

3 New South Wales

Agency abbreviations

The following abbreviations are used in the 'Agency' column of the New South Wales legislation review timetable.

A	Arts
Ag	Agriculture
AG	Attorney-General
E	Energy
Env	Environment
F	Fisheries
FT	Fair Trading
GR	Gaming and Racing
H	Health
IR	Industrial Relations/WorkCover
IT	Information Technology
LG	Local Government
MR	Mineral Resources
Po	Police
PW	Ports and Waterways
PWS	Public Works and Services
R	Roads
SD	State Development

SR	Sport and Recreation
Tpt	Transport
Tr	Treasury
UAP	Urban Affairs and Planning

Legislation review schedule: New South Wales

Updated to September 2001

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Agricultural Tenancies Act 1990	Ag	Regulates the rights of agricultural landowners, tenants, share-farmers and other tenant related issues where the farmers have not made their own agreements; and provides for determination of disputes by compulsory arbitration.	Review completed in 1999. It recommended: <ul style="list-style-type: none"> rewriting the objectives of the Act to protect the environment, achieving certainty in tenancy agreements, and dispute resolution; providing for referral of the parties to mediation before starting an arbitration; and providing for referral of disputes to courts of competent jurisdiction and for appeals to the Administrative Decisions Tribunal. 	The recommended changes were passed by the NSW Parliament in April 2001.
Agriculture and Veterinary Chemicals (New South Wales) Act 1994	Ag	Imports the Agricultural and Veterinary Chemicals Code (national registration scheme) into State jurisdiction (see the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	National review completed in 1999 (see the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	See the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994.

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Air Transport Act 1964	Tpt	Prohibits, in certain circumstances, the carriage by aircraft of passengers or goods from one place to another within NSW except if a licence is granted by the Minister. Amends certain Acts.	Review completed.	The Government announced its response in August 1999, stating it would pursue deregulation via administrative means. From 26 March 2000, restrictions on the number of airlines that operate on routes to and from Sydney Airport, with annual air patronage exceeding 20,000, were removed. These 17 routes account for 86% of all intrastate passenger journeys.
Animal Research Act 1985	Ag	Regulates the carrying out of animal research and the supply of animals for research. Requires that authorisations may only be granted for recognised research purposes involving research, teaching, testing and the production of biological products.	Review underway, including the release of an issues paper and public submissions. Final report in preparation.	
Apiaries Act 1985	Ag	Requires beekeepers to register, with fees. Prohibits the sale or disposal of diseased bees or appliances, or importing of bees likely to spread diseases. Bees must be kept in identified hives. Beekeeping on premises can be prohibited or restricted. Inspectors can enter and inspect premises.	Review underway - part of a generic review of all plant and animal disease legislation. Final report in preparation.	

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Architects Act 1921	PWS	Registration, entry requirements, reservation of title, disciplinary processes, and business restrictions.	National review conducted by the Productivity Commission (PC) completed in August 2000, and publicly released in November 2000. (Previous State review commenced but not completed). PC review involved public consultation via public release of issues paper, draft report, consultation, public hearings and receiving submissions. Review recommended repeal of the Act.	A States and Territories working group is developing a national response to the PC review.
Australian Jockey Club Act 1873	GR	Extends the period for which the trustees of the Randwick Racecourse are enabled to grant leases and to enable members of the Australian Jockey Club to sue and be sued in the name of the Chairman.	Review, in conjunction with the Sydney Turf Club Act 1943, completed in 1999. Current arrangements found to be in the public interest.	Act retained without reform.
Banana Industry Act 1987	Ag	Empowers the Banana Industry Committee (BIC) to regulate the quality of bananas produced in NSW and their subsequent transport to major intrastate markets, and impose compulsory charges on growers to fund industry service functions.	Review completed in 1998. It recommended removing the BIC's power to regulate the marketing and transport of bananas.	The Government's response (Banana Industry Amendment Act 2000): <ul style="list-style-type: none"> • allowed the retention of the BIC's power to provide industry service functions and impose compulsory charges on banana growers to fund these service functions; • removed some obsolete and unexercised powers of the BIC; and • removed the BIC's transport direction power.
Biological Control Act 1985	Ag	Makes provision for the biological control of pests in NSW. Complementary to Commonwealth legislation.	Deleted from review schedule as the Council of Australian Governments (CoAG) Committee on Regulatory Reform (CRR) determined that the legislation has no anticompetitive impacts.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Bookmakers Taxation Act 1917		Bookmakers are subject to scrutiny by the Bookmakers Revision Committee (BRC) for probity and financial competence. A bookmaker may not operate without a current tax receipt issued by the BRC.	See the Racing Administration Act 1998 - omnibus review of racing and betting legislation.	
Boxing and Wrestling Control Act 1986	SR	Conduct of professional boxing, provision for the Boxing Authority of NSW and definition of its functions, conduct of wrestling and amateur boxing contests.	Review underway. Issues paper released in July 2001. Public submissions are being considered.	
Bread Act 1969	IR	Restricts times for the baking and delivery of bread. Licensing of bread manufacturers. Certification of operative bakers. Standard bread size. Constitutes a Bread Industry Advisory Council.	Review completed.	Act repealed.
Building Services Corporation Act 1989	FT	Licensing, registration, entry requirements (qualifications or pass exams, experience, age, character), the reservation of practice (building work, electrical wiring work, plumbing and drainage work, roof plumbing work, refrigeration work, air-conditioning work), business conduct (including insurance for building work over \$5000 from approved private insurer), and business licensing.	Review completed in March 1998, recommending reforms to remove unnecessary components of the licensing system, subject to an assessment of the expected impact on the home warranty insurance scheme. Consultations concluded that some licensing requirements were needed to underpin the insurance system.	Changed name to the Home Building Act 1989, privatised compulsory insurance and abolished business licensing. Government released a White Paper in February 2001 proposing: a tighter licensing system; faster disciplinary process; increased penalties for noncompliance; changes to insurance scheme; an early intervention dispute resolution system; and strategies to raise consumer awareness of available remedies when things go wrong. Government is considering stakeholder comments.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Business Franchise Licence (Petroleum Products) Act 1987	Tr	Provides for the licensing of people carrying on the business of selling certain petroleum products.	Review completed.	Act repealed in December 1997.
Business Franchise Licence (Tobacco) Act 1987	Tr	Provides for the licensing of people carrying on the business of selling tobacco.	Review completed.	Act repealed in December 1997.
Business Licences Act 1990	FT	Relates to business licences.	Review completed.	Act repealed by the Business Licences Repeal and Miscellaneous Amendments Act 2001.
Business Names Act 1962	FT	Regulates and controls the registration and use of business names. There are restrictions on names that are able to be registered, as well as restrictions relating to certain words or phrases.	Final report completed in mid 2001. Progress has been delayed by the proposed establishment of the Australian Business Register as an element of the New Tax System arrangements.	The Government is considering the review recommendations.
Casino Control Act 1992	GR	Establishes the Casino Control Authority and issues exclusive licence for Sydney casino.	Review completed in 1998. Recommended retaining exclusive licence. Report referred to Treasury for updating. Work is in the final stages.	The Government accepted the review recommendations. Act retained without reform.
Cattle Compensation Act 1951	Ag	Provides for the levy of a rate by Rural Lands Protection Boards with the proceeds of the levy being payable to the Cattle Compensation Fund and provides for payment of compensation to owners of cattle and carcasses of cattle destroyed because of disease.	Review not required.	Act repealed in April 2001 by the Cattle Compensation Repeal Act 2001.

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Charitable Fundraising Act 1991		Regulates who may conduct or participate in charitable fundraising activities and the manner in which such activities are carried out.	See the Lotteries and Art Unions Act.	
Chiropractors and Osteopaths Act 1991	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in January 2000. Recommended separation of Acts, removal of minimum age criteria, reserved practice provisions to be moved to the Public Health Act, changes to administration and disciplinary processes and removal of most restrictions on advertising.	New Chiropractors Act and Osteopaths Act passed in April 2001.
Classification (Publications Films and Computer Games) Enforcement Act 1995	AG	Provides for a classification scheme for publications, films and computer games. Complementary to Commonwealth legislation.	Review not required.	National classification scheme. A revised censorship regime with the support of all Australian jurisdictions came into operation on 1 January 1996.
Coal Ownership (Restitution) Act 1990 (1), and Coal Acquisition Act 1981 (2)	MR	(1) Provides for the restitution of certain coal acquired by the Crown as a result of the Coal Acquisition Act 1981. (2) Vests all coal in the Crown.	Review completed.	Acts will be superseded by Coal Acquisition Amendment Act 1997. The Acts are likely to be repealed when the Coal Compensation Board is abolished.

