - comprehensive review of the regulatory framework	T		Review completed in 1997. The Wallis Inquiry examined the Australian financial system, making recommendations on regulatory change.	Publicly available	Government announced package of reforms in September 1997. Suite of legislation passed in all jurisdictions in 1998-99, and in 2001, in line with recommendations.
<i>Financial Transactions Reports Act 1988 and Regulations</i>	AG	The Act's objective is to facilitate administration and enforcement of taxation laws, other laws of the Commonwealth and the Territories, and to make information collected available to state authorities to facilitate administration and enforcement of the laws of the States.	The review was conducted by a taskforce of Commonwealth officials with a reference group of two non-government persons. The review recommended only minor changes. The taskforce provided its report to the Minister for Justice and Customs on 6 September 2000. The report recommended a number of amendments to the Act and Regulations, which are the subject of continuing consultations, with a number of other legislative amendment proposals.	Publicly available	The Government is considering its response.
Fisheries Legislation	AFFA	Apart from management of Australia's fisheries, matters regulated under the Acts include imposition of levies and issue of foreign fishing licences.	Review not completed by 1 April 2002		Recommendations for reform arising from the review will be considered in 2002 or early 2003 by the Minister for Forestry and Conservation and implemented as appropriate.
Foreign investment policy and	T		Review completed in September		On 3 September 1999, the Treasurer

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associated regulation			1999.		announced a number of foreign investment policy and administrative changes arising from the review. These changes reduce notification obligations on business and streamline the administration of foreign investment policy, while continuing to ensure that foreign investment is consistent with the interests of the Australian public. A number of changes required regulation, which took effect from September 1999.
<i>General Insurance Supervisory Levy Act 1989</i>	T		Deleted from the CLRS.	Publicly available	Repealed by <i>Financial Sector Reform (Amendments and Transitional Provisions) Act 1998</i> .
<i>Hazardous Waste (Regulation of Imports & Exports) Act 1989, Hazardous Waste (Regulation of Imports & Exports) Amendment Bill 1995 and related Regulations</i>	DEH	Act's objective is to regulate export, import and transit of hazardous waste to ensure it is managed in an environmentally sound manner to protect human beings and the environment, both within and outside Australia, from the harmful effects of the waste.	Review completed. The review was undertaken by a taskforce of officials from Environment Australia, Attorney-General's Department, the Department of Foreign Affairs and Trade, the Department of Industry, Science and Resources and the Department of Health and Aged Care. The taskforce is supported by the Hazardous Waste Act Policy Reference Group, acting as a reference group of independent members. Review report is available on the DEH website (www.ea.gov.au/industry/hwa/papers/review.html).	Publicly available	The Government response was released on 12 June 2001 and can be located at www.ea.gov.au/industry/hwa/papers/review-response.html . The Government agreed with most of the recommendations.
<i>Health Insurance Act 1973, Part IIA</i>	DHA	Establishes the Medicare benefits scheme and sets out arrangements that apply to the provision of pathology services. Act also provides for a range of Regulations and other pieces of delegated legislation to be made which	Major review underway. Steering group appointed, terms of reference released, public submissions invited. Draft report has not been released by 1 April 2001.		

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		established the pathology operating framework.			
<i>Higher Education Funding Act 1988, Vocational Education and Training Funding Act 1992, and other regulation with similar effects to the Higher Education Funding Act 1988.</i>	DEST		Review completed in 1998 as part of the West Review of Higher Education Financing and Policy. Proposed changes relate to the equal treatment of private and public institutions.	Publicly available	Although it has not formally responded to the recommendations, the Government has introduced reforms encouraging greater diversity of provision and competition in, inter alia, the vocational and higher education sectors. The Minister for Education, Science and Training announced a Higher Education Review on 5 April 2002 to identify the scope for improvements to the higher education sector and how they could be facilitated.
<i>Home & Community Care Act 1985</i>	DHA		Act has been removed from the CLRS on the basis of: earlier removal of competitive restrictions from the Act opening the program to commercial care providers; and advice from the ORR indicating that the HACCC Guidelines neither impose costs nor provide benefits to business.	N/A	
<i>Imported Food Control Act 1992 and Regulations</i>	AFFA	Enables the Australian Quarantine and Inspection Service (AQIS) to monitor and inspect foods, and provides requirements with which imports must comply.	Review completed in 1998, recommending: <ul style="list-style-type: none"> · quality assurance processes of importers be recognised; · inspection rates and strategies be tailored to importer performance and agreements on certification and compliance; and · qualified laboratories be permitted to test imported food. 	Publicly available	The Government announced its response to the review on 29 June 2000, endorsing all the recommendations. Since then AQIS, in consultation with ANZFA, the Australian Government Analytical Laboratories and industry, have made substantial progress in designing and implementing operational procedures in line with the recommendations. Of the 23 recommendations made in the report, eight have been implemented whilst the remainder are being examined to determine possible implementation.

