

10 Northern Territory

Agency abbreviations

The following abbreviations are used in the 'Agency' column of the Northern Territory legislation review timetable.

DBIRD	Department of Business, Industry and Resources Development
DCDS&CA	Department of Community Development, Sport and Cultural Affairs
DEET	Department of Employment, Education and Training
DH&CS	Department of Health and Community Services
DIPE	Department of Infrastructure, Planning and Environment
DOJ	Department of Justice
DPC	Darwin Port Corporation
NTT	Northern Territory Treasury
PAWA	Power and Water Authority
PFES	Northern Territory Police, Fire and Emergency Services
TDZ	Trade Development Zone Authority
TIO	Territory Insurance Office

Legislation review: Northern Territory

Updated to February 2004

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Abattoirs and Slaughtering Act and Regulations	DBIRD	Establishes licensing regime and standards for premises - slaughter of buffalo (Regulation 7), abattoir licence (Regulation 5).	Review completed in 1997.	Act repealed and replaced by the Meat Industries Act 1996.
Adoption of Children Act	DH&CS	Governs the adoption of children within the Northern Territory. It restricts market entry by limiting the organisation and approval of adoptions to the Minister or persons approved by the Minister (s.74)	Departmental review completed in 2001. Review found all restrictions to provide a net public benefit.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Aerodromes Act	DIPE	<p>Operations of aerodromes; use and capacity of aerodromes; and conduct of commercial activities at aerodromes.</p> <p>The principal catalyst for introduction of the legislation was the emerging importance of Connellan Airport at Yulara as a major transportation hub for tourists and others visiting Uluru and the far south-west region of the NT. The purpose of the Act was to provide authority for declaration of any place to be an aerodrome, and for appointment of a Director of Aerodromes.</p> <p>In practice, no elements of the Act have reduced competition, if for no other reason than that the powers of the Act have apparently never been invoked.</p>	<p>Review by an independent consultant completed. Review report submitted to the department in late October 2001. Review recommended the Act be repealed.</p>	<p>Parliament repealed this Act on 1 February 2003.</p>
Agent's Licensing Act	DOJ	<p>Licensing (real estate agents, agent's representative, conveyancing agent), registration, entry requirements (fit and proper person, aged at least 18 years, education or experience, competency), the reservation of practice, disciplinary processes, and business conduct (maintenance of office in NT, professional indemnity insurance, fidelity fund, trust monies).</p>	<p>Review completed in 2002. Review recommended retaining licensing of real estate agents but partially deregulating agents' representatives. The review also recommended reforms to entry requirements and business conduct restrictions.</p>	<p>The Government rejected the recommendation to partially deregulate agents' representatives but implemented the remaining recommendations through the Agents Licensing Amendment Act 2002.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Agricultural and Veterinary Chemicals (NT) Act	DBIRD	Imports the Agricultural and Veterinary Chemicals Code (national registration scheme) into State jurisdiction (see Australian Government Agricultural and Veterinary Chemicals Code Act 1994).	National review completed in 1999 (see the Australian Government Agricultural and Veterinary Chemicals Code Act 1994).	See the Australian Government Agricultural and Veterinary Chemicals Code Act 1994. The Northern Territory Government has drafted a Bill incorporating nationally agreed changes and released it for public consultation. The Government anticipates introducing the Bill during the March 2004 sittings of the Legislative Assembly.
Architects Act	DIPE	Registration, entry requirements, reservation of title, and disciplinary processes.	National review by the Productivity Commission (PC) completed in August 2000 (publicly released November 2000). (Previously completed NT review put on hold.) PC review involved public consultation via public release of issues paper, draft report, consultation, public hearings and receiving submissions. Review recommended repeal of Act. A States and Territories Working Group recommended the adoption of an alternative approach via amendment of existing legislation to remove elements deemed to be anticompetitive and not in the public interest.	The Legislative Assembly passed the Architects Amendment Act on 27 November 2003. This Act amends the Architects Act in accord with the Working Group approach.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Auctioneer's Act	DBIRD	Licensing, entry requirements (aged over 18 years, good character, fit and proper person), the reservation of practice, and business conduct (maintenance of records for at least 12 months, auctions between 8am and 11pm).	Interdepartmental review completed in May 2002. Public consultation involved releasing a consultative paper and inviting submissions. Review recommended replacing current licensing system with a negative licensing system through an Industry Code of Practice under the Consumer Affairs and Fair Trading Act. Review also recommended that the Government consider imposing some requirements for handling of trust moneys and trust accounts.	The Auctioneers Act Repeal Act 2002 provides for the repeal of the Auctioneers Act and for the making of a code of practice under part 13 of the Consumer Affairs and Fair Trading Act.
Building Act	DIPE	Licensing and provision for establishment of building technical standards, registration of building practitioners and certifiers, regulation of building matters (including the registration of building products), the granting of permits, and the establishment of appeals processes.	Review undertaken in 1999. Review recommended repeal of three sections of the Act because they were redundant or anticompetitive and retention of other restrictions that the review considered to be in the public interest.	Review endorsed by the Government in 2002. The Building Amendment Act 2003 (assented to on 7 July 2003) gives effect to the review recommendations in full.
Building Societies Act	DBIRD	Licensing.	Review completed in 1997.	Act repealed in May 1998. Building Societies currently registered under the Financial Sector Reform (NT) Act as part of a national legislative scheme.
Business Franchise Act	NTT	Licence to sell tobacco or petroleum products (s14).	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.	The Government accepted the review findings.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Caravan Parks Act	DCDS&CA	Regulates caravan parks. Only applies to some parts of the Territory. May create anti-competitive effects between controlled and uncontrolled areas.	Internal review completed in July 2000. Public notices of the review were also placed in Territory newspapers. Review found the Act has been applied in a non-uniform manner. In 1975 a Ministerial declaration allowed under section 2 limited the Act's application to within 26km of the Darwin GPO. About 20% of all caravan parks in the Territory are located in this area, and the restrictions found in the Act are therefore imposed in an uncompetitive manner. This limited application is indicative of the Act being generally outdated. Many provisions have been duplicated in other legislation, while other aspects of caravan service regulation are currently dealt with through convention and measures such as a service accreditation program. New legislation, to be applied uniformly, has been suggested to reflect current issues in service provision with corresponding regulations on industry practice. Review recommended the Act be repealed, and relevant parties be involved in preparing new legislation.	The Territory Government accepted the review recommendation. A repeal Act was passed by the Legislative Assembly in November 2000.