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Commercial Agents and Private Inquiry Agents Act 1963	Po	Licensing (commercial agents, private inquiry agents and their subagents), registration, entry requirements (qualifications, experience, good fame and character, fit and proper person, aged at least 18 years, not convicted of an offence punishable on indictment within past 10 years), the reservation of practice, disciplinary processes, and business conduct (advertising must specify agent's name and place of business, maintain records, trust account, fidelity bonds).	Review completed. Review recommended the Act should be repealed and replaced by new legislation. Recommended new legislation should involve business licensing (rather than occupational licensing) and should remove licensing for repossession agents and process servers.	Dealt with under the Licence Reduction Program. Reform deferred pending outcomes of Royal Commission and Industrial Relations Inquiry, the Peterson Report on the security industry and revisions to the Security Industry Act.
Commercial Vessels Act 1979 (1), Maritime Services Act 1935 (2), and Marine Pilotage Licensing Act 1971 (3)	PW	(1) Regulates the use of certain vessels and of certain motors for propelling vessels; and provides for marking of load lines and the carriage of certain equipment by vessels. (2) Provides for the constitution of the Maritime Services Board of NSW and its powers. (3) Provides for the licensing of pilots.	See the Marine Safety Act 1998. Review of the Commercial Vessels Act 1979, the Maritime Services Act 1935 and the Marine Pilotage Licensing Act 1971 completed.	Dealt with under the Licensing Reduction Program. Ten licences and permits abolished. Legislation subsequently repealed and replaced by the Marine Safety Act 1998.
Construction Safety Act 1912	IR	Provides for the regulation and inspection of construction work and consolidates the Acts controlling scaffolding and lifts.	Review completed as part of the Regulatory Impact Statement (RIS) for the Occupational Health and Safety Regulation 2001.	New consolidated Occupational Health and Safety Regulation 2001 enacted on 1 September 2001.
Consumer Credit (NSW) Act 1995	FT	Regulates the provision of consumer credit.	National review underway.	

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Conveyancers Licensing Act 1995	FT	Licensing, registration, entry requirements (age, qualifications, training, experience), the reservation of practice (lawyers also able to provide these services), disciplinary processes, and business conduct (record keeping, trust monies, receipts, professional indemnity insurance).	Review underway. Issues paper released in March 2000. Final report in preparation.	
Cooperatives Act 1992 (1), and Cooperation Act 1923 (2)	FT	(1) Conduct. (2) Registration and conduct.	Review completed.	The Government approved the preparation of legislation in line with the review recommendations.
Council of Law Reporting Act 1969	AG	Constitutes a Council of Law Reporting to NSW and defines its powers, authorities, duties and functions.	Review completed. Review recommended the Act be retained, but administrative changes be made to introduce competitive tendering for licence to publish reports. Publication of on-line reports open to any one for a fee.	The Government implemented the review recommendations.
Country Industries (Payroll Tax Rebates) Act 1977	SD	Allows rebates of payroll tax in respect of certain country manufacturing or processing industries.	Review, in conjunction with the State Development and Industries Assistance Act 1966 and the Small Business Loans Guarantee Act 1977, underway.	
Credit (Finance Brokers) Act 1984	FT	Relates to the conduct of business of finance brokers.	Final report completed in June 2001.	The Government is considering the review recommendations.

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Dairy Industry Act 1979	Ag	Vesting of milk in the Dairy Corporation. Farmgate price-setting for market milk. Market milk quotas. Licensing of farmers and processors.	Review completed in November 1997. Chair and industry members recommended retention of restrictions subject to review again in 2003. Other government members recommended removal of restrictions within three to five years if national reform did not occur.	<p>The Government initially accepted the recommendation to retain restrictions until 2003.</p> <p>In line with the March 2000 communiqué signed by all Australian Agriculture and Primary Industries Ministers committing to a national approach to dairy reform, NSW passed Dairy Industry Act 2000 on 29 June 2000, deregulating the industry from 1 July 2000.</p> <p>Food safety regulation previously integrated under Food Production (Safety) Act 1998.</p>
Dangerous Goods Act 1975	IR	Restrictions on transport, storage and handling of explosives and other dangerous substances.	Review completed as part of the development of a new National Standard for the regulation of dangerous goods.	<p>Legislative amendments involving the transport of dangerous goods commenced 20 April 1998 to give effect to the first module of reforms to national road transport law developed through the National Road Transport Commission. The proposed Dangerous Goods (General) Regulation was released for public comment.</p> <p>The National Standard for the Storage and Handling of Dangerous Goods was gazetted in March 2001. All States and Territories have agreed to implement the National Standard. Extensive review and development work needs to be completed to effect the necessary legislative changes in NSW.</p>

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Dental Technician Registration Act 1975	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Final report completed in March 2001.	Bill introduced into Parliament in September 2001.
Dentists Act 1989	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Final report completed in March 2001.	Bill introduced into Parliament in September 2001.
Door to Door Sales Act 1967	FT	Controls and regulates certain agreements relating to the sale or bailment of goods and the provision of services on credit.	Review, in conjunction with the Fair Trading Act 1987, underway. Final report in preparation.	
Dried Fruits Act 1939	Ag	Regulated the dried fruits industry. Constitutes the NSW Dried Fruits Board.	Review not required as, on 1 July 1997, the Board resolved to advise the Minister for Agriculture that its affairs should be wound up.	Transitional arrangements made for the prune industry involve the making of a Prune Industry Marketing Order (expired 31/12/99) under the Marketing of Primary Products Act. Remaining sections of the Act repealed as of 1 July 2000.
Driving Instructors Act 1992	R	Licensing, entry requirements (completed course, aged at least 21 years, may require test, medical exam, character), the reservation of practice (teach for monetary or other reward), and business conduct (maintenance of records, regulations may make provisions for displaying identification and advertising).	Final report completed in August 2001.	The Government is considering the review recommendations.

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Electricity (Pacific Power) Act 1950	E	Provides for the constitution of Pacific Power and to define its principal objectives, powers, authorities, duties and functions. Amends and repeals certain other Acts.	Review not required.	The Government announced its response in May 2000, establishing of a new state-owned corporation from Pacific Power's generation business. The new corporation, Eraring Energy, commenced operations in August 2000. It is envisaged that after a transitional phase the Act will become redundant and will eventually be repealed.
Electricity Safety Act 1945	E	Provides for the development of electricity supply; confers certain powers, authorities, duties and functions on the Energy Corporation of NSW; provides for the regulation of the sale and hiring of electrical apparatus; and amends certain Acts.	Review underway. Issues paper being finalised.	
Electricity Supply Act 1995	E	Regulates the supply of electricity in the wholesale and retail markets; and sets out the functions of persons engaged in the conveyance and supply of electricity.	Review not required. Due to the major amendments to the Act which have, or are, taking place, it is not intended that a review of the Act will be undertaken under the auspices of the National Competition Policy (NCP).	
Electricity Transmission Authority Act 1994	E	Establishes the NSW Electricity Transmission Authority and defines its functions.	Review not required.	Act repealed by s5 of the Energy Services Corporations Amendment (TransGrid Corporatisation) Act 1998 on 14 December 1998.

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Employment Agents Act 1996	FT	Licensing, entry requirements (fit and proper person, aged at least 18 years, suitable premises, no previous cancellation), the reservation of practice, and business conduct (separate licence for each premises, registered person in charge, no charge to jobseekers, maintenance of records, no misleading advertising).	Final report completed in February 2001.	The Government is considering the review recommendations.
Energy Administration Act 1987	E	Establishes the Ministry of Energy and the Energy Corporation of NSW, and defines the functions of the Energy Corporation.	Review not required.	Licence and approval requirements repealed by Electricity Supply Act 1995. Sections 35A and 35B dealt with as part of the structural reform of the gas industry.
Entertainment Industry Act 1989	IR	Licensing for entertainment industry agents, managers and venue consultants, and maximum fees for entertainment industry agent.	Review underway. Issues paper released in September 2001.	
Environmentally Hazardous Chemicals Act 1985	Env	Provides for the control of the effect on the environment of chemicals and chemical waste. Constitutes the Hazardous Chemicals Advisory Committee.	Review completed.	Dealt with under the Licence Reduction Program. Partially replaced by the Contaminated Land Management Act 1997.
Exhibited Animals Protection Act 1986	Ag	Requirements for licences and permits, with fees. Restricts breeding and trading of some animals. Imposes best practice welfare standards. Imposes requirements for educational components.	Review, in conjunction with the Non-Indigenous Animals Act 1987, underway. Final report in preparation.	