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					Some issues are substantially completed but awaiting legislative change.
<i>Income Equalisation Deposits (Interest Adjustment) Act 1984 and Loan (Income Equalisation Deposits) Act 1976</i>	AFFA		Review completed.		These schemes were replaced by the Farm Management Deposit Scheme in 1998. The new scheme is a commercially available arrangement operating through deposit taking institutions (such as banks, credit unions and building societies).
<i>Industrial Relations Act 1988</i>	DEWR		Review subsumed into major restructuring of industrial relations legislation.		Changes to structure for negotiating wages and conditions. Legislation replaced by <i>the Workplace Relations Act 1996</i> .
<i>Insurance (Agents & Brokers) Act 1984</i>	T	Licensing.	Review has not commenced.	Publicly available	The Act was repealed from 11 March 2002 by the Financial Services Reform (Consequential Provisions) Act 2001. The provisions of the Insurance (Agents & Brokers) Act will continue to apply to certain people during the two year transitional period provided for under the <i>Financial Services Reform (Consequential Provisions) Act 2001</i> .
Intellectual property protection legislation (<i>Designs Act 1906, Patents Act 1990, Trade Marks Act 1995, Copyright Act 1968 and the Circuit Layouts Act 1989</i>)	AG and DITR	Objective of each Act is to encourage investment in innovation and creative effort for the benefit of society.	Review by an independent committee completed in September 2000. Public consultation included releasing an issues paper and an interim report, receiving submissions, and consultation. The review committee presented its Report on Parallel Importing under the Copyright Act 1968 in June 2000 and its final report, Review of Intellectual Property Legislation under the CPA, in September 2000. The final report is available on the	Publicly available	In June 2000, the Government announced the decision to allow parallel imports of books, periodicals, printed music and software products (with the decision being informed, inter alia, by the June 2000 report noted above). The Government announced its response to the review on 28 August 2001, including: . raising threshold tests for obtaining a patent to international standards, implementing a grace period to protect

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			review committee's website (www.ipcr.gov.au).		<p>a patent application against invalidation by inadvertent or ill-timed public disclosure, and amending the Trade Marks Act 1995 to remove the impediment to the parallel importation of legitimately trade marked goods. The Government fast-tracked implementation of the more significant patent initiatives;</p> <p>. accepting the recommendation to repeal copyright control over parallel importation, except in relation to films;</p> <p>. accepting recommendations regarding the copyright term and the efficient operations of the Internet; and</p> <p>. deciding to consider best practice guidelines for the Commonwealth in commissioning works with regard to Crown ownership of commissioned works.</p> <p>The Government did not accept the recommendation to remove the cap on royalties for broadcasting sound recordings, and accepted in part the Committee's recommendations regarding collecting societies, identifying existing as well as future actions to implement the Committee recommendations.</p>
International Air Service	DTRS		Review by the PC completed in		3 June 1999 Government issued a joint

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Agreements			September 1998. This review has been combined with the review of International Air Services Commission Act 1992.		statement by Treasurer and Minister on international aviation policy.
<i>International Air Services Commission Act 1992</i>	DTRS		Review by the PC completed in September 1998. This review has been combined with the review of International Air Services Agreements.		3 June 1999 Government issued a joint statement by Treasurer and Minister on international aviation policy.
<i>International Arbitration Act 1974</i>	AG		Review completed. Act assessed as not restricting competition.		The recommendations of the review have been accepted by the Government.
Land Acquisition Acts (<i>Land Acquisitions (Defence) Act 1968; Land Acquisition (Northern Territory Pastoral Leases) Act 1981 and Land Acquisition Act 1989 and Regulations</i>)	DFA	Land Acquisition Act sets out processes that the Commonwealth and its agencies must follow when acquiring or disposing of an interest in land. It also deals with entry on private land by Commonwealth officers and the regulation of mining on Commonwealth land. The Act includes provisions for compulsorily acquiring an interest in land and for the arrangements for consequential payment of compensation. The Land Acquisition (Defence) Act 1986 facilitated the acquisition of public park land in New South Wales for defence purposes and the Land Acquisitions (Northern Territory Pastoral Leases) Act 1981 was used to compulsorily acquire two pastoral leases for subsequent inclusion in Kakadu National Park.	Review completed by officers of the Department of Finance and Administration reporting to an internal Steering Committee. The review was advertised nationally and public comment sought from interested persons. The review identified some operational and administrative issues but concluded that the legislation substantially complies with competition policy principles.		The Government is yet to respond. [Seeking further information from DFA]
<i>Life Insurance Supervisory</i>	T		Deleted from the CLRS.	N/A	Repealed by Financial Sector Reform

