

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Abattoirs and Slaughtering Act and Regulations	DBIRD	Establishes licensing regime and standards for premises - slaughter of buffalo (Regulation 7), abattoir licence (Regulation 5).	Review completed in 1997.	No information	Act repealed and replaced by Meat Industries Act 1996.
Adoption of Children Act	DH&CS	Governs the adoption of children within the Northern Territory. It restricts market entry by limiting the organisation and approval of adoptions to the Minister or persons approved by the Minister (s.74)	Internal review by the Department completed in 2001. Review found all restrictions to provide a net public benefit.	Not publicly available	No reform required.
Aerodromes Act	DIPE	The principal catalyst for introduction of the legislation was the emerging importance of Connellan Airport at Yulara as a major transportation hub for tourists and others visiting Uluru and the far south-west region of the NT. The purpose of the Act was to provide authority for declaration of any place to be an aerodrome, and for appointment of a Director of Aerodromes. In practice, no elements of the Act have reduced competition, if for no other reason than that the powers of the Act have apparently never been invoked.	An independent consultant conducted the review of this Act. The report on the review of this Act was submitted to DIPE in late October 2001.	Publicly available	The review recommended the Act be repealed. Government endorsed the review's recommendation in March 2002. A Repeal Bill is currently being drafted.
Agent's Licensing Act	DOJ	Licensing (real estate agents, agent's representative, conveyancing agent), registration, entry requirements (fit and proper person, aged at least 18 years, education or experience, competency), the reservation of practice, disciplinary processes, business conduct (maintenance of office in NT, professional indemnity insurance, fidelity fund, trust monies).	Review completed in November 2000. Recommended changes to entry requirements, the reservation of practice, and business conduct.	Not publicly available - confidential copy	Government approved most recommendations. Does not support investigating tendering out sole rights to deliver realty education. Wider non-NCP specific review to occur.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Agricultural and Veterinary Chemicals (NT) Act	DBIRD	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 (see the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	Publicly available	See the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994.
Architects Act	DIPE	Registration, entry requirements, reservation of title, disciplinary processes.	National review conducted by the PC completed in August 2000 (publicly released November 2000). (Previously completed NT review put on hold.) A States and Territories working group (IGWG) has developed a national response to the PC review.	IGWG review publicly available. NT review not yet available.	Final response in accordance with IGWG response to PC review being prepared after consultation with industry.
Auctioneer's Act	DOJ	Licensing, entry requirements (aged over 18 years, good character, fit and proper person), the reservation of practice, business conduct (maintenance of records for at least 12 months, auctions between 8am and 11pm).	Semi-public review underway.		
Building Act	DIPE	Licensing and provision for establishment of building technical standards, registration of building practitioners and certifiers, regulation of building matters (including the registration of building products), the granting of permits, the establishment of appeals processes.	Technically focused public review undertaken. Public consultation phase and consultant report completed in October 1999. NCP review outcomes to be incorporated in general review of Act now underway.		
Building Societies Act	DBIRD	Licensing.	Review completed in 1997.	No report	Repealed May 1998. Building Societies currently registered under Financial Sector Reform (NT) Act as part of a national legislative scheme.
Business Franchise Act	NTT	Licence to sell tobacco or petroleum products (s14).	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.		Government accepted review findings.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Cancer Registration Act	DH&CS	Notification provisions.	Internal review completed in December 2000. Costs on business found not to be of such a magnitude as to materially restrict competition.	Not publicly available	No reform required.
Caravan Parks Act	DCDS&CA	Regulates caravan parks. Only applies to some parts of the Territory. May create anti-competitive effects between controlled and uncontrolled areas.	Internal review completed in July 2000. Public notices of the review were also placed in Territory newspapers. The review found the Act has been applied in a non-uniform manner. In 1975 a Ministerial declaration allowed under section 2 limited the Act's application to within 26km of the Darwin GPO. About 20% of all caravan parks in the Territory are located in this area, and the restrictions found in the Act are therefore imposed in an uncompetitive manner. This limited application is indicative of the Act being generally outdated. Many provisions have been duplicated in other legislation, while other aspects of caravan service regulation are currently dealt with through convention and measures such as a service accreditation program. New legislation, to be applied uniformly, has been suggested to reflect current issues in service provision with corresponding regulations on industry practice. Review recommended the Act be repealed, and relevant parties be involved in preparing new legislation.		The Territory Government accepted the review's recommendation. A repeal Act was passed by the Legislative Assembly in November 2000. The repeal is expected to take effect before June 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Cemeteries Act	DCDS&CA	Provides for the establishment, maintenance and control of cemeteries.	Review completed in August 2000 by the Department of Local Government, with independent steering committee.	No information	New legislation passed in November 2000, providing for individuals to be eligible for one-off undertaking licences and persons other than Councils eligible to erect a crematorium.