Cemeteries Act	DCDS&CA	Provides for the establishment, maintenance and control of cemeteries.	Departmental review with independent steering committee completed in August 2000.	New legislation passed in November 2000, providing for non-undertakers to be eligible for one-off licence and persons other than Councils eligible to erect a crematorium.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Classification of Publications, Films and Computer Games Act	DOJ	The Act is part of a national scheme which provides for the classification of films, videos, computer games and publications. It contains provisions which regulate the sale of such materials. Additionally, it contains a prohibition concerning the manufacture of 'X' style videos in the NT.	<p>Departmental review completed in April 2000. Comments were sought from State and Territory Government agencies. A full public review was not considered necessary because:</p> <ul style="list-style-type: none"> • the Act is mainly comprised of offences created to reflect government policy positions on issues of morality; • there is no evidence that these policy positions are under any challenge; • of the various regulatory options, the one in the Act is of the lightest kind. That is, there is no licensing or registration scheme and there is no payment of any fees required for activities in the NT; and • to the extent that the Act supports some heavy regulation (namely the requirement for the classification, on payment of a fee, of most videos, films and computer games and of some publications) the regulation is, for most practical purposes, national. <p>Review found that the anticompetitive provisions can be justified as being in the public benefit and that there is no need to amend the Act.</p>	The Government approved the recommendations of the review in 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Commercial and Private Agents Licensing Act	DOJ	Licensing (commercial agents, process servers, inquiry agents, private bailiffs), registration, entry requirements (age over 18 years, resident of the Territory, fit and proper, not found guilty of offence that warrants refusal of licence, any person may object to issuing of licence), the reservation of practice, disciplinary processes, business conduct (provide bond, trust account, prescribed records, local (but not interstate) licensed agent must have a nominee and branch manager resident in the NT), and business licensing.	Review completed in November 1999. Review recommended: retaining exemption from positive licensing all persons of particular occupations who perform agent roles incidental to their occupation (but introducing negative licensing); continuing licensing of employees and sub-agents; issuing licences for a fixed period (a suggested two years); transferring responsibility for licensing to the Industries and Business portfolio; making various changes to business conduct requirements (requirement to issue receipts, change to trust account arrangements; consideration of issue of bonds and indemnity insurance in late 2000); and undertaking a further review to implement best practice licensing processes.	The Government approved recommendations, and enacted legislation in 2000 to transfer the licensing from the local court to the Commissioner for Consumer Affairs and to introduce fixed three-year licences in lieu of indefinite licences. Legislation commenced in December 2001.
Commercial Passenger (Road) Transport Act	TW	Limitations on number of taxi and hire car licences.	Review completed in 1998. Review recommended: <ul style="list-style-type: none"> • elimination of restrictions on licence numbers; • compensation for the full market value of licences via a licence buy-back; and • substantial licence fees to recoup compensation costs. 	The Government removed supply restrictions in January 1999, and implemented a buyback. It imposed a six-month moratorium on the issue of new licences in November 2001 (this moratorium was later extended to December 2002, and subsequently to March 2003). However, the Government announced in June 2003 that caps on taxi numbers (at one taxi licence per 900 people) would be reintroduced in Darwin and Alice Springs and that there would be an annual A\$6000 fee for operating hire cars.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Community Welfare Act	DH&CS	Provides for the protection and welfare of children. Licensing of childcare centres (Div 2).	Targeted review completed in 2000. Review concluded that in general, the public benefits of the competitively restrictive features of the Act exceed their public cost by a large margin, and that they should therefore be retained.	The Government decided to undertake the reforms as part of a broad early childhood strategy to be determined in 2003 following extensive community consultation, with revised legislation to be implemented from July 2005. As a result, the Northern Territory advised that the amendments to the Community Welfare Act will take place in two stages. The first stage will address the NCP requirements by amending part X of the Act (which deals with the licensing of children's homes, etc). The second stage will involve a complete review of the Act to replace it with more contemporary legislation. The first stage in amending part X to address NCP requirements involves the preparation of a discussion paper for community input. Following approval of the paper, the Minister will endorse the broad policy approach to the amendments. The Northern Territory advised that amendments to part X of the Act will be introduced to the Legislative Assembly in February 2004. Passage of the amendments is expected in the February 2004.
Companies (Trustees and Personal Representatives) Act	DOJ	Regulation of trustee companies.	NCP review completed.	The matter will not be referred to the Government until the outcomes of the national review are completed. The issues are still being debated within the Standing Committee of Attorneys-General and Council of Australian Governments (CoAG).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 1 of 3	DOJ	The Act covers a range of matters, including licensing and business conduct restrictions for pawnbrokers and second hand dealers, motor vehicle dealers, door-to-door sales and credit providers' provisions and the code of practice for tow truck operators.	Review by the Centre for International Economics (CIE) completed in 2000. Review recommended the retention of restrictions relating to product safety and product information and door-to-door trading and the code of practice for tow truck operators. It recommended pro-competitive change to fair reporting and credit provider provisions. Recommended that Part 8 (fair reporting) be repealed, but that repeal be deferred until a report on the databases is received and the implications are determined. Motor vehicle dealers: recommended removing requirements for licensee to submit annual financial returns; removing requirements for approval of dealer managers; removing power to require banker's guarantee; and formalising the financial test applied for new licences.	<p>In November 2000, the Government approved the review recommendations except in relation to Part 8 (fair reporting). This was not supported as Part 8 entitles NT residents to wider information that may be held about them other than just credit information. There are negligible costs to business in providing the information or access to the information. It was considered the incremental benefits outweigh the additional costs of providing access to non-credit related information.</p> <p>The Government did not accept recommendation to remove requirements for the approval of motor vehicle dealer managers. The Government considers the costs are low, while the potential costs to consumers associated with not having a designated responsible person on site could be significant. Also licensing of motor vehicle dealer managers allows for the screening of motor vehicle dealers and helps provide confidence to consumers that the person is reputable.</p> <p>The Consumer Affairs and Fair Trading Amendment Act 2002 provided for the implementation of these reforms. Most of this Act's provisions commenced operation in 2002.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 2 of 3	DOJ	Part of legislation relating to travel agent's licence. Licensing and compulsory consumer compensation fund.	<p>Part of national review of travel agent regulation (coordinated by WA). Review report by CIE released in 2000. Public consultation involved release of issues paper, background paper, consultation and receiving submissions. Review recommended that entry qualifications for travel agents be removed and maintain compulsory insurance, but recommended the requirement for agents to hold membership of the Travel Compensation Fund, the compulsory insurance scheme, be dropped. Instead, a competitive insurance system where private insurers compete with the Travel Compensation Fund was viewed as the best option.</p> <p>Public comments on the final report are to be considered by the Ministerial Council for Consumer Affairs (MCCA). In November 2002, the MCCA decided to maintain the Travel Compensation Fund monopoly, but consider establishing a risk-based premium structure and making prudential arrangements more equitable.</p>	<p>The MCCA recommended that each jurisdiction review and amend its entry qualifications to ensure uniformity.</p> <p>The Government has directed that a working party be established that will work through these proposals as they apply to the Northern Territory, noting that the NT legislation, while structurally the same as in other jurisdictions, is administered differently. This working party will report by mid-2004.</p>
Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 3 of 3	DOJ	Sundry fair play provisions regarding the regulation of advertising, banning of potentially unsafe goods etc.	Review found that the benefits of the fair reporting provisions have not been demonstrated and that the provisions should be repealed. Review, however, recommended that their repeal be deferred pending resolution of new national issues relating to residential tenancy data bases.	The Government introduced amendments to the Act into Parliament in July 2002 that implement the review recommendations. The Government accepted the recommendation to defer repeal of the fair reporting provisions and stated that it would further consider the issue. See above comment on Part 1 of 3.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Consumer Credit (Northern Territory) Act	DOJ		National review completed. Review recommended maintaining the current provisions of the code, reviewing its definitions to bring term sales of land, conditional sales agreements, tiny term contracts and solicitor lending within the scope of the code. Review also recommended enhancing the code's disclosure requirements. The MCCA endorsed the final report in 2002 and referred it to the Uniform Credit Code Management Committee which is facilitating the resolution of some issues.	
