17 The ACT

A8 Veterinary services[1]

Veterinary Surgeons Registration Act 1965

The ACT's Veterinary Surgeons Registration Act restricts competition by licensing practitioners, reserving title and reserving certain practices. The Act was reviewed in 2001, together with the territory's health professional legislation. This review recommended retaining registration, the reservation of title and clear conduct standards, while removing the general reservation of practice and prohibitions on advertising. The ACT Government resolved to bring veterinary practice regulation within the scope of the *Health Professionals Act 2004*. Accordingly, on 23 June 2005, the ACT Parliament passed the *Health Legislation Amendment Act 2005*, which amended the definition of a health service within the Act to include health services provided to animals. The part of the Amendment Act repealing the Veterinary Surgeons Registration Act will commence when a specific veterinary surgeons Regulation comes into force under the Health Professionals Act. This is expected to occur within 12 months. The National Competition Council's 2003 National Competition Policy (NCP) assessment provided details of proposed reforms.

Because the ACT has not completed the reform of its veterinary surgeon legislation, the Council retains its 2004 assessment that the ACT has not met its Competition Principles Agreement (CPA) obligations in this area.

B1 Taxis and hire cars

Road Transport (Public Passenger Services) Act 2001
Road Transport (General) Act 1999
Motor Traffic Act 1936

Under the ACT's Road Transport (Public Passenger Services) Act, the minister determines the quantities for taxi and hire car licences.[2] The number of taxi plates has increased only marginally since 1995, and plate

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1 The alpha-numeric descriptors for legislation review subject areas are listed in chapter 9, table 9.11.

2 The *Motor Traffic Act 1936* was repealed in 2000.

values remain high (over $200 000). Reviews by the Freehills Regulatory Group in 2000 and the Independent Competition and Regulatory Commission in 2002 recommended de-restricting entry to the taxi and hire car industry.

The government announced reforms for the taxi and hire car industry in late 2002. Under these reforms, an additional 5 per cent of taxi licences would be issued each year, subject to a reserve price set at 90 per cent of the market value. If the average price at auction were more than 95 per cent of the market value, then a further 5 per cent of licences would be released. The maximum number of licences released in any year would be 10 per cent of the current fleet. New hire car licences would be released according to a similar formula.

The Road Transport (Public Passenger Services) Amendment Bill was introduced to the Legislative Assembly in June 2003 to provide for the reforms. The Assembly, however, referred the legislation to a standing committee, which in late 2003 recommended a government buy-back of hire car plates and an off-budget buy back of taxi plates. The committee recommended that the government, after the buy-backs, should issue new taxi and hire car plates based on growth in passenger trips, population and gross territory product.

The government responded to the committee's report in June 2004. It announced that it would proceed 'as soon as possible' with an auction of 10 taxi licences (equivalent to about 4 per cent of the taxi population) in accordance with the formulae described above. There would not be a buy-back of taxi plates, but the government would offer to buy back hire car licences and lease an unlimited number of these licences.

In August 2004, the Legislative Assembly debated the Road Transport (Public Passenger Services) Amendment Bill and the government's response to the committee's report. The Assembly passed amendments to allow unlimited entry into the hire car market. This will improve chauffeured car services to consumers, especially given hire cars can rank at the Canberra airport and casino. In addition, there is no legislated minimum hire time limit or regulated fare for hire cars. The Assembly did not support the government's plan to release 10 taxi plates.

In its 2005 NCP annual report, the ACT Government stated that it is considering options for the reform of taxi licence restrictions. It noted that 'the new arrangements for the hire car sector will provide a higher level of competition with the taxi industry, particularly through lower fares' (Government of the ACT 2005, p.10). While the changes to hire car regulation are consistent with the direction of the two independent NCP reviews, the ACT has made no progress in reforming the taxi market. The government is now considering the reform models adopted by Western Australia and Tasmania, particularly the leasing of licences.

The Council confirms its 2004 NCP assessment that the ACT has not met its CPA clause 5 obligations in this area.

C1 Health professions

Dental Technicians and Dental Prosthetists Registration Act 1988

In the 2004 NCP assessment, the Council assessed that the ACT had met its CPA obligations in relation to general health practitioner legislation covering dentists, chiropractors and osteopaths, medical practitioners, nurses, optometrists, physiotherapists, psychologists and podiatrists. However, the general review of the ACT's health practitioner legislation made particular recommendations relating to the dental professions. It recommended removing:

- the requirement for dental prosthetists to hold professional indemnity insurance
- restrictions on the scope of practice for dental hygienists and dental therapists
- registration requirements for dental technicians.