Classification of Publications, Films and Computer Games Act	DOJ	The Act is part of a national scheme which provides for the classification of films, videos, computer games and publications. It contains provisions which regulate the sale of such materials. Additionally, it contains a prohibition concerning the manufacture of 'X' style videos in the NT.	<p>Departmental review completed in April 2000. Comments were sought from State and Territory Government agencies. A full public review was not considered necessary because:</p> <ul style="list-style-type: none"> · the Act is mainly comprised of offences created to reflect government policy positions on issues of morality; · there is no evidence that these policy positions are under any challenge; · of the various regulatory options, the one in the Act is of the lightest kind. That is, there is no licensing or registration scheme and there is no payment of any fees required for activities in the NT; and · to the extent that the Act supports some heavy regulation (namely the requirement for the classification, on payment of a fee, of most videos, films and computer games and of some publications) the regulation is, for most practical purposes, national. <p>The review found that the anti-competitive provisions can be justified as being in the public benefit and that there is no need to amend the Act.</p>		Government approved the recommendations of the review in 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Commercial and Private Agents Licensing Act	DBIRD	Licensing (commercial agents, process servers, inquiry agents, private bailiffs), registration, entry requirements (age over 18 years, resident of the Territory, fit and proper, not found guilty of offence that warrants refusal of licence, any person may object to issuing of licence), the reservation of practice, disciplinary processes, business conduct (provide bond, trust account, prescribed records, local (but not interstate) licensed agent must have a nominee and branch manager resident in the NT), business licensing.	Review completed in November 1999. Recommended: retaining exemption from positive licensing all persons of particular occupations who perform agent roles incidental to their occupation (but introducing negative licensing); continuing licensing of employees and sub-agents; issuing licenses for a fixed period (a suggested two years); transferring responsibility for licensing to the Industries and Business portfolio; making various changes to business conduct requirements (requirement to issue receipts, change to trust account arrangements; consideration of issue of bonds and indemnity insurance in late 2000); and undertaking a further review to implement best practice licensing processes.		Government approved recommendations, and enacted legislation in 2000 to transfer the licensing from the local court to the Commissioner for Consumer Affairs and to introduce fixed three-year licences in lieu of indefinite licences. Legislation awaits commencement.
Commercial Passenger (Road) Transport Act	DIPE	Limitations on number of taxi and hire car licences.	Review completed in June 1998. It recommended deregulation of entry, with buyback of existing licences at full market value, to be funded by substantial licence fees over several years.	Not publicly available - no copy	Competition issues addressed in the Commercial Passenger (Road) Transport Amendment Act 1998, which commenced January 1999. Only residual issue is maximum fare regulation.
Community Welfare Act	DH&CS	Provides for the protection and welfare of children. Licensing of childcare centres (Div 2).	Targeted review completed in 2000. The review concluded that in general, the public benefits of the competitively restrictive features of the Act exceed their public cost by a large margin, and that they should therefore be retained.	Publicly available	The previous Government noted the NCP review's conclusion that the restrictions are in the public interest. The current Government is yet to consider the review's recommendations regarding alternative methods for achieving the objectives of the Act (relating to voluntary care).

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

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 2 of 3	DOJ	Part of legislation relating to travel agent's licence. Licensing and compulsory consumer compensation fund.	National review is underway (coordinated by WA). A review report by CIE was released in 2000. Public consultation involved release of issues paper, background paper, consultation and receiving submissions. Review recommended that entry qualifications for travel agents be removed and maintain compulsory insurance, but recommended the requirement for agents to hold membership of the Travel Compensation Fund, the compulsory insurance scheme, be dropped. Instead, a competitive insurance system where private insurers compete with the Travel Compensation Fund was viewed as the best option. Public comments on the final report are to be considered by the Ministerial Council for Consumer Affairs.	Publicly available	
Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 3 of 3	DOJ	Sundry fair play provisions regarding the regulation of advertising, banning of potentially unsafe goods etc.	Review underway. Issues paper released June 2000.		
Consumer Credit (Northern Territory) Act	DOJ		National review underway.		
Control of Roads Act	DIPE	This Act essentially deals with technical standards associated with the control of roads. A major review to modernise this Act is to take place in the near future.	A NCP review will be completed for the Bill after it has been drafted.	Not as yet	Nil

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Dangerous Goods Act and Regulations	DEET	Sets requirements for the transport, storage and handling of dangerous goods. Business licences to manufacture, store, convey, sell, import or possess prescribed dangerous goods (s 15 - 21). Operators' licences for: drivers of dangerous goods vehicles (Regulation 56); shotfirers (Regulation 132); gas fitters (Regulation 172); and autogas fitters (Regulation 202).			Implements national road reforms on the transport of dangerous goods and changes other dangerous goods legislation. Act repealed and new Dangerous Goods Act assented to 30 March 1998. Draft regulations being prepared. These may contain competition restrictions and will be subject to NCP process if they do.
Darwin Port Authority Act	DPC	Establishes the Darwin Port Authority. Prescribes functions and powers: monopoly powers; licensing arrangements and fees; issue, renewal and cancellation of stevedoring licences; controls shipping movements in port; exemption from local government charges; harbour craft by-laws; vessels engaged in commercial activities (safety issue); exemptions from pilotage requirements; partial exemption from the Corporations Law.	Independent review undertaken in 1997 and 1998, with subsequent further consultation. Review completed in 2001.		Legislation replaced by the Darwin Port Corporation Act. See Darwin Port Corporation Act.