Dangerous Goods Act and Regulations	DEET	Sets requirements for the transport, storage and handling of dangerous goods. Business licences to manufacture, store, convey, sell, import or possess prescribed dangerous goods (s 15 - 21). Operators' licences for: drivers of dangerous goods vehicles (Regulation 56); shotfirers (Regulation 132); gas fitters (Regulation 172); and autogas fitters (Regulation 202).		Act repealed and the new Dangerous Goods Act assented to on 30 March 1998. The Government presented the Dangerous Goods (Road and Rail Transport) Bill and an amendment Bill to the 1998 Dangerous Goods Act (which had still not commenced) to Parliament in February 2003. Parliament passed the two Bills in late May 2003. The legislation ensures consistency with national agreements on the road and rail transport of dangerous goods.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Darwin Port Authority Act and by-laws	DPC	Establishes the Darwin Port Authority. Prescribes functions and powers: monopoly powers; licensing arrangements and fees; issue, renewal and cancellation of stevedoring licences; controls shipping movements in port; exemption from local government charges; harbour craft by-laws; vessels engaged in commercial activities (safety issue); exemptions from pilotage requirements; and partial exemption from the Corporations Law.	Independent review undertaken in 1997 and 1998, with subsequent further consultation. Review completed in 2001.	Legislation replaced by the Darwin Port Corporation Act.
Darwin Port Authority Amendment Act	DPC	Changes the name of the Darwin Port Authority to the Darwin Port Corporation.	Review of the Darwin Port Corporation Act and the Port and Harbourcraft By-laws, also scrutinised the Darwin Port Authority Amendment Act. Review finalised in 2000.	The Government accepted the findings of the review in early 2001.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Darwin Port Corporation Act	DPC	Establishes the Darwin Port Corporation (name changed from the Darwin Port Authority by the Darwin Port Authority Amendment Act). See Darwin Port Authority Act. Partial exemption from the corporations law.	Review completed in 2001. See the Darwin Port Authority Act.	The Government accepted most of the review recommendations. Recommendation to remove licensing of stevedores not accepted (the Government considered licensing to be the most cost effective way of monitoring environmental and health and safety standards at Darwin Port) but the licence fee was reduced from \$10 000 to an administrative fee. The Corporation's exemption from local government rates and charges to be removed (competitive neutrality). Government considering reforming the Corporation's partial exemption from the Corporations Law as part of government business reform process, with changes to be implemented by June 2002 (competitive neutrality). See the Darwin Port Authority Act.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Dental Act	THS	Restrictions on entry, registration, title, practice, advertising, ownership, and disciplinary provisions.	Full review by CIE completed in May 2000. Review recommendations include registering all paraprofessionals, amending practice restrictions and removing ownership restrictions.	<p>The Government approved the drafting of an omnibus Health Practitioners Bill to replace the Health Practitioners and Allied Professionals Registration Act, the Dental Act, the Nursing Act, the Medical Act, the Optometrists Act, and the Pharmacy Act 1996.</p> <p>A discussion paper on the proposed legislation was released for public comment in September 2001, and public forums were held in the major centres in October and November 2001. Drafting of the Bill commenced in March 2002. The Bill was introduced into the Legislative Assembly in November 2003 and is expected to be passed in February 2004.</p>
Education Act	DEET	Provides for registration of non-government schools.	Full review not required. Initial departmental assessment found Act does not contain unjustified restrictions on competition.	Arising from the review, the NT will clarify the requirements for registration of nongovernment education providers.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Electrical Workers and Contractors Act	DIPE	Licensing, registration, entry requirements (qualifications, experience, fit and proper), and the reservation of practice (electrical work unless extra low voltage).	Review by CIE completed in October 2000. Consultation involved public release of issues paper, consultation with stakeholders and submissions. Review recommendations included that licensing should be maintained, but also that other means of signalling competence should be afforded comparable status, the board should consider removing additional experience requirements for contractors, the fit and proper person test should be amended to signal the criteria against which it is assessed, and exemptions to licensing requirements to the Power and Water Authority (PAWA) should be removed. Recommended more general review of Act.	The Government approved the review recommendations in November 2000. Following a review of the administrative structures supporting the Act, it introduced a Bill to amend the Act in June 2003. The Act was passed by the Legislative Assembly on 14 August 2003 and assented to on 18 August 2003.
Electricity Act and Regulations	PAWA	Regulates the generation and safe use of electricity, and the reselling of electricity (s 14(5)); Part IV of the Trade Practices Act 1974 (TPA) conflicts. Sale and resale is prohibited without license (s 27); affects competition, restricts entry. Prohibits certain uses of electricity (s 29); Part IV (TPA) concerns. Price fixing in relation to licensee (s 30); Part IV (TPA) concerns and possibly reduces contestability. Liability limitation (s 32); possible competitive neutrality. Act binds the Crown (s 38). Regulation making powers (s 39).	Review, as part of the review of PAWA, conducted by Merrill Lynch and Fay Richwhite. Department also reviewed the proposed regulatory framework, draft regulatory principles and draft determinations on regulated charges issued by the NT Utilities Commission.	The Government introduced a package of legislative change to implement reform. The package included the repeal of the Electricity Act and its replacement with the Electricity Reform Act, amendments to the Power and Water Authority Act and the introduction of the Electricity Networks (Third Party Access) Act and the Utilities Commission Act. These changes were introduced in March 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Energy Pipelines Act	DBIRD	Establishes regulatory framework for construction, operation, and maintenance of energy pipelines in NT.	Review completed. Review found anticompetitive provisions in Act were justified in public interest. Impact of restrictions considered to be low. Potential public safety and environmental benefits derived from regulating construction and operation of energy pipelines likely to exceed direct enforcement, industry compliance, and broader economic costs. Approaches such as negative licensing, co-regulation, and self-regulation rejected as unlikely to achieve objective of Act more efficiently than existing legislative framework.	Act retained without reform.
Energy Resource Consumption Levy Act	NTT	Requires bulk consumers of oil (consuming more than 830 000 litres per month) to register with Commissioner of Taxation (s7).	Review completed in 1998. Review found the registration requirement was designed to facilitate collection of levy monies and does not restrict competition.	The Government accepted the review findings.
Financial Institutions Duty Act	NTT	Licensing.	Targeted review completed in 1998. Review found that the registration and certification requirements were legitimate administrative arrangements for revenue collection and did not represent significant barriers to market entry.	Act retained without reform.
