

Legislation review database: New South Wales

Updated to 30 April 2002

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Agricultural Tenancies Act 1990	Ag	Regulates the rights of agricultural landowners, tenants, share-farmers and other tenant related issues where the farmers have not made their own agreements; and provides for determination of disputes by compulsory arbitration.	<p>Review completed in 1999. The review recommended:</p> <ul style="list-style-type: none"> • rewriting the objectives of the Act to be environment protection, achieving certainty in tenancy agreements, and dispute resolution; • providing for referral of the parties to mediation before starting an arbitration; and • providing for referral of disputes to courts of competent jurisdiction and for appeals to the Administrative Decisions Tribunal. 		The NSW Parliament passed the recommended changes in April 2001. See Agricultural Tenancies Amendment Act 2001.
Agriculture and Veterinary Chemicals (NSW) Act 1994	Ag	Imports the Agricultural and Veterinary Chemicals Code (national registration scheme) into State jurisdiction (see Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	National review completed in 1999. NSW is currently working towards the implementation of the review's recommendations in accordance with the Signatories Working Group's proposed response.	Publicly available	Legislation reform in NSW will follow the Primary Industries Ministerial Council's consideration and endorsement of the national framework.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Air Transport Act 1964	Tpt	Prohibits, in certain circumstances, the carriage by aircraft of passengers or goods from one place to another within NSW except if the Minister grants a licence. Amends certain Acts.	Review completed in 1999.		In August 1999, the Government announced that it would pursue deregulation via administrative means. From 26 March 2000, restrictions on the number of airlines that operate on routes to and from Sydney Airport, with annual air patronage exceeding 20,000, were removed. These 17 routes account for 86 per cent of all intrastate passenger journeys.
Animal Research Act 1985	Ag	Regulates the carrying out of animal research and the supply of animals for research. Requires that authorisations may only be granted for recognised research purposes involving research, teaching, testing and the production of biological products.	Review activity is at the final stage. The review's final report will be completed by June 2002.		It is anticipated that the Government will make a decision on the review's recommendations during 2002.
Apiaries Act 1985	Ag	Requires beekeepers to register, with fees. Prohibits the sale of disposal of diseased bees or appliances, or importing of bees likely to spread diseases. Bees must be kept in identified hives. Beekeeping on premises can be prohibited or restricted. Inspectors can enter and inspect premises.	Review activity is at the final stage. Part of a generic review of all plant and animal disease legislation. It is expected that review's final report will be completed during 2002.		It is anticipated that the Government will make a decision on the review's recommendations during 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Architects Act 1921	PWS	Registration, entry requirements, reservation of title, disciplinary processes, business restrictions.	National review completed by the Productivity Commission (PC) in August 2000. NSW is leading the national process. A States and Territories Working Group has developed a national response to the PC review. The Working Group response has received broad acceptance from all jurisdictions, with a delay in formal endorsement by the ACT and Northern Territory.	Publicly available	It is anticipated that NSW will introduce amendments to the Architects Act 1921 during 2002-03.
Australian Jockey Club Act 1873	GR	Extends the period for which the trustees of the Randwick Racecourse are enabled to grant leases and to enable members of the Australian Jockey Club to sue and be sued in the name of the Chairman.	Review completed in 1999, in conjunction with the Sydney Turf Club Act 1943. The Government accepted the review's recommendation that the lease arrangements in respect of Crown land be reviewed again in the course of the 10-year NCP review cycle. Refer to the Government's March 2002 Report to the NCC for further information.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Banana Industry Act 1987	Ag	Empowers the Banana Industry Committee (BIC) to regulate the quality of bananas produced in NSW and their subsequent transport to major intrastate markets, and impose compulsory charges on growers to fund industry service functions.	Review completed in 1998. The review recommended removing the BIC's power to regulate the marketing and transport of bananas.		NSW Parliament passed amendments to the Act in 2000. See the Banana Industry Amendment Act 2000. The Government's response: <ul style="list-style-type: none"> • allowed the retention of the BIC's power to provide industry service functions and impose compulsory charges on banana growers to fund these service functions; • removed some obsolete and unexercised powers of the BIC, and • removed the BIC's transport direction power.
Biological Control Act 1985	Ag	Makes provision for the biological control of pests in NSW. Complementary to Commonwealth legislation.	Deleted from review schedule as the COAG Committee on Regulatory Reform determined that the legislation has no anti-competitive impacts.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Bookmakers Taxation Act 1917	GR	Bookmakers are subject to scrutiny by the Bookmakers Revision Committee (BRC) for probity and financial competence. A bookmaker may not operate without a current tax receipt issued by the BRC.	Review completed in 2001. Refer to separate entry item for the Racing Administration Act 1998.	Publicly available	<p>The Act was repealed on 1 July 2001. Taxation matters were transferred to the Betting Tax Act 2001 and non-taxation matters (mainly dealing with Bookmakers Revision Committee procedures) were transferred to the Racing Administration Act 1998.</p> <p>Non-taxation provisions were considered by the omnibus review of racing and betting legislation. Refer to page 46.</p> <p>NSW recently abolished the State turnover tax on bookmakers, in regard to both racing betting and sports betting. It is estimated that this initiative will save the State's bookmakers approximately \$2.4 million each year and assist them to remain viable and competitive with bookmakers in other States.</p>
Boxing and Wrestling Control Act 1986	SR	Conduct of professional boxing, provision for the Boxing Authority of NSW and definition of its functions, conduct of wrestling and amateur boxing contests.	Review completed in February 2002. The review's final report has been submitted to the Minister for Sport and Recreation for consideration.		It is anticipated that a reform proposal will be submitted for Government endorsement shortly. Amending legislation should be ready for introduction into Parliament this year.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Bread Act 1969	IR	Restricts times for the baking and delivery of bread. Licensing of bread manufacturers. Certification of operative bakers. Standard bread size. Constitutes a Bread Industry Advisory Council.	Review completed.		Act repealed.
Building Services Corporation Act 1989	FT	Licensing, registration, entry requirements (qualifications or pass exams, experience, age, character), the reservation of practice (building work, electrical wiring work, plumbing and drainage work, roof plumbing work, refrigeration work, air-conditioning work), business conduct (including insurance for building work over \$5000 from approved private insurer), business licensing.	Review completed in 1998. Review recommending reforms to remove unnecessary components of the licensing system, subject to an assessment of the expected impact on the home warranty insurance scheme. Consultations concluded that some licensing requirements were needed to underpin the insurance system.	White Paper is publicly available	<p>Changed name to Home Building Act 1989, privatised compulsory insurance and abolished business licensing.</p> <p>The Government released a White Paper in February 2001 proposing further reforms. The Home Building Legislation Amendment Bill 2001 was released for public consultation in March 2001 and enacted in July 2001. Various parts of the new Act commenced on 10 August 2001, 30 November 2001 and 1 January 2002. Remaining parts of the Act will be introduced progressively during 2002.</p> <p>On 12 March 2002, the NSW and Victorian Governments announced the harmonisation of the two States' home warranty insurance schemes with reforms that will provide on-going protection for home owners. Refer to the Government's March Report to the NCC for further information. Urgent action is also being undertaken taken following the home warranty insurance crisis.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Business Franchise Licence (Petroleum Products) Act 1987	Tr	Provides for the licensing of people carrying on the business of selling certain petroleum products.	Review completed in 1997.		Act repealed.
Business Franchise Licence (Tobacco) Act 1987	Tr	Provides for the licensing of people carrying on the business of selling tobacco.	Review completed in 1997.		Act repealed.
Business Licences Act 1990	FT	Relates to business licences.	Review completed in 2001. The review recommended the Act be repealed.	Publicly available	Act repealed by the Business Licences Repeal and Miscellaneous Amendments Act 2001.
Business Names Act 1962	FT	Regulates and controls the registration and use of business names. There are restrictions on names that can be registered, as well as restrictions relating to certain words or phrases.	Review completed in March 2002. The review recommended that the Act be retained with minor amendments to reduce some regulatory requirements on e-business to register names, and on other businesses to display their business names at premises.	Publicly available	The Government approved the review's recommendations in March 2002. Amending legislation is currently being prepared for introduction into Parliament during 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Casino Control Act 1992	GR	Establishes the Casino Control Authority and issues exclusive licence for Sydney casino.	Review completed in 1998. The review recommended that the current exclusive casino licence arrangements be maintained.		The Government supported, in principle, the review's recommendations but referred the report to NSW Treasury for updating. It is anticipated that the revised report will be submitted for Government consideration in May 2002.
Cattle Compensation Act 1951	Ag	Provides for the levy of a rate by Rural Lands Protection Boards with the proceeds of the levy being payable to the Cattle Compensation Fund and provides for payment of compensation to owners of cattle and carcasses of cattle destroyed because of disease.	Review not required.		Act repealed.
Charitable Fundraising Act 1991	GR	Regulates who may conduct or participate in charitable fundraising activities and the manner in which such activities are carried out.	Review activity is at final stage. See the Lotteries and Art Unions Act 1901.		
Chiropractors and Osteopaths Act 1991	H	Entry, registration, title, practice, discipline, advertising.	Review completed in January 2000. The review recommended separation of Acts, removal of minimum age criteria, reserved practice provisions to be moved to the Public Health Act, changes to administration and disciplinary processes and removal of most restrictions on advertising.	Publicly available	NSW Parliament has passed the Chiropractors Act 2001 and Osteopaths Act 2001 in line with the review's recommendations. It is anticipated that the Acts will commence on 1 July 2002.
Classification (Publications Films and Computer Games) Enforcement Act 1995	AG	Provides for a classification scheme for publications, films and computer games. Complementary to Commonwealth legislation.	Review not required.		This is a national scheme. A revised censorship regime with the support of all Australian jurisdictions came into operation on 1 January 1996.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Coal Acquisition Act 1981	MR	Vests all coal in the Crown.	Review completed, in conjunction with the Coal Ownership (Restitution) Act 1990.		Act amended by the Coal Acquisition (Amendment) Act 1997. The Act is likely to be repealed when the NSW Coal Compensation Board is abolished.
Coal Ownership (Restitution) Act 1990	MR	Provides for the restitution of certain coal acquired by the Crown as a result of the Coal Acquisition Act 1981.	Review completed, in conjunction with the Coal Acquisition Act 1981.		Act amended by the Coal Acquisition (Amendment) Act 1997. The Act is likely to be repealed when the NSW Coal Compensation Board is abolished.
Coal Mines Regulation Act 1982	MR	Regulates coal mines (and oil shale and kerosene shale mines) and certain related places.	See Mines Inspection Act 1901.		
Commercial Agents and Private Inquiry Agents Act 1963	Po	Licensing of commercial agents, private inquiry agents and their subagents. Registration, entry requirements (qualifications, experience, good fame and character, fit and proper person, aged at least 18 years, not convicted of an offence punishable on indictment within past 10 years), the reservation of practice, disciplinary processes, business conduct (advertising must specify agent's name and place of business, maintain records, trust account, fidelity bonds).	Initial review completed under the Licence Reduction Program. Review recommended the Act be repealed and replaced by new legislation that: <ul style="list-style-type: none"> • involves business licensing, rather than occupational licensing; and • removes licensing for repossession agents and process servers. New NCP review commenced in November 2001. The review's final report was submitted in April 2002 to the Minister for Police for consideration.		Reforms resulting from the initial review deferred pending outcomes of the Police Royal Commission and Industrial Relations Inquiry, the Peterson Report on the security industry and revisions to the Security Industry Act. It is anticipated that Government will consider the NCP review's recommendations by June 2002. It is also anticipated that any legislative reforms arising from the NCP review will be addressed this year.