Darwin Port Authority Amendment Act	DPC	Changes the name of the Darwin Port Authority to the Darwin Port Corporation.	Independent review undertaken in 1997 and 1998, with subsequent further consultation. Review completed in 2001.		See Darwin Port Corporation Act.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Darwin Port Corporation Act	DPC	Establishes the Darwin Port Corporation (name changed from the Darwin Port Authority by the Darwin Port Authority Amendment Act). Partial exemption from the Corporations Law.	Independent review undertaken in 1997 and 1998, with subsequent further consultation. Review completed in 2001.		The Government accepted most of the review recommendations. Recommendation to remove licensing of stevedores not accepted (the Government considered licensing to be the most cost effective way of monitoring environmental and health and safety standards at Darwin Port). The Corporation's exemption from local government rates and charges to be removed (competitive neutrality). Government considering reforming the Corporation's partial exemption from the Corporations Law as part of government business reform process, with changes to be introduced in June 2002 (competitive neutrality).
Dental Act	DH&CS	Entry, registration, title, practice, discipline, advertising, ownership.	Full review by CIE completed in May 2000. Recommendations include registering all paraprofessionals, amending practice restrictions and removing ownership restrictions.	Publicly available	Omnibus health practitioner bill being drafted to replace this and other Acts.
Education Act	DEET	Provides for registration of non-government schools.	Assessment found Act does not contain unjustified restrictions on competition. Not for full NCP review.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Electrical Workers and Contractors Act	DEET	Licensing, registration, entry requirements (qualifications, experience, fit and proper), the reservation of practice (electrical work unless extra low voltage).	Review by CIE completed in October 2000. Consultation involved public release of issues paper, consultation with stakeholders and submissions. Recommendations included that licensing should be maintained, but also that other means of signalling competence should be afforded comparable status, the board should consider removing additional experience requirements for contractors, the fit and proper person test should be amended to signal the criteria against which it is assessed, and exemptions to licensing requirements to the Power and Water Authority should be removed. Recommended more general review of Act.	Not publicly available - confidential copy	Government approved review recommendations in November 2000. The necessary amendments are to be made following a review of the administrative structures supporting the Act.
Electricity Act and Regulations	PAWA	Regulates the generation and safe use of electricity, and the reselling of electricity (s 14(5)); Part IV (TPA) conflicts. Sale and resale is prohibited without license (s 27); affects competition, restricts entry. Prohibits certain uses of electricity (s 29); Part IV (TPA) concerns. Price fixing in relation to licensee (s 30); Part IV (TPA) concerns and possibly reduces contestability. Liability limitation (s 32); possible competitive neutrality. Act binds the Crown (s 38). Regulation making powers (s 39).	Review of Electricity Act and Regulations conducted as part of the review of PAWA. This review was conducted by Merrill Lynch and Fay Richwhite. Department also reviewed the proposed regulatory framework, draft regulatory principles and draft determinations on regulated charges issued by the NT Utilities Commission.	Not publicly available - no copy	The Government introduced a package of legislative change to implement reform. The package included the repeal of the Electricity Act and its replacement with the Electricity Reform Act, amendments to the Power and Water Authority Act and the introduction of the Electricity Networks (Third Party Access) Act and the Utilities Commission Act. These changes were introduced in March 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Energy Pipelines Act	DBIRD	Establishes regulatory framework for construction, operation, and maintenance of energy pipelines in NT.	Review completed. Review found anti-competitive provisions in Act were justified in public interest. Impact of restrictions considered to be low. Potential public safety and environmental benefits derived from regulating construction and operation of energy pipelines likely to exceed direct enforcement, industry compliance, and broader economic costs. Approaches such as negative licensing, co-regulation, and self-regulation rejected as unlikely to achieve objective of Act more efficiently than existing legislative framework.	No report	No reform planned.
Energy Resource Consumption Levy Act	NTT	Requires bulk consumers of oil (consuming more than 830 000 litres per month) to register with Commissioner of Taxation (s7).	Review completed in 1998. Review found the registration requirement was designed to facilitate collection of levy monies and does not restrict competition.		Government accepted review findings.
Financial Institutions Duty Act	NTT	Licensing.	Targeted review completed in 1998. The review found that the registration and certification requirements were legitimate administrative arrangements for revenue collection and did not represent significant barriers to market entry.	No information	No change required.
Financial Management Act	NTT	Government account to be held at a bank, requirements for determining suitable financial institutions and instruments for investing Government funds.	Review of s29(2) completed in 1998. The review found that the investment guidelines are comparable to those of any financial institution, and that the benefits arising from the accountability of Government investment outweigh the costs associated with the guidelines.	No information	Anti-competitive effect of section 27 removed by Financial Institutions (Miscellaneous Amendments) Act 1997. No reform required for s29(2).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Firearms Act	PFES	Armourer's licence (s 20), Dealers licence (s 17), Shooter's licence for security firms (s 28/29), and Shooting gallery licence (s 31).	Preliminary analysis indicated that restrictions were overwhelming in the public interest and hence no change recommended.		Government accepted findings.
Fisheries Act 1996 and Regulations	DBIRD	Licensing of fishers. Input controls on vessels, gear, fishing methods and landings. Output controls such as total allowable catches, size and bag limits, and prohibitions on taking certain species.	Review completed. Recommendations are being progressed for Government consideration.		
Food Act	DH&CS	Standards for the preparation and sale of food etc. Registration of a food vending machine (s 13 (6) & 13 (7)). Various food safety offences.	National review completed in 2000 (see the NSW Food Act 1989).	Publicly available	All Australian governments agreed in November 2000 to adopt core provisions of the Model Food Bill by November 2001.