Financial Management Act	NTT	Government account to be held at a bank, requirements for determining suitable financial institutions and instruments for investing Government funds.	Review of s29(2) completed in 1998. Review found that the investment guidelines are comparable to those of any financial institution, and that the benefits arising from the accountability of Government investment outweigh the costs associated with the guidelines.	Anticompetitive effect of section 27 removed by the Financial Institutions (Miscellaneous Amendments) Act 1997. No reform required for s29(2).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Firearms Act	PFES	Armourer's licence (s 20), Dealers licence (s 17), Shooter's licence for security firms (s 28/29), and Shooting gallery licence (s 31).	Preliminary analysis indicated that restrictions were overwhelming in the public interest and hence no change recommended.	The Government accepted the findings.
Fisheries Act 1996 and Regulations	DBIRD	Licensing of fishers. Input controls on vessels, gear, fishing methods and landings. Output controls such as total allowable catches, size and bag limits, and prohibitions on taking certain species.	Review completed in October 2000. Review recommended: <ul style="list-style-type: none"> • adding a clear statement of objectives to the Act; • exploring the potential for replacing input controls with individual transferable quotas in all Northern Territory fisheries, beginning with Spanish mackerel and crab fisheries; • removing various restrictions around licensing, including number, eligibility, allocation, foreign ownership, transferability and renewal; • beginning a process of increasing the recovery of fishery management costs from fishers; and • considering the adequacy of resources devoted to enforcing fishery controls. 	Action plan for implementation has been developed. The Government is drafting a Bill to incorporate reforms requiring a legislative response, and will introduce it in March 2004 sittings. Government is developing and implementing non-legislative responses.
Food Act	DH&CS	Provides for various food safety offences.	National review completed in 2000 (see the NSW Food Act 1989).	All Australian governments agreed in November 2000 to adopt core provisions of the Model Food Bill by November 2001. The Government introduced the Food Bill, which adopted core provisions of the Model Food Bill, to the Legislative Assembly in November 2003.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gaming Control Act and Regulations	NTT	Provides for the regulation and control of gaming. Licensing, exclusivity for casinos, market behaviour, permits, and operational restrictions.	Public review completed. Issues paper prepared and released for public comment in April 2002.	The Government endorsed the findings of the review. The Government is preparing the first suite of legislative amendments for introduction to the Legislative Assembly during the March/April 2004 sittings. The Government is considering establishing a separate Gaming Commission and reorganising the legislative arrangements. Further amendments may follow from these considerations.
Gaming Machine Act	NTT	Provides for the licensing of gaming machines in community venues - establishes limits and controls on numbers of machines and locations.	Review completed. Issues paper prepared and released for public comment in April 2002.	The Government endorsed the findings of the review. The Government is preparing the first suite of legislative amendments for introduction to the Legislative Assembly during the March/April 2004 sittings. The Government is considering establishing a separate Gaming Commission and reorganising the legislative arrangements. Further amendments may follow from these considerations.
Kava Management Act	NTT	Provides for licensing and regulation of kava in prescribed areas of the Territory.	Review completed.	The Government endorsed the review report. The Kava Management Amendment Bill 2003 was passed in April 2003 and implemented the recommendations of the review with effect from November 2003.
Grain Marketing Act 1983	DBIRD	Vested ownership of all barley and coarse grains grown in the Territory in the Grain Marketing Board.	Review completed in 1997. Review recommended repeal of the Act.	Act repealed in February 1997 resulting in the dissolution of the Grain Marketing Board. There are no remaining legislative controls over grain marketing in the NT.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Hawkers Act	DCDS&CA	Licensing, and business conduct.	Stakeholder focused review completed in August 2000. Review found licensing requirements, exemption provisions and restrictions on hawking on Crown land were anticompetitive, although necessary to protect the public in terms of proper commercial dealings and annoyance. However, it also found that the objectives of the legislation could be pursued through other legislation. The review recommended repealing the legislation, pending consideration of other legislative means for regulating hawking offences.	The Government accepted the review recommendations in September 2000. Bill to repeal passed in November 2000 (brought into effect in April 2001).
Health Practitioners and Allied Professionals Registration Act	DH&CS	Registration as: Aboriginal Health Worker (s 24); Chiropractor (s 35); Occupational Therapist (s 38); Osteopath (s 39); Physiotherapist (s 40); and Psychologist (s 41). Restrictions on entry, registration, title, practice, and disciplinary provisions.	Review completed in May 2000. Review recommendations included retaining title restriction and removing generic practice restrictions.	<p>The Government approved the drafting of an omnibus Health Practitioners Bill to replace the Health Practitioners and Allied Professionals Registration Act, the Dental Act, the Nursing Act, the Medical Act, the Optometrists Act, and the Pharmacy Act 1996.</p> <p>A discussion paper on the proposed legislation was released for public comment in September 2001, and public forums were held in the major centres in October and November 2001. Drafting of the Bill commenced in March 2002 and is scheduled for Parliament in spring 2003. The Government introduced the Bill to the Legislative Assembly in November 2003 and expects it to be passed in February 2004.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Housing Act	DCDS&CA	The Housing Act and Regulations establish the legislative basis for the provision of public housing and housing assistance schemes in the Territory.	Internal review, with independent oversight provided by a steering committee comprised of Department of the Chief Minister, NT Treasury and Attorney General's Department officials, completed. Review found that the provisions of the Act that represent potential restrictions on competition are justified on social welfare and equity grounds. The review also considered alternative regulatory approaches such as outsourcing and the direct subsidisation of landlords. However, it was considered that these alternatives were unlikely to achieve the objectives of the Act in a more efficient manner than the current arrangements and therefore the review recommended no change to the legislation.	The Government endorsed the review outcome in October 2000.
Legal Practitioners (Incorporation) Act	DOJ	Prohibits companies practising law unless the company is approved by the Chief Justice and owned and controlled by legal practitioners.	Review completed in November 2001. Review recommended multidisciplinary practices, but providing for the disqualification of corporations found guilty of serious offences or with a history of employing persons found guilty of unsatisfactory professional conduct.	The Government accepted the review recommendations. The Legal Practitioners Amendment (Incorporated Legal Practices and Multi-Disciplinary Partnerships) Act will, on commencement in early 2004, repeal the Legal Practitioners (Incorporation) Act, was passed on 20 August 2003.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Legal Practitioners Act	DOJ	Licensing, registration, entry requirements, disciplinary processes, reservation of title and practice, disciplinary processes, and business conduct (including monopoly professional indemnity insurance and advertising).	<p>Review completed. Review recommendations included reserving core areas of legal work; removing restrictions on incorporated and multidisciplinary practices; and removing controls on fees for worked conducted outside of court.</p> <p>The Government has delayed its NCP review of professional indemnity insurance given recent insurance market developments and the outcome of the national model laws project.</p>	The Government has delayed responding to the review until completion of the national model laws project. It anticipated, however, introducing legislation into the Northern Territory Legislative Assembly in late 2004.