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<i>Levy Act 1989</i>					(Amendments and Transitional Provisions) Act 1998.
<i>Marine Insurance Act 1909</i>	AG	The Act sets out the legal requirements surrounding contracts for and policies of marine insurance.	Review by the Australian Law Reform Commission was submitted to the Attorney-General on 30 April 2001 and tabled in Parliament on 22 May 2001, recommending minor changes. These include bringing marine insurance brokers and agents into the financial services reform regulatory framework.	Publicly available	The Government is yet to respond.
<i>Migration Act 1958 - sub-classes 120 and 121 (business visas)</i>	DIMIA		Review completed in 1997.		Amendments, aimed at strengthening and streamlining the skilled entry programs, came into effect November 1997.
<i>Migration Act 1958 - sub-classes 560, 562 and 563 (student visas)</i>	DIMIA		Review completed in 1998.		Recommendations implemented to further deregulate student visa program without compromising the integrity of the immigration program.
<i>Migration Act 1958 - sub-classes 676 and 686 (tourist visas)</i>	DIMIA		The Minister assisting the Prime Minister agreed to the removal of this review from the CLRS.	N/A	
<i>Migration Act 1958, Part 3 (Migration Agents and Immigration Assistance) and Regulations</i>	DIMIA		Review completed in 1997. Review combined with that for Migration Agents Registration (Application) Levy Act 1992 and Migration Agents Registration (Renewal) Levy Act 1992. Review concluded that due to consumer protection concerns voluntary self-regulation was not immediately achievable, and a transitional arrangement needs to be in place to enable the industry to prepare for self-regulation.		Government accepted review findings, and passed legislation to implement statutory self-regulation for two years then voluntary self-regulation. Also announced a further review of statutory self-regulation during the two-year period to assess the extent to which the migration advice industry had developed the capacity to be fully self-regulating.
<i>Migration Agents Registration (Application) Levy Act 1992,</i>	DIMIA		Review completed in 1997. Review combined with that for Migration Act		Government decision to move the migration advice industry to statutory

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<i>and Migration Agents Registration (Renewal) Levy Act 1992</i>			1958 Part 3.		self-regulation. Legislation to give effect to this decision commenced in March 1998.
<i>Moomba-Sydney Pipeline System Sale Act 1994 - Part 6 (access provisions)</i>	T		Deleted from the CLRS.	N/A	Repealed.
<i>Motor Vehicle Standards Act 1989</i>	DTRS	Provides a mechanism for setting national safety, emissions and anti-theft standards for road vehicles supplied to the Australian market. It applies to all new and imported vehicles.	Review completed. Recommended a number of changes to the administrative and legislative arrangements to improve clarity and efficiency. While the low volume scheme should be maintained it should be extended to full volume manufacturers and some other modifications to the scheme should be made. The review also recommended changes to the vehicle import arrangements and cost recovery.	Publicly available	Government announced changes on 8 May 2000. Government accepted nearly all of the report recommendations except those relating to restrictions on imports of vehicles under the Low Volume Scheme. A new scheme, the Specialist and Enthusiasts Vehicle Scheme is now in place.
<i>Mutual Recognition Act 1992</i>	PM&C, DEST, and DITR	The Mutual Recognition Act (MRA) establishes a national scheme under which goods which are legally saleable in one jurisdiction can be sold throughout the country, and people who work in a registered occupation in one jurisdiction can freely enter an equivalent occupation in another jurisdiction.	National review completed in July 1998. The report is available on the Internet at www.pmc.gov.au . The review found that the scheme is generally working well to minimise the impediments to freedom of trade in goods and services and to establish a truly national market in goods and services in Australia. The review data indicated that the MRA has increased competition and consumer choice and reduced business costs. In relation to NCP, it was recommended that all existing (potentially anti-competitive) exceptions to the MRA be retained (recommendations 14 to 25).	Publicly available	Jurisdictions generally support the review's recommendations. In relation to the NCP aspect of the review, Queensland had concerns about recommendations 17 (pornographic material), 23 (manner of sale of goods and 27 (packing and labelling requirements relating to transport, storage and handling. Victoria expressed concerns about recommendation 24 (packaging and labelling for drugs and poisons). The review recommendations, and Queensland and Victoria's concerns, will be taken up in the next MRA review in 2003.
<i>National Health Act 1953 (Part</i>	DHA	Community rating of private health	Review completed in 1997. Review	Publicly	Government accepted most

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6 & Schedule 1) and <i>Health Insurance Act 1973 (Part 3)</i>		insurance, limits on rebateable services.	included as part of Industry Commission inquiry into private health insurance.	available	recommendations. Succession of legislative changes from 1998. Lifetime Health Cover introduced July 2000.
<i>National Residue Survey Administration Act 1992</i> and related Acts	AFFA	The National Residue Survey (NRS) manages monitoring programs for chemical residue in many Australian agricultural food commodities. The legislation puts in place statutory arrangements under which the National Residue Survey Trust Account operates under full cost recovery.	Review, by a committee of officials, completed. The review committee concluded that the legislation did not restrict competition and actually provided a substantial competitive benefit to Australian producers by facilitating local and international trade. The report has been made public.	Publicly available	The Government has approved the report and its recommendations and it has been forwarded (out of session) to SCARM and the Standing Committee on Fisheries and Aquaculture for information.
<i>National Road Transport Commission Act 1991</i> and related Acts	DTRS	The Act provides a statutory basis for the National Road Transport Commission (NRTC), which is also governed by Heads of Government Agreements scheduled to the Act. The NRTC's primary role is to advise the Australian Transport Council (ATC) on reforms that will improve the safety, efficiency and reduce the administrative cost of road transport.	Review completed in 1997, and its recommendations focused on improving the NRTC and the delivery of its outcomes. No changes were needed to address the requirements of the CPA. ATC Ministers made recommendations to COAG in 1997.		COAG was generally supportive but had views on specific aspects of the ATC's recommendations. Government response to the review report and COAG views was that the National Road Transport Commission Act 1991 be amended to give effect to the enhancements and that the related Acts were to continue. In this process, the ORR agreed a RIS was not required, as the amendments did not propose new or amended regulations. However, all NRTC's regulatory proposals are subject to assessment of their impact.
<i>Native Title Act 1993</i> and Regulations	AG		Review has not commenced by 1 April 2002.		
<i>Nuclear Safeguards (Producers of Uranium Ore Concentrates) Charge Act 1993</i> and Regulations	DFAT		Review completed in 1997.		The Government announced its response in December 1997, accepting all but one recommendation.
<i>Ozone Protection Act 1989</i> and <i>Ozone Protection (Amendment) Act 1995</i>	DEH	Implement the provisions of the <i>Montreal Protocol on Substances that Deplete the Ozone Layer</i> . Regulates the phase out of ozone depleting substances, in some	A review of the legislation was completed in January 2001 and endorsed by the Minister for the Environment and Heritage in May 2001. The review recommended	Publicly available	Environment Australia is working closely with the Australian Greenhouse Office, industry and State and Territory agencies to implement the review recommendations. RISs are being