Gaming Control Act and Regulations	NTT	Provides for the regulation and control of gaming. Licensing, exclusivity arrangements for casinos, market behaviour, permits, operational restrictions.	Public review being conducted. Issues paper prepared and released for public comment in April 2002.		
Gaming Machine Act 1995	NTT	Provides for the licensing of gaming machines in community venues - establishes limits and controls on numbers of machines and locations.	Legislation being subject to full public review. Issues paper prepared and released for public comment in April 2002.		
Grain Marketing Act 1983	DBIRD	Granted to the Grain Marketing Board a monopoly over domestic and export marketing of all barley and coarse grains grown in the Territory.	Review completed in 1997, recommending repeal of the Act.		Act repealed in February 1997 resulting in the dissolution of the Grain Marketing Board. There are no remaining legislative controls over grain marketing in the NT.
Harbour Craft By-laws	DPC	By-laws that cover mooring and signals, small craft and pleasure craft safety provisions, vessels engaged in commercial activities.	Independent review undertaken in 1997 and 1998, with subsequent further consultation. Review completed in 2001.		Part XI covering vessels engaged in commercial activities to be repealed as marine safety is provided for in the <i>Marine Act</i> . Note: The remaining Harbour Craft By-laws are to be repealed as they will be replaced by the Marine (small craft and pleasure craft) Regulations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Hawkers Act	DCDS&CA	Licensing, business conduct.	Stakeholder focused review completed in August 2000. The review found licensing requirements, exemption provisions and restrictions on hawking on Crown land were anticompetitive, although necessary to protect the public in terms of proper commercial dealings and annoyance. However, it also found that the objectives of the legislation could be pursued through other legislation. The review recommended repealing the legislation, pending consideration of other legislative means for regulating hawking offences.	Not publicly available - no copy	Government accepted recommendations in September 2000. Bill to repeal passed in November 2000 (to be brought into effect before June 2002).
Health Practitioners and Allied Professionals Registration Act	DH&CS	Registration as: Aboriginal Health Worker (s 24); Chiropractor (s 35); Occupational Therapist (s 38); Osteopath (s 39); Physiotherapist (s 40); and Psychologist (s 41). Entry, registration, title, practice, discipline.	Review completed in May 2000. Recommendations include retaining title restriction and removing generic practice restrictions.	Publicly available	Omnibus Bill being prepared to replace this and other health practitioner Acts.
Hospital Management Boards Act	DH&CS	No restrictions identified by review.	Review completed in May 2000.	Not Publicly available	No reform required.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Housing Act	DCDS&CA	The Housing Act and Regulations establish the legislative basis for the provision of public housing and housing assistance schemes in the Territory.	<p>Internal review, with independent oversight provided by a steering committee comprised of Department of the Chief Minister, NT Treasury and Attorney General's Department officials, completed.</p> <p>The review found that the provisions of the Act that represent potential restrictions on competition are justified on social welfare and equity grounds. The review also considered alternative regulatory approaches such as outsourcing and the direct subsidisation of landlords. However, it was considered that these alternatives were unlikely to achieve the objectives of the Act in a more efficient manner than the current arrangements and therefore the review recommended no change to the legislation.</p>		The Government endorsed the review outcome in October 2000.
Human Tissue Transplant Act	DH&CS	Prohibits trading in human tissue.	An internal review completed in December 2000 found the Act to be compliant with NCP principles.	Not publicly available	No reform required
Kava Management Act	NTT	Regulates the cultivation, production and consumption of Kava in the Northern Territory.	Public consultation processes complete and final review report currently being prepared.		
Legal Practitioners (Incorporation) Act	DOJ	Legislation to consolidate and amend the law relating to the incorporation of legal practices.	Review underway, due to be completed in December 2001.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Legal Practitioners Act	DOJ	Licensing, registration, entry requirements, disciplinary processes, reservation of title and practice, disciplinary processes, business conduct (including monopoly professional indemnity insurance and advertising).	Public review underway. Review will also deal with the Legal Practitioners (Incorporation) Act, which imposes restrictions on who can own and control companies that provide legal services. Issues paper released in September 2000. Review due to be completed in December 2001.		
Licensed Surveyors Act	DIPE	Licensing, registration, entry requirements (education, experience, possibly exams, fit and proper), the reservation of title and practice, disciplinary processes, business conduct (including practice standards), business licensing.	Review completed in October 1999. Review concluded that potentially anticompetitive provisions could be justified under the CPA.	Not publicly available - confidential copy	Government endorsed review outcomes in February 2000.
Liquor Act	NTT	Establishes the regulatory framework for the sale of alcohol in the Northern Territory. Licensing conditions include restrictions on market entry, business conduct and type and location of liquor outlets.	Public review conducted. Draft review report being considered by steering committee prior being submitted to Government.		
Local Government Act, Regulations and By-Laws	DCDS&CA	Provides for the constitution of municipalities and community government areas, the election of self-governing authorities to control municipalities and community government areas and provides for a similarity of power and function between self-governing authorities.	Internal review by the Department of Local Government completed in September 2000. Stakeholder comment invited and terms of reference consistent with NCP guidelines. Restrictions identified as anti-competitive were justified against public interest criteria.	No information	Review recommendations accepted by Government and Act retained without change.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Marine Act and Regulations	DIPE	Applies national uniform shipping Law Codes. Licensing of certain commercial operations (part V), certificate of survey (s79(a)), permit for the operation of hire-and-drive vessel (s4), certificate of competency (coxswain) (Schedule 3), certificate of competency (masterclass-all) (Regulation 9).	Targeted review completed in January 2001. The review found that the restrictive elements of the Act are justified under NCP principles.	Publicly available	Government accepted the review recommendations in April 2001.