Given dental technicians work to the order of registered dentists or dental prosthetists, the review considered that these employers should be responsible for ensuring the technician is qualified and competent. The review also considered that the public risks associated with the work of a dental technician are low and could be appropriately managed through infection control and occupational health and safety legislation (Government of the ACT 1999, p. 36).

The resultant omnibus reforms did not remove registration provisions for dental technicians. The Council's 2003 NCP assessment noted that reforms for the dental profession were in line with the CPA guiding principle. This assessment was based partly on the ACT's advice that the Health Professionals Bill would fully implement the recommendations of the NCP review (Government of the ACT 2003, pp. 2–3), but the ACT stated in its 2004 NCP annual reporting that the Act would continue to register dental technicians (Government of the ACT 2004a, p. 5).

The Council considers that retaining registration is inconsistent with review recommendations and can restrict competition. It also notes that most jurisdictions do not register dental technicians. Following a meeting with the Council Secretariat, the ACT Department of Treasury provided some public interest arguments to support the registration of dental technicians. The Council, however, did not find the arguments compelling and noted that they should have been considered in the context of the territory's health practitioner review process. It also noted that the risks to consumers of work undertaken by dental technicians are reduced because many dental technicians are employed by dental laboratories that may be liable for the negligent actions of their employees.

In its 2004 assessment, therefore, the Council determined that the ACT had not met its CPA obligations in relation to the Dental Technicians and Dental Prosthetists Registration Act. In its 2005 NCP annual report, the ACT stated that it does not propose to make any legislative changes to the Act. Accordingly the Council confirms its assessment that the ACT has not met its CPA obligations. However, the Council notes that the specific impacts on competition may depend on the particular regulations promulgated.

Pharmacy Act 1931

Council of Australian Governments (COAG) national processes for reviewing pharmacy regulation recommended that jurisdictions remove restrictions on the number of pharmacies that a pharmacist can own and that friendly societies be able to operate in the same way as other pharmacies (see chapter 19). The ACT pharmacy legislation does not contain restrictions on the number of pharmacies that a pharmacist can own, so the outstanding restriction relates to the operation of friendly societies.

On 14 May 2004 the ACT Government introduced the Pharmacy Amendment Bill (No. 2) 2004 to the ACT Legislative Assembly. If passed, this Bill would have permitted the operation of friendly society pharmacies in the ACT. At the time, the government noted in its explanatory statement that:

> *The impetus for the amendment was a result of the recognition that friendly society pharmacies provide a benefit to the community.* (Government of the ACT 2004b, p. 2)

These amendments, if passed, would have been consistent with the outcomes of COAG national processes and would have enabled the territory to meet its CPA obligations in relation to pharmacy legislation. However, on 16 July 2004 the Prime Minister advised the ACT that if it implemented similar reforms to those in New South Wales and Victoria, tailored to its circumstances, it would not attract a competition payment penalty. In particular, the Prime Minister advised the Chief Minister of the ACT:

> *Given that there are no friendly society pharmacy outlets currently operating in the ACT, the Commonwealth would not impose penalties on the ACT should it, instead, legislate to prohibit their entry.* (Howard, the Hon J 2004, pers. comm., 16 July)

On 5 August 2004, the 2004 Bill was discharged from the Legislative Assembly, as a result of the Prime Minister's advice.

The territory has since passed the *Pharmacy Amendment Act 2004*, which precludes a registered pharmacist from carrying on a business as owner on, inside or partly inside the premises of a supermarket. While the Council acknowledges that the amendment was introduced by a private member, it notes that the outcomes of the COAG national processes do not support this prohibitions and that the ACT has not provided the Council with a robust public interest case for this restriction.

The ACT has engaged The Allens Consulting Group to study community pharmacy services in the ACT with a particular focus on access to pharmacy services after hours. The terms of reference for the study were developed through consultation with the Pharmacy Guild and the ACT Pharmacy Board. The ACT Government advised that it expected to consider the consultant's report in August 2005. This would provide a more detailed basis for the government to respond to the Council's assessment.

Given that the ACT has not passed pharmacy reforms to remove restrictions on the operation of friendly societies, the Council assesses that the ACT has not met its review and reform obligations in relation to pharmacies.

