



**COMMONWEALTH
LEGISLATION REVIEW
SCHEDULE**

June 1996

FOREWORD

The Commonwealth's legislation review schedule has been prepared in accordance with the requirements of the national competition policy's Competition Principles Agreement, signed by the Commonwealth and all State and Territory Governments in April 1995.

The schedule sets out a timetable for the review of existing Commonwealth legislation that restricts competition by the year 2000. The schedule also includes reviews of legislation which may be costly to business. The review schedule will complement other Commonwealth initiatives to reduce business compliance costs, and to reform or repeal unnecessary or poorly drafted legislation, as such, the review schedule will form a central part of the Government's overall Regulation Efficiency program.

The review schedule does not include some relevant legislation which has only recently been reviewed. Legislation precluded from review in the schedule on this basis will be subject to subsequent review mechanisms which require systematic review of legislation every ten years. Legislation which is considered not cost effective to review (for example where competition effects are not significant or where costs are only small) has not been included on the schedule. The review schedule does include some recently announced reviews and other ongoing reviews which commenced prior to the development of this schedule.

The review processes will provide an opportunity to establish the case for retaining, modifying or reforming current regulatory arrangements. The guiding principle is that legislation should not restrict competition unless it can be demonstrated that the benefits of the restriction to the community as a whole outweigh the costs and the objectives of the legislation can only be achieved by restricting competition. Each review is required to identify the costs and benefits of the legislation and the likely consequences of reform measures proposed.

Scheduled reviews will:

- clarify the objectives of the legislation;
- identify the nature of restrictions on competition;
- analyse the likely effects of the restriction on competition and the economy generally;
- assess and balance the costs and benefits of the restriction; and
- consider alternative means for achieving the same results including non-legislative approaches.

The priority and importance of the legislation identified on the schedule varies. Accordingly, the method of reviewing the legislation will take account of its significance and the likely benefits of reform. In some instances, independent committees of inquiry will be established to review significant legislation. In other cases reviews may be undertaken by bodies such as the Productivity Commission or National Competition Council. Where these review costs are not warranted, reviews may be undertaken by officials. All review processes, however, will involve public consultation with those affected by the legislation.

The Office of Regulation Review will play a central role in advising the Government on the operation and progress of the legislation reviews identified in this schedule.

Some of the legislation included on the review schedule has matching or complementary State or Territory legislation. Where this is the case, the Commonwealth will consult with other jurisdictions to establish appropriate review mechanisms, and where appropriate, coordinated responses.

On behalf of the Government, I will publish an annual report noting the progress of scheduled reviews and reporting on reform measures flowing from the review processes. I will also report on any adjustments to the review schedule.

Reviews currently underway

Portfolio	Legislation
Communications and the Arts	Protection of Movable Cultural Heritage Act 1986
Employment, Education, Training and Youth Affairs	Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991
Industrial Relations	Industrial Relations Act 1988
Industry, Science and Tourism	Patents Act 1990, S198-202 (Patent Attorney registration)
Industry, Science and Tourism	Commerce (Imports) Regulations and Customs Prohibited Imports Regulations
Industry, Science and Tourism	Bounty (Books) 1986
Industry, Science and Tourism	Bounty (Machine Tools & Robots) Act 1985
Industry, Science and Tourism	Bounty (Fuel Ethanol) Act 1994
Primary Industries and Energy	Quarantine Act 1908
Prime Minister and Cabinet	Aboriginal and Torres Strait Islander Heritage Protection Act 1984
Treasury	Comprehensive review of the regulatory framework of the financial system
Treasury	Census & Statistics Act 1905
Treasury	Corporations Act 1989

