

4 Victoria

Agency abbreviations

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

DEET	Department of Education, Employment and Training
DHS	Department of Human Services
DoI	Department of Infrastructure
J	Department of Justice
NRE	Department of Natural Resources and Environment
P&C	Department of Premier and Cabinet
SRD	Department of State and Regional Development
T&F	Department of Treasury and Finance

Legislation review schedule: Victoria

Updated to September 2001

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Accident Compensation (WorkCover Insurance) Act 1993	T&F	Mandatory insurance, monopoly insurer, and centralised premium setting.	<p>Review completed in 1997-98, recommending retention of compulsory insurance and removal of the monopoly.</p> <p>Another review, by PricewaterhouseCoopers, was completed in 2000. This review recommended retention of compulsory insurance, retention of the monopoly and charges remaining to be set by the Victorian Workcover Authority. The report recommended the consideration of market testing some functions and greater transparency through pricing. The report also recommended retention of occupational rehabilitation service provider licensing and increasing the ability to self-insure.</p>	<p>The Government rejected the recommendation of the first review, raising issues concerning National Competition Policy (NCP) compliance in June 1999. Minor changes to restrictions were accepted. Restrictions to remain on: public underwriting, premium setting and funds management; approval conditions for insurers and occupational rehabilitation providers; and types of firms permitted to self-insure. Government provisionally accepted the PricewaterhouseCoopers recommendations.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Accident Compensation Act 1985	T&F	Mandatory insurance, monopoly insurer, centralised premium setting.	Review completed in 1997-98, recommending retention of compulsory insurance and removal of the monopoly. Another review, by PricewaterhouseCoopers, was completed in 2000. This review recommended retention of compulsory insurance, retention of the monopoly and charges remaining to be set by the Victorian Workcover Authority. The report recommended the consideration of market testing some functions and greater transparency through pricing. The report also recommended retention of occupational rehabilitation service provider licensing and increasing the ability to self-insure.	The Government rejected the recommendation of the first review, raising issues concerning NCP compliance in June 1999. Minor changes to restrictions were accepted. Restrictions to remain on: public underwriting, premium setting and funds management; approval conditions for insurers and occupational rehabilitation providers; and types of firms permitted to self-insure. Government provisionally accepted the PricewaterhouseCoopers recommendations.
Adoption Act 1984	DHS		Review completed in 1998. Recommended retention of restrictions in order to protect the interests of children and meet international obligations.	The Adoption (Amendment) Act 2000 passed to deal with bilateral issues.
Adult, Community and Further Education Act 1991 (to establish Adult Community Further Education Board, Regional Councils and make provision with respect to Adult, Community and Further Education)	DEET	Sets accreditation procedures for courses and registration requirements for community education providers. Allows Minister to direct on fees and charges.	Review completed in 1997 as part of the Tertiary Education and Training Review. Recommended restrictions on fee setting and accreditation procedures be retained in the public interest and reform of the registration system.	The Government accepted the review recommendations. Reforms to the legislation were passed by Parliament in the Spring sittings 1997.
Adult, Community and Further Education Act 1991 (Ministerial direction on fees and charges)	DEET		The Tertiary Education and Training Review completed in 1997. Retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.	Reforms to the legislation were passed by Parliament in the Spring sittings in 1997.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Agricultural Industry Development Act 1990 (including orders related to the Murray Valley winegrapes industry)	NRE	<p>Allows for establishment of industry development bodies which may:</p> <ul style="list-style-type: none"> • act as purchasing agents; • provide resources to grower representative bodies; and • undertake research and development. <p>Also allows for establishment of negotiating committees which may recommend industry-wide prices and payment terms and conditions.</p>	<p>Review jointly with NSW, by independent consultants KPMG, completed in 1999. It recommended:</p> <ul style="list-style-type: none"> • not renewing the Murray Valley winegrapes marketing order; • removing powers of industry development bodies to provide resources to grower representative bodies and to act as purchasing agents; • improving accountability of industry development bodies for application of funds raised from compulsory levies; and • removing provisions relating to price recommendation and payment terms and conditions functions of negotiating committees. 	Act amended by the Agricultural Industry Development (Amendment) Act 2000 as recommended.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Agriculture and Veterinary Chemicals (Control of Use) Act 1992	NRE	Allows off-label use of chemicals subject to conditions. Conditions vary markedly between jurisdictions. Veterinary surgeons exempt from various controls. Licensing of spray contractors.	National review of agvet chemicals completed in 1999. Report released by the Standing Committee of Agriculture and Resources Management (SCARM)/Agriculture and Resources Management Council of Australia and New Zealand (ARMCANZ) in March 1999 recommended, in relation to control-of-use legislation: <ul style="list-style-type: none"> • developing a nationally consistent approach to off-label use; • retaining the veterinary surgeon exemption, but not for agricultural chemicals; • licensing of spraying businesses subject to maintenance of records, employing licensed persons and provision of necessary infrastructure; • licensing of persons spraying for fee or reward subject to accreditation of competency and working only for a licensed business; and • exempting persons spraying on own land from licensing. 	Intergovernmental response completed in 2000. A task force was established to develop a nationally consistent approach to control-of-use regulation and to report to ARMCANZ.
Agriculture and Veterinary Chemicals (Victoria) Act 1994	NRE	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.
Alpine Resorts Act 1983	NRE			Act repealed and largely replaced by the Alpine Resorts Management Act 1997.