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Exotic Diseases of Animals Act 1991	Ag	Compulsory reporting of disease outbreaks. Prohibits or restricts the movement of animals, animal products and vehicles. Provides compensation for animals destroyed for disease-control. Bans introduction into the State of certain animals. Allows for destruction orders. Empowers inspectors to enter and search premises, and test and disinfect animals.	Review underway - part of a generic review of all plant and animal disease legislation. Final report in preparation.	
Factories, Shops and Industries Act 1962 - Part 4	IR	Part 4 restricts trading hours. General Stores (those that are not classified as "scheduled" or "small" shops) are not permitted to open on Sundays or public holidays. The legislation allows for exemptions which are determined by the Department.	Review completed. Trading hours in NSW largely deregulated (by exemptions) and a comprehensive public benefit test is in place for any remaining restrictions.	Reform is via the Department issuing exemptions to "general stores" to enable them to trade on Sundays and some public holidays. Exemptions are readily obtained resulting in substantial deregulation.
Factories, Shops and Industries Act 1962 - Part 6	IR	Licensing for hairdressers, entry requirements (training and exams or otherwise qualified), reservation of practice (act as a hairdresser for fee, gain or reward), and disciplinary processes.	Review underway. Issues paper released in June 2000. Final report in preparation.	
Fair Trading Act 1987	FT	Regulates the supply, advertising and distribution of goods and services and, in certain respects, the disposal of interests in land.	Review, in conjunction with the Door to Door Sales Act 1967, underway. Final report in preparation.	

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Farm Debt Mediation Act 1994	Ag	The Act requires creditors to undertake mediation if a farmer chooses to exercise this statutory right; and requires that the mediator must be accredited.	Review completed in November 2000.	The Government is considering the review recommendations.
Farm Produce Act 1983	Ag	Makes provision for the registration and regulation of farm produce merchants and farm produce agents.	Review completed.	Act repealed.
Fertilisers Act 1985	Ag	Registration of brand names for soil improving agents. Conformation with registered particulars and composition standards. Labelling requirements.	Review completed. Part of a generic review of all chemical residue legislation. Final report completed in December 1999. The review recommended: <ul style="list-style-type: none"> • removal of requirements for the brand names to be registered; • removal of minimum content requirements; and • retention and strengthening of provisions relating to food safety, overseas market access requirements and environment protection. Examples include maximum composition standards for heavy metals and labelling requirements. 	Some recommendations implemented via the Fertilisers Amendment Act 1999. Other recommendations will be progressed after the NCP review of plant and animal health legislation is completed.
Fisheries Management Act 1994	F	Licensing of fishers. Access to share managed fisheries by owning shares. Input controls on boats, gear, crew levels and fishing methods. Output controls such as total allowable catches, bag limits, size limits and prohibitions on taking certain species.	Final report completed in May 2001.	The Government is considering the review recommendations.

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Food Act 1989	H	Various food safety offences. Wide powers to make orders prohibiting or requiring conduct.	National review completed in 2000. Outcome was the Model Food Bill, which provides a uniform regulatory framework and, in particular: requires notification by all food businesses; requires registration by high-risk food business; and allows contestability of audit and laboratory services subject to approval of providers.	All Australian governments agreed in November 2000 to adopt the core provisions of the Model Food Bill by November 2001.
Friendly Societies Act 1989	Tr	Provides for the formation, registration, management and regulation of friendly societies.	Review not required.	Act repealed. In 1999, NSW reached agreement with the Commonwealth regarding the transfer of prudential regulatory responsibilities for credit unions, building societies and friendly societies to the Commonwealth. The Friendly Societies Reform (NSW) Act 1999 gives effect to this transfer.
Friendly Societies Dispensaries Enabling Act 1945	H	Enables Friendly Societies to operate pharmacies.	Review completed in 1997.	Act repealed and relevant provisions incorporated into Pharmacy Act 1964 (part of the national review of pharmacy legislation).
Funeral Funds Act 1979	FT	Controls and regulates contributory and pre-arranged funeral funds.	Review underway. Issues paper released in early 2000. Final report is being prepared.	
Funeral Services Industry (Days of Operation) Act 1990	IR	Regulates the days of operation of businesses providing funeral, burial or cremation services.	Review not required.	Act repealed and replaced by the Funeral Services Industry (Days of Operation) Act 2000.
Gambling (Two-up) Act 1998	GR	Act prescribes the rules of Two-up, and the circumstances under which it may be played. Two-up is permitted to be played on Anzac Day, in Broken Hill and at the Sydney casino.	Review completed. Retention of restrictions justified as being in the public benefit.	

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Gaming and Betting Act 1912	GR	Consolidates Acts relating to games, wagers and betting houses, the restriction of race meetings and the licensing of racecourses.	Review of the Gambling (Two-up) Act 1998 completed. Review of the Racing Administration Act underway in 2000. See separate entries for each Act. No review required of the Unlawful Gambling Act 1988 because it relates to criminal activity and is not subject to NCP.	Act repealed and remade in three parts to be separately reviewed: <ul style="list-style-type: none"> • core gaming and betting provisions (Unlawful Gambling Act 1998); • racecourse licensing (Racing Administration Act 1998); and • two-up (Gambling (Two-up) Act 1998).
Gas Industry Restructuring Act 1986	E	Makes provision with respect to the structure of AGL.	Review not required.	Act repealed by Gas Supply Act 1996, which corporatised AGL.
Government Guarantees Act 1934	Tr	Validates certain guarantees given to certain banks, authorises the Treasurer to execute certain guarantees.	Review completed in January 2000. Review found there was potential for the implementation of the Act to contravene competitive neutrality principles.	The Treasurer's circular issued in September 2000 requiring Ministers to include analysis of wider public interest issues in applications for Government guarantees under any Act authorising their issue.

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Grain Marketing Act 1991	Ag	Establishes the NSW Grains Boards, vests coarse grains and oilseeds grown in NSW to the Grains Board, and confers monopoly marketing rights over NSW grains on the Grains Board.	<p>A joint government-industry review reported to the NSW Minister for Agriculture in July 1999. The review recommended that restrictions on:</p> <ul style="list-style-type: none"> • all domestic sales be removed for malting barley by no later than 31 August 2001, and for all other grains by no later than 31 August 2000; • export sales of feed and malting barley remain for only overseas markets where market power or access premiums can be demonstrated, and review again by 31 August 2004; and • export sales of all other grains be removed - for canola, by 31 August 2001 - and for sorghum, oats, safflowers, linseed and soybeans, by 31 August 2000. 	<p>In October 2000, the Government announced that it would:</p> <ul style="list-style-type: none"> • remove vesting powers under the Act except for barley, canola and grain sorghum; • sunset vesting powers for barley, canola and sorghum by 30 September 2005; and • dissolve the Grains Board by 30 September 2005. <p>Grainco Australia Limited was appointed to act as agent for the now insolvent Grains Board.</p> <p>The legislation is due to be amended in 2001. Some reforms have been implemented administratively.</p>
Greyhound Racing Authority Act 1985		Establishes the controlling body for this code. Authorises the controlling body to make rules of racing and betting (including provision for the licensing of racing participants). The controlling body may make rules in relation to the operation of bookmakers. Bookmakers may only operate at events and at a location and time for which it is lawful to do so.	See the Racing Administration Act 1998 – omnibus review of racing and betting legislation.	