Marine Pollution Act	DIPE	The purpose of the <i>Act</i> is to protect the Northern Territory's marine and coastal environments by minimising intentional and negligent discharges of ship-sourced pollutants through giving effect to the MARPOL international convention dealing with pollution by oil, noxious liquid substances in bulk, harmful substances in packaged form, sewerage and garbage. With the exception of Australian Defence Force; and a warship, naval auxiliary or other ship owned or operated by a foreign country and used, for the time being, only on government, non-commercial service of the country; the <i>Act</i> applies to all ships plying Northern Territory coastal waters.	The review was commenced in October 2000 and completed in September 2001. The review found that the restrictive elements of the Act are justified under NCP principles.	Publicly available.	Government endorsed the review's recommendations in February 2002.
Meat Industries Act 1996	DBIRD	Various food safety offences. Licensing of processing facilities.	Review completed in 1998.		
Medical Act	DH&CS	Entry, registration, title, practice, discipline, advertising, ownership, business.	Review completed in May 2000. Recommendations included removing generic practice, ownership and advertising restrictions, and retaining title protection.	Publicly available	A new omnibus Bill being drafted to replace this and other health practitioner legislation.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Medical Services Act	DH&CS	Limits conduct of medical services, entry conditions and pricing.	Targeted review by CIE completed in May 2000. CIE found that none of the features of the Act were being implemented in an anticompetitive way, and concluded that the Act was consistent with NCP requirements. Minor administrative changes were recommended.	Not publicly available - confidential copy	The Government noted the outcomes of the review. However, no amendments will be made to the Act, pending the outcomes of a separate ongoing review of medical services framework legislation. Given that the Act is NCP compliant in its current form, the NT states is not in the public interest to devote scarce resources to amending the Act when such amendments may well be superseded in the foreseeable future.
Mental Health and Related Services Act	DH&CS	Provides for the care and treatment of the mentally ill.	Review completed by CIE in May 2000. The review concluded that there is a strong net community benefit in the retention of existing restrictions in the Act, and recommended no changes.	Not publicly available - confidential copy	Act to be retained without reform.
Merlin Project Agreement Ratification Act	DBIRD	Provides mechanism for levying royalties and imposing more stringent security conditions than apply elsewhere to mining sites.	Review yet to commence. Act added to review schedule in 2000.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Mine Management Act	DBIRD	Regulates occupational health and safety in mining.	Review not required because the Act is to be repealed and replaced.	No information	Act to be repealed and replaced by the new Mining Management Bill (combining the essential elements of the existing Mine Management Act and Uranium Mining (Environmental Controls) Act. New Bill introduced in February 2001 Legislative Assembly sittings and to be subject to an NCP review before enactment. New Bill described as essentially administrative in nature, adopting a less prescriptive approach to mine site management. Mine operators required to take greater responsibility for decisions by satisfying industry-agreed competencies and standards. New Bill does not deal with property rights. Amendments to be made to the Mining Act to eliminate duplication with new Bill.
Mining Act	DBIRD	Creates a regime for the valid grant of mining tenure in the NT, together with ongoing regulation.	Review complete and being prepared for Government consideration.		
Motor Accidents (Compensation) Act	TIO	Mandatory contributions to Motor Accident Compensation Scheme, universal coverage, monopoly administrator with regulated contribution and benefit levels.	Review completed in December 2000. The Government commissioned Taylor Fry Consulting Actuaries to undertake the review.	No information	Options for the implementation of review findings are being considered prior to submitting review report to Government.
Motor Vehicle Dealers Regulations	DOJ	Motor Vehicles Dealers Licence Part X, Div 3, SubDiv A, s132.	See CAFTA.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Motor Vehicles Act	DIPE	Motor omnibus licence (s 10(2)), pastoral vehicle permit (s 137B), driving instructor's licence (25B), commercial passenger vehicle licence and driving instructors.	Review, except for Part V and section 137B, completed. Concluded while certain elements of the Act are anti-competitive, the results of a public benefit test show that the restrictions are in the public interest.		Government endorsed the review recommendations.
Northern Territory Employment and Training Act	DEET	Registers training providers and accredits training courses.	Assessment found Act does not contain unjustified restrictions on competition. Not for full NCP review.		
Notifiable Diseases Act	DH&CS	Notification requirements, Chief Health Officer's emergency powers to control movement of people and goods, and limited legal protection for the Australian Red Cross Blood Service.	An internal review completed in December 2000 found the Act to be compliant with NCP principles.	Not publicly available	No reform required.
Nursing Act	DH&CS	Entry, registration, title, practice, discipline, advertising.	Review completed in May 2000. Recommendations included removing advertising and practice restrictions, and retaining title protection.	Not publicly available - confidential copy	Omnibus Bill to be drafted for consultation.
Oil Refinery Agreement Ratification Act	DBIRD	Requires Mereenie joint venture partners to meet certain lease conditions in investigating the possibility of constructing an oil refinery in Alice Springs. The refinery is not currently viable and has not been constructed.	Review completed in 1998. Review considered restrictions were justified in achieving regional development objectives, but considered Act was no longer relevant. Accordingly, review recommended Act be repealed after the due date for renewal of the leases in 2002-03.	No information	Repeal Bill drafted.