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Ambulance Services Act 1986	DHS		Review completed in November 1999, recommending that competition be introduced in the provision of emergency services in the Metropolitan area.	
Architects Act 1991	DoI	Registration, entry requirements, reservation of title, disciplinary processes, and business restrictions (ownership provisions that at least two thirds of directors of the company must be registered architects).	Review completed in February 1999. Review recommended retention of title restriction and registration requirements, and reduced business restrictions (including reducing ownership provisions to at least one director or partner is a registered architect). National review (except Victoria), by the Productivity Commission (PC), completed in August 2000 and publicly released in November 2000. (Previously completed Victorian review put on hold). PC review involved public consultation via public release of issues paper, draft report, consultation, public hearings and receiving submissions. Review recommended repeal of the Act.	The Government is developing its response to the review and also considering the PC review report.
Associations Incorporation Act 1981	J		Review completed in 1998.	Minor restriction removed with the Associations Incorporation (Amendment) Act 1997.
Auction Sales Act 1958	J	Licensing, entry requirements (resident in State, character), the reservation of practice (auctioneers of goods, including livestock), and business conduct (suitable premises, no music, no disorderly conduct, maintenance of register for cattle and sheepskins, no collusion).	Review by Victoria University completed in November 1999. Review recommended that licensing be discontinued, but that a minimal registration scheme be introduced for livestock auctioneers, in the interests of livestock disease control.	The Government accepted the review recommendation to discontinue licensing, but rejected the registration proposal as unnecessary. An Auction Sales (Repeal) Bill been introduced into Parliament and is scheduled for passage in the Spring 2001 session.

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Audit Act 1994 Parts 1,2 and 6 (Part 7 repealed) (the Act is otherwise administered by the Minister for Finance)	P&C		Review completed in 1997.	Act repealed and replaced by Audit Act 1997.
Australian Grand Prix Act 1994	SRD		Review completed. Act assessed as not restricting competition.	
Barley Marketing Act 1993	NRE	Established the former Australian Barley Board and conferred on it a monopoly over the marketing of Victorian barley.	Independent review by Centre for International Economics (CIE) completed in 1998 jointly with SA, recommending that Victoria: <ul style="list-style-type: none"> • remove the domestic barley marketing monopoly; • retain the export barley marketing monopoly for only the 'shortest possible transition period'; and • restructure the Australian Barley Board as a private grower-owned company. 	Act amended in 1999 to remove monopoly on domestic barley from 1 July 1999 and export barley from 1 July 2001. The Board was transferred into grower ownership on 1 July 1999. It has no regulatory powers. The Act sunsetted on 1 July 2001.
Benefit Associations Act 1958	J		Review scheduled for December 1997.	Act expected to be repealed.
Biological Control Act 1986	NRE	Act assessed as not restricting competition. Act requires a transparent public inquiry process and review to determine the net public benefit of a biological control release.	Review not required.	Act retained without reform.
Border Railways Act 1922	Dol		Review completed. No provisions considered restrictive.	