Commercial Vessels Act 1979	PW	Regulates the use of certain vessels and of certain motors for propelling vessels; provides for marking of load lines and the carriage of certain equipment by vessels.	Review is not required.		Act repealed and replaced by the Marine Safety Act 1998.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Construction Safety Act 1912	WC	Provides for the regulation and inspection of construction work and consolidates the Acts controlling scaffolding and lifts.	Review completed in 2001. Part of the RIS for the Occupational Health and Safety Regulation 2001.	RIS is publicly available	Act repealed and replaced by the new consolidated Occupational Health and Safety Regulation 2001. The new Regulation commenced on 1 September 2001. A range of prescriptive regulatory controls have been replaced by a performance-based, risk management approach.
Consumer Credit (NSW) Act 1995	FT	Regulates the provision of consumer credit.	National review is underway. Queensland is leading the national process. The review's final report concluded that the existing Code should be retained, and recommended minor amendments to clarify the scope of the Code and to improve existing disclosure provisions. No NCP amendments were proposed. NSW anticipates that the review process will be finalised by June 2002.		
Conveyancers Licensing Act 1995	FT	Licensing, registration, entry requirements (age, qualifications, training, experience), the reservation of practice (lawyers also able to provide these services), disciplinary processes, business conduct (record keeping, trust monies, receipts, professional indemnity insurance).	Review commenced in 1999. The review's report was submitted to the Minister for Fair Trading in October 2001. The Government will consider the review's recommendations shortly.		It is anticipated that amending legislation will be introduced into Parliament during 2002.
Co-operation Act 1923	FT	Governs the registration of cooperatives.	See Co-operatives Act 1992	Publicly available	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Co-operatives Act 1992	FT	Enables the formation, registration and operation of cooperatives.	Review completed in 2001. The review recommended that section 43 of the Act be repealed to prevent third line forcing.	Publicly available	NSW Parliament passed legislation in November 2001 to give effect to the review's recommendation. See Co-operatives Legislation Amendment Act 2001.
Council of Law Reporting Act 1969	AG	Constitutes a Council of Law Reporting to NSW and defines its powers, authorities, duties and functions.	Review completed. Review recommended Act be retained, but administrative changes to introduce competitive tendering for licence to publish reports. Publication of on-line reports open to any one for a fee.	Publicly available	The Government has implemented the review's recommendations administratively.
Country Industries (Payroll Tax Rebates) Act 1977	SD	Allows rebates of payroll tax in respect of certain country manufacturing or processing industries.	Review not required. Taxation legislation is generally exempt from NCP review.		
Credit (Finance Brokers) Act 1984	FT	Relates to the conduct of business of finance brokers.	Review completed in June 2001. The review recommended the repeal of the Act and the insertion of a new Part into the Consumer Credit Administration Act 1995 to regulate the conduct of finance brokers. It also recommended a number of amendments to improve the effectiveness of consumer protection.	Publicly available	In February 2002, the Government accepted the review's recommendations, in principle, and approved the preparation of an exposure Bill for further public consultation during 2002. It is intended that a final reform proposal will be submitted for Government endorsement shortly. Amending legislation will be introduced into Parliament during 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Dairy Industry Act 1979	Ag	Vesting of milk in the Dairy Corporation. Farmgate price-setting for market milk. Market milk quotas. Licensing of farmers and processors.	Review completed in November 1997. Chair and industry members recommended retention of restrictions, subject to review again in 2003. Other government members recommended removal of restrictions within three to five years if national reform did not occur.	Publicly available	The Government initially accepted the recommendation to retain restrictions until 2003. In line with the March 2000 communiqué signed by all Australian Agriculture and Primary Industries Ministers committing to a national approach to dairy reform, NSW passed the Dairy Industry Act 2000 on 29 June 2000, deregulating the industry from 1 July 2000. Food safety regulation previously integrated under Food Production (Safety) Act 1998.
Dangerous Goods Act 1975	WC	Restrictions on transport, storage and handling of explosives and other dangerous substances.	Review completed. Part of the development of a new National Standard for the regulation of dangerous goods.	NOHSC Economic Appraisal of the National Standard is publicly available	Legislative amendments involving the transport of dangerous goods commenced 20 April 1998 to give effect to the first module of reforms to national road transport law developed through the National Road Transport Commission. The National Standard for the Storage and Handling of Dangerous Goods was gazetted in March 2001. In 2001, the NSW Government finalised the implementation of the new Occupational Health and Safety Act 2000 and the Occupational Health and Safety Regulation 2001. Now that the Act and the Regulation have been finalised, the Government will prepare a detailed proposal for implementing the National Standard in NSW.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Dental Technician Registration Act 1975	H	Entry, registration, title, practice, discipline and advertising.	Review is not required. Consideration of competition policy issues by the Commonwealth-State review of partially regulated occupations.		
Dentists Act 1989	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in March 2001. Review recommended a number of legislative reforms.	Publicly available	The Government accepted the review's recommendations, with the exception of the recommendation to remove employment restrictions on dentists. Refer to the Government's March 2002 Report to the NCC for supporting information. NSW Parliament passed the new Dental Practice Act 2001 in October 2001. The Government is consulting with stakeholders on draft Regulations. It is expected that the new Act will commence in the second half of 2002.
Door to Door Sales Act 1967	FT	Controls and regulates certain agreements relating to the sale or bailment of goods and the provision of services on credit.	Review completed in March 2002, in conjunction with the Fair Trading Act 1987. See separate entry item.		
Dried Fruits Act 1939	Ag	Regulated the dried fruits industry. Constitutes the NSW Dried Fruits Board.	Review not required. On 1 July 1997, the Board resolved to advise the Minister for Agriculture that its affairs should be wound up.		Transitional arrangements made for the prune industry involve the making of a Prune Industry Marketing Order (expired 31/12/99) under the Marketing of Primary Products Act. Remaining sections of the Act repealed as of 1 July 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Driving Instructors Act 1992	R	Licensing, entry requirements (completed course, aged at least 21 years, may require test, medical exam, character), the reservation of practice (teach for monetary or other reward), business conduct (maintenance of records, regulations may make provisions for displaying identification and advertising).	Review completed in July 2001. It is anticipated that the Government will make a decision on the review's report by June 2002.		
Electricity (Pacific Power) Act 1950	E	Provides for the constitution of Pacific Power and to define its principal objectives, powers, authorities, duties and functions. Amends and repeals certain other Acts.	Review not required. The functions of the entity established by this Act have been largely superseded through the establishment of a competitive national electricity market.		Pacific Power will not have a continuing role beyond the current calendar year. The majority of Pacific Power's functions, staff and assets have been transferred to the new entities of TransGrid, Macquarie Generation, Delta Electricity and Eraring Energy. Refer to the Government's March 2002 Report to the NCC for further information.
Electricity Safety Act 1945	FT	Provides for the development of electricity supply; confers certain powers, authorities, duties and functions on the Energy Corporation of NSW; provides for the regulation of the sale and hiring of electrical apparatus and amends certain Acts.	The review's final report was completed and submitted for Government consideration in March 2002.		It is anticipated that the Government will make a decision on the review's recommendations shortly. Amending legislation should be ready for introduction into Parliament later in the year.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Electricity Supply Act 1995	E	Regulates the supply of electricity in the wholesale and retail markets; sets out the functions of persons engaged in the conveyance and supply of electricity.	Review is not appropriate at this stage. The arrangements for full retail contestability have only just commenced. A review will take place after trends in the newly established competitive market become clear.		Extensive amendments were made to the Act in late 2000 to facilitate the introduction of full retail contestability for all electricity customers in NSW from 1 January 2002. The Act does not contain any distinct anti-competitive provisions. Refer to the Government's March 2002 Report to the NCC for further information.
Electricity Transmission Authority Act 1994	E	Establishes the NSW Electricity Transmission Authority and defines its functions.	Review is not required.		Act repealed by section 5 of the Energy Services Corporations Amendment (TransGrid Corporatisation) Act 1998 on 14 December 1998.
Employment Agents Act 1996	FT	Licensing, entry requirements (fit and proper person, aged at least 18 years, suitable premises, no previous cancellation), the reservation of practice, business conduct (separate licence for each premises, registered person in charge, no charge to jobseekers, maintenance of records, no misleading advertising).	Review completed in February 2001. The review recommended that the requirement to be licensed as an employment agent be abolished. It also recommended the repeal of the Act and the amendment of the Fair Trading Act 1987 to include specific consumer protection mechanisms in relation to the use of employment agents.	Publicly available	In February 2002, the Government accepted the review's recommendations, in principle, and approved the preparation of an exposure Bill for further public consultation during 2002. It is anticipated that a final reform proposal will be submitted for Government endorsement shortly. It is anticipated that amending legislation will be introduced into Parliament during 2002.
Energy Administration Act 1987	E	Establishes the Ministry of Energy and the Energy Corporation of NSW, and defines its functions.	Review is not required.		Licence and approval requirements repealed by Electricity Supply Act 1995. Sections 35A and 35B dealt with as part of the structural reform of the gas industry.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Entertainment Industry Act 1989	IR	Licensing for entertainment industry agents, managers and venue consultants, maximum fees for entertainment industry agent.	Review activity is at final stage. Issues paper released in September 2001 and review's report is currently being prepared.		It is anticipated that the Government will make a decision on the final report by 30 June 2002.
Environmentally Hazardous Chemicals Act 1985	Env	Provides for the control of the effect on the environment of chemicals and chemical waste. Constitutes the Hazardous Chemicals Advisory Committee.	Review completed in 1997. Dealt with under the Licence Reduction Program.		Act partially replaced by the Contaminated Land Management Act 1997.
Exhibited Animals Protection Act 1986	Ag	Requirements for licences and permits, with fees. Restricts breeding and trading of some animals. Imposes best practice welfare standards. Imposes requirements for educational components.	Review activity is at final stage. The Act is being reviewed in conjunction with the Non-Indigenous Animals Act 1987. The review's report will be finalised by the end of May 2002.		It is anticipated that the Government will make a decision on the review's recommendations during 2002.
Exotic Diseases of Animals Act 1991	Ag	Compulsory reporting of disease outbreaks. Prohibits or restricts the movement of animals, animal products and vehicles. Provides compensation for animals destroyed for disease-control. Bans introduction into the State of certain animals. Allows for destruction orders. Empowers inspectors to enter and search premises, and test and disinfect animals.	Review activity is at final stage. Part of a generic review of all plant and animal disease legislation. It is expected that the review's final report will be completed during 2002.		It is anticipated that the Government will make a decision on the review's recommendations during 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Factories, Shops and Industries Act 1962 (Part 4) Note: this Act has been renamed the Shops and Industry Act 1962.	IR	Part 4 restricts shop trading hours. General Stores (ie, those that are not classified as "scheduled" or "small" shops) are not permitted to open on Sundays or public holidays.	Review completed.		Trading hours in NSW largely deregulated. There are no restrictions on Monday-to-Saturday trading hours. Part 4 restricts, in principle, the ability of general shops to trade on Sundays and public holidays. However, exemptions to this restriction are granted to achieve, in practice, an unrestricted trading hours environment. Exemptions are readily obtained resulting in substantial deregulation. Refer to the Government's March 2002 Report to the NCC for further information.