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Harness Racing Act 1977		Establishes the controlling body for this code. Authorises the controlling body to make rules of racing and betting (including provision for the licensing of racing participants). The controlling body may make rules in relation to the operation of bookmakers. Bookmakers may only operate at events and at a location and time for which it is lawful to do so.	See the Racing Administration Act 1998 – omnibus review of racing and betting legislation.	
Hawkers Act 1974	FT	Licensing, and business conduct.	Review completed.	Act repealed by the Pawnbrokers and Second Hand Dealers Act 1996.
Homing Pigeons Protection Act 1909	Ag	Provides for the protection of homing pigeons during flights.	Review completed.	Act repealed.
Horticultural Stock and Nurseries Act 1969	Ag	Registration of certain nurserymen and resellers of horticultural stock. Regulates the sale or propagation of certain horticultural stock.	Review completed.	Act repealed in December 2000 by the Horticultural Legislation Amendment Act 2000.
Human Tissue Act 1983	H	Relates to the donation of tissue by living persons, the removal of tissue from deceased persons and the conduct of post-mortem examinations of deceased persons.	Review underway. Issues papers released. Discussion papers released on Assisted Reproductive Technologies (October 1997) and Regulation of the Supply of Blood and Blood Products (January 1998). Final report on review of Blood and Bone Products in preparation.	Human Tissue Bill 2001 introduced into Parliament in April 2001 to provide for greater consent. Further reform action to follow completion of the blood and bone products review.
Industrial Relations Act 1991	FT	Restates and reforms the law concerning industrial relations.	Review completed.	Act repealed and replaced by the Industrial Relations Act 1996. Regulation of employment agents was separated from the Industrial Relations Act into the Employment Agents Act 1996.

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Innkeepers Act 1968	GR	<p>Make provisions with respect to certain rights and liabilities of innkeepers and persons having dealings with innkeepers.</p> <p>The Act makes a distinction between "inns" and other accommodation providers. It gives innkeepers limited liability with respect to guests property, whereas other accommodation providers are subject to unlimited liability under common law.</p>	<p>Review completed in 2000. Review recommended that the current Act should be retained, as it is procompetitive. However, if there were to be a new Act, it should be written in conjunction with other Australian jurisdictions. There would also need to be consideration of international developments in this industry.</p>	<p>Final report referred to the Tourism Ministers' Council in July 2001. The Council established an interdepartmental committee to develop recommendations to attain consistent liability for innkeepers across Australia.</p>
Land Development Contribution Act 1970	UAP	<p>Levies a contribution in relation to certain land within the Sydney region.</p>	<p>Review not required.</p>	<p>The Act was introduced to collect contributions from developers who benefit from rezonings. The Act has not been used to collect contributions for several years, and the subordinate legislation which provided the power to collect contributions has been repealed. The Government has agreed to repeal the Act.</p>
Legal Profession Act 1987	AG	<p>Licensing, registration, reservation of title and practice, disciplinary processes, and business conduct (including professional indemnity insurance monopoly, advertising (must not be false, misleading or deceptive) and mandatory continuing legal education).</p>	<p>Review completed in 1998. Recommendations included allowing incorporation of legal practice and allowing competition in professional indemnity insurance.</p>	<p>Implementation underway. To date, the rule requiring solicitors to have majority control of multidisciplinary practices has been abolished, and legislation allowing solicitors to incorporate was passed in October 2000 (commenced on 1 July 2001). Government not yet responded to the professional indemnity insurance issue. New advertising restrictions for workers' compensation services introduced in May 2001.</p>

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Library Act 1939 (Library Regulation 1995)	A	Makes further provisions for the establishment, maintenance and management of libraries, library services and information services and creates certification scheme for librarians.	Review completed.	Certification scheme abolished.
Liquefied Petroleum Gas Act 1961, and Liquefied Petroleum Gas (Grants) Act 1980	E	Regulates the supply of liquid petroleum gas (LPG).	Review completed in 1996.	Act repealed by the Gas Supply Act 1996.
Liquor Act 1982 – Part 1 of 2, Gambling	GR	Regulates the use and supply of gaming devices.	Preliminary review undertaken in conjunction with the Registered Clubs Act 1976. This work has been overtaken by events including the restrictions placed on machine numbers and new harm minimisation measures.	
Liquor Act 1982 – Part 2 of 2, Liquor Licensing	GR	Regulates the sale and supply of liquor and regulates the use of premises at which liquor is sold. Needs test is contained in s45 which allows objection to the grant of a licence on the grounds that needs of the public can be met by existing facilities.	Combined review of liquor and club management provisions underway (see also the Registered Clubs Act 1976). There will be further consultation on preliminary findings and reform options.	
Local Government (Theatre and Public Halls) Amendment Act 1989	LG	Amends the Local Government Act to make provision for approval and regulation of places of public entertainment and certain structures.	Review completed.	Dealt with under the Licence Reduction Program. Licence retained as issues of public safety outweigh costs.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Local Government Act 1993	LG	Act has some restrictions such as: <ul style="list-style-type: none"> • approval required to operate businesses such as a mortuary or an undertakers business; and • the ability of councils to provide goods, services, and other facilities pursuant to section 24 of the Act. 	Two staged review. Review of the whole Act commenced in 1998 and report tabled in Parliament in June 1999. Review, focused more specifically on the interaction between NCP and the Act, completed in July 2001.	The Government is considering the review recommendations.
Lord Howe Island Act 1953, and Lord Howe Island Regulation 1994	Env	Section 23 gives preference to Islanders who can buy property at valuation by Valuer General.	Final report completed in May 2000.	An interdepartmental committee will be established to develop the Government's response to the review recommendations, including socio-economic impact assessment.
Lotteries and Art Unions Act 1901	GR	The Act imposes general restrictions that limit the opportunity to profit from the conduct of community gaming to charities and other non-profit organisations.	Review, in conjunction with the Charitable Fundraising Act 1991, underway. Final report in preparation. See the Charitable Fundraising Act 1991.	
Lotto Act 1979	GR		Review not required. See the NSW Lotteries Act 1990 and the Soccer Football Pools Act 1975.	Act repealed and replaced by NSW Lotteries Corporatisation Act 1996 and Public Lotteries Act 1996.
Marine (Boating Safety - Alcohol and Drugs) Act 1991	PW		Review not required.	Act repealed and replaced by the Marine Safety Act 1998.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Marine Safety Act 1998	PW	Regulates the use of vessels, motors, marking of load lines and the carriage of certain equipment. Provides for licensing of pilots and navigation requirements. The Act repeals and consolidates the following legislation: Commercial Vessels Act 1979; Maritime Services Act 1935; Marine Pilotage Licensing Act 1971; Marine (Boating Safety - Alcohol and Drugs) Act 1991; and Navigation Act 1901.	New legislation subject to clause 5(5) of the Competition Principles Agreement (CPA). The Act remains largely uncommenced. The NCP review will be conducted 12 months after the Act is fully commenced.	
Marketing of Primary Products Act 1983	Ag	Relates to the marketing of certain primary products and provides for the establishment of marketing boards in relation to certain of those products, and to enable the making of marketing orders.	Review not required as the three marketing authorities constituted by the Act are under separate reviews.	Act to be repealed if and when the marketing authorities terminate or are reconstituted under other legislation.
Meat Industry Act 1987	Ag	Constitutes the NSW Meat Industry Authority and provides for various classes of licences.	Review completed in 1998.	Responsibility for meat industry food safety transferred to Safe Food Production by the Food Production (Safety) Act 1998.