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		cases ahead of the Montreal Protocol requirements where consultations with industry determined a faster phase out was possible.	<p>that:</p> <ul style="list-style-type: none"> . the Ozone Protection Reserve be extended to include all applications, revenue and expenditure associated with ozone protection, including that associated with the National Halon Bank; . Environment Australia develop longer-term budgets for its ozone protection activities; . a fee be introduced for processing Section 40 exemptions under the legislation; . Commonwealth end-use powers be elaborated and exercised in a new part of the legislation; . the Commonwealth consider early extension of the legislation to ensure national consistency in ozone protection regulation across all States and Territories, in relation to supply and end-use; and . noting widespread support from stakeholders, the Commonwealth should determine, upon direct and early advice from relevant agencies, whether the legislation should be extended to cover synthetic greenhouse gases used in Montreal Protocol industries. <p>The report is available at</p>		prepared in consultation with the ORR and stakeholders to determine the most appropriate way forward.

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			www.ea.gov.au/atmosphere/ozone/legrev .		
<i>Patents Act 1990, S198-202 (Patent Attorney registration)</i>	DITR		Review completed.		In February 1997, the Government announced it would make changes to the Act including broadening the range of experience for qualifications in patents and removed restrictions to practice in trademarks and design.
<i>Petroleum (Submerged Lands) Act 1967</i>	AFFA	Act's objective is to provide licensing and regulatory regime to enable exploration, development and production of petroleum resources within Australia's marine jurisdiction.	National Review completed in 1999/2000. Endorsed by ANZMEC Ministers. The review's main conclusion is that the Petroleum (Submerged Lands) legislation is essentially pro-competitive and, to the extent that there are restrictions on competition (for example in relation to safety, the environment, resource management or other issues), these are appropriate given the net benefits to the community. The final report was made public on 27 March 2001, following consideration by COAG's Committee on Regulatory Reform.	Publicly available	All Governments (Commonwealth, State and NT) accepted the recommendations. Two specific legislative amendments flow from the review, one addressing potential compliance costs associated with retention leases and the other, expediting the rate at which exploration acreage can be made available to subsequent explorers. Policy approval has been received for these amendments to be incorporated into the Commonwealth's Petroleum (Submerged Lands) Legislation Amendment Bill 2002, which also proposes the rewrite of the Commonwealth's Petroleum (Submerged Lands) Act 1967, and is scheduled for introduction to Parliament in 2002. Amendment and rewrites of counterpart State and Northern Territory legislation will follow.
<i>Petroleum Retail Marketing Franchise Act 1980</i>	DITR		Review not undertaken due to Government's commitment to repeal the Act as part of reform of the petroleum industry. The Treasurer's		

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			joint press release with the Minister for Industry, Tourism and Resources of 14 May 2002, notes that discussions are ongoing between the Government and industry concerning the reform package, and the Government will pursue petroleum industry reform if there is broad industry support.		
<i>Petroleum Retail Marketing Sites Act 1980</i>	DITR		Review not undertaken due to Government's commitment to repeal the Act as part of reform of the petroleum industry. The Treasurer's joint press release with the Minister for Industry, Tourism and Resources of 14 May 2002, notes that discussions are ongoing between the Government and industry concerning the reform package and the Government will pursue petroleum industry reform if there is broad industry support.		
<i>Pig Industry Act 1986 and related Acts</i>	AFFA	The Act established the Australian Pork Corporation whose functions include improving the production, consumption, promotion and marketing of pigs and pork both in Australia and overseas.	Work on the review was suspended following advice from industry on a restructure of industry bodies, including the Australian Pork Corporation.		Act repealed and replaced by the Pig Industry Act 2001. [This is based on advice from AFFA, however, more recent investigations indicate that the new Act retains the restrictions of the old Act. Further information is being sought from AFFA about the review status.]
<i>Pooled Development Funds Act 1992</i>	DITR		Review completed in 1998.		Pooled Development Funds Amendments Bill introduced late 1999.