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Borrowing and Investment Powers Act 1987	T&F	Restriction on government business enterprises (GBEs) and regulated authorities, excluding them from dealing directly with financial markets for borrowings. Only the Treasury Corporation of Victoria (TCV) may transact in these markets.	In-house review completed in July 1997. The Department steering committee endorsed the final report. The review recommended that the Government reviews internal prudential requirements for selected GBEs and statutory bodies, with the aim of making them a subset of global corporate planning approvals and monitoring and selected GBEs and regulated authorities are no longer required to use the TCV to access debt markets.	The Government accepted the first recommendation, and has undertaken to monitor administrative arrangements applying to GBEs and regulated authorities to ensure all borrowing and investment approvals are consistent with corporate planning approvals and monitoring, and where possible this administrative process is streamlined. The second recommendation was rejected. If this restriction was removed the Department is of the view that significant additional costs would be imposed on Victorian taxpayers and thus should be retained in the public interest. The savings to taxpayers as a result of TCV being the State's single interface to financial markets are: TCV is able to derive economies of scale in issuing securities, thereby lowering the State's debt costs; GBEs and other statutory authorities no longer need to each have a fully resourced treasury dealing operation; and moral hazard arising from GBEs and other statutory bodies entering into inappropriate financial markets transactions is reduced.
Bourke Street Mall Act 1982	Dol		Review not required.	Act repealed.

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Broiler Chicken Industry Act 1978	NRE	Prohibits supply of chickens unless under an agreement consistent with terms determined by the Industry Negotiation Committee.	Independent review by KPMG completed in 1999, recommending that producers seek the Australian Competition and Consumer Commission's (ACCC) authorisation for collective bargaining, and that the Government repeal the Act.	<p>The Government is assisting the industry to adopt the recommended approach.</p> <p>On 29 June 2001 the ACCC announced that it had authorised collective negotiations between Victorian chicken growers and their individual processors in light of the proposed industry deregulation.</p> <p>On 27 July 2001 the Victorian Farmers Federation (VFF) Chicken Meat group announced its intention to challenge the authorisation in the Federal Court.</p>
Building (Plumbing) Act 1998	Dol	Licensing and registration for refrigeration mechanics.	New restrictions assessed as in the public interest under Victoria's legislation gatekeeping arrangements. Public interest justification: previously the work of refrigeration mechanics did not have the usual 10 year warranty arising from the issue of compliance certifications under Part 12A. There were no standards applying to such installations. This was anomalous as some licensed plumbers perform this work in conjunction with plumbing work which is regulated under Part 12A, while refrigeration mechanics who carry out refrigeration work alone were not regulated. The public was not given the usual protection afforded in Part 12A and it was difficult for some consumers to identify which service providers are covered.	

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Building Act 1993	Dol	Licensing (engineers, quantity surveyors, building surveyors, building practitioners, plumbers, drainers, gasfitters), the reservation of title and practice (plumbing: mechanical services, residential and domestic fire sprinklers, roofing (stormwater), sanitary, water supply, draining, gasfitting), registration requirements, permit requirements, and business conduct (insurance).	Review completed in 1998. Recommendations included: integrating the Act with Architects Act; making companies and partnerships subject to registration requirements; retaining Minister's power to issue compulsory insurance orders; increasing the use of audits of building surveyors to ensure standards are maintained; repealing exemptions to public sector employees, public authorities and the Crown retain those that exempt certain high security Crown buildings from requirement to lodge permit documents with relevant council; and basing the building permit levy on a formula that is cost-reflective and includes incentives for cost-effective administration of legislation.	The Government is considering the review recommendations.
Building Control (Plumbers Gasfitters & Drainers) Act 1981 No. 9720	Dol			Act repealed and replaced by Building Act 1993.
Building Societies Act 1986	J			Act to be repealed once jurisdiction passes to Commonwealth under financial sector reforms.
Business Franchise (Tobacco) Act 1974	T&F			Following the High Court ruling on excises the licensing provision of this Act no longer operate and the Act will be repealed.
Business Investigations Act 1958	J			Act to be repealed.
Business Names Act 1962	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	