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

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
MIA Wine Grapes Marketing Board	Ag	Constitutes the MIA Wine Grapes Marketing Board - a statutory marketing authority responsible for the marketing of MIA wine grapes and representing the interests of growers. The main restrictions were vesting and price setting powers.	Review completed in 1996. It recommended that the Board's vesting power not be continued beyond 30 November 1996 and that the Board become an industry service organisation, using existing powers under the Marketing of Primary Products Act 1983. A second NCP review is underway to assess the proposed powers and functions of the Board.	The Government extended the Board's vesting power to 31 July 2000, subject to a number of constraints, via the Marketing of Primary Products Amendment (Wine Grapes Marketing Board) Act 1997. The vesting power sunsetted on 31 July 2000.
Mines Inspection Act 1901 (1), and Coal Mines Regulation Act 1982 (2)	MR	(1) Makes better provision for the regulation and inspection of mines, other than coal and shale mines, and regulates the treatment of the products of such mines. (2) Regulates coal mines (and oil shale and kerosene shale mines) and certain related places.	The NCP review has been incorporated into a comprehensive review of all mine safety legislation, consistent with the findings of the 1997 Mine Safety Review and the Gretley Inquiry. Extensive stakeholder consultation is required.	
Mining Act 1992	MR	Makes provisions with respect to prospecting for, and mining of, minerals.	Restrictions other than licensing will be included in a comprehensive review of all mine safety legislation, consistent with the findings of the 1997 Mine Safety Review and the Gretley Inquiry.	Licensing requirements dealt with under the Licence Reduction Program.
Monopolies Act 1923	AG	Amends the law in relation to monopolies and restraint of trade.	Review completed.	Act repealed.
Motor Accidents Act 1988, and Motor Vehicles (Third Party Insurance) Act 1942	AG	Mandatory insurance, licensing of insurers, and file and write premium settings.	Review completed in 1997.	Legislation passed in line with recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Motor Dealers Act 1974 No 52, and Motor Vehicles Repair Act 1980	FT	Licensing (motor dealer, wrecker, wholesaler, motor vehicle parts reconstruction, car market operator, motor vehicle consultant), entry requirements (fit and proper person, sufficient financial resources, dealer qualifications and expertise or experience), the reservation of practice, disciplinary processes, and business conduct (record keeping, motor dealers compensation fund).	Review completed. Recommendations included: allowing licensees to operate from more than one place of business; and keeping registers of stock and parts only at one place of business where multiple locations are operated by one licensee.	The Government is considering the review recommendations.
Motor Vehicle Sports (Public Safety) Act 1985	SR	Makes provision for the control and regulation of meetings for motor vehicle racing.	Review underway. Issues paper being prepared. Consultants are providing assistance with the consideration of submissions and compilation of final report.	
Murray Valley Citrus Marketing Act 1989	Ag	Constitutes a joint NSW-Victorian Murray Valley Citrus Marketing Board. Imposes a compulsory charge on citrus producers in the Murray Valley. Power (unused) to set minimum quality standards and minimum prices.	Joint review with Victoria completed. Final report submitted to both governments in August 1999 and publicly released on the basis that it was not an endorsed government position. It recommended: <ul style="list-style-type: none"> • legislation should continue to underpin the operations of the Board; • core functions which provide benefits of a 'public good' nature continue to be funded by a compulsory levy where growers vote this to be beneficial; and • any future legislation should clearly reflect the purpose of the Board in facilitating marketing and enhancing technological innovation. 	Extensive public consultation is being undertaken in developing a joint government response to the review recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Murray Valley Wines Grapes Industry Committees (under the Marketing of Primary Products Act 1983)	Ag	Murray Valley Wines Grapes Industry Development Committee. Murray Valley Wine Grapes Industry Negotiation Committee.	Joint review with Victoria completed in early 1999.	The Murray Valley Wine Grapes Industry Negotiation Committee, whose term of office expired in November 1998, was not renewed. The Murray Valley Wine Grapes Industry Development Committee was re-constituted as an Industry Service Committee under the Agricultural Industry Services Act 1998.
National Parks and Wildlife Act 1974	Env	Consolidates and amends the law relating to the establishment, preservation and management of national parks, historic sites and certain other areas, as well as the protection of certain fauna, native plants and aboriginal relics.	Review completed.	Dealt with under Licence Reduction Program.
National Rail Corporation (Agreement) Act 1991	Tpt	Approves and gives effect to an agreement between NSW, the Commonwealth and other States relating to the National Rail Corporation Ltd.	During the presale process, shareholders agreed to remove the restriction in section 7 that prevents the corporation from carrying intrastate freight. Further review not required.	Section 7 repealed in August 2000. The Act will need to be repealed when the National Rail Corporation is privatised.
Non Indigenous Animals Act 1987	Ag	The Act restricts competition by requiring licences and permits, and payment of fees. There are also restrictions on trading of higher-risk exotic animals and security standards.	Review, in conjunction with the Exhibited Animals Protection Act 1986, underway. Final report in preparation.	

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Noxious Weeds Act 1993	Ag	Requires control of declared noxious weeds. Restricts the sale of declared noxious weeds. Restricts movement of material containing notifiable noxious weeds. Requires cleaning and inspection of agricultural machinery at the Queensland border. Regulates the supply of materials, equipment and services by local control authorities.	Review completed in October 1998.	The Government is considering the review recommendations.
NSW Lotteries Act 1990	GR		Review not required. See the Lotto Act 1979 and the Soccer Football Pools Act 1975.	Act repealed and replaced by NSW Lotteries Corporatisation Act 1996 and Public Lotteries Act 1996.
Nurses Act 1991	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Final report completed. Note separate review of nurse practitioner provisions completed 2000.	The Government is considering the review recommendations.
Nursing Homes Act 1988	H	Provides for the licensing and control of nursing homes.	Review underway. Issues paper released in June 2000. Final report in preparation.	
Occupational Health and Safety Act 1983	IR	To secure the health, safety and welfare of persons at work and to amend certain other Acts.	Review completed as part of the RIS for the Occupational Health and Safety Regulations 2001.	New consolidated Occupational Health and Safety Regulation 2001 enacted on 1 September 2001.
Optical Dispensers Act 1963	H	Restrictions on registration, entry, title, and disciplinary provisions.	Review not required.	Consideration of competition policy issues by the Commonwealth-State review of partially regulated occupations.
Optometrists Act 1930	H	Restrictions on entry, registration, title, practice, and disciplinary provisions.	Review completed in December 1999 and released in April 2001. Recommendations included removing ownership restrictions, limiting reserved practice and extending prescribing rights.	Bill ready for introduction into NSW Parliament.

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Ozone Protection Act 1989	Env	Empowers the regulation and prohibition of the manufacture, sale, distribution, use, emission, recycle, storing and disposal of stratospheric ozone depleting substances and articles which contain those substances.	Review completed.	Dealt with under the Licence Reduction Program.
Parking Space Levy Act 1992	Tpt	To discourage car use in business districts by imposing a levy on off-street parking and using the revenue to develop infrastructure and encourage the use of public transport.	Review completed.	Act retained on the basis that competition restrictions were notional only.
Partnerships Act 1892	AG		Review has not commenced.	National issue as legislation largely restates the Common Law. Need to examine following consideration of the Tasmanian review of similar legislation.
Passenger Transport Act 1990	Tpt	Regulates public transport services - buses, taxis and hire cars, and ferries.	<p>Buses: review conducted by the Independent Pricing and Regulatory Tribunal (IPART) in 1996-97. IPART recommended amending the Act to require bus operators to meet a Performance Assessment Regime (PAR) as condition of contract renewal.</p> <p>Taxis/hire cars: review conducted by IPART. Final report (Nov 1999), recommended deregulation of hire car industry. Review identified net benefits from deregulating taxis in long run, but favoured a long transitional period. Hence it recommended issue of 5% of new licences annually from 2000-2005, and further review in 2003.</p> <p>Ferries: review has not commenced.</p>	<p>Buses: Act amended in 1997. Two discussion papers released. Concerns raised by operators regarding cost of implementing some PAR initiatives. These issues currently under review.</p> <p>The new Passenger Transport Amendment (Transitways) Act 2001 provides that contracts to provide bus services on designated transitways will include performance standards.</p> <p>Taxis/hire cars: partial implementation of IPART recommendations regarding taxis. The Government introduced a package of hire care reforms on 31 August 2001.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Pathology Laboratories Accreditation Act 1981	H	Licensing.	Review completed.	Act repealed.
Pawnbrokers and Second Hand Dealers Act 1996	FT	Licensing (pawnbrokers, second-hand dealers for prescribed goods), registration, entry requirements (aged over 18 years, not mentally incapacitated, not undischarged bankrupt, no conviction of dishonesty offence in past 10 years), the reservation of practice, disciplinary processes, and business conduct (pawnbrokers: prescribed records, computer records, public auction of unredeemed goods over \$50, minimum redemption period of three months, operation from fixed premises; second-hand dealers: prescribed records, computer records, holding of goods for prescribed period, requirement that seller provide identification, cooperation with police).	Final report completed in September 2001. Public consultation on a draft Exposure Bill is envisaged.	
Payroll Tax Act 1971	Tr	Imposes a tax upon employers in respect of certain wages and provides for the assessment and collection of the tax.	Review completed.	Dealt with under the Licence Reduction Program.