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<i>Prawn Boat Levy Act 1995</i>	AFFA	The Act is part of legislative scheme to promote Australian sea-caught prawns in overseas markets using funds raised from industry by means of the export charge and boat levy. The Act imposes a boat levy under section 4.	Deleted from the CLRS. Review not required as policy decision made to repeal the Act (and others making up the legislative scheme).	N/A	The Fisheries Legislation Amendment Act (No. 1) 1998 provided for the repeal of the Act three years after Royal Assent in order to allow the collection of outstanding levies.
<i>Prices Surveillance Act 1983</i>	T	The Act assigns three specific functions to the Australian Competition and Consumer Commission (ACCC): <ul style="list-style-type: none"> . to review price rises notified to the ACC by certain organisations; . to undertake monitoring of prices or other matters for particular organisations, products or services; and . to hold inquiries into price and other matters as directed by the Commonwealth Government. 	Review has been undertaken by the PC. Final report provided to Government on 22 August 2001.		The Government is considering its response.
<i>Primary Industries Levies Act (and related Collection Acts)</i>	AFFA	Legislation authorises the collection of statutory levies imposed on primary industries under separate legislation for specified purposes.	Review by officials completed in 2000. The review found, in general, that the benefits to the community of the present structure of levies legislation outweigh the costs and should be retained. Minor changes to the legislation and guidelines were recommended, including a proposal that the guidelines indicate a preference for voluntary arrangements, unless free-rider costs are assessed to exceed compliance, enforcement,		A Government response is not yet finalised.

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			administrative, and other costs.		
<i>Proceeds of Crime Act 1987</i> and Regulations	AG	<p>The Act's principal objects are:</p> <ul style="list-style-type: none"> . to deprive persons of the proceeds of, and benefits derived from the commission of offences against the laws of the Commonwealth or Territories; . to provide for the forfeiture of property used in or in connection with the commission of such offences; and . to enable law enforcement authorities effectively to trace such proceeds, benefits and property. <p>Other objects of the Act are:</p> <ul style="list-style-type: none"> . to provide for the enforcement in the Territories of forfeiture orders, pecuniary penalty orders and restraining orders made in respect of offences against the laws of the States; . to facilitate the enforcement in Australia, pursuant to the Mutual Assistance Act, of forfeiture orders, pecuniary penalty orders and restraining orders made in respect of foreign serious offences; and . to assist foreign countries, pursuant to the Mutual Assistance Act, to trace the proceeds of, 	Review of Division 4 of Part IV of the Proceeds of Crime Act undertaken with review of <i>Financial Transaction Reports Act 1988</i> (FTR Act).		The Minister for Justice and Customs proposed that the record retention obligations in Division 4 of Part IV of the Proceeds of Crime Act be moved to the FTR Act as part of the Proceeds of Crime (Consequential Amendments and Transitional Provisions) Bill 2002, which is due to be introduced along with the Proceeds of Crime Bill 2002 in March 2002. Any amendments to those provisions will thus be dealt with by amending the FTR Act. Amendments to the FTR Act are currently being considered, and may be addressed later in 2002.

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		benefits derived from and property used in or in connection with the commission of foreign serious offences.			
<i>Protection of Movable Cultural Heritage Act 1986</i>	DCITA		Review completed.		The Government is yet to respond. Amendments to Act likely by 2000.
<i>Quarantine Act 1908 (in relation to human quarantine)</i>	DHA	Goods and passengers entering Australia are subject to screening.	Departmental review of provisions relating to human quarantine completed in 1998. Review found minimal impact on competition and public health benefits in excess of costs. However, review also found that current human quarantine provisions, though adequate, would benefit from possible updating to ensure they provide the best legislative framework to undertake human quarantine activity in the year 2000 and beyond.		In July 1998, the Government announced it approved the report and endorsed a second phase review. After a public consultation process, the then Minister for Health and Aged Care approved the Human Quarantine Legislation Review Final Report. The report identified several issues or areas of the legislation that would benefit from immediate amendment to update the legislation and/or align it with current policy and practice. Work has commenced on immediate amendments and the draft bill should be submitted to the Spring Sittings in 2002. However, the final report also identified several complex issues that could not be resolved by immediate amendment to the legislation, and involves undertaking a strategic examination of human quarantine in the context of current and future communicable disease management, through extensive consultation with stakeholders, including those who have made submissions to the review.
<i>Quarantine Act 1908 (in relation to plant and animal quarantine)</i>	AFFA	Prohibits import of certain goods, animals and plants unless with a permit.	The review of the Quarantine Act 1908 (Nairn Review) was underway prior to its listing on the CLRS. In accordance with Treasury advice of 10 May 2002, AQIS is identifying		

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			those parts of the Act that have not been amended by the Nairn Review and that restrict competition to assist in the process of determining whether there is merit in undertaking the review at this time.		
<i>Radiocommunications Act 1992 and related Acts</i>	DCITA	Maximise public benefit by efficient allocation and use of radio frequency spectrum. Legislation also provides for allocation of spectrum for public or community services and an equitable charging system.	A review commenced in 1997. However, the national competition principles aspects of the review were not completed. The review has been subsumed into the review of market based reforms and activities undertaken by the Spectrum Marketing Authority (now the Australian Communications Authority), which is being conducted by the PC. Draft report released on 28 February 2002 (available at http://www.pc.gov.au/). Final report to be delivered to the Government in July 2002.		
<i>Rural Adjustment Act 1992</i> States and Northern Territory Grants (Rural Adjustment) Acts	AFFA		Review completed in 1997. The report made a number of recommendations for future government programs to address rural adjustment.		The review recommendations were addressed in the Government's package Agriculture – Advancing Australia announced on 14 September 1997. Consistent with the recommendations of the review, a range of other support schemes replaced the Rural Adjustment Scheme.
<i>Shipping Registration Act 1981</i>	DTRS	Registration of ships in Australia	Review completed in 1997.		The Commonwealth Government has accepted the review recommendations. Policy approval to amend the Act to implement the recommendations was received in 1998, however, the Government response is yet to be completed.