Factories, Shops and Industries Act 1962 (Part 6) Note: this Act has been renamed the Shops and Industry Act 1962.	IR	Licensing for hairdressers, entry requirements (training and exams or otherwise qualified), reservation of practice (act as a hairdresser for fee, gain or reward), disciplinary processes.	Review is at the final stage. Issues paper released in June 2000 to facilitate public consultation. Further discussions and negotiations with a range of stakeholders have taken place. The review's final report is being prepared.		It is intended that the Government will make a decision on the review's recommendations during 2002.
Fair Trading Act 1987	FT	Regulates the supply, advertising and distribution of goods and services and, in certain respects, the disposal of interests in land.	Review completed in March 2002. Reviewed in conjunction with the Door to Door Sales Act 1967. The Government is currently considering the review's recommendations.		A number of consumer protection provisions in the existing Fair Trading Act mirror those of the Trade Practices Act 1974. It is anticipated that the Government will make a decision on the review's recommendations by June 2002, with any resulting legislative changes introduced into Parliament later in 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Farm Debt Mediation Act 1994	Ag	The Act requires creditors to undertake mediation if a farmer chooses to exercise this statutory right; and requires that the mediator must be accredited.	Review completed in 2000. The review's key recommendation was the retention of mandatory requirements for mediation on farm debt.	Publicly available	The Government endorsed the review's recommendations in November 2001. Amending legislation is being prepared for introduction into the current session of Parliament.
Farm Produce Act 1983	Ag	Makes provision for the registration and regulation of farm produce merchants and farm produce agents.	Review completed.		Act repealed.
Fertilisers Act 1985	Ag	Registration of brand names for soil improving agents. Conformation with registered particulars and composition standards. Labeling requirements.	Review completed. The review recommended the: <ul style="list-style-type: none"> • removal of requirements for the brand names to be registered; • removal of minimum content requirements; and • retention and strengthening of provisions relating to food safety, overseas market access requirements and environment protection. Examples include maximum composition standards for heavy metals and labeling requirements. 	Publicly available	Act amended in November 1999. The Fertilisers Amendment Act 1999 no longer requires the registration of brand names for soil improving agents. It provides for the setting of composition standards for, and the marketing of parcels of, soil improving agents and trace element products. Also refer to separate entry item for Stock (Chemical Residues) Act 1975.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Fisheries Management Act 1994	F	Licensing of fishers. Access to share managed fisheries by owning shares. Input controls on boats, gear, crew levels and fishing methods. Output controls such as total allowable catches, bag limits, size limits and prohibitions on taking certain species.	Review completed in 2001. The report clearly demonstrated a net public benefit associated with the legislation.		<p>The Government has accepted the review's recommendation that the objects of the Act be amended to include the recognition of socio-economic benefits. The Fisheries Management Amendment Bill 2001 was assented to on 11 December 2001.</p> <p>The Government endorsed the review's final report on 23 April 2002. It is expected that the final report will be publicly released in May 2002.</p>
Food Act 1989	H	Various food safety offences. Wide powers to make orders prohibiting or requiring conduct.	National review completed in 2000. Outcome was the Model Food Bill, which provides a uniform regulatory framework and, in particular: requires notification by all food businesses; requires registration by high-risk food business; and allows contestability of audit and laboratory services subject to approval of providers.	Publicly available	All Australian governments agreed in November 2000 to use their best endeavors to adopt core provisions of the Model Food Bill by November 2001. NSW legislation will be introduced in the current session of Parliament.
Friendly Societies Act 1989	Tr	Provides for the formation, registration, management and regulation of friendly societies.	Review is not required.		Act repealed. In 1999, NSW reached agreement with the Commonwealth regarding the transfer of prudential regulatory responsibilities for credit unions, building societies and friendly societies to the Commonwealth. The Friendly Societies Reform (NSW) Act 1999 gives effect to this transfer.
Friendly Societies Dispensaries Enabling Act 1945	H	Enables Friendly Societies to operate pharmacies.	Review completed in 1997.		Act repealed and relevant provisions incorporated into Pharmacy Act 1964 (reviewed as part of the national review of pharmacy legislation).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Funeral Funds Act 1979	FT	Controls and regulates contributory and pre-arranged funeral funds.	Review completed in 2001. The review found that the impact of the legislation on competition was not significant. However, the proposed new legislation would remove restrictions on funeral funds where these are not justified on public benefit grounds. For example, the provisions relating to minimum and maximum numbers of fund directors and trustees; restrictions on the nomenclature of funeral funds; and the cap on the level of management fees and benefits paid.	Publicly available	The Government approved the review's recommendations in February 2002, as well as the preparation of an exposure Bill to facilitate further public consultation. NSW will also enter into discussions with the Commonwealth to determine the feasibility and desirability of including funeral funds in the financial services reform proposals or alternative existing prudential supervision regimes.
Funeral Services Industry (Days of Operation) Act 1990	IR	Regulates the days of operation of businesses providing funeral, burial or cremation services.	Review is not required.		Act repealed and replaced by the Funeral Services Industry (Days of Operation) Act 2000.
Gambling (Two-up) Act 1998	GR	Act prescribes the rules of Two-up, and the circumstances under which it may be played. Two-up is permitted to be played on Anzac Day, in Broken Hill and at the Sydney casino.	Review completed in 1998. Retention of restrictions justified as being in the public benefit.		
Gaming and Betting Act 1912	GR	Consolidates Acts relating to games, wagers and betting houses, the restriction of race meetings and the licensing of racecourses.	Review is not required.		Act repealed and remade as three separate pieces of legislation: <ul style="list-style-type: none"> • Racing Administration Act 1998; • Gambling (Two-up) Act 1998; and • Unlawful Gambling Act 1998. Review of the Racing Administration Act and Gambling (Two-up) Act completed. See separate entries. Review of the Unlawful Gambling Act is not required, as it is a criminal Act not subject to NCP.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Gas Industry Restructuring Act 1986	E	Makes provision with respect to the structure of AGL.	Review is not required.		Act repealed by Gas Supply Act 1996, which corporatised AGL.
Government Guarantees Act 1934	Tr	Validates certain guarantees given to certain banks, authorises the Treasurer to execute certain guarantees.	Review completed in 2000. Review found there was potential for the implementation of the Act to contravene competitive neutrality principles.		Treasurer's circular issued in September 2000 requiring Ministers to include analysis of wider public interest issues in applications for Government guarantees under any Act authorising their issue.
Grain Marketing Act 1991	Ag	Establishes the NSW Grains Board, vests coarse grains and oilseeds grown in NSW to the Grains Board, and confers monopoly marketing rights over NSW grains on the Grains Board.	<p>Review completed in 1999. The review recommended that restrictions on:</p> <ul style="list-style-type: none"> all domestic sales be removed for malting barley by no later than 31 August 2001, and for all other grains by no later than 31 August 2000; export sales of feed and malting barley remain for only overseas markets where market power or access premiums can be demonstrated, and review again by 31 August 2004; and export sales of all other grains be removed - for canola, by 31 August 2001 - and for sorghum, oats, safflower, linseed and soybeans, by 31 August 2000. 	Publicly available	<p>In October 2000, the Government agreed that the Board's powers over barley, canola and grain sorghum would be retained for a five-year transitional period. The Board's wide-ranging powers over all other commodities would be deregulated immediately.</p> <p>The Grain Marketing Amendment Act 2001, assented to on 14 December 2001, gives effect to the Government's decision. The Board's powers over barley, canola and grain sorghum have been sunsetted at 30 September 2005 in the amending legislation. The legislation also puts in place the final administrative details for the winding up and eventual dissolution of the Grains Board. Some other aspects of the marketing arrangements have been administratively deregulated.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Greyhound Racing Authority Act 1985	GR	Establishes the controlling body for this code. Authorises the controlling body to make rules of racing and betting (including provision for the licensing of racing participants). The controlling body may make rules in relation to the operation of bookmakers. Bookmakers may only operate at events and at a location and time for which it is lawful to do so.	Review completed in 2001. Part of omnibus review of racing and betting legislation. See Racing Administration Act 1998.	Publicly available	In March 2002, the Government also approved a restructure of the Greyhound Racing Authority and Harness Racing in NSW, which will see the separation of regulatory and commercial functions and the phased integration of regulatory functions of both codes into a single body.
Harness Racing Act 1977	GR	Establishes the controlling body for this code. Authorises the controlling body to make rules of racing and betting (including provision for the licensing of racing participants). The controlling body may make rules in relation to the operation of bookmakers. Bookmakers may only operate at events and at a location and time for which it is lawful to do so.	Review completed in 2001. Part of omnibus review of racing and betting legislation. See Racing Administration Act 1998.	Publicly available	In March 2002, the Government also approved a restructure of the Greyhound Racing Authority and Harness Racing in NSW, which will see the separation of regulatory and commercial functions and the phased integration of regulatory functions of both codes into a single body.
Hawkers Act 1974	FT	Licensing, business conduct.	Review completed in 1996.		Act repealed by the Pawnbrokers and Second Hand Dealers Act 1996.
Homing Pigeons Protection Act 1909	Ag	Provides for the protection of homing pigeons during flights.	Review completed in 1996.		Act repealed.
Horticultural Stock and Nurseries Act 1969	Ag	Registration of certain nurserymen and resellers of horticultural stock. Regulates the sale or propagation of certain horticultural stock.	Review completed in 2000.		Act repealed by the Horticultural Legislation Amendment Act 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Human Tissue Act 1983 (blood and blood products only)	H	Relates to blood donation and the supply of blood and blood products. Restricts the supply of blood to "exempt suppliers", requires the consent of donors and the completion of a donor's declaration form, and restricts the premises at which blood can be collected.	Review of blood donation and the supply of blood and blood products completed in 2001. The review recommended the retention of restrictions on the collection of homologous blood in the interests of public health. It also recommended the removal of restrictions on autologous blood.	Publicly available	The Government agreed in February 2002 to remove restrictions on autologous blood. It is anticipated that amending legislation will be introduced into Parliament during 2002. Other matters regulated by this Act are not subject to NCP review.
Industrial Relations Act 1991	IR	Restates and reforms the law concerning industrial relations.	Review completed in 1996.		Act repealed and replaced by the Industrial Relations Act 1996. Regulation of employment agents was separated from the Industrial Relations Act into the Employment Agents Act 1996. The Employment Agents Act is administered by the Department of Fair Trading.
Innkeepers Act 1968	GR	Make provisions with respect to certain rights and liabilities of innkeepers and persons having dealings with innkeepers. The Act makes a distinction between "inns" and other accommodation providers. It gives innkeepers limited liability with respect to guests' property, whereas other accommodation providers are subject to unlimited liability under common law.	Review completed in 2000. The review recommended that the current Act should be retained, as it is pro-competitive. However, if there were to be a new Act, it should be written in conjunction with other Australian jurisdictions. There would also need to be consideration of international developments in this industry.		In February 2001, NSW forwarded the review's final report to the Tourism Ministers' Council. In July 2001, the Council established an Inter-Departmental Committee to develop recommendations to attain consistent liability for innkeepers across Australia. The inter-governmental process is still in progress.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Land Development Contribution Act 1970	P	Levies a contribution in relation to certain land within the Sydney region.	Review is not required. The Act was introduced to collect contributions from developers who benefit from rezoning. The Act has not been used to collect contributions for several years.		The subordinate legislation, which provided the power to collect contributions, has been repealed. The Government has also agreed to repeal the Act. It is anticipated that this matter will be addressed in the current session of Parliament.