Licensed Surveyors Act	DIPE	Licensing, registration, entry requirements (education, experience, possibly exams, fit and proper), the reservation of title and practice, disciplinary processes, and business conduct (including practice standards), business licensing.	<p>Review completed in October 1999. Review concluded that potentially anticompetitive provisions could be justified under the Competition Principles Agreement (CPA). Public benefit arguments were provided in the 2002 NCP annual report to support the retained competition restrictions, particularly in relation to entry standards.</p>	The Government endorsed the review outcomes in February 2000.
Liquor Act	NTT	Regulates the sale of alcohol. Contains a public needs test: Licensing authorities are to have regard to the location and conditions of any licensed premises in the vicinity of the premises which are the subject of an application for a licence and community needs and wishes.	<p>Review finalised and considered by the Government in September 2003. The review's 29 recommendations include the removal of the current Sunday takeaway trading restriction, which discriminates between venue types, and the replacement of the 'needs and wishes' test for the granting of a new liquor licence with a 'public interest' test.</p>	The Government accepted most findings. The Sunday takeaway trading issue has been referred to the Alcohol Framework project for further consideration. Legislative amendments to implement most of the recommendations were introduced into the Legislative Assembly in November 2003 and are scheduled for passage in the February 2003 sittings.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Local Government Act, Regulations and By-Laws	DCDS&CA	Provides for the constitution of municipalities and community government areas, the election of self-governing authorities to control municipalities and community government areas and provides for a similarity of power and function between self-governing authorities.	Internal review by the Department of Local Government completed in September 2000. Stakeholder comment invited and terms of reference consistent with NCP guidelines. Restrictions identified as anticompetitive were justified against public interest criteria.	The Government accepted the review recommendations. Act retained without reform.
Marine Act and Regulations	DIPE	Applies national uniform shipping Law Codes. Licensing of certain commercial operations (part V), certificate of survey (s79(a)), permit for the operation of hire-and-drive vessel (s 4), certificate of competency (coxswain) (Schedule 3), certificate of competency (masterclass-all) (Regulation 9).	Targeted review completed in January 2001. Review found that the restrictive elements of the Act are justified under NCP principles.	The Government accepted the review recommendations in April 2001.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Marine Pollution Act	DIPE	<p>The purpose of the Act is to protect the NT's marine and coastal environments by minimising intentional and negligent discharges of ship-sourced pollutants through giving effect to the MARPOL international convention dealing with pollution by oil, noxious liquid substances in bulk, harmful substances in packaged form, sewage and garbage.</p> <p>With the exception of Australian Defence Force and a warship, naval auxiliary or other ship owned or operated by a foreign country and used, for the time being, only for government, noncommercial service of the country, the Act applies to all ships plying Northern Territory coastal waters.</p>	<p>Review completed in September 2001. Review found that the restrictive elements of the Act are justified under NCP principles.</p>	<p>The Government endorsed the review recommendations.</p>
Meat Industries Act 1996	DBIRD	<p>Provides for various food safety offences. Provides for licensing of processing facilities.</p>	<p>Review by an independent reviewer completed in November 2000. Review recommended no change.</p>	<p>The Government accepted the recommendation in April 2001. Act retained without reform.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Medical Act	DH&CS	Restrictions on entry, registration, title, practice, advertising, ownership, business, and disciplinary provisions.	Review completed in May 2000. Review recommendations included removing generic practice, ownership and advertising restrictions, and retaining title protection.	<p>The Government approved the drafting of an omnibus Health Practitioners Bill to replace the Health Practitioners and Allied Professionals Registration Act, the Dental Act, the Nursing Act, the Medical Act, the Optometrists Act, and the Pharmacy Act 1996.</p> <p>A discussion paper on the proposed legislation was released for public comment in September 2001, and public forums were held in the major centres in October and November 2001. Drafting of the Bill commenced in March 2002. The new legislation is expected to be introduced into the Legislative Assembly in late 2003. The Bill was introduced in the Legislative Assembly in November 2003 and is expected to be passed in February 2004.</p>
Medical Services Act	DH&CS	Limits conduct of medical services, entry conditions and pricing.	Targeted review by CIE completed in May 2000. CIE found that none of the features of the Act were being implemented in an anticompetitive way, and concluded that the Act was consistent with NCP requirements. Minor administrative changes were recommended.	The Government noted the outcomes of the review. However, no amendments will be made to the Act, pending the outcomes of a separate ongoing review of medical services framework legislation. Given that the Act is NCP compliant in its current form, the NT considers that it is not in the public interest to devote scarce resources to amending the Act when such amendments may well be superseded in the foreseeable future.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Mental Health and Related Services Act	DH&CS	Provides for the care and treatment of the mentally ill.	Review by CIE completed in May 2000. Review concluded that there is a strong net community benefit in the retention of existing restrictions in the Act, and recommended no changes.	Act to be retained without reform.
Merlin Project Agreement Ratification Act	DBIRD	Provides mechanism for levying royalties and imposing more stringent security conditions than apply elsewhere to mining sites.	Review completed in December 2002. Act added to review schedule in 2000.	The Government endorsed the NCP review, however, in early 2003 the operators of the Merlin Mine publicly announced the closure of the mine. Mining has now ceased but some processing of stock will continue for another 12 months. While not a priority, the Government intends to repeal the Act during 2004.
Mine Management Act 1990	DBIRD	Regulates occupational health and safety in mining.	Review not required.	Act repealed and replaced by the Mining Management Act 2001 which was assessed under the gatekeeper process.
Mining Act 1980	DBIRD	Prohibits mineral exploration or extraction without a licence. Term of exploration licence - 6 years renewable for 2 + 2 years. Term of extraction licence - 25 years renewable.	Review completed.	The Government introduced a draft Bill incorporating the legislative changes proposed by the competition review during the November 2003 sittings. The Government intends to consider four recommendations requiring the development of a public interest case in early 2004.
Motor Accidents (Compensation) Act	TIO	Mandatory insurance, monopoly insurer, and centralised premium setting.	Review, by Taylor Fry Consulting Actuaries completed in December 2000. Review recommended that the legislation be amended to allow the possibility that an insurer other than the Territory Insurance Office could operate or underwrite the motor accident compensation scheme (on a monopoly basis).	The review recommendations are being considered further as part of a wider review examining options for future ownership and management of the motor accidents scheme. The Act continues to enforce the monopoly.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Motor Vehicle Dealers Regulations	DBIRD	Motor Vehicles Dealers Licence Part X, Div 3, SubDiv A, s132.	See the Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996.	The Consumer Affairs and Fair Trading Amendment Act 2002 commenced operation on 1 December 2002. Consequential amendments to the Regulations are in the course of development.
Motor Vehicles Act	DIPE	Motor omnibus licence (s 10(2)), pastoral vehicle permit (s 137B), driving instructor's licence (25B), commercial passenger vehicle licence and driving instructors.	Review, except for Part V and section 137B, completed. Review concluded while certain elements of the Act are anticompetitive, the results of a public benefit test show that the restrictions are in the public interest.	Cabinet endorsed the review recommendations.
Northern Territory Employment and Training Act	DEET	Registers training providers and accredits training courses.	Full NCP review not required. Departmental assessment found Act does not contain unjustified restrictions on competition.	