Optometrists Act	DH&CS	Entry, registration, title, practice, discipline, ownership.	Review completed in May 2000. Recommendations include removing ownership restrictions, modifying practice restrictions and retaining title protection.	Publicly available	Omnibus Bill being drafted in line with recommendations.
Ozone Protection Act and Regulations	DIPE	Licensing issues and environmental controls.	Targeted review completed in 1998.		Repealed, ozone protection provisions incorporated into regulations under Waste Management and Pollution Control Act.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Pawnbrokers Act	DBIRD	Licensing.	Not for review.		Act repealed in 1998 and pawnbrokers and second-hand dealers provisions included in the Consumer Affairs and Fair Trading Act.
Pay-Roll Tax Act	NTT	Licensing and registration issues.	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.		
Pet Meat Act	DBIRD	Licensing of premises for slaughtering, processing and storage of pet meat, and the standard of premises.	Review completed in 1997.	No information	Act repealed and replaced with Meat Industries Act 1996.
Petroleum (Prospecting and Mining) Act	DBIRD			No information	Repealed and replaced by Petroleum Act.
Petroleum (Submerged Lands) Act	DBIRD	Regulates exploration for and development of undersea petroleum resources. This legislation forms part of a national scheme.	National review completed in 1999/2000. Endorsed by ANZMEC Ministers.	No information	Amendments to be developed by Commonwealth and subsequently reflected in State and Territory legislation.
Petroleum Act	DBIRD	Regulates onshore exploration and recovery of petroleum in NT; grants exclusive rights; and provides for technical and financial prescriptions.	Review underway. Steering Committee considering final review report.		Government endorsement of review outcomes to be sought May 2002.
Pharmacy Act	DH&CS	Entry, registration, title, practice, discipline.	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.	Publicly available	CoAG referred the Wilkinson Review to a senior officials' working party, which is yet to report back to CoAG.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Places of Public Entertainment Act	DCDS&CA	Controls places of public entertainment - Public Entertainment Licence (s.6)	Inter-departmental review completed March 2002. Review consulted widely. Review found that restrictions provided a net public benefit but recommended changes to provide for greater transparency and accountability in the administration of the Act.	Publicly available	
Planning Act	DIPE	Provides for land use controls, planning appeals, issuance of development permits and developer contributions.	Review of 1999 Act completed in September 2000. Review concluded that the anticompetitive provisions deliver a net benefit to the community and recommended no amendments to the Act.	Not publicly available - confidential copy	Government endorsed outcome of review.
Plumbers and Drainers Licensing Act	DEET	Licensing, registration, entry requirements (qualifications or experience, fitness of character), the reservation of practice (for plumbing: installing, altering, removing or repairing fixtures, fittings and pipes designed to receive and carry sewage or water, and the ventilation of those fixtures, fittings and pipes), business conduct (supervision).	Review completed in September 2000, recommending that: the Act should give explicit recognition of national competencies-based approach, the board's range of options in dealing with complaints should be made widely known, 'fit and proper person' test power of the board should be maintained so long as appeal mechanisms are clear and accessible, and membership of the Board should be reviewed to establish whether the continued Power and Water Authority membership is desirable. Also recommended a more general review of the Act to in part examine the case for compliance certificates and the case for restricted plumbing licences to meet the needs of other trades.		Government approved review recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Poisons and Dangerous Drugs Act	DH&CS	Certificates of competency for pest controllers, and prescription of drugs by health professionals other than medical practitioners. The Act sets out controls and licensing for manufacture, wholesale, retail sales.	Part of Galbally Review. Draft review report released 11 September 2000. Final review report given to the Australian Health Ministers Conference in early 2001.		Final review report under consideration by the Australian Health Ministers Advisory Council.
Port By-laws	DPC	By-laws that relate to pollution, explosives and inflammable liquids, pilotage, exemptions from pilotage requirements, charges and fees, cargo, obstruction in the port etc.	Independent review undertaken in 1997 and 1998, with subsequent further consultation. Review completed in 2001.		Port By-laws includes the discretion in granting exemptions from pilotage requirements to be replaced by specified criteria for exemption. By-laws covering levying of fees for stevedoring licence to be retained (licence fee was reduced from \$10,000 to an administrative fee).
Power and Water Authority Act	PAWA	Establishes the Power and Water Authority, and prescribes functions and powers of the Authority, gives control of provision and supply etc of electricity, water and sewerage services in the Territory. Exemption from rates; competitive neutrality issue. Price fixing regarding the Authority's agents; possible Part IV of TPA conflict. Regulation making powers; statutory power. Exemption from charges; competitive neutrality issue (s.14, 15, 19, 25(b) and 33).	Review completed in March 2000.	No information	Refer to the information provided in the NT 2002 Annual Report (chapter 2, page 3).
Prices Regulation Act	DOJ	Provides for the appointment of Controller of Prices who can declare maximum prices for services and goods prescribed by the Administrator.	Review completed, recommending the exercise of restrictions only at times of natural disaster, the specification of objectives and the regulation of monopoly behaviour under separate legislation.	Publicly available	Government agreed to the review's recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Private Hospitals and Nursing Homes Act	DH&CS	Licensing.	Review completed in May 2000. Review recommendations include the separation of the regulation of hospitals and nursing homes, that the objectives be clearly stated, that licensing be retained and extended to all aged care facilities, that current incorporation requirements be rescinded, and that approval for manager relief arrangements be rescinded.	Not publicly available - confidential copy	Government proposes to implement all of the review recommendations but one. The Government has delayed giving further consideration to splitting the legislation into separate Acts, pending the outcomes of an ongoing review of medical services framework legislation.