Landlord and Tenant (Rental Bonds) Act 1977	FT	Constitutes a Rental Bond Board; confers and imposes certain powers, authorities, duties and functions on the Board; requires lessors of residential premises to deposit rental bonds with the Board; provides for the paying out of rental bonds and enabled the investment of rental bonds and the investment and expenditure of rental bonds.	Review completed in June 2000, in conjunction with the Residential Tenancies Act 1987. See separate entry.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Legal Profession Act 1987	AG	Licensing, registration, reservation of title and practice, disciplinary processes, business conduct (including professional indemnity insurance monopoly, advertising (must not be false, misleading or deceptive) and mandatory continuing legal education).	Review completed in 1998. The review's recommendations included allowing incorporation of legal practice and allowing competition in professional indemnity insurance.	Publicly available	<p>The Government is making good progress with the implementation of reforms. To date, the rule requiring solicitors to have majority control of multidisciplinary practices has been abolished, and legislation allowing solicitors to incorporate was passed in October 2000 (commenced on 1 July 2001). Refer to the Government's March 2002 Report to the NCC for further information.</p> <p>Legislation was also introduced on 10 April 2002 to:</p> <ul style="list-style-type: none"> • provide for voluntary membership of professional associations; • allow accreditation of training schemes not conducted by the professional associations; • allow solicitors to practice in multi-disciplinary partnerships despite anything to the contrary in Law Society rules; • require professional rules to be exposed for public comment before being made; • allow lawyers from other states to practise in NSW even if their state does not have complementary legislation; and • provide for public register of disciplinary action taken.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Library Act 1939 and Library Regulation 1995	A	Makes further provisions for the establishment, maintenance and management of libraries, library services and information services and creates certification scheme for librarians.	Review completed.		Certification scheme abolished.
Liquefied Petroleum Gas Act 1961		Regulates the supply of LPG.	Review completed in 1996.		Act repealed by the Gas Supply Act 1996.
Liquefied Petroleum Gas (Grants) Act 1980	E	Regulates the supply of LPG.	Review completed in 1996.		Act repealed by the Gas Supply Act 1996.
Liquor Act 1982 and Registered Clubs Act 1976 - Part 1 of 2, Gambling	GR	Regulates the use and supply of gaming devices.	Preliminary review of the Act completed in conjunction with the Registered Clubs Act 1976. This work was then overtaken by the Government's Gaming Reform Package, announced on 26 July 2001. NCP principles were addressed as part of the policy development process. Public benefit issues are being addressed in a report that is currently being prepared for Government consideration.		The Gaming Reform Package is given effect by the Gaming Machines Act 2001. This Act simplifies and streamlines the regulatory structure for the control and management of gaming machines in NSW. The primary objective of the Gaming Reform Package is harm minimisation. The package, however, also incorporates a market-based approach designed to give registered clubs and hotels greater flexibility. Refer to the Government's March 2002 Report for further information.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Liquor Act 1982 and Registered Clubs Act 1976 - Part 2 of 2, Liquor Licensing	GR	Regulates the sale and supply of liquor and regulates the use of premises at which liquor is sold. Needs test is contained in section 45, which allows objection to the grant of a licence on the grounds that needs of the public are met by existing facilities.	<p>Combined review of liquor and club management provisions in progress. See also the Registered Clubs Act 1976.</p> <p>Preliminary report has been completed. On 22 April 2002, the Government approved the release of a discussion paper outlining a range of possible reform options. These include a possible reduction in the number of liquor licence types, cutting red tape in the licence application process, and using local council planning controls to better protect local community interests. The appropriateness of the public needs test is being considered in this context.</p>		It is anticipated that the Government will make a final decision on relevant competition policy issues during 2002-03, following public consultation and further assessment of reform options.
Local Government (Theatre and Public Halls) Amendment Act 1989	LG	Amends the Local Government Act to make provision for approval and regulation of places of public entertainment and certain structures.	Review completed. Dealt with under the Licence Reduction Program. Licence retained as issues of public safety outweigh costs.		
Local Government Act 1993	LG	<p>Act has some restrictions such as</p> <ul style="list-style-type: none"> • approval to operate businesses such as a mortuary or an undertakers business; and • the ability of councils to provide goods, services, and other facilities pursuant to section 24 of the Act. 	<p>Review completed in 2001. The review recommended the removal of a number of anti-competitive restrictions on both council businesses and other bodies. For example, the review recommended that the Act be amended to:</p> <ul style="list-style-type: none"> • allow Councils to vary fees for businesses and contestable regulatory activities in accordance with a predetermined costing methodology; and • lift restrictions on the use of revenue from community land. 	Publicly available	In February 2002, the Government approved amendments to the Local Government Act in line with the review's recommendations. Amending legislation is currently being drafted. It is anticipated that this matter will be addressed in the current session of Parliament.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Lord Howe Island Act 1953 and Lord Howe Island Regulation 1994	NPWS	Section 23 gives preference to Islanders who can buy property at valuation by Valuer General.	Review completed in 2000. The Government has established an Inter-Departmental Committee (IDC) to develop a response to the review's recommendations, including socio-economic impact assessment. It is anticipated that the IDC will report back to the Government by June 2002.		
Lotteries and Art Unions Act 1901	GR	The Act imposes general restrictions that limit the opportunity to profit from the conduct of community gaming to charities and other non-profit organisations.	Review is at final stage. The review's report will be finalised by the end of May 2002.		It is anticipated that the Government will make a decision on the review's recommendations by 30 June 2002.
Lotto Act 1979	GR	Regulates the conduct of lotto in NSW.	Review is not required. Refer to separate entry item for the Public Lotteries Act 1996.		Act repealed.
Marine Pilotage Licensing Act 1971	PW	Provides for licensing of pilots.	Review completed. Dealt with under licence reduction program.		Ten licences and permits abolished from 2 February 1997. Legislation subsequently repealed and replaced by the Marine Safety Act 1998.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Marine Safety Act 1998	PW	Regulates the use of vessels, motors, marking of load lines and the carriage of certain equipment. Provides for licensing of pilots and navigation requirements. The Act repeals and consolidates the following legislation: Commercial Vessels Act 1979; Maritime Services Act 1935; Marine Pilotage Licensing Act 1971; Marine (Boating Safety - Alcohol and Drugs) Act 1991; and Navigation Act 1901.	Review is not appropriate at this stage. The Act remains substantially uncommenced because the Commonwealth is yet to provide NSW with advice on international marine safety standards. The Government has made a commitment that the NCP review will be conducted 12 months after the Act is fully commenced.		
Maritime Services Act 1935	PW	Provides for the constitution of the Maritime Services Board of NSW and its powers.	Review is not required.		Act repealed and replaced by the Marine Safety Act 1998.
Marketing of Primary Products Act 1983	Ag	Relates to the marketing of certain primary products and provides for the establishment of marketing boards in relation to certain of those products, and to enable the making of marketing orders.	Review not required because the three marketing authorities constituted by the Act are under separate reviews.		The Act will be repealed if and when the marketing authorities terminate or are reconstituted under other legislation.
Meat Industry Act 1987	Ag	Constitutes the NSW Meat Industry Authority and provides for various classes of licences.	Review completed in 1998.		Responsibility for meat industry food safety transferred to Safe Food Production by the Food Production (Safety) Act 1998.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Medical Practice Act 1992	H	Entry, registration, title, practice, discipline.	Review completed in December 1998. The review's recommendations include insertion of an objects clause, greater clarity for entry requirements and the disciplinary system. Recommended removal of business and practice restrictions.	Publicly available	<p>Medical Practice Amendment Act 2000 passed in July 2000 in line with review's recommendations. Health Care Liability Act 2001 enacted to:</p> <ul style="list-style-type: none"> • make provision with respect to the recovery of damages for injury or death caused by medical practitioners and other health care providers; • make professional indemnity insurance compulsory for medical practitioners and to regulate the provision of that insurance; and • protect medical practitioners, nurses and certain other health practitioners from liability when providing voluntary health care in an emergency.
MIA Citrus Fruit Promotion Marketing Committee (established under the Marketing of Primary Products Act 1983)	Ag	The Act imposes a compulsory charge on producers of citrus in the Murrumbidgee Irrigation Area (MIA).	Review completed.	Publicly available	The Government decided that the Committee should continue its role of providing various services to growers subject to limiting its role in representing the industry. In March 1998, a grower poll supported the proposed arrangements and the Committee was re-established for a further four-year term. In March 2002, the Committee was re-constituted under the Agricultural Industry Services Act 1998.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
MIA Wine Grapes Marketing Board (established under the Marketing of Primary Products Act 1983)	Ag	Constitutes the MIA Wine Grapes Marketing Board - a statutory marketing authority responsible for the marketing of MIA wine grapes and representing the interests of growers. The main restrictions were vesting and price setting powers.	<p>Review completed in 1996. The review recommended that the Board's vesting power not be continued beyond 30 November 1996 and that the Board becomes an industry service organisation, using existing powers under the Marketing of Primary Products Act 1983.</p> <p>Second NCP review to assess the proposed powers and functions of the Board completed in November 2001.</p>	First NCP review report is publicly available	<p>The Government extended the Board's vesting power to 31 July 2000, subject to a number of constraints, via the Marketing of Primary Products Amendment (Wine Grapes Marketing Board) Act 1997. The vesting power sunsetted on 31 July 2000.</p> <p>It is anticipated that the Government will make a decision on the second NCP review by 30 June 2002.</p>
Mines Inspection Act 1901	MR	Makes provision for the regulation and inspection of mines, other than coal and shale mines, and regulates the treatment of the products of such mines.	<p>Review in progress. The Mines Inspection Act (MIA) 1901 and Coal Mines Regulation Act (CMRA) 1982 are both subject to parallel NCP review processes that are part of a fundamental review of all mine safety legislation.</p> <p>Since August 2001, the Government has released NCP issues papers for both the CMRA and the MIA. Stakeholder comments on competition policy issues have been incorporated into the development of position papers for both Acts. Due to the sensitivity of mine safety legislation, extensive stakeholder consultation has also been required in the preparation of the position papers.</p>		<p>In February 2002, the Government approved the release of a position paper for the CMRA and the preparation of draft amending legislation. It is intended that this legislation will be introduced into Parliament before 30 June 2002. However, its commencement will be delayed for at least 12 months in order to develop the subordinate legislation.</p> <p>Comments on the issues paper are still being considered. A report on these submissions, with recommendations for progressing the review, should be completed by the end of June 2002. It is unlikely that subsequent legislation reforms would be introduced into Parliament before 2002-03.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Mining Act 1992	MR	Makes provisions with respect to prospecting for, and mining of, minerals.	Licensing requirements dealt with under the Licence Reduction Program. Restrictions other than licensing will be considered as part of the comprehensive review of all mine safety legislation. See separate entry item for Mines Inspection Act 1901.		
Monopolies Act 1923	AG	Amends the law in relation to monopolies and restraint of trade.	Review completed.		Act repealed.
Motor Accidents Act 1988	MAA	Mandatory insurance, licensing of insurers, file and write premium settings.	Review completed in 1997, in conjunction with the Motor Vehicles (Third Party Insurance) Act 1942. The review recommended scheme design changes and insurers filing premiums with motor accidents authority. Review of the NSW Compulsory Third Party scheme is ongoing.	Publicly available	Legislation passed in line with recommendations.