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Pesticides Act 1978	Env	Controls the sale, supply, use and possession of pesticides, the application of pesticides from aircraft and provides for the prevention of foodstuff contamination.	Review completed. Part 7 of the Act is currently subject to further review in the context of a generic review of several Acts dealing with chemical residues.	Dealt with under Licence Reduction Program. The review recommendations have been incorporated into the NSW Pesticides Act 1999. The recommendations are also being considered in the development of regulations under the Act. NCP considerations are specifically included in the public RIS on the draft Regulations.
Petroleum (Onshore) Act 1991	MR	Regulates the search for, and mining of, petroleum.	Review completed.	Dealt with under the Licence Reduction Program. Authority for exploration retained. Business compliance costs minimised.
Petroleum (Submerged Lands) Act 1982	MR	Relates to the exploration for, and exploitation of, undersea petroleum resources. This legislation forms part of a national scheme.	National review completed on 25 August 2000.	Some parts dealt with under the Licence Reduction Program. Amendments to be developed by the Commonwealth and subsequently reflected in State and Territory legislation.
Petroleum Products Subsidy Act 1965	Tr	Implements a Commonwealth scheme for the subsidisation of fuel transport costs in rural areas.	Review not required. The Act enables NSW to provide administrative arrangements for the payment of Commonwealth subsidies to distributors of petroleum. It does not involve the imposition of any restrictions on competition by the NSW Government.	

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Pharmacy Act 1964	H	Restrictions on entry, registration, title, practice, advertising, business, ownership, licensing, and disciplinary provisions.	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.	CoAG referred the Wilkinson Review to a senior officials' working party, which is yet to report back to CoAG.
Physiotherapists Registration Act 1945	H	Restrictions on entry, registration, title, practice, and disciplinary provisions.	Review completed in March 2001. The review made 28 recommendations, including that an objectives clause be inserted, title be restricted, spinal manipulation and electrotherapeutic treatments be reserved, the minimum age requirement be repealed, advertising restrictions be reduced, and changes to the board and disciplinary structures.	The Physiotherapists Bill 2001 is in the NSW Parliament.
Pipelines Act 1967	E	Relates to the construction, operation and maintenance of pipelines.	Review completed. The report concluded that the legislation does not contain any significant anticompetitive provisions	Act retained without reform.
Plant Diseases Act 1924	Ag	Permits declaration of quarantine areas. Establishment of quarantine stations for plants. Allows control of the storage and movement of some items. Inspectors have powers to enter and search premises, and seize and destroy plants.	Review underway - part of generic review of all plant and animal disease legislation. Final report in preparation.	
Podiatrists Act 1989	H	Restrictions on entry, registration, title, practice, and disciplinary provisions.	Review underway. Issues paper released in April 2000. Final report in preparation.	

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Poisons Act 1966	H	Regulates, controls and prohibits the sale and use of poisons, restricted substances, drugs of addiction and certain dangerous drugs.	National review completed. Final review report under consideration by the Australian Health Ministers Advisory Council (AHMAC).	
Ports Corporatisation and Waterways Management Act 1995	PW	Establishes statutory State-owned corporations to manage the State's major port facilities; transfers waterways management and other marine safety functions to the Minister; and establishes the Waterways Authority and provides for port charges, pilotage and other marine matters.	Review underway. Final report in preparation.	
Poultry Meat Industry Act 1986	Ag	Prohibits supply of chickens unless under an agreement approved by the Poultry Meat Industry Committee.	First review completed in mid-2000. Second review of the Act undertaken.	On 10 November the NSW Premier announced that the Government would not be changing the regulations under which poultry growing prices are determined.
Poultry Processing Act 1969	Ag	Registration of plants in which poultry is processed for sale. Minimum standards in the slaughtering and processing of poultry.	Review, in conjunction with the Meat Industry Act 1987, completed.	Act repealed on 1 July 1999 when the Meat Industry Amendment Act 1998 commenced. Food safety regulation of the NSW poultry industry is now provided through the Food Production (Safety) Act 1998 and the Food Production (Meat Food Safety Scheme) Regulation 2000.

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Prevention of Cruelty to Animals Act 1979	Ag	Controls or prohibits certain activities associated with animal breeding, animal husbandry, entertainment, veterinary services, animal derived production and processing and transportation. Imposes compliance costs. Authorising a range of direct interventions by regulatory officials and courts.	Review underway. Issues paper was released in March 2001. Submissions are currently being considered. The review will consider linkages with five other Acts: the Animal Research Act 1985, the Exhibited Animals Protection Act 1986, the Veterinary Surgeons Act 1986, the Companion Animals Act 1998 and the National Parks and Wildlife Act 1974.	
Prices Regulation Act 1948	FT	Makes provision for the regulation of prices and rates of certain goods and services.	Review completed.	The Prices Commission was abolished and prices regulation powers were transferred to IPART.
Prickly Pear Act 1987	Ag	Provides for the control and destruction of Prickly Pear.	Review completed.	Act repealed and replaced by provisions under the Noxious Weeds Act 1993.
Private Hospitals and Day Procedures Centres Act 1988	H	Licensing and conduct.	Review underway. Issues paper released in December 2000. Interim report in preparation to enable further consultation.	
Professional Standards Act 1994	AG	Provides for the limitation of liability of members of occupational associations in certain circumstances and to facilitate the improvement of the standards of services provided by those members.	Review underway. Issues paper released in mid 2001. Final report in preparation.	Professional Standards Amendment Act 1999 passed, instituting an 'opt-out' clause for professional indemnity insurance schemes run by associations.

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Property, Stock and Business Agents Act 1941	FT	Licensing (real estate, stock and station, business and managing agents), registration, entry requirements (qualifications, sufficient experience, fit and proper person), the reservation of practice, disciplinary processes, and business conduct (auctions, trust accounts).	Review completed.	The Government approved the preparation of an Exposure Bill for consultation in late 2001.
Psychologists Act 1989	H	Restrictions on entry, registration, title, practice, and disciplinary provisions.	Review report completed in December 1999, recommending the retention of registration, but the removal of restrictions on advertising and premises. A number of recommendations provide clarity and accountability.	The Psychologists Bill 2001 is in the NSW Parliament.
Public Finance and Audit Act 1983 (1), and Public Authorities (Financial Arrangements) Regulations 1997 (2)	Tr	(1) Makes provision with respect to the administration and audit of public finances. (2) Makes provisions with respect to certain financial arrangements and investments of public authorities; and constitutes the NSW Capital Works Financing Corporation.	Review completed in 1998. Potential competitive restrictions were identified as part of a consultation program conducted in 1998 concerning a proposal to merge five Acts (of which these were two) into a new single statute. The review of the restrictions revealed that there were net public benefits supporting their retention.	The Government is considering the review recommendations.
Public Health Act 1991	H	Regulates the funeral industry, skin penetration, microbial control and other matters.	Final report completed in March 2001.	The Government is considering the review recommendations.
Public Notaries Act 1985	AG	Provides for the appointment, enrolment and disciplinary procedures for Public Notaries.	Review completed.	New Act in place.

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Public Sector Management (Goods and Services) Regulation 1995	PWS	Establishes the State Contracts Control Board, which arranges for the supply of goods and services and disposal of goods for the Public Service. The restriction on competition is that certain government agencies are prevented from independently negotiating contracts for the supply of goods or services other than through the Board.	Review completed. The Regulation was subject to a joint NCP and Subordinate Legislation Act 1989 review by the Department. A RIS was released for public consultation in April 2000. The review found that the benefits to the State from centralised procurement outweigh any costs associated with restrictions on choices available to government agencies. It therefore recommended that the Regulation be re-made with existing coverage and application.	In 2000 the Government re-made the regulation as recommended by the review.
Public Trustee Act 1913	AG		Review completed.	Legislation was rejected by the NSW Parliament. Other measures to implement the review recommendations are being considered by the Government.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Racing Administration Act 1998	GR	Bans proprietary racing; bans racing for betting other than thoroughbred, greyhound and harness racing; bans advertising the availability of bookmaker or totalisator services from another jurisdiction; bans provision of betting services other than for the NSW Totalizator Agency Board (TAB) and provision of information on alternative sources by way of internet, subscription TV or other on-line communications; bookmakers may only conduct telephone and on-line or sports betting if authorised by the Minister to do so; for telephone betting restricted to a closed mobile phone system and a minimum \$200 bet; bookmakers may only bet on sports events declared by the Minister to be available for such purposes; and bookmakers are subject to controls over the advertising of their services.	Omnibus review, in conjunction with the Bookmakers Taxation Act 1917, the Greyhound Racing Authority Act 1985, the Harness Racing Act 1977 and the Thoroughbred Racing Board Act 1996, completed in August 2001.	The Government accepted the review recommendations.
Radiation Control Act 1990, and Radiation Control Regulation 1993	Env	Makes provision for the regulation and control of the sale, use, keeping and disposal of radioactive substances and radiation apparatus.		Dealt with under the Licence Reduction Program. The national review of radiation control legislation may have implications for this Act.