Private Security Act	NTT	Regulation of the provision of security services and for related purposes - accredited training requirement and a licensing regime for crowd controllers.	Review underway. Initial rounds of public consultation have been finalised and a final draft review report is currently being prepared.		
Procurement Act and Regulations	NTT	Establishes government procurement framework. Provides for exemptions from competitive tendering principles and prescribes forms and processes for private sector bids for government contracts.	Final review report has been prepared and submitted for steering committee consideration prior to being presented to Government.		
Prostitution Regulation Act	NTT	Escort agents licensing, entry requirement (sex workers who provide sex services under agency agreements with escort agents must have an appropriate certificate from the Commissioner of Police), business conduct (wide range of conditions that may be imposed by the licensing authority). Brothels are illegal.	General review of the Act completed. Review not the subject of separate public consultation due to recent reviews.	Not publicly available - confidential copy	The Government adopted the recommendation contained in the report to make no change to the substance of the scheme of regulation. However, consistent with its policy of lessening the number of statutory bodies, the Government decided to abolish the Escort Agency Licensing Board and to transfer those functions to the NT Licensing Commission. This transfer became effective on 19 February 2001.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Public Health (Shops, Eating-Houses, Boarding Houses, Hotels and Hostels) Regulations	DH&CS	Registration of a boarding house (s 35, 36), registration of an eating house (s12, 13).	Refer Public Health Act.		
Public Health Act	DH&CS	Includes registration of barbers' shops (s5), registration of a boarding house (s 35, 36), registration of an eating house (s12, 13), general sanitation, noxious trades, medical and dental inspection of school children and cytology register, among other things.	Review completed in May 2000. The review recommends that no attempt be made to amend the current legislation but rather completely new legislation be drafted. A general structure for public health legislation has been circulated by the Government in an issues paper. This proposed structure reduces inconsistency and favours outcome rather than input standards.	Not publicly available - confidential copy	New Public Health legislation is being developed.
Public Trustee Act Public Trustee Amendment Act 1998	DOJ	Some provisions may give the public trustee an advantage over competitors. These provisions include those that permit the Public Trustee to administer estates of small value without the need to obtain the approval of the Supreme Court. Also, the Public Trustee has the right to obtain information about estates and to take various measures designed to minimise unnecessary levels of disputation. A second group of provisions provide Government support to the business operations of the Public Trustee (for example through a Government indemnity for the administration of funds).	Review completed. The review recommended that the provisions giving advantages to the Public Trustee be retained but that they be extended so as to apply to other professional personal representatives. The review also recommended that the provisions supporting the business operations of the public trustee be amended so as to ensure competitive neutrality between the Public Trustee and its private sector competitors.	Publicly available	Government accepted review recommendations. Public Trustee Amendment Bill and Administration and Probate Amendment Bill, second reading, November 2001.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Racing and Betting Act	NTT	Licensing and registration of bookmakers, regulation of racing and betting activity.	Legislation is being subject to full public review. Public consultation process complete and a draft review report is being prepared.		
Radiation (Safety Control) Act 1978 Radiation Safety Control Regulations 1980	DH&CS	Controls and regulates the possession, use, transport and storage of radioactive substances and irradiating apparatus.	National review completed.	Publicly available	Nationally consistent recommended response to the review is being considered by the Australian Health Ministers Advisory Committee.
Radiographers Act	DH&CS	Entry, registration, title, practice, discipline, advertising.	Review completed May 2000. Recommendations included repealing the Act and transferring powers to the Chief Health Inspector under the Radiation (Safety Control) Act.	Not publicly available - confidential copy	The previous Government approved the drafting of legislation in line with review recommendations.
Rail Safety Act	DIPE	The <i>Rail Safety Act</i> was introduced by the Northern Territory Government in response to the repeal of Commonwealth legislation (the <i>Australian National Railways Commission Act</i> and the <i>Tarcoola to Alice Springs Railway Act</i>) which covered railway operations in the Northern Territory. The <i>Rail Safety Act</i> imposes quality controls, restricts inputs to the production process and imposes additional costs on industry. However, the <i>Act</i> , while placing conditions on entry to the industry, does not control entry.	A NCP review of this <i>Act</i> has been completed. The review found that the restrictive elements of the <i>Act</i> are justified under NCP principles. A copy of the review's results and recommendations has been provided to the NCC for information purposes.	Publicly available	Government endorsed the review's recommendations in November 2000.
Retirement Villages Act and Regulations	DOJ	Regulates the operation of retirement villages and confers on the courts powers in respect of certain matters relating to retirement villages and for related purposes.	Review underway.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Sale of NT TAB Act	NTT		Review of parimutuel wagering legislation completed in February 2001.		Government accepted findings of review in early 2002. Preliminary measures being undertaken prior to full implementation of review recommendations.
Stock (Artificial Breeding) Act	DBIRD	Licensing and regulation of insemination.	Review completed in 1998.	No information	Act repealed by the Stock (Artificial Breeding) Repeal Act.