C2 Drugs, poisons and controlled substances

Drugs of Dependence Act 1989
Poisons Act 1933
Poisons and Drugs Act 1978

Following the outcome of the Galbally review (see chapter 19), the Australian Health Ministers' Advisory Council endorsed a proposed response to the review's recommendations that COAG has now endorsed. The proposed response provides for each jurisdiction's implementation of the recommendations over a 12-month period from July 2005, the date of COAG's endorsement.

The Council acknowledges that the Galbally review has been subject to national processes. However, because the ACT has not fully implemented the review recommendations, the Council assesses that it has not met its CPA obligations in this area.

D Legal services

Legal Practitioners Act 1970

The Council's 2003 NCP assessment noted that the ACT had ceased a review of the Legal Practitioners Act so all outstanding review and reform activity could be progressed through the national model laws project to ensure a uniform and nationally consistent framework for the industry. As an interim measure, however, the ACT Government had made some reforms to professional indemnity insurance, by amending the Act to allow for a number of professional indemnity insurance providers.

Since the 2003 NCP assessment, the ACT has partly removed conveyancing practice restrictions by passing the *Civil Law (Sale of Residential Property) Act 2003*. This Act allows agents to complete some of conveyancing actions by

annotating the contract for sale. If the market or a sector of the market chooses to take this course, under the law, a private seller or a private seller and their agent could undertake the functions commonly undertaken by a lawyer. However, the practice reservation has not been fully removed: if the purchaser of a property wants to waive their rights to the 'cooling off" period, they must obtain legal advice.

In July 2004, the ACT signed a memorandum of understanding indicating that the ACT will adopt the national model laws for the legal profession. Some elements of the ACT package depend on Commonwealth regulations (which, while agreed by the Australian Government, have not yet been implemented).

While national model laws do not stem from NCP requirements, the Council accepts that the ACT has ceased its review of legal practitioner legislation and committed to progressing reforms at the interjurisdictional level. The Council will thus consider the implementation of national model laws as being consistent with the ACT's NCP obligations.

The Council recognises that the ACT has enacted reforms to increase competition in the market for professional indemnity insurance and in certain aspects of the conveyancing process. It also notes that the ACT Parliamentary Counsel's Office is drafting national model laws following the outcome of the COAG process. However, because the ACT has not yet completed the reforms, the Council assesses that it has not met CPA obligations in relation to the legal profession.

E Other professions

Agents Act 1968 (travel agents)

Governments are taking a national approach to reviewing their travel agent legislation. The Ministerial Council on Consumer Affairs commissioned the Centre for International Economics, overseen by a ministerial council working party, to review legislation regulating travel agents. (The findings of the review and the working party response are outlined in chapter 19.)

The ACT is developing legislative amendments to the Agents Act to give effect to outstanding recommendations from the national review agreed by the Ministerial Council on Consumer Affairs. It anticipates that the amended legislation will come into effect late in 2006.

The Council assesses the ACT as not meeting its CPA obligations in relation to travel agents legislation because it has not completed reforms in this area.

Agents Act 1968 (employment agents)

In the ACT, employment agents are regulated under the Agents Act, which was reviewed in conjunction with a review of the *Auctioneers Act 1959* in 2001. The review questioned the imposition of a licensing regime on the employment agents market. It found that the employment agent licensing scheme is essentially a revenue raising measure to pay for a licensing system that does little to produce significant public benefits or prevent market failure. Following a further review in June 2002, the fee payable for an employment agent's licence was reduced from $1023 to $371.

The Legislative Assembly passed the *Agents Act 2003* in May 2003, which repealed the 1968 Act. The new Act removes restrictions on place of work, which agents cited as a significant restriction on their capacity to operate in the ACT. The ACT reported that the regulation impact statement (RIS) for the 2003 Act concluded that the regulation of agents, including employment agents, would encourage optimal market performance and protect the financial interests of consumers. The RIS found that the costs imposed on employment agents under the new Act's revised fee structure are negligible compared with the significant public benefits that flow from the legislation. In particular, it found that licence fees would remain at an appropriate cost recovery level.

The RIS has not been made available despite repeated requests from the Council for the ACT to demonstrate, rather than assert, the public interest in retaining licensing. The (public) review's finding that licensing does not produce significant public benefits casts doubt on the robustness of the ACT's (confidential) public interest case for retaining the licensing. Moreover, there is an absence of review support for licensing in other jurisdictions.