Nursing Act	DH&CS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in May 2000. Review recommendations included removing advertising and practice restrictions, and retaining title protection.	<p>The Government approved the drafting of an omnibus Health Practitioners Bill to replace the Health Practitioners and Allied Professionals Registration Act, the Dental Act, the Nursing Act, the Medical Act, the Optometrists Act, and the Pharmacy Act 1996.</p> <p>A discussion paper on the proposed legislation was released for public comment in September 2001, and public forums were held in the major centres in October and November 2001. Drafting of the Bill commenced in March 2002. The Government introduced the new legislation into the Legislative Assembly in November 2003, and expects it to be passed in February 2004.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Oil Refinery Agreement Ratification Act	DBIRD	Imposes conditions on Mereenie Joint Venture in respect of the proposed oil refinery in Alice Springs. Refinery was not constructed because it is currently uneconomic, so legislation is of no practical effect.	Review completed. Act is not considered to be anticompetitive. In view of lack of relevance, the Act is to be considered for repeal at the time of the renewal of Mereenie petroleum leases in 2002-03.	Act repealed.
Optometrists Act	DH&CS	Restrictions on entry, registration, title, practice, ownership, and disciplinary provisions.	Review completed in May 2000. Review recommendations include removing ownership restrictions, modifying practice restrictions and retaining title protection.	<p>The Government approved the drafting of an omnibus Health Practitioners Bill to replace the Health Practitioners and Allied Professionals Registration Act, the Dental Act, the Nursing Act, the Medical Act, the Optometrists Act, and the Pharmacy Act 1996.</p> <p>A discussion paper on the proposed legislation was released for public comment in September 2001, and public forums were held in the major centres in October and November 2001. Drafting of the Bill commenced in March 2002. The Government introduced the new legislation into the Legislative Assembly in November 2003, and expects it to be passed in February 2004.</p>
Ozone Protection Act and Regulations	DIPE	Licensing issues and environmental controls.	Targeted review completed in 1998.	Legislation repealed, ozone protection provisions incorporated into regulations under the Waste Management and Pollution Control Act.
Pawnbrokers Act	DBIRD	Licensing.	Review not required.	Act repealed in 1998 and pawnbrokers and second-hand dealers provisions included in the Consumer Affairs and Fair Trading Act.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Pay-Roll Tax Act	NTT	Licensing and registration issues.	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.	The Government accepted the review findings.
Pet Meat Act	DBIRD	Licensing of premises for slaughtering, processing and storage of pet meat, and the standard of premises.	Review completed in 1997.	Act repealed and replaced by the Meat Industries Act, which commenced in December 1997.
Petroleum (Prospecting and Mining) Act	DBIRD			Act repealed and replaced by the Petroleum Act.
Petroleum (Submerged Lands) Act	DBIRD	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 the Australian and New Zealand Minerals and Energy Council (ANZMEC) Ministers. Review's main conclusion is that the Petroleum (Submerged Lands) legislation is essentially procompetitive 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. Final report made public on 27 March 2001, following consideration by the CoAG's Committee on Regulatory Reform (CRR).	The Australian Government is rewriting large sections of its Petroleum Submerged Land Act. This is model legislation that each jurisdiction has agreed to mirror. The Australian Government's rewrite will allow the development of a new national offshore safety regime (NOPSA) to which the Northern Territory will be a party. The new national safety authority is expected to commence operations on 1 January 2005. The competition reforms that emerged from the national review have already been written into the Australian Government legislation and will be incorporated into the NT's legislation which will be completed in time for the introduction of NOPSA.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Petroleum Act	ME	Regulates onshore exploration and recovery of petroleum in NT; grants exclusive rights; and provides for technical and financial prescriptions.	Review completed December 2002.	<p>Eight of the recommendations have been included in the Petroleum Amendment Bill 2002 that was introduced into the Legislative Assembly during the November 2002 Sittings (recommendations 3, 4, 5, 10, 11, 12, 13 & 14). These changes have now commenced.</p> <p>The remaining recommendations are being drafted into a new Bill for introduction during the March 2004 sittings.</p>
Pharmacy Act	DH&CS	Restrictions on entry, registration, title, practice, and disciplinary provisions.	<p>National Review of Pharmacy Regulation (Wilkinson Review) completed in February 2000. Review recommended retaining registration, the protection of title, practice restrictions and disciplinary systems (although with minor changes to the registration systems recommended for individual jurisdictions). Further, the review recommended maintaining existing ownership restrictions, and removing business licensing restrictions. CoAG referred the national review to a senior officials working group, which recommended that CoAG accept most of the national review recommendations (except the recommendation on nonpharmacy ownership of pharmacies by friendly societies and other nonpharmacists that currently own pharmacies).</p>	<p>The Government approved the drafting of an omnibus Health Practitioners Bill to replace the Health Practitioners and Allied Professionals Registration Act, the Dental Act, the Nursing Act, the Medical Act, the optometrists Act and the Pharmacy Act 1996. Following public consultation, drafting of the Bill commenced in March 2002. The Government introduced it to the Legislative Assembly in November 2003 and expects it to be passed in February 2004.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Places of Public Entertainment Act	DCDS&CA	Controls places of public entertainment - Public Entertainment Licence (s.6)	Interdepartmental review completed in March 2002. Review consulted widely. Review found that restrictions provided a net public benefit but recommended changes to provide for greater transparency and accountability in the administration of the Act.	A Bill to amend the Act was introduced in the Legislative Assembly February 2003 Sittings.
Planning Act	DIPE	Provides for land use controls, planning appeals, issuance of development permits and developer contributions.	Review of 1999 Act completed in September 2000. Review concluded that the anticompetitive provisions deliver a net benefit to the community and recommended no amendments to the Act.	The Government endorsed the review findings.
Plumbers and Drainers Licensing Act	DIPE	Licensing, registration, entry requirements (qualifications or experience, fitness of character), the reservation of practice (for plumbing: installing, altering, removing or repairing fixtures, fittings and pipes designed to receive and carry sewage or water, and the ventilation of those fixtures, fittings and pipes), and business conduct (supervision).	Review completed in September 2000. Review recommended that: the Act should give explicit recognition of national competencies-based approach; the board's range of options in dealing with complaints should be made widely known; 'fit and proper person' test power of the board should be maintained so long as appeal mechanisms are clear and accessible; and membership of the Board should be reviewed to establish whether the continued PAWA membership is desirable. Review also recommended a more general review of the Act to in part examine the case for compliance certificates and the case for restricted plumbing licences to meet the needs of other trades.	The NT Government approved the recommendations of the review report and endorsed the findings of the review in January 2003. The Plumbers and Drainers Licensing Amendment Bill was introduced in June 2003. It was passed by the Legislative Assembly on 12 August 2003 and assented to on 18 September 2003.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Poisons and Dangerous Drugs Act	DH&CS	Certificates of competency for pest controllers, and prescription of drugs by health professionals other than medical practitioners. The Act sets out controls and licensing for manufacture, wholesale, and retail sales.	Part of Galbally Review. Draft review report released on 11 September 2000. Final review report given to the Australian Health Ministers Conference (AHMC) in early 2001. It found a net benefit from regulating drugs, poisons and controlled substances, but also found that controls could be reduced in some areas, efficiency improved, and nonlegislative policy responses used in some areas.	The AHMC referred the review report to Australian Health Ministers Advisory Council (AHMAC) to develop a draft response, in consultation with the Primary Industries Ministerial Council. AHMAC established a Working Party to develop a draft response for CoAG consideration. The working party's draft response, which has been endorsed by AHMAC, was considered by the Primary Industries Ministerial Council. Agreement has been sought from the Australian Government Health Minister to submit the final report of the review and the response through the Prime Minister to CoAG for consideration. This is expected to occur out of session in early 2004.