Superannuation Act	NTT	Establishes Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS).	Review, conducted in 1998, recommended that NTGPASS be closed with new employees being given the choice of compliant private superannuation funds.	No information	Government accepted findings of review, NTGPASS closed in July 1999.
Taxation (Administration) Act	NTT	Registration as an Accommodation House (s 80c), registration as a lender (div 13, s 72), register of a financial institution for electronic debit transaction duty (s 29M), registration of insurers (div 6, s 40), register of life insurers (div 7, s 46)	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.		
Territory Insurance Office (TIO) Act	TIO	Stipulated insurer for government, monopoly administrator of Compulsory Motor Accident Compensation Scheme, government guarantee on deposits and contracts.	Review completed in 2000. Review conducted in conjunction with recommendations of Wallis enquiry, recommending changes to two restrictions. Options for the calculation of a government guarantee fee are being considered. The fees can potentially be levied without legislative amendment.	No information	Territory Insurance Office Act passed in December 2000, changing references to 'the insurer' to 'an insurer' to remove technical monopoly, in effect just reflecting current arrangements, and removing exclusivity with respect to CTP. (Separate review of CTP monopoly under Motor Accidents Compensation Act).
Territory Parks and Wildlife Conservation Act	DIPE	Establishes parks and reserves, and protects and conserves wildlife.	Review completed in 1998. Review found no restrictions on competition.		Act retained without reform.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Therapeutic Goods and Cosmetics Act	DH&CS	Licensing requirements and advertising restrictions.	Part of Galbally Review. Draft review report released 11 September 2000. Final review report given to the Australian Health Ministers Conference in early 2001.		Final review report under consideration by the Australian Health Ministers Advisory Council.
Tobacco Act	DH&CS	Advertising restrictions and prohibition of sale of tobacco products to minors.	An internal review completed in March 2002 found the Act to be compliant with NCP principles.	Not publicly available	No reform required. The Government released a discussion paper on replacement legislation in March 2002.
Totalisator Administration and Betting Act	NTT	Grants sole rights to this form of betting.			To accommodate the sale of NT TAB this Act was repealed and replaced by two new Acts - Totalisator Licensing and Regulation Act and the Sale of the NT TAB Act.
Totalisator Licensing and Regulation Act	NTT	Establishes the regulatory framework for parimutuel betting in the Northern Territory.	Public review completed in February 2001.		Government accepted findings of review in early 2002. Preliminary measures being undertaken prior to full implementation of review recommendations.
Trade Development Zone Act	TDZ	Licence to Operate in the Trade Development Zone (s.21,28).	Review underway.		
Trade Measurement (Administration) Act	DOJ	Makes provision with respect to the administration of the Trade Measurement Act, and for related purposes.	Review contingent on outcome of Trade Measurement Act.		
Trade Measurement Act	DOJ	Makes provision with respect to trade measurement in the NT as part of the scheme for uniform trade measurement legislation throughout Australia.	National review underway.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Unlawful Betting Act	NTT	Prescribes offences and penalties for unlawful betting activity.	Legislation being reviewed concurrently with <i>Racing and Betting Act</i> . Public consultation processes complete. Draft review report being prepared.		
Uranium Mining (Environmental Control) Act	DBIRD	Controls uranium mining in the Alligator Rivers Region. Imposes restrictions, conditions and requirements that could discourage innovation and add to costs.	Review not required.	No information	Act repealed 1 January 2002.
Veterinarians Act 1994	DBIRD	Licensing of veterinary surgeons, reservation of practice, reservation of title, and advertising restrictions.	Review completed in December 1999. Review recommended retention of licensing, reservation of title and practice, removal of some advertising restrictions, and additional consumer representation on the Veterinary Board.	Publicly available	The Government endorsed the review recommendations.
Water Act and Regulations	DIPE	Provides for the investigation, use, control, protection, management and administration of water resources.	Review by external consultants completed in July 2000. No change recommended.		
Water Supply and Sewerage Act	PAWA	Single provider status provided to Power and Water Authority. Lacks separation of service delivery from regulatory roles.	Independent review completed in March 2000.		The Water Supply and Sewerage Services Act was enacted on 19 July 2001. The Utilities Commission is now responsible for licensing for water and sewerage supply services in the NT. On 6 February 2002, the Utilities Commission issued an urban water supply licence to the Power and Water Authority.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Comments on review</i>	<i>Report availability</i>	<i>Comments on reform</i>
Water Supply and Sewerage Services Act	PAWA	Single supplier of water and sewerage services within a defined geographical area.			Legislation replaces Water Supply and Sewerage Act. Single provider status retained due to economies of scale. Independent licensing to be introduced under Utilities Commission by 1 January 2002.
Work Health Act and Work Health (Occupational Health and Safety) Regulations	DEET	<p>Establishes the Work Health Authority and sets requirements for occupational health and safety. Registration requirements for the design of designated plant; pressure equipment, cranes and hoists, lifts, escalators and moving walks, amusement structures and scaffolding (Reg 93).</p> <p>Licensing of operators: pressure equipment operation, crane and hoist operators, industrial truck operation, scaffolding, rigging and asbestos removal (Reg 15).</p> <p>Workers compensation claims management.</p>	Full public review of occupational health and safety provisions, by the Centre for International Economics (CIE), completed in September 2000. Issues Paper on workers compensation provisions released recently.		Government is considering the report.