The ACT's position, however, remains unchanged: it will not reconsider the licensing requirement because it contends that the requirement incurs minimal costs to the industry and does not attract negative comments from relevant participants. This matter might have readily been resolved had the ACT provided the RIS to the Council (on a confidential basis if necessary), thereby allowing the Council to determine whether the conclusion reached is within a reasonable range of outcomes based on evidence before the review process.

The Council accepts that the licensing requirement does not impose significant costs on industry participants. Nevertheless, it maintains its previous assessment that the ACT has not met its CPA obligations in this area.

F2 Superannuation

Public Sector Management Act 1994

ACT policy requires permanent government employees to be members of the Australian Government's superannuation scheme. They are treated as 'eligible employees' under the Australian Government's *Superannuation Act 1976*. The ACT's Public Sector Management Act allows appointees to the senior executive service of the ACT public service to join any approved superannuation fund within the meaning of the Australian Government's *Superannuation (Productivity Benefit) Act 1988*, unless they are already members of the Australian Government scheme.

Although the Australian Parliament passed 'choice of fund' legislation in late June 2004, this does not mean permanent employees in the ACT public service automatically have a choice of funds. Under s252(2)(m) of the Public Sector Management Act, the Chief Minister can ask the Commissioner for Public Administration to make 'management standards' for the arrangements for ACT public sector employees' superannuation. The ACT Government is considering whether to change its public sector superannuation arrangements. Consultations have commenced with the ACT public service agencies and UnionsACT. A decision is expected in 2005-06.

The Council thus retains its 2004 NCP assessment that the ACT has not met its CPA clause 5 obligations because review and reform of public sector superannuation in the ACT is incomplete.

H3 Trade measurement legislation

Trade Measurement Act 1991

Each state and territory has legislation that regulates weighing and measuring instruments used in trade, with provisions for prepackaged and non-prepackaged goods. Regulated instruments include shop scales, public weighbridges and petrol pumps. State and territory governments (except Western Australia) formally agreed to a nationally uniform legislative scheme for trade measurement in 1990 to facilitate interstate trade and reduce compliance costs (see chapter 19).

Because the national review and reform of trade measurement legislation have not been completed, the ACT has not met its CPA obligations in relation to trade measurement legislation.

I3 Gambling

Betting (ACTTAB Limited) Act 1964
Betting (Corporatisation) (Consequential Provisions) Act 1996

The Betting (ACTTAB Limited) Act and the Betting (Corporatisation) (Consequential Provisions) Act govern the operations of the ACT TAB and provide for an exclusive licence. The review of this legislation recommended that the government allow new licences for TABs operating wholly within the ACT, but not allow interstate totalisators until systems are in place to extract racing turnover taxes (and any other turnover taxes and licences) from wagers that originate in the ACT.

The government announced partial support for the review recommendations, noting that care needs to be exercised in assessing the social impacts of opening up the totalisator market. The ACT has previously expressed its willingness to consider further the issue of non-exclusive TAB licensing arrangements when the findings of the National Cross-border Betting Task Force became known. At the core of the task force's findings is a recommendation, endorsed in principle by the Australian Racing Ministers' forum, that a product fee based on bookmaker turnover be levied on all corporate bookmakers, excluding the TABs. While peak national racing bodies have initiated negotiations with corporate bookmakers and moved to secure the intellectual property rights in the racing product, the implementation of the recommendation appears to have stalled.

This recommendation occurred against a background of significant changes within the gambling sector, including:

- the operation in Australian racing of unlicensed foreign betting exchanges

- the takeover of the New South Wales based totalisator TAB Limited by the Victorian based gambling entity TABCORP Holdings Ltd. A key aspect of the takeover is the merging of the New South Wales and Victorian totalisator pools, including the SuperTAB partners of TABCORP, the ACT, Tasmania and Western Australia.

- changes to the televising of racing product images, with the monopoly held by Sky Channel (previously owned by TAB Ltd) now challenged by racing industry owned TVN.

In view of these significant changes to totalisator operations, the ACT Government advised the Council that the appropriate time to consider the issue of non-exclusive TAB licensing arrangements is when the results of merging pools is known with some certainty.

The ACT met its CPA obligations in relation to the Betting (Corporatisation) (Consequential Provisions) Act by repealing it in 2001. However, because the ACT has not completed its reform of the Betting (ACTTAB Limited) Act, the

Council assesses it as not having complied with its CPA obligations in relation to TAB regulation.