Motor Dealers Act 1974	FT	Licensing (motor dealer, wrecker, wholesaler, motor vehicle parts reconstruction, car market operator, motor vehicle consultant), entry requirements (fit and proper person, sufficient financial resources, dealer qualifications and expertise or experience), the reservation of practice, disciplinary processes, business conduct (record keeping, motor dealers compensation fund).	Review completed in 2000, in conjunction with the Motor Dealers Act 1974. In February 2001, the Government released an exposure Bill containing a number of key proposals arising from the review for public comment. As a result a number of changes were made to the exposure Bill. In October 2001, the Government approved the Motor Trades Amendment Bill 2001 for introduction into Parliament.	Publicly available	The Motor Trades Amendment Act 2001 contains changes intended to free-up competition in the motor trade and repair industry, whilst at the same time ensuring consumer protection. The first stage of the Act commenced on 1 March 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Motor Vehicles (Third Party Insurance) Act 1942.	MAA	There are no major restrictions in the Act	Review completed in 1997. See Motor Accidents Act 1988.	Publicly available	Legislation passed in line with the review's recommendations.
Motor Vehicles Repair Act 1980	FT	Constitutes the Motor Vehicle Repair Industry Authority and confers on it licensing functions concerning repair businesses and tradespersons.	Review completed in 2000. See Motor Dealers Act 1974	ACIL report is publicly available	The Act has been amended to remove a number of restrictive provisions relating to licenses and work categories. Prescribed qualifications will be subject to review and repeal provisions of the Subordinate Legislation Act 1989.
Motor Vehicle Sports (Public Safety) Act 1985	SR	Makes provision for the control and regulation of meetings for motor vehicle racing.	Review is at the final stage. The review's final report was submitted for Government consideration in April 2002.		It is anticipated that the Government will make a decision on the review's recommendations during 2002.
Murray Valley Citrus Marketing Act 1989	Ag	Constitutes a joint NSW-Victorian Murray Valley Citrus Marketing Board. Imposes a compulsory charge on citrus producers in the Murray Valley. Power (unused) to set minimum quality standards and minimum prices.	Joint review with Victoria completed. Final report submitted to both governments in August 1999 and publicly released on the basis that it was not an endorsed government position. Report recommended: <ul style="list-style-type: none"> • legislation should continue to underpin the operations of the Board; • core functions which provide benefits of a 'public good' nature continue to be funded by a compulsory levy where growers vote this to be beneficial; and • any future legislation should clearly reflect the purpose of the Board in facilitating marketing and enhancing technological innovation. 	Publicly available	Extensive public consultation has been undertaken in developing a joint government response to the review's recommendations. Both the Victorian and NSW Governments agreed in-principle to reconstitute the Board through an extra-territorial application of the Victorian Agricultural Industry Development Act. A Bill to implement this decision is currently being considered by the NSW Government.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Murray Valley Wine Grapes Industry Committees (established under the Marketing of Primary Products Act 1983)	Ag	Murray Valley Wines Grapes Industry Development Committee. Murray Valley Wine Grapes Industry Negotiation Committee.	Joint review with Victoria completed in 1999.	Publicly available	The Murray Valley Wine Grapes Industry Negotiation Committee, whose term of office expired in November 1998, was not renewed. The Murray Valley Wine Grapes Industry Development Committee was re-constituted as an Industry Service Committee under the Agricultural Industry Services Act 1998.
National Parks and Wildlife Act 1974	NPWS	Consolidates and amends the law relating to the establishment, preservation and management of national parks, historic sites and certain other areas, as well as the protection of certain fauna, native plants and Aboriginal relics.	Review completed. Dealt with under the Licence Reduction Program.		
National Rail Corporation (Agreement) Act 1991	Tpt	Approves and gives effect to an agreement between NSW, the Commonwealth and other States relating to the National Rail Corporation Ltd.	Further review is not required. On 21 February 2002, National Rail Corporation and FreightCorp were sold to the National Rail Consortium Pty Ltd. During the pre-sale process, shareholders agreed to remove the restriction in section 7 of the Act, which prevented the Corporation from carrying intrastate freight.		Section 7 was repealed in August 2000. The sale is a major step forward in the restructuring of the rail freight industry and introduces significant private sector transport and logistic expertise into the NSW rail industry. It will result in a more competitive and innovative rail sector.
Navigation Act 1901	PW	Provides for navigation signaling and mooring requirements for vessels in NSW, and safety requirements including seaworthiness.	Review is not required.		Act repealed and provisions incorporated into the Marine Safety Act 1998.
Non-Indigenous Animals Act 1987	Ag	The Act restricts competition by requiring licences and permits, payment of fees. There are also restrictions on trading of higher-risk exotic animals and security standards.	Review activity is at the final stage. See separate entry item for Exhibited Animals Protection Act 1986.		It is anticipated that the Government will make a decision on the review's recommendations during 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Noxious Weeds Act 1993	Ag	Requires control of declared noxious weeds. Restricts the sale of declared noxious weeds. Restricts movement of material containing notifiable noxious weeds. Requires cleaning and inspection of agricultural machinery at the Queensland border. Regulates the supply of materials, equipment and services by local control authorities.	Review completed in October 1998. The Government has been considering a range of options. It is anticipated that the Government will make a decision on the review's final report during 2002.		
NSW Lotteries Act 1990	GR	Regulates the conduct of NSW lotteries.	Review is not required.		Act repealed and replaced by the NSW Lotteries Corporatisation Act 1996 and the Public Lotteries Act 1996.
NSW Lotteries Corporatisation Act 1996		Establishes the NSW Lotteries Corporation as a statutory State-owned corporation to develop, promote, conduct and otherwise participate in any lawful forms of gambling and gambling-related activities.	The Act was not listed for NCP review as part of the Government's 1996 legislation review schedule. NCP principles are being addressed as part of the statutory five-year review of the Act.		
Nurses Act 1991	H	Entry, registration, title, practice, discipline, advertising.	Review completed in October 2001. The review recommended that nurses and midwives continue to be regulated. However, it also recommended the relaxation of practice restrictions in the area of midwifery, as well as the creation of a separate register of midwives to increase flexibility and opportunities in the workforce.	Publicly available	In November 2001, the Government approved the review's recommendations and the drafting of legislation to implement those recommendations. The Government is now consulting with key stakeholders on draft legislation. Amending legislation will be introduced into Parliament during 2002. NSW has also enacted legislation allowing for advanced nurse practitioners to have limited prescribing and referring rights.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Nursing Homes Act 1988	H	Provides for the licensing and control of nursing homes.	Review activity is at final stages. The review's final report is being prepared.		It is anticipated that the Government will make a decision on the review's recommendations during 2002-03.
Occupational Health and Safety Act 1983	WC	To secure the health, safety and welfare of persons at work and to amend certain other Acts.	Review completed as part of the RIS for the Occupational Health and Safety Regulation 2001.	RIS is publicly available	Replaced by the Occupational Health and Safety Act 2000 and the new consolidated Occupational Health and Safety Regulation 2001 enacted on 1 September 2001. A range of prescriptive regulatory controls have been replaced by a performance-based, risk management approach.
Optical Dispensers Act 1963	H	Registration, entry, title, discipline.	Review is not required. Consideration of competition policy issues by the Commonwealth-State review of partially regulated occupations.		
Optometrists Act 1930	H	Entry, registration, title, practice, discipline, ownership.	Review completed in December 1999. The review recommendations included removing ownership restrictions, limiting reserved practice and extending prescribing rights.	Publicly available	The Optometrists Bill 2001 was introduced into Parliament on 23 October 2001. The Bill lapsed with the proroguing of Parliament on 23 February 2002. It is anticipated that the Government will introduce an amended Bill (Optometrists Bill 2002) into Parliament in May this year. The amendments modify the process for authorising optometrists' use of therapeutic drugs in their professional practice. The Optometrists Bill maintains the restriction on ownership of optometry practices and continues to restrict the prescription of glasses and contact lenses to optometrists and medical practitioners. Refer to the Government's March 2002 Report to the NCC for supporting information.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Ozone Protection Act 1989	Env	Empowers the regulation and prohibition of the manufacture, sale, distribution, use, emission, recycle, storing and disposal of stratospheric ozone depleting substances and articles, which contain those substances.	Review completed. Dealt with under the Licence Reduction Program.		
Parking Space Levy Act 1992	Tpt	To discourage car use in business districts by imposing a levy on off-street parking and using the revenue to develop infrastructure and encourage the use of public transport.	Review completed.		Act retained on the basis that competition restrictions were notional only.
Partnership Act 1892	AG	Regulates partnerships.	Review is not required. This is a national issue as legislation largely restates the Common Law. Tasmanian review of similar legislation confirmed current arrangements.		

Name of legislation	Agency	Major restrictions	Comments on review ¹	Report availability ²	Comments on reform
Passenger Transport Act 1990	Tpt	Regulates public transport services - buses, taxis and hire cars, and ferries.	<p><u>Buses</u>: Review completed in 1996-97. The review recommended amending the Act to require bus operators to meet a Performance Assessment Regime (PAR) as condition of contract renewal.</p> <p><u>Taxis and hire cars</u>: Review completed in November 1999. The review recommended deregulation of the hire car industry. IPART identified net benefits from deregulating taxis in long run, but favoured a long transitional period. Hence it recommended issue of 5% of new licences annually from 2000-2005, and further review in 2003.</p> <p><u>Ferries</u>: NCP review is not required. Refer to comments on reform relating to buses.</p>	Publicly available	<p><u>Buses</u>: The Government is undertaking a major review of the legislative framework and contracting regime for buses in NSW. The PAR recommended by the NCP review is being reconsidered as part of this process to determine if it is the most appropriate way to introduce contestability and meet NCP requirements. Implementing a PAR based on the 1997 amendments to the legislation would have created a number of practical difficulties and limited the effectiveness of such a scheme. It is anticipated that a report from the review will be available for the Minister's consideration later this year. Competition policy issues and reforms needed to ensure the effective provision of ferry services will be considered as part of the development of the bus reform package.</p> <p>The Government has enacted the Passenger Transport Amendment (Transitway) Act 2001. The Act enables the excise of routes from regional contracts, which are then awarded via competitive tender and contain key performance measures. The contract for the first Transitway was awarded in January this year. It will be operational by February 2003.</p> <p><u>Taxis and hire cars</u>: Implementation of reforms in progress. Refer to the NSW Government's March 2002 Report to the NCC for further information.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Pathology Laboratories Accreditation Act 1981	H	Licensing.	Review completed.		Act repealed.
Pawnbrokers and Second Hand Dealers Act 1996	FT	Licensing, registration, entry requirements, disciplinary processes, business conduct	Review completed in November 2001. The review recommended the strengthening of existing licensing requirements for pawnbrokers and second hand dealers; and providing a quicker, cheaper and fairer mechanism for the return of stolen property to rightful owners.	Publicly available	On 16 April 2002, the Government approved the review's recommendations and the preparation of a draft exposure Bill. It is intended that amending legislation will be introduced into the current session of Parliament.
Payroll Tax Act 1971	Tr	Imposes a tax upon employers in respect of certain wages and provides for the assessment and collection of the tax.	Review completed. Dealt with under the Licence Reduction Program.		
Pesticides Act 1978 (Part 7)	Env	Controls the sale, supply, use and possession of pesticides, the application of pesticides from aircraft and provides for the prevention of foodstuff contamination.	Review completed. Dealt with under Licence Reduction Program. Part 7 of the Act is being further reviewed in the context of the generic review of chemical residue legislation. See Stock (Chemical Residues) Act 1975.	Publicly available	Act repealed and replaced by the Pesticides Act 1999, in line with the review's recommendations.