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Spectrum Management Agency (SMA)- review of SMA's market-based reforms and activities.	DCITA		Review, by the PC, underway. Draft report released on 28 February 2002 (available at http://www.pc.gov.au/). Final report to be delivered to the Government in July 2002.		
Superannuation Acts including: <i>Superannuation (Self Managed Superannuation Funds) Taxation Act 1987</i> , <i>Superannuation (Self Managed Superannuation Funds) Supervisory Levy Imposition Act 1991</i> , <i>Superannuation (Resolution of Complaints) Act 1993</i> , <i>Superannuation Industry (Supervision) Act 1993</i> , <i>Occupational Superannuation Standards Regulations Applications Act 1992</i> , <i>Superannuation (Financial Assistance Funding) Levy Act 1993</i>	T	Legislation variously provides for prudential regulation and supervision of the superannuation industry and the imposition of certain levies on superannuation funds and approved deposit funds. ²	Review undertaken by PC and final report submitted to the Government on 10 December 2001.		The Minister for Revenue and the Assistant Treasurer released an interim response on 17 April 2002, which is available at http://assistant.treasurer.gov.au .
<i>Torres Strait Fisheries Act 1984</i> and related Acts	AFFA	Regulates all fishing within the Australian jurisdiction of the Torres Strait Protected Zone. Provides the powers for the Commonwealth to undertake fisheries management in the Torres Strait Protected Zone	Reviewed completed in 1999 by Commonwealth and Queensland officials. The review recommended: · a new statement of objectives for the Act;	Publicly available	The report was presented to the Torres Strait Protected Zone Joint Authority in March 2000. The Authority noted the findings and recommendations of the review and referred these to the Torres Strait fisheries consultative and

² The CLRS review of superannuation legislation does not include legislation providing for choice of fund. The Commonwealth's decision to introduce choice of fund legislation (whether for employees under federal awards or more generally) is unrelated to its commitment to review superannuation legislation listed on the CLRS.

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		and the mechanism for the recovery of the Commonwealth's costs and the imposition and collection of a research and development levy.	<ul style="list-style-type: none"> · maintaining the distinction between community and commercial fishing; · retaining licensing of fishing; and · retaining wide Ministerial powers to regulate fishing. 		<p>advisory committees for further consideration.</p> <p>The Government is considering its response to the review and a response is expected in 2002.</p>
Trade Practices (Consumer Product Information Standards) (Care for clothing and other textile products labelling) Regulations	T		Review completed in 1997.		Government introduced a less prescriptive consumer product information standard.
Trade Practices (Consumer Product Information Standards) (Cosmetics) Regulations	T		Review completed in 1998.		Regulations replaced by Trade Practices (Consumer Product Information Standards) Amendment Regulations, requiring a list of ingredients and a nomenclature used by the United States and the European Union.
<i>Trade Practices Act 1974</i> (including exemptions) - Part IIIA (access regime)	T	Provides a regime for third party access to services provided by significant infrastructure facilities.	Review, by PC, completed. Issues paper released on 11 October 2000 and a position paper was released in March 2001. The final report was provided to the Government in October 2001.		The Government is considering its response.
<i>Trade Practices Act 1974</i> - 2D exemptions (local government activities)	T	Exempts the licensing decisions and internal transactions of local government bodies from Part IV of the TPA, which regulates restrictive trade practices.	Review by the PC commenced in late September 2001. A draft report was released on 16 May 2002 and is available at www.pc.gov.au . The final report is scheduled for completion in October 2002.		
<i>Trade Practices Act 1974</i> - fees charged	T	Fees charged under the Act attempt to offset some of the costs of meeting the objectives of the Act through user charges.	Review included in the twelve month PC inquiry "Cost Recovery by Regulatory, Administrative and Information Agencies - including Fees charged under the Trade Practices Act", which commenced in		The Treasurer and Minister for Finance joint press release of 14 March 2002 noted that this completes this review commitment under the CLRS. The press release is available at http://www.treasurer.gov.au .