Power and Water Authority Act	PAWA	Establishes the PAWA, and prescribes functions and powers of the Authority, gives control of provision and supply etc of electricity, water and sewerage services in the Territory. Exemption from rates; competitive neutrality issue. Price fixing regarding the Authority's agents; possible Part IV of TPA conflict. Regulation making powers; statutory power. Exemption from charges; competitive neutrality issue (s.14, 15, 19, 25(b) and 33).	Review completed in March 2000.	Amendments reflecting review recommendations made. All electricity-related amendments were made in 2001 and enacted on 1 July 2002 except for the removal of the Power and Water Authority's local government rate exemption(s.19). There is no specific timetable for the repeal of s.19. This amendment has been made part of Government owned corporations legislation which will apply from 1 July 2002. The authority actually began paying local government rate equivalents from 1 July 2001.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Price Exploitation Prevention Act (formerly the Prices Regulation Act)	DOJ	Provides for the appointment of Controller of Prices who can declare maximum prices for services and goods prescribed by the Administrator.	Review completed. Review recommended the exercise of restrictions only at times of natural disaster, the specification of objectives and the regulation of monopoly behaviour under separate legislation.	The Government agreed to the review recommendations. The Prices Regulation Amendment Act 2002 commenced operation on 1 October 2002.
Private Hospitals and Nursing Homes Act	DH&CS	Licensing.	Review completed in May 2000. Review recommendations include the separation of the regulation of hospitals and nursing homes, that the objectives be clearly stated, that licensing be retained and extended to all aged care facilities, that current incorporation requirements be rescinded, and that approval for manager relief arrangements be rescinded.	Amending legislation to give effect to NCP review recommendations has been introduced and passed in the Legislative Assembly. It is anticipated that the legislation will commence during the 2003-2004 financial year. This Act will then be referred to as the Private Hospitals and Residential Aged Care Facilities Act.
Private Security Act	NTT	Regulation of the provision of security services and for related purposes - accredited training requirement and a licensing regime for crowd controllers.	Review completed.	The Government endorsed the review report and approved the public release of the review report, which is available on the Racing, Gaming and Licensing section of Treasury's website at http://www.nt.gov.au/ntt/licensing/security/security.htm . The Private Security Amendment Bill 2003 was introduced on 27 February 2003 and passed in April 2003. The legislation implements the findings of the review.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Prostitution Regulation Act	NTT	Escort agents licensing, entry requirement (sex workers who provide sex services under agency agreements with escort agents must have an appropriate certificate from the Commissioner of Police), business conduct (wide range of conditions that may be imposed by the licensing authority). Brothels are illegal.	General review completed. Review not the subject of separate public consultation due to recent reviews.	The Government adopted the recommendation contained in the report to make no change to the substance of the scheme of regulation. However, consistent with its policy of lessening the number of statutory bodies, the Government decided to abolish the Escort Agency Licensing Board and to transfer those functions to the NT Licensing Commission. This transfer became effective on 19 February 2001.
Public Health (Shops, Eating-Houses, Boarding Houses, Hotels and Hostels) Regulations	DH&CS	Registration of a boarding house (s 35, 36), and registration of an eating house (s12, 13).	Targeted review. See the Public Health Act.	New public health legislation is being developed. The Eating House provisions will be repealed once the new Food Act is enacted. The Boarding House provisions will be repealed once the new Public and Environmental Health Act is enacted.
Public Health Act	DH&CS	Includes registration of barbers' shops (s5), registration of a boarding house (s 35, 36), registration of an eating house (s12, 13), general sanitation, noxious trades, medical and dental inspection of school children and cytology register, among other things.	Review completed in May 2000. Review recommended that no attempt be made to amend the current legislation but rather completely new legislation be drafted. A general structure for public health legislation has been circulated by the Government in an issues paper. This proposed structure reduces inconsistency and favours outcome rather than input standards.	Drafting instructions for the new Public and Environmental Health Act are being finalised. Introduction of the Bill is scheduled for early 2004, with passage expected in first half of 2004.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Public Trustee Act Public Trustee Amendment Act 1998	DOJ	<p>Some provisions may give the public trustee an advantage over competitors. These provisions include those that permit the Public Trustee to administer estates of small value without the need to obtain the approval of the Supreme Court. Also, the Public Trustee has the right to obtain information about estates and to take various measures designed to minimise unnecessary levels of disputation.</p> <p>A second group of provisions provide Government support to the business operations of the Public Trustee (for example through a Government indemnity for the administration of funds).</p>	<p>Review completed. Review recommended that the provisions giving advantages to the Public Trustee be retained but that they be extended so as to apply to other professional personal representatives. The review also recommended that the provisions supporting the business operations of the public trustee be amended so as to ensure competitive neutrality between the Public Trustee and its private sector competitors.</p>	<p>The Government accepted the review recommendations. The Public Trustee Amendment Act 2001 and the Administration and Probate Amendment Act 2001 commenced operation on 1 July 2002.</p>
Racing and Betting Act	NTT	<p>Licensing and registration of bookmakers, and regulation of racing and betting activity.</p>	<p>Full public review completed and considered by the Government in September 2003 (in conjunction with the review of the Unlawful Betting Act).</p>	<p>The Government accepted most of the recommendations. It expects to introduce the first suite of legislative amendments into the Legislative Assembly in February 2004. It is also considering the establishment of a separate Gambling Commission and reorganising the legislative arrangements.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
<p>Radiation (Safety Control) Act 1978</p> <p>Radiation Safety Control Regulations 1980</p>	DH&CS	Controls and regulates the possession, use, transport and storage of radioactive substances and irradiating apparatus.	A national NCP review of radiation protection legislation, sponsored by CoAG, completed in May 2001. The national review was conducted by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) on behalf of all jurisdictions. The AHMC has endorsed all the recommendations of the ARPANSA review and the proposed implementation plan.	<p>On 17 December 2002, the Government:</p> <ul style="list-style-type: none"> • approved drafting of a Radiation Protection Bill to replace the Radiation (Safety Control) Act; • directed that the Radiation Protection Bill be consistent with the recommendations of the NCP Review of Radiation Protection Legislation conducted by the Australian Radiation Protection and Nuclear Safety Agency; and • endorsed the implementation plan already endorsed by the Australian Health Ministers' Conference out-of-session, for meeting NCP commitments in respect of the Radiation (Safety Control) Act. <p>The Radiation Protection Bill is expected to be introduced in the Legislative Assembly in February 2004 and passed in March 2004. The current Radiation (Safety Control) Act and the Radiographers Act will be repealed when this legislation is enacted.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Radiographers Act	DH&CS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in May 2000. Review recommendations included repealing the Act and transferring powers to the Chief Health Inspector under the Radiation (Safety Control) Act.	<p>The previous and current Government directed that the Act be repealed and the powers and functions of the Board necessary for the continued regulation of radiographers be transferred to the Radiation (Safety Control) Act.</p> <p>To avoid double handling of reform, the repeal of the Radiographers Act will be delayed until new radiation safety legislation is developed following the national review of radiation protection legislation. Refer to reform activity for Radiation (Safety Control) Act.</p>
Rail Safety Act	DIPE	<p>Act introduced by the NT Government in response to the repeal of Australian Government legislation (the Australian National Railways Commission Act and the Tarcoola to Alice Springs Railway Act) which covered railway operations in the NT.</p> <p>The Rail Safety Act imposes quality controls, restricts inputs to the production process and imposes additional costs on industry. However, the Act, while placing conditions on entry to the industry, does not control entry.</p>	NCP review completed. Review found that the restrictive elements of the Act are justified under NCP principles.	The Government endorsed the review recommendations in November 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Retirement Villages Act and Regulations	DOJ	Regulates the operation of retirement villages and confers on the courts powers in respect of certain matters relating to retirement villages and for related purposes.	Review completed in 2002. The restrictions on competition contained in the Act were found to be in the public interest.	No further action required.