Petroleum (Onshore) Act 1991	MR	Regulates the search for, and mining of, petroleum.	Review completed. Dealt with under the Licence Reduction Program. The Act is also part of a national review of legislation governing on-shore petroleum, recently announced by the Commonwealth. Refer to the Government's March 2002 Report to the NCC for further information.		Authority for exploration retained. Business compliance costs minimised.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Petroleum (Submerged Lands) Act 1982	MR	Relates to the exploration for, and exploitation of, undersea petroleum resources. This legislation forms part of a national scheme.	Review completed in 2000. Part of a national review of legislation governing offshore petroleum development.	Publicly available	Given the need for NSW to mirror national legislation, the Government is awaiting the preparation and introduction of amendments by the Commonwealth before amending its own legislation. The timetable for further action depends on the Commonwealth's progress.
Petroleum Products Subsidy Act 1965	Tr	Implements a Commonwealth scheme for the subsidisation of fuel transport costs in rural areas.	Review is not required. The Act only enables NSW to provide administrative arrangements for the payment of Commonwealth subsidies to distributors of petroleum. It does not involve the imposition of any restrictions on competition by the NSW Government.		
Pharmacy Act 1964	H	Entry, registration, title, practice, discipline, advertising, business, ownership, licensing.	National review of pharmacy regulation (Wilkinson Review) completed in February 2000. The 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.	Wilkinson Report is publicly available	COAG referred the Wilkinson Review report to a Senior Officials' Working Party, chaired by the Commonwealth. In November 2001, NSW approved the Working Group's report for COAG endorsement and public release.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Physiotherapists Registration Act 1945	H	Entry, registration, title, practice, discipline.	Review completed in March 2001. The review recommended that physiotherapists continue to be regulated. However, it also recommended that controls on a number of professional titles be removed, and that the whole-of-practice restriction on physiotherapists be replaced by a restriction on the use of prescribed electro-physical appliances. The review also recommended that controls on advertising be brought in line with the Trade Practices Act 1974.	Publicly available	In March 2001, the Government approved the review's recommendations and the drafting of legislation to implement those recommendations. Parliament passed the new Physiotherapists Act 2001 in October 2001, and the Act received the Governor's assent on 11 October 2001. Draft regulations have been prepared for consultation with stakeholders. It is anticipated that the new Act will commence on 1 July 2002.
Pipelines Act 1967	E	Relates to the construction, operation and maintenance of pipelines.	Review completed. The report concluded that the legislation does not contain any significant anti-competitive provisions.		
Plant Diseases Act 1924	Ag	Permits declaration of quarantine areas and establishment of quarantine stations for plants. Allows control of the storage and movement of some items. Inspectors have powers to enter and search premises, and seize and destroy plants.	Review is at the final stage. Part of generic review of all plant and animal disease legislation. The review's final report will be completed during 2002.		
Podiatrists Act 1989	H	Entry, registration, title, practice, discipline.	Review activity is at final stages. The review's draft final report has been completed and submitted for Government consideration.		It is anticipated that the Government will consider the outcome of the review after April 2002, with amending legislation likely to be introduced into the Parliament this year.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Poisons and Therapeutic Goods Act 1966	H	Regulates, controls and prohibits the sale and use of poisons, restricted substances, drugs of addiction and certain dangerous drugs.	National review completed. Final review report given to the Australian Health Ministers Conference in early 2001 and under consideration by the Australian Health Ministers Advisory Council.		
Ports Corporatisation and Waterways Management Act 1995	PW	Establishes statutory State-owned corporations to manage the State's major port facilities; transfers waterways management and other marine safety functions to the Minister; establishes the Waterways Authority and provides for port charges, pilotage and other marine matters.	Review completed in December 2001. The Government's response to the review's final report is currently being prepared.		It is anticipated that the Government's response and any subsequent reforms will be initiated by June 2002.
Poultry Meat Industry Act 1986	Ag	Prohibits supply of chickens unless under an agreement approved by the Poultry Meat Industry Committee.	First review completed in mid-2000. Second review of the Act completed in November 2001. The second review concluded that the Act involves a net public cost, however the benefits to individual consumers from deregulation would be marginal.		On 13 November 2001, the Government decided not to deregulate the industry. A formal response to both of the NCP review reports is being considered. In the meantime, the Poultry Meat Industry Act will be exempted from the Trade Practices Act 1974, so growers and processors are not subject to legal challenge. The amending legislation will be introduced into Parliament shortly.
Poultry Processing Act 1969	Ag	Registration of plants in which poultry is processed for sale. Minimum standards in the slaughtering and processing of poultry.	Review completed, in conjunction with the Meat Industry Act 1987.		Act repealed on 1 July 1999 when the Meat Industry Amendment Act 1998 commenced. Food safety regulation of the NSW poultry industry is now provided through the Food Production (Safety) Act 1998 and the Food Production (Meat Food Safety Scheme) Regulation 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Prevention of Cruelty to Animals Act 1979	Ag	Controls or prohibits certain activities associated with animal breeding, animal husbandry, entertainment, veterinary services, animal derived production and processing and transportation. Imposes compliance costs. Authorises a range of direct interventions by regulatory officials and courts.	Review is at the final stage. It is intended that the review's final report will be completed by June 2002. The review is considering linkages with five other Acts: Animal Research Act 1985, Exhibited Animals Protection Act 1986, Veterinary Surgeons Act 1986, Companion Animals Act 1998 and National Parks and Wildlife Act 1974.		
Prices Regulation Act 1948	FT	Makes provision for the regulation of prices and rates of certain goods and services.	Review completed in 1996.		The Government approved the review's recommendation that prices regulation powers be transferred to the Independent Pricing and Regulatory Tribunal. The Prices Commission was subsequently abolished and the requisite amendment giving effect to the proposed transfer of powers was enacted in mid-2000.
Prickly Pear Act 1987	Ag	Provides for the control and destruction of Prickly Pear.	Review completed.		Act repealed and replaced by provisions under the Noxious Weeds Act 1993.
Private Hospitals and Day Procedures Centres Act 1988	H	Licensing and conduct.	Review is at the final stage. An interim report was prepared during April 2002 to enable further public consultation before a final reform proposal is submitted for Government endorsement.		It is anticipated that the Government will make a decision on the review's final recommendations during 2002.
Professional Standards Act 1994	AG	Provides for the limitation of liability of members of occupational associations in certain circumstances and to facilitate the improvement of the standards of services provided by those members.	Review activity is at final stage. It is anticipated that the review's final report will be completed by June 2002.		Professional Standards Amendment Act 1999 passed, instituting an 'opt-out' clause for professional indemnity insurance schemes run by associations. Further possible reforms will be considered by the Government during 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Property, Stock and Business Agents Act 1941	FT	Licensing (real estate, stock and station, business and managing agents), registration, entry requirements (qualifications, sufficient experience, fit and proper person), the reservation of practice, disciplinary processes, business conduct (auctions, trust accounts).	Review completed in February 2001. The review recommended a single licence regime, competency standards as a component of entry requirements, compulsory professional indemnity insurance and annual licence renewal.		In July 2001, the Government accepted the majority of the review's recommendations, in principle, and approved the preparation of an exposure Bill for further public consultation. The Government decided not to adopt the review's proposal to replace the current multi-licensing system with a single licence regime. The reason was that a single licensing scheme could decrease the competency of agents and erode consumer protection. Consultation on the exposure Bill has been completed. The Government will reintroduce the Bill into the current session of Parliament.
Psychologists Act 1989	H	Entry, registration, title, practice, discipline.	Review completed in December 1999. The review recommended that psychologists continue to be regulated to minimise the risks of harm and injury. However, the review also recommended the removal of restrictions on advertising and premises. A number of recommendations provide clarity and accountability.	Publicly available	In December 1999, the Government approved the review's recommendations and the drafting of legislation to implement those recommendations. Parliament passed the new Psychologists Act 2001 in October 2001, and the Act received the Governor's assent on 11 October 2001. Draft regulations have been prepared for discussion with stakeholders. It is anticipated that the new Act will commence on 1 July 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Public Finance and Audit Act 1983 and Public Authorities (Financial Arrangements) Regulation 1997	Tr	The Act makes provision with respect to the administration and audit of public finances. The Regulation makes provisions with respect to certain financial arrangements and investments of public authorities; constitutes the NSW Capital Works Financing Corporation.	Review completed in 1998, as part of a consultation program concerning a proposal to merge five Acts into a new single statute. The review of the restrictions revealed that there were net public benefits supporting their retention. No further action is required at this stage.		
Public Health Act 1991	H	Regulates the funeral industry, skin penetration, microbial control and other matters.	Review completed in March 2001. It is anticipated that the Government will consider the review's final report shortly.		It is anticipated that any resulting legislative reforms will be introduced into Parliament during 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Public Lotteries Act 1996	GR	Amends and consolidates the law relating to the conduct of public lotteries. Repeals the Soccer Football Pools Act 1975, the Lotto Act 1979 and the NSW Lotteries Act 1990 and regulations made under those Acts.	The Act was not listed for NCP review as part of the Government's 1996 legislation review schedule. NCP principles are being addressed as part of the statutory five-year review of the Act.		
Public Notaries Act 1985	AG	Provides for appointment, enrolment and disciplinary procedures for Public Notaries.	Review completed.		Act repealed and replaced by the Public Notaries Act 1997.
Public Sector Management (Goods and Services) Regulation 1995	PWS	Establishes the State Contracts Control Board, which arranges for the supply of goods and services and disposal of goods for the Public Service. The restriction on competition is that certain government agencies are prevented from independently negotiating contracts for the supply of goods or services other than through the Board.	Review completed in 2000. A RIS was released for public consultation in April 2000. The review found that the benefits to the State from centralised procurement outweigh any costs associated with restrictions on choices available to government agencies. It therefore recommended that the Regulation be re-made with existing coverage and application.		The Government re-made the regulation in 2000 as recommended by the review.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Public Trustee Act 1913	AG	Constitutes a Public Trustee and prescribes the powers and duties of the Public Trustee and duties.	Review completed.		The NSW Parliament rejected amending legislation. Other measures to implement the review's recommendations are not considered viable.
Racing Administration Act 1998	GR	Regulates racing and betting activities in NSW. The Act bans proprietary racing; bans racing for betting other than thoroughbred, greyhound and harness racing; bans advertising the availability of bookmaker or totalisator services from another jurisdiction; bans provision of betting services other than for the NSW TAB and provision of information on alternative sources by way of internet, subscription TV or other on-line communications.	Review completed in August 2001. Omnibus review in conjunction with the Bookmakers Taxation Act 1917, the Greyhound Racing Control Board Act 1985, the Harness Racing Act 1977 and the Thoroughbred Racing Board Act 1996. The review recommended that existing legislative restrictions on the conduct of racing and betting be retained on the public interest grounds of harm minimisation, and ensuring probity, with the exception of a relaxation in arrangements regarding corporate bookmakers.	Publicly available	The Government accepted the review's recommendations on 3 December 2001. In relation to corporate bookmakers, the Government has drafted amending legislation to be introduced into the current session of Parliament. This change will facilitate fairer income tax arrangements, better management of the risks associated with bookmaking, and improved customer service. Additionally, the State turnover tax on bookmakers, in regard to both racing betting and sports betting, has been abolished. It is estimated that this initiative will save the State's bookmakers approximately \$2.4 million each year and assist them to remain viable and competitive with bookmakers in other States.