Reviews to commence in 1996-97

Portfolio	Legislation
Attorney-General's	International Arbitration Act 1974
Communications and the Arts	Australian Postal Corporation Act 1989
Communications and the Arts	Radiocommunications Act 1992 and related Acts
Employment, Education, Training and Youth Affairs	Employment Services Act 1994 (case management issues)
Foreign Affairs and Trade	Nuclear Safeguards (Producers of Uranium Ore Concentrates) Charge Act 1993 & regulations
Health and Family Services	Quarantine Act 1908, in relation to human quarantine
Immigration and Multicultural Affairs	Migration Act 1958 — sub-classes 560, 562, 563 student visas
Immigration and Multicultural Affairs	Migration Act 1958 — sub-classes 120 and 121 (business visas)
Immigration and Multicultural Affairs	Migration Act 1958 — sub-classes 676 & 686 tourist visas
Immigration and Multicultural Affairs	Migration Act 1958, Pt 3 (Migration Agents and Immigration Assistance) & related regulations
Immigration and Multicultural Affairs	Migration Agents Registration (Application) Levy Act 1992 & Migration Agents Registration (Renewal) Levy Act 1992
Industrial Relations	Tradesmen's Rights Regulation Act 1946
Industry, Science and Tourism	Customs Tariff Act 1995 - Automotive Industry Arrangements (with a view to determining the arrangements to apply post-2000)
Industry, Science and Tourism	Customs Tariff Act 1995 - Textiles Clothing and Footwear Arrangements (with a view to determining the arrangements to apply post-2000)
Industry, Science and Tourism	Duty Drawback (Customs Regulations 129 to 136B) and TEXCO (Tariff Export Concession Scheme) - Customs Tariff Act 1995, Schedule 4 Item 21 Treatment Code 421
Industry, Science and Tourism	Pooled Development Funds Act 1992

Portfolio	Legislation
Industry, Science and Tourism	Trade Practices (Consumer Product Information Standards) (Care for clothing and other textile products labelling) Regulations
Primary Industries and Energy	Rural Adjustment Act 1992 and States and Northern Territory Grants (Rural Adjustment) Acts
Primary Industries and Energy	Income Equalisation Deposits (Interest Adjustment) Act 1984 and Loan (Income Equalisation Deposits) Act 1976
Prime Minister and Cabinet	Aboriginal Land Rights (Northern Territory) Act 1976
Transport and Regional Development	International Air Service Agreements (ASAs)
Transport and Regional Development	Shipping Registration Act 1981
Transport and Regional Development	National Road Transport Commission Act 1991 and related Acts
Transport and Regional Development	Australian Maritime Safety Authority Act 1990
Treasury	Bills of Exchange Act 1909
Treasury	Review of Foreign Investment Policy, including associated regulation

Reviews to commence in 1997-98

Portfolio	Legislation
Attorney-General's	The trustee registration provisions of the Bankruptcy Act 1966 and Bankruptcy Rules
Communications and the Arts	Broadcasting Services Act 1992, Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992, Radio Licence Fees Act 1964 and Television Licence Fees Act 1964
Communications and the Arts	Review of Market based reforms and activities currently undertaken by the Spectrum Management Agency (SMA).
Defence	Defence Housing Authority Act 1987
Employment, Education, Training and Youth Affairs	Higher Education Funding Act 1988 plus include: Vocational Education & Training Funding Act 1992 and any other regulation with similar effects to the Higher Education Funding Act 1988
Employment, Education, Training and Youth Affairs and Industry, Science and Tourism	Mutual Recognition Act 1992
Health and Family Services	National Health Act 1953 (Part 6 & Schedule 1) & Health Insurance Act 1973 (Part 3)
Health and Family Services	Environmental Protection (Nuclear Codes) Act 1978
Industrial Relations	Affirmative Action (Equal Employment Opportunity for Women) Act 1986
Industry, Science and Tourism	Anti-dumping Authority Act 1988 & Customs Act 1901 Pt XVB & Customs Tariff (Anti-dumping) Act 1975
Industry, Science and Tourism	Customs Act 1901 Sections 154-161L
Industry, Science and Tourism	Trade Practices (Consumer Product Information Standards)(Cosmetics) Regulations
Industry, Science and Tourism	Petroleum Retail Marketing Sites Act 1980
Industry, Science and Tourism	Petroleum Retail Marketing Franchise Act 1980
Primary Industries and Energy	Primary Industries Levies Acts and related Collection Acts