Sale of NT TAB Act	NTT		Review of parimutuel betting completed in February 2001.	The Government accepted the review findings in early 2002. No legislative changes are necessary.
Stock (Artificial Breeding) Act	DBIRD	Licensing and regulation of insemination.	Review completed in 1998.	Act repealed by the Stock (Artificial Breeding) Repeal Act.
Superannuation Act	NTT	Establishes Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS). Limits on choice of funds.	Review conducted in 1998. Review recommended that NTGPASS be closed with new employees being given the choice of compliant private superannuation funds.	Reforms were implemented in line with review recommendations.
Taxation (Administration) Act	NTT	Registration as an Accommodation House (s 80c), registration as a lender (div 13, s 72), register of a financial institution for electronic debit transaction duty (s 29M), registration of insurers (div 6, s 40), and register of life insurers (div 7, s 46).	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.	The Government accepted the review findings.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Territory Insurance Office (TIO) Act	TIO	Insurer for government, monopoly insurer for Compulsory Third party (CTP), government guarantee of deposits and contracts without fee.	Review completed in 2000. Review conducted in conjunction with recommendations of Wallis enquiry, recommending changes to two restrictions. Options for calculation of a government guarantee fee are being considered. The fees can potentially be levied without legislative amendment.	Territory Insurance Office Act passed in December 2000, changing references to 'the insurer' to 'an insurer' to remove technical monopoly, in effect just reflecting current arrangements, and removing exclusivity with respect to CTP. (Separate review of CTP monopoly under Motor Accidents Compensation Act). The issue of debt guarantee fee will also be considered further by the Government in 2004.
Territory Parks and Wildlife Conservation Act	DBIRD	Establishes parks and reserves, and protects and conserves wildlife.	Review completed in 1998. Review found no restrictions on competition.	Act retained without reform.
Therapeutic Goods and Cosmetics Act	DH&CS		Part of national review of drugs, poisons and controlled substances legislation (Galbally Review). Draft review report released on 11 September 2000. Final review report given to the AHMC in early 2001. It found a net benefit from regulating drugs, poisons and controlled substances, but also found that controls could be reduced in some areas, efficiency improved, and nonlegislative policy responses used in some areas.	The AHMC referred the review report to the AHMAC to develop a draft response, in consultation with the Primary Industries Ministerial Council. AHMAC established a Working Party to develop a draft response for CoAG consideration. The working party's draft response, which has been endorsed by AHMAC, was considered by the Primary Industries Ministerial Council. Agreement has been sought from the Australian Government Health Minister to submit the final report of the review and the response through the Prime Minister to CoAG for consideration. This is expected to occur out of session in early 2004.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Totalisator Administration and Betting Act	NTT	Grants sole rights to this form of betting.		To accommodate the sale of NT Totalizator Agency Board (TAB) this Act was repealed and replaced by two new Acts — Totalisator Licensing and Regulation Act and the Sale of the NT TAB Act.
Totalisator Licensing and Regulation Act	NTT	Establishes the regulatory framework for parimutuel betting.	Public review completed in February 2001.	The Government accepted the review findings in early 2002. No legislative changes are necessary.
Trade Development Zone Act	TDZ	Licence to Operate in the Trade Development Zone (s.21,28).	Review completed.	The Trade Development Zone Act Repeal Bill 2003 was introduced in the Legislative Assembly on 28 May 2003. This Act is to come into operation on 1 July 2003.
Trade Measurement (Administration) Act	DOJ	Makes provision with respect to the administration of the Trade Measurement Act, and for related purposes.	Internal review. Review found that the Act does not contain anticompetitive restrictions.	The Act is now being reviewed as part of the trade measurement review (see below).
Trade Measurement Act	DOJ	Makes provision with respect to trade measurement in the NT as part of the scheme for uniform trade measurement legislation throughout Australia.	National review under way.	National review not yet completed.
Unlawful Betting Act	NTT	Prescribes offences and penalties for unlawful betting activity.	Full public review completed in September 2003 (in conjunction with the review of the racing and betting Act).	The Government accepted the majority of recommendations. The first suite of legislative amendments is expected to be introduced in the Legislative Assembly in February 2004.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Uranium Mining (Environmental Control) Act	DBIRD	Controls uranium mining in the Alligator Rivers Region. Imposes restrictions, conditions and requirements that could discourage innovation and add to costs.	Review not required.	Act repealed and replaced by the Mining Management Act.
Veterinarians Act 1994	DBIRD	Licensing of veterinary surgeons, reservation of practice, reservation of title, and advertising restrictions.	Review completed in 2000. Review recommended: <ul style="list-style-type: none"> retaining licensing, reservation of title and reservation of practices; having additional consumer representation on the Veterinary Board; and removing some advertising restrictions. 	All recommendations of the review implemented.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Work Health Act and Work Health Act (Occupational Health and Safety) Regulations	DEET	<p>Mandatory insurance and prescribed standards that insurers must meet.</p> <p>Sets requirements for occupational health and safety. Registration requirements for the design of designated plant; pressure equipment, cranes and hoists, lifts, escalators and moving walks, amusement structures and scaffolding (Reg 93).</p> <p>Licensing of operators: pressure equipment operation, crane and hoist operators, industrial truck operation, scaffolding, rigging and asbestos removal (Reg 15).</p> <p>Workers compensation claims management.</p>	<p>Full public review of occupational health and safety provisions, by CIE, completed in September 2000. Issues paper on workers compensation provisions released publicly in 2001. Report finalised.</p>	<p>The Government introduced amendments to the Act that related to benefits and compensation and that became effective from 1 November 2002. Insurance provision by multiple providers remains.</p>