Radiation Control Act 1990 and Radiation Control Regulation 1993	Env	Makes provision for the regulation and control of the sale, use, keeping and disposal of radioactive substances and radiation apparatus.	Initially dealt with under the Licence Reduction Program. The legislation has also been considered in the context of the national NCP review of radiation control legislation.	Publicly available	In March 2002, the Government approved amendments to the Act to implement the recommendations of the national NCP review. Amending legislation is currently being drafted for introduction into the current session of Parliament.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Rail Safety Act 1993	Tpt	Potential for restraint on competition in pursuit of safe construction, operation and maintenance of railways.	Statutory review completed in 1999. Development of the rail safety reform package included consideration of NCP principles.		<p>In November 2001, the Government announced significant rail safety reforms in response to the Special Commission of Inquiry into the Glenbrook rail accident. A package of amendments will be introduced into the current session of Parliament.</p> <p>Reforms include the establishment of a Rail Safety Regulator within the Department of Transport, which has responsibility for safety regulation. The Rail Safety Regulator will use the powers and functions under the Rail Safety Act to accredit, audit, inspect, enforce compliance and investigate rail organisations in respect of their safety performance, and to report publicly. In addition, an independent Rail Accident Investigation Panel will be established to investigate more serious accidents and incidents.</p> <p>Refer to the Government's March 2002 Report to the NCC for further information.</p>
Recreation Vehicles Act 1983	Env	Regulates the off-road use of motor vehicles.	Review is not required.		Vehicle registrations can no longer be made under this Act, as the relevant Regulation expired in 1999 and will not be re-made. Management of recreational vehicles will in future rely on existing NCP-compliant powers located within road transport legislation.
Registered Clubs Act 1976	GR	Makes provisions with respect to the registration of clubs and their rules and management.	See separate entry item for the Liquor Act 1982.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Residential Tenancies Act 1987	FT	Relates to the rights and obligations of landlords and tenants under residential tenancy agreements; makes provision with respect to excessive rent increases and rents; confers functions onto the Residential Tenancies Tribunal of NSW with respect to landlords and tenants.	Review completed in June 2000, in conjunction with the Landlord and Tenant (Rental Bonds) Act 1977. The Government is presently considering the review's final report and 121 recommendations.		It is anticipated that the Government will make a decision on the review's recommendations shortly, with amending legislation later in 2002. In the interim, the Residential Tenancies Tribunal has been absorbed into a new Consumer, Trader and Tenancy Tribunal.
Restraints of Trade Act 1976	AG	Provides for Supreme Court action based on applications against activities, which create restraints of trade. Act strengthens public interest test found in the common law.	Review completed.		Act to be retained with amendment to indicate that it is subject to TPA and Competition Policy Reform (NSW) Act 1995.
Retail Leases Act 1994	SD	Makes provision with respect to the leasing of certain retail shops and the rights and obligations of lessors and lessees of those shops.	Combined NCP-statutory review in progress. It is intended that the review's final report will be completed by June 2002.		It is anticipated that the Government will make a decision on the reviews recommendations during 2002-2003.
Retirement Villages Act 1989	FT	Relates to the termination of occupation rights of residents in retirement villages and confers jurisdiction over certain matters relating to retirement villages, on the Residential Tenancies Tribunal.	Review completed in December 1998. The review recommended measures to address industry practices identified as unfair and inequitable.	Publicly available	Act replaced by Retirement Villages Act 1999. New legislation is consistent with the review's recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Rice Marketing Board (established under the Marketing of Primary Products Act 1983)	Ag	Confers a monopoly over the domestic and export marketing of rice grown in NSW on the Rice Marketing Board (RMB). The RMB, under an exclusive licensing arrangement, delegates its marketing functions to the Ricegrower's Co-operative Limited (RCL).	<p>Review completed in December 1995. The review demonstrated that while the current regulated regime generated a net public cost in domestic markets, this was outweighed by the net public benefit in the regulation of exported product.</p> <p>The review recommended removing the RMB's monopoly over domestic marketing, but retaining the export monopoly. It proposed this be achieved by repealing the State-based arrangements whereby the entire NSW crop 'vests' with the RMB and establishing an export monopoly under Commonwealth jurisdiction.</p>	Publicly available	<p>In April 1999, the Government advised the C'W that it agreed in principle to remove domestic vesting arrangements, conditional on it being demonstrated that all relevant issues have been properly resolved, and in particular that:</p> <ul style="list-style-type: none"> the proposed C'W single desk rice export arrangements are feasible and practical, and do not put export premiums under any risk; industry views are taken into account on the need for a transition period before the start of proposed arrangements, and on the length of the initial period for which the Ricegrowers' Co-operative Limited (RCL) would be given an exclusive export licence; and all other States are in agreement with the proposal. <p>NSW requested that the proposed model for consultation with other jurisdictions include a possible 3-5 year duration for the proposed national arrangements, and right of veto for rice exports for the RCL as a transitional measure.</p> <p>NSW is awaiting the outcome of the Commonwealth's consultation process before making relevant reforms to State legislation. In March 2002, the Premier wrote to the C'W Treasurer seeking advice on progress of the Commonwealth's consultation with other jurisdictions on the proposed model.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Roads Act 1993	R	Makes provision with respect to the roads of NSW. Regulates the carrying out of certain activities on public roads.	Review completed in August 2001. It is anticipated that the Government will consider the review's final report shortly.		
Rural Assistance Act 1989	Ag	Constitutes the NSW Rural Assistance Authority. The Review Group considered the Protection Orders provision to be a potentially significant competition restriction.	Review completed in February 1999. The review recommended: <ul style="list-style-type: none"> • public benefit provisions should be included in the Act to apply to existing and new programs; • programs to include objectives that clearly target defined market failure(s); and • provisions relating to the Protection Orders be repealed. 	Publicly available	Minor amendments to the Act, including the repeal of Protection Orders, were made by the Rural Assistance Amendment Act 2000 as recommended by the NCP review.
Rural Lands Protection Act 1989	Ag	Establishes Rural Lands Protection Districts and associated boards that levy and collect rates, provide animal health services and control of noxious weeds and animals.	Review is not required.		Act repealed and replaced by the Rural Lands Protection Act 1998, which commenced in September 2001.
Rural Lands Protection Act 1998		Establishes Rural Lands Protection Districts and associated boards that levy and collect rates, provide animal health services and control of noxious weeds and animals.	Initial work on the NCP review commenced during April 2002. It is intended that the review's final report will be completed by June 2003.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Rural Workers Accommodation Act 1969	IR	Provides for the accommodation of rural workers and constitutes the Rural Workers Accommodation Advisory Council. Creates certificate of compliance for accommodation.	Review completed in 2001. The review has been completed as part of the RIS for the Occupational Health and Safety Regulation 2001. The review of the Act has also been affected by the process of finalising the new Occupational Health and Safety Act and Regulation, which contain workplace accommodation and amenities provisions.		It is anticipated that public consultation and proposals for the future of the Act will be finalised by 30 June 2002.
Security (Protection) Industry Act 1985	Po	Licensing (providers of security or protection for persons or property) and regulation.	Review is not required.		Act repealed and replaced by the Security Industry Act 1997. NCP principles were addressed in developing the 1997 Act. The legislation is fundamentally based on public interest grounds. It is primarily intended to reduce: the risk of criminal activity in the security industry; the risk of financial loss to businesses; the risk to public safety; the risk to security guards working in the industry; and the risk from dishonest or untrained security guards, who sometimes carry firearms.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Seeds Act 1982	Ag	Imposes labeling requirements on seed parcel sales. Sets standards and conditions which limit participation in seed varietal verification schemes.	Review is at the final stage. The review's final report has been prepared, however it will not be finalised until the Government has made a decision on the NCP review of the Noxious Weeds Act 1993.		It is intended that the Government will make a decision on the review's recommendations this year.
Small Business Loans Guarantee Act 1977	SD	Authorises the execution of guarantees for the repayment of loans made to certain small businesses.	Review is at the final stage. The Act is being reviewed in conjunction with the State Development and Industries Assistance Act 1966. It is anticipated that the review's final report will be completed by June 2002.		It is anticipated that the Government will make a decision on the review's recommendations during 2002.
Soccer Football Pools Act 1975	GR	Regulates the conduct of soccer football pools in NSW.	Review is not required. Refer to separate entry item for the Public Lotteries Act 1996.		Act repealed.
Standard Time Act 1987	AG	Relates to standard time and daylight saving in NSW.	Review unnecessary. Act deleted from the NSW legislation review schedule. The Act does not contain any anti - competitive issues.		
State Development and Industries Assistance Act 1966	SD	Constitutes the Minister administering the Act as a corporation sole and confers certain powers on that sole relating to the establishment, expansion and development of certain industries and to the acquisition of land.	Review is at the final stage. The Act is being reviewed in conjunction with the Small Business Loans Guarantee Act 1977. It is anticipated that the review's final report will be completed by June 2002.		
Stock (Artificial Breeding) Act 1985	Ag	Restricts who may carry out or supervise an artificial breeding procedure. Requires licensing of artificial breeding premises. Imposes mandatory standards on licensed premises.	Review completed, in conjunction with the Veterinary Surgeons Act 1986. The Government is currently considering the review's final report.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Stock (Chemical Residues) Act 1975	Ag	Imposes restrictions on chemically affected stock (for example on sale, movement and destruction).	Review completed in 1999. Part of a generic review of chemical residue legislation.	Publicly available	<p>In April 2002, the Government approved in-principle the review's recommendations that:</p> <ul style="list-style-type: none"> • the Fertilisers Act 1985, the Stock Foods Act 1940 and the Stock (Chemical Residues) Act 1975 be amalgamated into a single new Act; • certain current restrictions be excluded from the new Act; and • the objectives of the new Act focus on forms of market failure relating to human health, trade, the environment and animal welfare. <p>There are no outstanding NCP issues.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Stock Diseases Act 1982	Ag	Restricting or prohibiting imports of stock or other items from a disease affected area. Declaration of quarantine areas. Testing and treatment of stock. Closing of roads and building of fences and gates. Declaring quarantine lines and setting conditions for crossing such lines. Ordering destruction of stock.	Review is at the final stage. Part of a generic review of all plant and animal disease legislation. The review's final report will be completed during 2002.		
Stock Foods Act 1940	Ag	Regulates labelling of manufactured stock food. Sets composition standards for stock food (limits on foreign ingredients).	Review completed in 1999. Part of a generic review of chemical residue legislation.	Publicly available	Subject to reform. See Stock (Chemical Residues) Act 1975.
Stock Medicines Act 1989	Ag	Unregistered chemicals not to be held or used on food-producing stock unless prescribed by a veterinary surgeon. Minimum qualifications and experience for analysts. Restricts advertising.	Review completed in 1999. Part of a generic review of chemical residue legislation.	Publicly available	Subject to reform. See Stock (Chemical Residues) Act 1975.
Strata Schemes Management Act 1996	FT	Provides for the management of strata schemes and the resolution of disputes in connection with strata schemes.	Review completed in March 2002. The Government is currently considering the review's final report.		It is anticipated that the Government will make a decision on the review's recommendations shortly.