Name of legislation	Agency	Major Restrictions	Comments on review	Report availability	Comments on reform
			August 2000. The PC released the final report on 22 March 2002. The Commission found that current TPA charges (by the ACCC) appear to have little if any impact on competition and economic efficiency and hence are not inconsistent with the competition tests under the CPA.		
<i>Trade Practices Act 1974</i> (s 51(2) and s 51(3) exemption provisions)	T	Legislation provides for exemptions for a number of activities relating to intellectual property rights, employment regulations, export arrangements, and approved standards from many of the competition laws contained within Part IV of the TPA.	The review report was released on 21 June 1999.	Publicly available	The Government is considering its response to the review of section 51(2) of the TPA and an announcement will be made in due course. On 28 August 2001, the Government announced changes to section 51(3) of the Act in its response to the report of the Intellectual Property and Competition Review Committee report, which also examined section 51(3).
<i>Trade Practices Act 1974</i> Part X (shipping lines)	DTRS	Part X administered by Commonwealth as an industry specific legislated industry code which exempts shipping conferences from section 45 and 47 of TPA (with exception of third line forcing provisions). Conferences allow liner shipping companies to coordinate their services, set joint freight rates, pool earnings and costs, establish loyalty agreements with customers, rationalise capacity and restrict new entrants to the conference agreements. Australia's trading partners also exempt conferences from competition law.	PC review of Part X released by Commonwealth Government in September 1999. The PC concluded that restrictions in Part X are in the public interest because they result in Australian shippers obtaining quality services at the best possible prices and because there are no more efficient ways of achieving these results. The PC recommended various improvements to Part X to clarify the scope of the exemptions from the TPA with regard to land-based activities. These would extend the range of sanctions available to the Minister in the event of a breach of an undertaking by a conference.	Publicly available	Government enacted the <i>Trade Practices Amendment (International Liner Cargo Shipping) Act 2000</i> in October 2000, which generally picks up the review recommendations. Act limits the exemption relating to rate setting by more clearly defining the service to which the exemption applies. Exemption covers terminal to terminal services solely for ocean transport and cargo handling at the terminal. Definition of terminal was widened to include terminals away from ports where exports/imports are made/distributed. Exemptions do not apply to inland haulage rates.

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					<p>Act changes arrangements for stevedoring conferences. There are exemptions to endorse current stevedoring practices. Generally importers are given similar countervailing protection from TPA. Act grants additional powers to the Minister and the ACCC to review agreements that may result in an unreasonable reduction in shipping services and/or an unreasonable increase in liner shipping freight prices. Act also repeals section that prohibited price discrimination</p> <p>Part X exempts shipping conferences from competition law. In its material on Part X, the NCC includes the argument put by those who support the exemption of shipping conferences from competition law that exemption is desirable otherwise individual customers (exporters, importers or their agents) would have insufficient cargo to fill a sea-going vessel. The Council should note that no such argument can be sustained in relation to containerised cargo – which is possibly the main type of cargo affected by shipping conferences.</p> <p>The NCC's 2001 Assessment reports that this review meets CPA obligations.</p>
<i>Tradesmen's Rights Regulation Act 1946</i>	DEWR	National recognition of metal and electrical trade skills developed informally.	Review completed in November 1998. Recommendations included repealing the Act. Also recommended that the Commonwealth Government vacate	Publicly available	Government accepted the review recommendations. Bill to repeal legislation introduced into Parliament. Government is continuing consultations with industry about the new

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			the domestic skills recognition field (and that Registered Training Organisations established under the Australian Recognition Framework undertake skill recognition on a free competition basis) and that detailed consideration be given to the implementation arrangements.		arrangements for domestic skills recognition and migration skills assessment. The NCC's 2001 Assessment reports that this review meets CPA obligations.
<i>Veterans' Entitlement Act 1986 - Treatment Principles (s90) and Repatriation Private Patient Principles (s90A)</i>	DVA		Review not commenced as at 1 April 2002.		

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<i>Wheat Marketing Act 1989</i>	AFFA	Prohibits the export of wheat except with the consent of the Wheat Export Authority or by AWB International Limited.	<p>Review by an independent committee completed in 2000. It found that introducing competition was more likely to deliver net benefits than continuing the export controls. However, it also found it would be premature to repeal the Act before a relatively short evaluation period of new commercial arrangements. It recommended:</p> <ul style="list-style-type: none"> · retaining the export single desk until the 2004 review; · incorporating NCP principles into the 2004 review; · developing performance indicators for the 2004 review; · moving from export consents to export licensing; · removing for a three-year trial the requirement that the Authority consult AWB International Limited on consents for export of bagged and containerised wheat; and · removing for a three-year trial the requirement that the Authority obtain written approval from AWB International Limited for export of durum wheat. 	Publicly available	<p>The Commonwealth Government announced its response to the review in April 2001, accepting the recommendations, except that it:</p> <ul style="list-style-type: none"> · declined to incorporate NCP principles in the 2004 review; · retained the requirement for consultation with AWB International Limited on consents for export of bagged and containerised wheat; and · retained the requirement for written approval of AWB International Limited for export of durum wheat. <p>Performance indicators for the 2004 review are available on the Wheat Export Authority website at www.wheatexpauth.com.au.</p>