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Rail Safety Act 1993	Tpt	Potential for restraint on competition in pursuit of safe construction, operation and maintenance of railways.	Statutory review completed in September 1999. The review's proposed recommendations and the subsequent NCP review have been deferred. The NCP review needs to be fully cognisant of the possibly wide-ranging changes to the Rail Safety Act 1993 that may arise as a result of the Government's response to the Final Report into the Glenbrook Rail Accident.	
Recreation Vehicles Act 1983	Env	Regulates the off-road use of motor vehicles.	Review not required.	Vehicle registrations can no longer be made under this Act, as the relevant regulation expired in 1999 and will not be re-made. Management of recreational vehicles will in future rely on existing NCP-compliant powers located within road transport legislation.
Registered Clubs Act 1976	GR	Makes provisions with respect to the registration of clubs and their rules and management.	See the Liquor Act 1982 (both Part 1 of 2 and Part 2 of 2).	

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Residential Tenancies Act 1987 (1), and Landlord and Tenant (Rental Bonds) Act 1977 (2)	FT	(1) Relates to the rights and obligations of landlords and tenants under residential tenancy agreements; makes provision with respect to excessive rent increases and rents; confers functions onto the Residential Tenancies Tribunal of NSW with respect to landlords and tenants. (2) Constitutes a Rental Bond Board; confers and imposes certain powers, authorities, duties and functions on the Board; requires lessors of residential premises to deposit rental bonds with the Board; and provides for the paying out of rental bonds and enabled the investment of rental bonds and the investment and expenditure of rental bonds.	Final report completed.	The Government is considering the review recommendations.
Restraints of Trade Act 1976	AG	Provides for Supreme Court action based on applications against activities which create restraints of trade. Act strengthens public interest test found in the common law.	Review completed.	Act to be retained with amendment to indicate that it is subject to the Trade Practices Act 1974 (TPA) and the Competition Policy Reform (NSW) Act 1995.
Retail Leases Act 1994	SD	Makes provision with respect to the leasing of certain retail shops and the rights and obligations of lessors and lessees of those shops.	Review underway. Issues paper is being finalised for release.	

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Retirement Villages Act 1989	FT	Relates to the termination of occupation rights of residents in retirement villages and confers jurisdiction over certain matters relating to retirement villages, on the Residential Tenancies Tribunal.	Review completed.	Act replaced by Retirement Villages Act 1999. New legislation is consistent with the review recommendations.
Rice Marketing Board	Ag	The Marketing of Primary Products Act 1983 establishes and confers a monopoly over the domestic and export marketing of rice grown in NSW on the Rice Marketing Board (RMB). The RMB, under an exclusive licensing arrangement, delegates its marketing functions to the Ricegrower's Co-operative Limited (RCL).	<p>Joint government/industry review of the rice arrangements completed in 1996. It found the benefits from the current regulatory arrangements, when taken as a whole, were estimated to be in the range of \$26-35 million in 1996-97, rising to \$36-45 million in 2000-01. These benefits significantly exceed the domestic costs of the regulation, which were estimated to be between \$2-12 million annually.</p> <p>The review recommended removing the RMB's monopoly over domestic marketing, but retaining the export monopoly. It proposed this be achieved by repealing the State-based arrangements whereby the entire NSW crop 'vests' with the RMB and establishing an export monopoly under Commonwealth jurisdiction.</p>	<p>The Government initially decided to maintain current arrangements until at least 2004. It subsequently agreed-in-principle for the Commonwealth to consult with other jurisdictions on a reform model, ie:</p> <ul style="list-style-type: none"> • rice exports to be controlled by a Commonwealth Rice Export Authority (REA); • the Ricegrowers Cooperative Limited (RCL) to hold an export right for 3-5 years; • non-competing exports to be approved by the REA; and • open competition in the domestic market.
Roads Act 1993	R	Makes provision with respect to the roads of NSW. Regulates the carrying out of certain activities on public roads.	Final report completed in August 2001.	The Government is considering the review recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Rural Assistance Act 1989	Ag	Constitutes the NSW Rural Assistance Authority. The Review Group considered the Protection Orders provision to be a potentially significant competition restriction.	Review completed in February 1999. It recommended: <ul style="list-style-type: none"> • public benefit provisions should be included in the Act to apply to existing and new programs; • programs to include objectives that clearly target defined market failure(s); and • provisions relating to the Protection Orders be repealed. 	Minor amendments to the Act, including the repeal of Protection Orders, were made by the Rural Assistance Amendment Act 2000 as recommended by the NCP review.
Rural Lands Protection Act 1989	Ag	Establishes Rural Lands Protection Districts and associated boards that levy and collect rates, provide animal health services and control of noxious weeds and animals. The Review Group is yet to identify potential restrictions on competition.	Review underway. To be completed after full commencement of the Act.	
Rural Workers Accommodation Act 1969	IR	Provides for the accommodation of rural workers and constitutes the Rural Workers Accommodation Advisory Council. Creates certificate of compliance for accommodation.	Review completed as part of the RIS for the Occupational Health and Safety Regulation 2001.	
Security (Protection) Industry Act 1985	Po	Licensing (providers of security or protection for persons or property) and regulation.	Review completed.	Act repealed and replaced by the Security Industry Act 1997.
Seeds Act 1982	Ag	Imposes labelling requirements on seed parcel sales. Sets standards and conditions which limits participation in seed varietal verification schemes.	Review underway. Final report in preparation.	