Gaming Machine Act 1987

The ACT's Gaming Machine Act discriminated between gaming machine venues. Only registered clubs could obtain licences for class C machines (more modern machines). Six holders of a general liquor licence were each eligible for up to 10 licences for class B machines (older, draw poker machines) and tavern licensees could apply for a maximum of two class A machines (simple machines that are no longer manufactured). The ACT's casino legislation prohibits the casino from operating gaming machines.

The ACT completed an initial review of the Act in 1998, but subsequently referred the Act to the ACT Gambling and Racing Commission for further review. The latter review took account of NCP principles, among other criteria. The commission's review report was released in October 2002, and its most significant recommendation was that gaming machine licences should be restricted to clubs. It considered that gaming machine revenue should be used for the benefit of the community, rather than for the profit of the licensee, but that allowing all not-for-profit organisations to access licences would create difficulties in the monitoring of entities' administrative arrangements. It stated that among not-for-profit organisations, clubs have historically demonstrated that they are ideally set up to control and operate gaming machines. The report also recommended:

- tightening the definition of a club and more clearly specifying the amounts to be paid as community and charitable contributions
- breaking the nexus between liquor and gaming machines by:
  - phasing out the right to operate class B gaming machines as held by six general liquor licence holders
  - not allowing tavern licensees to replace their obsolete class A gaming machines with class C machines
- maintaining the current territory-wide cap on gaming machines (5200)
- that the new legislation provide for the introduction of a central monitoring system.

The government accepted the recommendation that licences should be predominantly held by clubs, although the amendments passed in March 2004 allow for taverns and hotels with fewer than 12 rooms to access a maximum of two class B machines.

While all jurisdictions regulate gaming venues by capping their entitlement to gaming machines (generally providing clubs with a higher cap than that for hotels), the ACT has the most discriminatory arrangements. The Productivity Commission concluded that venue restrictions are based on 'history and arrangements with particular interests, rather than strong policy rationales'

(PC 1999, p. 14.32). It considered that 'the only justifiable policy rationale for regulating access to gambling is to limit social harms or meet community norms. Other reasons—based on helping the "club" industry or creating monopoly rents for taxation purposes—do not withstand scrutiny' (PC 1999, p. 15.1). The Council considers that the ACT's arrangements do not have any harm minimisation benefits because access to gaming machines is already widespread (with the ACT having the highest number of gaming machines per head in Australia) and the Productivity Commission found little evidence that clubs provide a less risky environment than that of hotels.

At the time of its review, the Gaming Machines Act did not have an objective, and the review did not recommend objectives. The ACT Government considers that a primary objective of its arrangements is to ensure the benefits from the operation of gaming machines accrue to the community. (However, it did not include this, or any other, objective in its amendments to the Act). The CPA places the onus of proof on governments to demonstrate that restricting competition is the only way of achieving their objectives. The ACT Government has asserted that its objective could not be achieved other than by restricting the issue of gaming machine licences to licensed clubs, but it has not provided analysis to support its position.

The Council thus retains its 2004 NCP assessment that the ACT has not complied with its CPA obligations in relation to gaming machines.

Interactive Gambling Act 1998

The licensing provisions of the ACT's Interactive Gambling Act are aimed at ensuring the probity of gaming suppliers and the integrity of their operations, in the interests of consumer protection. Licences are thus granted subject to criteria designed to ensure the probity of the applicant and the integrity of the games on offer. The minister also has a discretionary power to grant licences, which the ACT believes is necessary 'to give a further assurance that the provider of the licence will be of good character and possess the capacity to run a gambling operation in accordance with regulations' (Government of the ACT 2002, p. 49). Under law, the minister is required to provide reasons for such a decision, and the decision is reviewable by the Administrative Appeals Tribunal.

The ACT Gambling and Racing Commission is reviewing the Interactive Gambling Act, primarily as a consequence of the enactment of the Australian Government's *Interactive Gambling Act 2001*. The Council previously accepted that it was prudent for the ACT to wait for the outcomes of the Australian Government's review before completing its own review. In 2004 the Council noted, given that the results of the Australian Government's review and response to the review's findings were known, that it would be appropriate for the ACT to complete its review in a timely manner.

In its 2005 NCP report, the ACT Government advised the Council that the resumption of its review of the 1998 Act has been delayed due to higher

priority legislative reviews but that this is of little consequence because the ACT does not have any licence applications under consideration.