Strata Titles Act 1973	FT	As above.	Review is not required.		Act repealed and replaced by the Strata Schemes Management Act 1996, which provides for the management of strata schemes and the resolution of disputes in connection with strata schemes.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Strata Titles (Leasehold Development) Act 1986	IT	Provides for the registration of strata plans.	Review is not required.		Strata management provisions of the Act replaced by Strata Schemes Management Act 1996, which provides for the management of strata schemes and the resolution of disputes in connection with strata schemes.
Superannuation Administration Act 1996	Tr	Provides for trustees for State public sector superannuation schemes and the provision of investment and administration services for such schemes.	Review is not required.		Legislation to corporatise the Superannuation Administration Authority was introduced into Parliament in May 1999. The legislation provided for fixed superannuation contracts to be put in place for 3-5 years, following which competitive tendering will apply. No residual anti-competitive provisions will remain following the expiry of these transitional contracts.
Surveyors Act 1929	IT	Licensing, registration, entry requirements (qualification, exam, two years experience, aged at least 21 years, good fame and character), the reservation of title and practice, disciplinary processes, business conduct (regulating the making of surveys and advertising).	Review completed in August 2001. The review made 11 NCP-related recommendations, including the retention of a system of registration of surveyors. The review also recommended the objectives of the Act be rewritten and consideration be given to deregulating restrictions on the naming and ownership of surveying firms and advertising.	Publicly available	In October 2001, the Government supported the review's recommendations in-principle and further public consultation. It is anticipated that a final legislative reform proposal will be submitted for Government consideration shortly, with amending legislation introduced into Parliament later this year.
Swine Compensation Act 1928	Ag	Provides for the establishment of a Swine Compensation Fund and for payment of compensation to owners of pigs and carcasses of pigs destroyed as suffering from disease.	Review activity is at the final stage. Part of a generic review of all plant and animal disease legislation. The review's final report will be completed during 2002.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Sydney Market Authority Act 1968	Ag	Constitutes the Sydney Market Authority and to define its powers, authorities, duties and functions and to vest certain property in the Authority.	Review is not required.		Act repealed.
Sydney Turf Club Act 1943	GR	Constitutes and incorporates the Sydney Turf Club and declares its objects, functions and powers and provides for associated matters.	Review completed in 1999, in conjunction with the Australian Jockey Club Act 1873. The review recommended the retention of current arrangements.		
Theatres and Public Halls Act 1908	AG	Provides for the licensing and regulation of theatres and public halls and of places used for public entertainment or public meetings, and the licensing and regulation of the holding of public entertainment and public meetings in temporary structures.	Review is not required.		Act repealed.
Therapeutic Goods and Cosmetics 1972	H	Regulates the manufacture, distribution and advertising of certain therapeutic goods and imposes standards in relation to certain therapeutic goods and cosmetics.	Review completed.		Act repealed. Provisions relating to cosmetics not re-enacted. Licences for wholesalers of therapeutic goods eliminated. Remaining provisions incorporated into Poisons Act 1966 and Therapeutic Goods Act 1972.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Thoroughbred Racing Board Act 1996	GR	Establishes the controlling body for thoroughbred racing. Authorises the controlling body to make rules of racing and betting (including provision for the licensing of racing participants). The controlling body may make rules in relation to the operation of bookmakers. Bookmakers may only operate at events and at a location and time for which it is lawful to do so.	Review completed in 2001. Part of review of racing and betting legislation.	Publicly available	See Racing Administration Act 1998.
Tobacco Advertising Prohibition Act 1991	H	Prohibits the advertising of tobacco and tobacco products, trade marks, brand names and logos.	Review completed.		Act repealed. Advertising restrictions were minimised and incorporated into the Public Health Act 1991.
Tobacco Leaf Stabilisation Act 1976	Ag	Makes provisions with respect to the stabilisation of the tobacco leaf industry.	Review completed.		Act repealed.
Totalizator (Off-Course Betting) Act 1964	GR	Makes provision with respect to off-course betting by means of the totalizator system; provides for the conduct of sweepstakes in respect of certain events; establishes a Totalizator Agency Board and defines its powers, authorities, duties and functions.	Review is not required.		Act repealed and replaced by Totalizator Act 1997, privatising the TAB.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Totalizator Act 1916	GR	Amends and consolidates the law as it relates to the conduct of totalizators and the regulation of totalizator betting.	Review is not required.		Act repealed and replaced by Totalizator Act 1997, privatising the TAB.
Totalizator Act 1997	GR	Privatises the TAB. Makes provision for an exclusive licence for the NSW TAB to conduct totalizator betting both on and off course. Establishes the rules and codes of conduct for totalizator betting. Grants an exclusive licence to the NSW TAB for linked jackpots on gaming machines in NSW and also for the NSW TAB to provide a centralised monitoring system for gaming machines in NSW clubs and hotels. Later amendments grants NSW TAB an exclusive investment licence to provide gaming machines to hotels and clubs.	Review completed by CIE at the request of the NCC. The review concluded that there is a net public benefit from the TAB's exclusive licensing arrangements. Refer to the Government's March 2002 Report to the NCC for further information.	Publicly available	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Tow Truck Act 1989	Tpt	Provides for a licensing and certification scheme for tow truck drivers and operators, regulates other matters and constitutes the Tow Truck Industry Council.	Review is not required.		Act repealed and replaced by Tow Truck Act 1998. The Tow Truck Act 1998 gives effect to a series of fundamental regulatory reforms in the tow truck industry. The reforms have been developed in response to an independent review of the industry, which identified corruption and criminal practices within some segments of the industry. The review recommended a fundamental restructure of policy, enforcement and organisational elements governing tow truck regulation. Central to the reforms is the introduction of a Job Allocation Scheme.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Tow Truck Act 1998	Tpt	Licensing, job allocation scheme, pricing controls.	<p>The NSW Government had given the NCC an undertaking that a review of the Act will be initiated six months after the new Job Allocation Scheme has commenced. The NCC sought a commitment from NSW regarding the actual commencement date.</p> <p>Work has commenced with the Department of Transport beginning research to facilitate the review process. Ministerial approval has been sought for the review's terms of reference and establishment of the review's steering committee.</p> <p>As advised in the Government's March Report to the NCC, the review's terms of reference will include an evaluation of the Job Allocation Scheme trial and further analysis of the impact of clause 69(2) of the <i>Tow Truck Industry Regulation</i> on interstate operators, incorporating advice from the NSW Crown Solicitor on this issue.</p>		
Trade Measurement Act 1989	FT	Relates to trade measurement in NSW as part of the scheme for uniform trade measurement legislation throughout Australia.	<p>National review is underway. Queensland is leading the national process.</p> <p>NSW anticipates that the review will be completed by June 2002, with any appropriate legislative reform in 2003.</p>		
Traffic Act 1909	R	Provides for the regulation of vehicles and of vehicular and pedestrian traffic.	Review completed.		Act repealed.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Travel Agents Act 1986	FT	Licensing, compulsory consumer compensation fund, business restrictions.	National review completed in 2000. Western Australia is leading the national process. The 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.	Publicly available	NSW anticipates that appropriate reforms will be completed during 2002-2003.
Trustee Companies Act 1964	AG	Restrictions, liabilities, privileges and powers of trustee companies.	National review is underway. Standing Committee of Attorneys General (SCAG) released issues paper and draft Bill in June 2001. SCAG was ready to endorse the NCP review's report at its meeting in March 2002. However, Commonwealth officers asked for more time to consider the licensing and supervisory arrangements before the report is released. The Bill can be finalised once the NCP report is released and stakeholder comment is received.		
Unhealthy Building Act 1990	Env	Provides for the declaration of certain land as unhealthy building land and for the effect of such a declaration.	Review completed. Dealt with under the Licence Reduction Program.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Valuers Registration Act 1975	FT	For real estate valuers: licensing, registration, entry requirements (education, supervised training, good character), disciplinary processes, the reservation of practice. It also confers functions on the Property Services Council.	Review completed in 2000. The review recommended a negative licensing scheme to replace the current registration scheme. The proposed scheme would involve core legislation that provides for qualification and practice requirements, and disciplinary action. Continuing professional development and professional indemnity insurance would not be a compulsory pre-condition to carry on business as a valuer.	Publicly available	In April 2000, the Government accepted the review's recommendations in-principle, and approved the preparation of an exposure Bill for further public consultation during 2000-01. Additional information has subsequently been prepared on the public benefits and costs of alternative regulatory options. It is intended that a final reform proposal will be submitted for Government endorsement shortly. It is anticipated that amending legislation will be introduced into Parliament during 2002.
Veterinary Surgeons Act 1986	Ag	Licensing of veterinary surgeons and hospitals, reservation of practices, reservation of title, advertising restrictions, and controls on business names.	Review completed in December 1998, in conjunction with the Stock (Artificial Breeding) Act 1985. The Government has been undertaking thorough public consultation on a range of competition issues and wider regulatory reform options. A less restrictive regulatory model was submitted for Government consideration in April 2002.		It is intended that this matter will be addressed in the current session of Parliament.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Waste Disposal Act 1970	Env	Provides for the constitution of a corporation to be called the 'Metropolitan Waste Disposal Authority'; confers and imposes on the corporation responsibilities, powers, authorities, duties and functions with respect to the transport, collection, reception, treatment, storage and disposal of waste within the Metropolitan Waste Disposal Region.	Review is not required.		Act repealed and replaced by the Waste Minimisation and Management Act 1995.
Waste Minimisation and Management Act 1995	Env	<p>The Act relates to the management, regulation and reduction of waste. Potential restrictions on competition include:</p> <ul style="list-style-type: none"> • the powers of regional waste boards to direct councils' charging policies; • requirements for industry waste reduction plans; • licensees that are not public authorities cannot hold licences for facilities that receive putrescible waste, unless a separate supervisory licence is granted to a public authority; • environmental protection licensing; and • the waste levy. 	Review completed in 2001. The review recommended legislative amendments to replace regional waste boards with a single State agency; and a package of measures to improve the performance of the waste levy as an economic incentive for finding alternatives to waste disposal.		In June 2001, Government agreed to modify the NSW waste policy settings in line with the outcomes of the NCP review (and statutory review). The NSW Parliament subsequently passed the Waste Avoidance and Resource Recovery Act 2001.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review¹</i>	<i>Report availability²</i>	<i>Comments on reform</i>
Wheat Marketing Act 1989	Ag	Imports Commonwealth Act into State jurisdiction.	Review is not required.		Act repealed under the State Law Revision Program.
White Phosphorous Matches Prohibition Act 1915	IR	Prohibits the use of white phosphorus in the manufacture of matches and prohibits the sale of matches made with white phosphorous.	Review is not required.		Act repealed.
Wool, Hides and Skins Dealers Act 1935	Po	Restrictions on the buying and selling of wool, hides and skins.	Review completed in 1996. The review recommended that the Act should be repealed. The Government considered the review's recommendations concurrently with the findings of the Pastoral and Agricultural Crime Working Party, completed in late 2000.		In October 2001, the Government decided to retain the Act as part of a package of rural crime measures. A public benefit assessment is being developed to support the Act's retention. It is anticipated that this assessment will be completed by June 2002.
Workers Compensation Act 1987	WC	Mandatory insurance and centralised premium.	Review completed in 1997-98. The review recommended removing the monopoly insurer in favour of competitive underwriting.		Legislation passed to introduce private underwriting in October 1999. However, subsequent legislation has repealed that legislation pending a further review of scheme design. Refer to the Government's March Report to the NCC for further information.

¹ Information on NCP review recommendations has been provided where the Government has made a decision on the review's report.

² A number of review reports are due to be released later this year.