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Small Business Loans Guarantee Act 1977	SD	Authorises the execution of guarantees for the repayment of loans made to certain small businesses.	Review, in conjunction with the Country Industries (Payroll Tax Rebates) Act 1977 and the State Development and Industries Assistance Act 1966, underway.	
Soccer Football Pools Act 1975	GR		See the NSW Lotteries Act 1990.	
Standard Time Act 1987	AG	Relates to standard time and daylight saving in NSW.	Review not required. Act withdrawn as there are no anticompetitive issues in the Act.	
State Development and Industries Assistance Act 1966	SD	Constitutes the Minister administering the Act as a corporation sole and confers certain powers on that sole relating to the establishment, expansion and development of certain industries and to the acquisition of land.	Review, in conjunction with the Country Industries (Payroll Tax Rebates) Act 1977 and the Small Business Loans Guarantee Act 1977, underway.	
Stock (Artificial Breeding) Act 1985	Ag	Restricts who may carry out or supervise an artificial breeding procedure. Requires licensing of artificial breeding premises. Imposes mandatory standards on licensed premises.	Review, in conjunction with the Veterinary Surgeons Act 1986, completed.	The Government is considering the review recommendations.
Stock (Chemical Residues) Act 1975	Ag	Imposes restrictions on chemically affected stock (for example on sale, movement or destruction).	Review completed - part of a generic review of all chemical residue legislation. Final report completed in December 1999. See the Pesticides Act 1978.	The Government is considering the review recommendations in conjunction with the outcomes of the NCP review of plant and animal disease legislation.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Stock Diseases Act 1982	Ag	Restricting or prohibiting imports of stock or other items from a disease affected area. Declaration of quarantine areas. Testing and treatment of stock. Closing of roads and building of fences and gates. Declaring quarantine lines and setting conditions for crossing such lines. Ordering destruction of stock.	Review underway - part of a generic review of all plant and animal disease legislation. Final report in preparation.	
Stock Foods Act 1940	Ag	Regulates labelling of manufactured stock food. Sets composition standards for stock food (limits on foreign ingredients).	Review completed - part of a generic review of all chemical residue legislation. Final report completed in December 1999. See the Pesticides Act 1978.	The Government is considering the review recommendations in conjunction with the outcomes of the NCP review of plant and animal disease legislation.
Stock Medicines Act 1989	Ag	Unregistered chemicals not to be held or used on food-producing stock unless prescribed by a veterinary surgeon. Minimum qualifications and experience for analysts. Restricts advertising.	Review completed – part of a generic review of all chemical residue legislation. Final report completed in December 1999. See the Pesticides Act 1978.	The Government is considering the review recommendations in conjunction with the outcomes of the NCP review of plant and animal disease legislation.
Strata Schemes Management Act 1996	FT	Provides for the management of strata schemes and the resolution of disputes in connection with strata schemes.	Review underway. Issues paper released in August 2000. Final report in preparation.	
Strata Titles Act 1973, and Strata Titles (Leasehold Development) Act 1986	FT		Review not required.	Acts replaced by the Strata Schemes Management Act 1996 which provides for the management of strata schemes and the resolution of disputes in connection with strata schemes.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Superannuation Administration Act 1996	Tr	Provides for trustees for State public sector superannuation schemes and the provision of investment and administration services for such schemes.	Review not required.	Legislation to corporatise the Superannuation Administration Authority was introduced into Parliament in May 1999. The legislation provided for fixed superannuation contracts to be put in place for three to five years, following which competitive tendering will apply. No residual anticompetitive provisions will remain following the expiry of these transitional contracts.
Surveyors Act 1929	IT	Licensing, registration, entry requirements (qualification, exam, two years experience, aged at least 21 years, good fame and character), the reservation of title and practice, disciplinary processes, and business conduct (regulating the making of surveys and advertising).	Final report completed in August 2001.	The Government is considering the review recommendations.
Swine Compensation Act 1928	Ag	Provides for the establishment of a Swine Compensation Fund and for payment of compensation to owners of pigs and carcasses of pigs destroyed as suffering from disease.	Review underway - part of a generic review of all plant and animal disease legislation. Final report in preparation.	
Sydney Market Authority Act 1968	Ag	Constitutes the Sydney Market Authority and defines its powers, authorities, duties and functions, and vests certain property in the Authority.	Review not required.	Act repealed.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Sydney Turf Club Act 1943		Constitutes and incorporates the Sydney Turf Club and declares its objects, functions and powers and provides for associated matters.	Review, in conjunction with the Australian Jockey Club Act 1873, completed in 1999. Current arrangements found to be in the public interest.	Act retained without reform.
Theatres and Public Halls Act 1908	AG	Provides for the licensing and regulation of theatres and public halls and of places used for public entertainment or public meetings, and the licensing and regulation of the holding of public entertainment and public meetings in temporary structures.	Review not required.	Act to be repealed in 2001.
Therapeutic Goods and Cosmetics 1972	H	Regulates the manufacture, distribution and advertising of certain therapeutic goods and imposes standards in relation to certain therapeutic goods and cosmetics.	Review completed.	Act repealed. Provisions relating to cosmetics not re-enacted. Licences for wholesalers of therapeutic goods eliminated. Remaining provisions incorporated into Poisons Act 1966 and Therapeutic Goods Act 1972.
Thoroughbred Racing Board Act 1996		Establishes the controlling body for thoroughbred racing. Authorises the controlling body to make rules of racing and betting (including provision for the licensing of racing participants). The controlling body may make rules in relation to the operation of bookmakers. Bookmakers may only operate at events and at a location and time for which it is lawful to do so.	See the Racing Administration Act 1998 – omnibus review of racing and betting legislation.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Tobacco Advertising Prohibition Act 1991	H	Prohibits the advertising of tobacco and tobacco products, trade marks, brand names and logos.	Review completed.	Act repealed. Advertising restrictions were minimised and incorporated into the Public Health Act 1991.
Tobacco Leaf Stabilisation Act 1976	Ag	Makes provisions with respect to the stabilisation of the tobacco leaf industry.	Review completed.	Act repealed.
Totalizator (Off-Course Betting) Act 1964	GR	Makes provision with respect to off-course betting by means of the totalizator system; provides for the conduct of sweepstakes in respect of certain events; and establishes a TAB and defines its powers, authorities, duties and functions.	Review not required.	Act repealed and replaced by Totalizator Act 1997, privatising the TAB.
Totalizator Act 1916	GR	Amends and consolidates the law as it relates to the conduct of totalizators and the regulation of totalizator betting.	Review not required.	Act repealed and replaced by Totalizator Act 1997, privatising the TAB.
Tow Truck Act 1989	Tpt	Provides for a licensing and certification scheme for tow truck drivers and operators, regulates other matters, and constitutes the Tow Truck Industry Council.	Review not required.	Act repealed and replaced by Tow Truck Act 1998. The new Act includes licensing, a job allocation scheme and pricing controls. Review of the Tow Truck Act 1998 will commence six months after the new job allocation scheme has commenced.
Trade Measurement Act 1989	FT	Relates to trade measurement in NSW as part of the scheme for uniform trade measurement legislation throughout Australia.	National review underway.	
Traffic Act 1909	R	Provides for the regulation of vehicles and of vehicular and pedestrian traffic.	Review completed.	Act repealed.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Travel Agents Act 1986	FT	Licensing, compulsory consumer compensation fund, and business restrictions.	National review underway (coordinated by WA). A final review report by Centre for International Economics (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 compulsory insurance maintained, but 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.	
Trustee Companies Act 1964	AG	Restrictions, liabilities, privileges and powers of trustee companies.	National review underway. The Standing Committee of Attorneys General (SCAG) released an issues paper and draft Bill in June 2001. Submissions closed in August and officers are presently considering the submissions.	Draft SCAG Bill providing for uniform legislation is well advanced.
Unhealthy Building Act 1990	Env	Provides for the declaration of certain land as unhealthy building land and for the effect of such a declaration.	Review completed.	Dealt with under the Licence Reduction Program.
Valuers Registration Act 1975	FT	For real estate valuers: licensing, registration, entry requirements (education, supervised training, good character), disciplinary processes, and the reservation of practice. It also confers functions on the Property Services Council.	Review completed in 2000, recommending a 'negative licensing' scheme to replace the current system. The scheme would involve core legislation with entry requirements (qualifications, practice requirements and good character). Continuing professional development and professional indemnity insurance would not be a compulsory pre-condition to carry on business as a valuer.	The Government is considering the review recommendations. Further analysis and consultation required prior to implementation.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Veterinary Surgeons Act 1986	Ag	Licensing of veterinary surgeons and hospitals, reservation of practices, reservation of title, advertising restrictions, and controls on business names.	Final review report, in conjunction with the Stock (Artificial Breeding) Act 1985, completed.	The Government is considering the review recommendations.
Waste Disposal Act 1970	Env	Provides for the constitution of a corporation to be called the 'Metropolitan Waste Disposal Authority'; confers and imposes on the corporation responsibilities, powers, authorities, duties and functions with respect to the transport, collection, reception, treatment, storage and disposal of waste within the Metropolitan Waste Disposal Region.	Review not required.	Act repealed and replaced by the Waste Minimisation and Management Act 1995.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Waste Minimisation and Management Act 1995	Env	<p>The Act relates to the management, regulation and reduction of waste. Potential restrictions on competition include:</p> <ul style="list-style-type: none"> • the powers of regional waste boards to direct councils' charging policies; • requirements for industry waste reduction plans; • licensees that are not public authorities cannot hold licences for facilities that receive putrescible waste, unless a separate supervisory licence is granted to a public authority; • environmental protection licensing; and • the waste levy. 	Review completed in 2001.	<p>In June 2001, Government agreed to modify the NSW waste policy settings in line with the outcomes of the NCP review (and statutory review).</p> <p>The reforms include legislative amendments to replace regional waste boards with a single State agency; and a package of measures to improve the performance of the waste levy as an economic incentive for finding alternatives to waste disposal.</p>
Wheat Marketing Act 1989	Ag	Imports Commonwealth Act into State jurisdiction.	Review not required.	Act to be repealed under the State Law Revision Program.
White Phosphorous Matches Prohibition Act 1915	IR	Prohibits the use of white phosphorus in the manufacture of matches and prohibits the sale of matches made with white phosphorous.	Review completed.	Act repealed.
Wool, Hides and Skins Dealers Act 1935	Po	Restrictions on the buying and selling of wool, hides and skins.	Review completed in 1996. Review recommended the Act be repealed.	The Government is considering the review recommendations. concurrently with the findings of the Pastoral and Agricultural Crime Working Party, completed in late 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Workers Compensation Act 1987	IR	Mandatory insurance, monopoly insurer, and centralised premium.	Review completed in 1997-98, recommending removing the monopoly insurer in favour of competitive underwriting. Further examination of the scheme in 2000-01 resulted in proposals for changes to scheme design elements.	Legislation passed to introduce private underwriting in October 1999. Subsequent legislation has delayed implementation to a date to be determined by the Minister. Scheme design changes introduced in 2001.