Because the ACT has not completed its review, the Council assesses it as not having met its CPA obligations in this area. The Council accepts, however, that the delay in completing the review does not impose significant costs on the community.

Non-priority legislation

Table 17.1 provides details on non-priority legislation for which the Council considers that the ACT's review and reform activity does not comply with its CPA clause 5 obligations.

Table 17.1: Noncomplying review and reform of the ACT's non-priority legislation

Legislation (name)	*Key restrictions*	*Review activity*	*Reform activity*
Consumer Credit Act 1995	Regulates the provision of consumer credit.	National review completed. The review recommended maintaining the current provisions of the Uniform Consumer Credit Code, reviewing its definitions to bring term sales of land, conditional sales agreements, tiny term contracts and solicitor lending within the scope of the code. The review also recommended enhancing the code's disclosure requirements. The Ministerial Council on Consumer Affairs endorsed the final report in 2002 and referred it to the Uniform Consumer Credit Code Management Committee, which is facilitating the resolution of some issues.	The Uniform Consumer Credit Code Management Committee is working on implementation of the review's recommendations. Queensland has drafted revised legislation which will form a template for other jurisdictions. In addition, New South Wales has completed drafting code provisions relating to pre-contractual disclosure which will be incorporated in the template legislation. Reforms are likely to be finalised by the end of 2005. The Consumer Credit Code set out in the *Consumer Credit Act 1994* (Qld), appendix applies as a territory law under the *Consumer Credit Act 1995*, s 4 (a) and will give effect to the reform requirements identified by the NCP review.
Public Health (Prohibited Drugs) Act 1957	Limits business conduct.	Review completed—part of the Galbally national review. The final Galbally report was given to the Australian Health Ministers' Conference (AHMC) in early 2001.	The Australian Health Ministers' Advisory Council (AHMAC) established a working party to develop a draft response for COAG consideration. The working party's draft response, which has been endorsed by AHMAC, was considered by the Primary Industries Ministerial Council before being forwarded to COAG. The response was endorsed by the AHMC out of session in October 2003 and was expected to be considered, together with the Galbally report, by COAG in 2004. The ACT is awaiting COAG's final response before commencing legislative changes.

(continued)

Table 17.1 continued

Legislation (name)	*Key restrictions*	*Review activity*	*Reform activity*
Radiation Act 1983		National review completed.	At its 29 July 2004 meeting, the AHMC endorsed edition 1.0 of the National Directory for Radiation Protection (NDRP) as the uniform national framework for radiation protection in Australia. It agreed that the regulatory elements of the NDRP would be adopted in each jurisdiction as soon as possible on consideration and approval of the provisions of the NDRP, using existing Commonwealth/state/territory regulatory frameworks. Accordingly, the ACT is commencing amendments to its Radiation Act to achieve reforms identified in the NCP Review of Radiation Protection Legislation completed in May 2001. The amended legislation is expected to be finalised in 2006.

(continued)

Table 17.1 continued

Legislation (name)	*Key restrictions*	*Review activity*	*Reform activity*
Trans-Tasman Mutual Recognition Act 1997		A national review was completed in 1998. The Productivity Commission completed a research study of the Trans-Tasman Mutual Recognition Agreement (TTMRA) that was released in October 2003. The key finding was that the TTMRA has been effective overall in achieving the objective of assisting the integration of the Australian and New Zealand economies and promoting competitiveness. A number of special exemptions from the TTMRA relate primarily to public safety. They are: therapeutic goods, hazardous substances, industrial chemicals and dangerous goods, consumer product safety standards, road vehicle standards, gas appliances standards, electromagnetic compatibility and radiocommunications standards. The Commission recommended that many of the exemptions should remain, because mutual recognition would erode justified regulatory differences.	In May 2004, COAG endorsed out of session the Committee for Regulatory Reform interim report on the findings of the Productivity Commission's Review of Mutual Recognition Schemes. In accordance with the recommendation, a Cross-Jurisdictional Review Forum was established to carry out further consultations and prepare a final report to COAG and the New Zealand government on the Commission's findings. The ACT has endorsed the forum's report, which is to be forwarded to COAG and the NZ government for their consideration. The ACT's legislation mirrors the Australian Government's: accordingly, any legislative amendments resulting from the review's recommendations will be determined by changes occurring at the Commonwealth level.