Portfolio	Legislation
Primary Industries and Energy	Wool International Act 1993
Primary Industries and Energy	Imported Food Control Act 1992 & regulations
Primary Industries and Energy	National Residue Survey Administration Act 1992 & related Acts
Primary Industries and Energy	Pig Industry Act 1986 & related Acts
Primary Industries and Energy	Torres Strait Fisheries Act 1984 & related Acts
Primary Industries and Energy	Export Control (Unprocessed Wood) Regulations under the Export Control Act 1982
Transport and Regional Development	International Air Services Commission Act 1992
Transport and Regional Development	Motor Vehicle Standards Act 1989
Treasury	Superannuation acts including: Occupational Superannuation Standards Regulations Applications Act 1992, Superannuation (Financial Assistance Funding) Levy Act 1993, Superannuation Entities (Taxation) Act 1987, Superannuation Industry (Supervision) Act 1993, Superannuation (Resolution of Complaints) Act 1993 and Superannuation Supervisory Levy Act 1991
Treasury	s 51 (2) & s 51 (3) exemption provisions of the Trade Practices Act 1974
Treasury	General Insurance Supervisory Levy Act 1989
Treasury	Insurance (Agents & Brokers) Act 1984
Treasury	Life Insurance Supervisory Levy Act 1989

Reviews to commence in 1998-99

Portfolio	Legislation
Administrative Services	Land Acquisition Acts - a) Land Acquisition Act 1989 & regulations b) Land Acquisitions (Defence) Act 1968 c) Land Acquisition (Northern Territory Pastoral Leases) Act 1981
Attorney-General's	Financial Transactions Reports Act 1988 and regulations
Attorney-General's	Proceeds of Crime Act 1987 and regulations
Attorney-General's and Industry, Science and Tourism	Intellectual property protection legislation (Designs Act 1906, Patents Act 1990, Trade Marks Act 1995, Copyright Act 1968, and possibly include the Circuit Layouts Act 1989)
Defence	Defence Force (Home Loans Assistance) Act 1990
Environment, Sport and Territories	World Heritage Properties Conservation Act 1983
Environment, Sport and Territories	Hazardous Waste (Regulation of Imports & Exports) Act 1989, Hazardous Waste (Regulation of Imports & Exports) Amendment Bill 1995 & also related regulations
Health and Family Services	National Food Authority Act 1991 Food Standards Code
Industry, Science and Tourism	Export Finance & Insurance Corporation Act 1991 & Export Finance & Insurance Corporation (Transitional Provisions and Consequential Amendments) Act 1991
Primary Industries and Energy	Agricultural & Veterinary Chemicals Act 1994
Primary Industries and Energy	Dairy Industry Legislation
Primary Industries and Energy	Fisheries Legislation
Primary Industries and Energy	Dried Vine Fruits Legislation
Primary Industries and Energy	Prawn Boat Levy Act 1995
Primary Industries and Energy	Export Control Act 1982 (fish, grains, dairy, processed foods etc)

Portfolio	Legislation
Primary Industries and Energy	Export controls under reg 11 of the Customs Act (Prohibited exports - nuclear materials)
Transport and Regional Development	Part X of Trade Practices Act 1974 (shipping lines)
Transport and Regional Development	Coasting Trade Provisions of the Navigation Act 1912 (Part VI)
Treasury	Financial Corporations Act 1974
Treasury	Prices Surveillance Act 1983
Veterans' Affairs	Treatment Principles (under section 90 of the Veterans' Entitlement Act 1986 (VEA) & Repatriation Private Patient Principles (under section 90A of the VEA)

Reviews to commence in 1999-2000

Portfolio	Legislation
Defence	Defence Act 1903 (Army and Airforce Canteen Services Regulations)
Environment, Sport and Territories	Ozone Protection Act 1989 & Ozone Protection (Amendment) Act 1995
Health and Family Services	Home & Community Care Act 1985
Primary Industries and Energy	Petroleum (Submerged Lands) Act 1967
Primary Industries and Energy	Wheat Marketing Act 1989
Prime Minister and Cabinet	Native Title Act 1993 & regulations
Treasury	Part IIIA (access regime) of the Trade Practices Act (including exemptions)
Treasury	Part 6 (access provisions) of the Moomba-Sydney Pipeline System Sale Act 1994
Treasury	2D exemptions (local government activities) of the Trade Practices Act
Treasury	Fees charged under the Trade Practices Act