Legislation not listed on the Commonwealth Legislation Review Schedule

<i>Name of legislation</i>	<i>Agency</i>	<i>Major Restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
<i>A New Tax System (Family Assistance) (Administration) Act 1999</i>		Approval of child care providers.	This Act was subject to the Commonwealth's RIS process. The ORR has indicated that this RIS was assessed as adequate. The RIS can be downloaded from SCALEplus.		[Seeking info from FACS]
<i>A New Tax System (Family Assistance) Act 1999</i>		Approval of child care providers.			New legislation. [Seeking info from FACS]
<i>Australian Horticulture Corporation Act 1987</i>	AFFA	Prohibits export of apples, citrus, pears and stonefruit to certain foreign markets without a licence and/or permission. Licences and permissions may restrict price, quality, import agent, packaging, labelling and form of consignment.	Not scheduled for review on the CLRS. Reviewed in 1999 under a separate process, following an industry restructure proposal, by a government/industry panel (with assistance from an economic consultancy). It recommended retaining the power to restrict exports subject to: <ul style="list-style-type: none"> · a public interest case, prepared with wide consultation, to accompany proposals for new restrictions; · the Secretary of Agriculture, Fisheries and Forestry Australia to approve/decline proposals for new restrictions; and 	Not publicly available - confidential copy	In December 2000, the Commonwealth passed legislation - the <i>Horticulture Marketing and Research and Development Act 2000</i> - establishing a new horticultural services delivery company, Horticulture Australia Limited. The new company merges the former Australian Horticultural Corporation, HRDC and Australian Dried Fruits Board. The new Act provides for a Deed of Arrangement between the Minister and Horticulture Australia Limited that will set out disciplines on export control powers. Once finalised the Deed is to be made publicly available. The ORR's <i>Regulation and its Review 2000-01</i> reports that the Horticultural Marketing and Research and

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			· regular monitoring and review of restrictions in place.		Development Bill 2000 was subject to the Commonwealth's RIS process, and was assessed as inadequate.
<p><i>Australian Radiation Protection and Nuclear Safety Act 1998</i></p> <p>Australian Radiation Protection and Nuclear Safety Regulations 1999</p> <p><i>Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998</i></p>	DHA		Not scheduled for review on the CLRS. However, the Acts were reviewed as part of a national review of radiation protection legislation. National review completed.	Publicly available	The Government is yet to respond.
<i>Health Insurance Act 1973</i>	DHA	Commonwealth regulation limits a private health fund to paying rebates for only hospital services listed in the Health insurance Act 1973. The effect of this is to prevent other health providers from negotiating with a private health fund to attract a rebate for providing in-hospital services to patients.	This matter is not listed on the CLRS.		<p>The Australasian Podiatry Council wrote to the Minister for Health and Aged Care on 18 September 1997, seeking amendment to the current definition of "professional attention" in subsection 3(1) of the Health Insurance Act 1973 to include treatment by appropriately qualified podiatric surgeons. Such an amendment would enable health funds to pay benefits for hospital treatment relating to podiatric surgery from their hospital tables rather than ancillary tables, as is the case under some ancillary products.</p> <p>Medical Advisory Committees have granted admitting rights to podiatric surgeons, and they currently perform surgery in several private hospitals in Australia. The Department of Health and Ageing recognises that it is the responsibility of the States and Territories to manage, monitor and</p>

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					<p>review the legislation governing the practice of podiatrists, the payment of private insurance benefits is a matter for the Commonwealth.</p> <p>In December 2000 the Minister for Aged Care requested that the Department establish trials in Victoria and Western Australia to assess suitability to see if podiatric surgery should be included in the definition of "professional attention". Trials are currently underway in Western Australia between health funds and several private hospitals. Negotiations are continuing between private hospitals and Victorian based health funds to establish a trial in Victoria. The trials will run for at least twelve months to determine safety and quality standards. It is also proposed, as a further factor regarding safety and quality, to carry out an assessment of the curriculum for trainee podiatric surgeons. Following these trials a report and recommendations will be made to the Minister for Health and Ageing.</p>
<i>Interactive Gambling Act 2001</i>	DCITA	Prohibition.	The ORR's Annual Report <i>Regulation and its Review 2000-01</i> reports that the <i>Interactive Gambling (Moratorium) Bill 2000</i> and <i>Interactive Gambling Bill 2001</i> had RISs prepared at the decision-making and tabling stages, and although social benefits were discussed, the RISs did not demonstrate that the Government's	Publicly available	Further information on interactive gambling will be provided in the Commonwealth's response to the NCC's issues for the Commonwealth in the 2002 assessment.

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			objectives could only be met by restricting competition. In addition, they did not demonstrate a net benefit to the community from restricting competition, in accordance with the CPA.		
Public Sector Superannuation		Choice of fund.	This matter is not listed on the CLRS.		<p>From the Council's material, it is unclear whether it is referring to choice of fund generally or choice of fund for employees covered by federal awards.</p> <p>The Commonwealth's decision to introduce choice of fund (whether for employees under federal awards or more generally) is unrelated to its commitment to review certain superannuation legislation listed on the CLRS.</p> <p>Further information on choice of fund will be provided in the Commonwealth's response to the NCC's issues for the Commonwealth in the 2002 assessment.</p>
<i>Safety, Rehabilitation and Compensation Act 1988</i>	Comcare	Mandatory insurance, monopoly insurer, centralised premium setting.	<p>Legislation not listed on the CLRS. The 1997 review, to assess whether the Commonwealth's competitive neutrality policy should be applied to Comcare's business activities.</p> <p>Comcare has been assessed as being subject to competitive neutrality. The Commonwealth's 2000-01 NCP Annual Report (provided separately to the NCC) reports on Comcare's application of this policy.</p>		