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Caravan Parks and Moveable Dwellings Act 1988	DHS		Review completed in 1997 and retention of overall restrictions justified as being in the public benefit.	Act repealed and replaced by the Residential Tenancies Act 1997.
Casino (Management Agreement) Act 1993	T&F	Licences, and exclusive licence.	Deleted from the review timetable due to lack of scope for amendment without varying contractual arrangements with the existing casino operator and requiring payment of compensation.	
Casino Control Act 1991 - Part 5A	T&F	Restricts sports betting to the casino.	Public review by CIE completed in 1998.	The Government is retaining the restriction as it is in line with the decision not to expand the sports betting licensing regime on the grounds of problem gambling and regulatory efficiency.
Casino Control Act 1991 (excluding sections 128H to 128L which are administered by the Minister for Major Projects, excepting section 128K(2), which is administered by the Minister for Finance)	T&F		Deleted from the review timetable due to lack of scope for amendment without varying contractual arrangements with the existing casino operator and requiring payment of compensation.	

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Casino Control Act 1991	T&F	Market conduct, and operations.		<p>New restrictions introduced by the Gambling Legislation (Miscellaneous Amendments) Act 2000, which changes the Casino Control Act to allow increased accountability of the gaming industry. It allows for full reporting and enhanced probity checks, allows the Victorian Casino and Gaming Authority to conduct open hearings and gives the community the right to know details of applications.</p> <p>The Gambling Legislation (Responsible Gambling) Act 2000 changes the Casino Control Act to provide for players of gaming machines to be given information relevant to gaming on those machines.</p>
Cemeteries Act 1958	DHS		Review completed in December 2000.	
Chattel Securities Act 1987 - Part 3 (Registrable Goods)	DoI	Act assessed as not restricting competition.	Review not required.	
Children's Services Act 1996	DHS	Licensing.	The original Act was screened as part of the gatekeeper provisions when introduced into Parliament.	Amendments to the Act, to incorporate family day care and outside school hours care, being drafted. Bill to be introduced in Spring 2001.
Chinese Medicine Registration Act 2000	DHS	Restrictions on entry, registration, title, advertising, insurance, and disciplinary provisions.	Review completed in 2000. Victoria-led Australian Health Ministers Advisory Council (AHMAC) investigation of the need for registration. Decision made to register.	New licensing legislation passed May 2000.

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Chiropodists Act 1968	DHS	Restrictions on entry, registration, title, practice, advertising, business licensing, and disciplinary provisions.	Review completed in 1997.	Act replaced by the Podiatrists Registration Act 1997 in line with recommendations. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained.
Chiropractors and Osteopaths Act 1978	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in 1996.	Act repealed and replaced by Chiropractors Registration Act 1996 and Osteopaths Registration Act 1996. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained in the new Acts.
Chiropractors Registration Act 1996	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.		Act replaced the Chiropractors and Osteopaths Act 1978 in line with recommendations. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained in the new Act.
City of Greater Geelong 1993 (excluding Part 5)	Dol		Review not required.	Act (excluding Part 5) repealed.
City of Melbourne Act 1993	Dol		Review not required.	Act repealed.
Civil Aviation (Carriers' Liability) Act 1961	Dol	Act assessed as not restricting competition.	Review not required.	

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Club Keno Act 1993	T&F	Sets out provisions for allowing the playing of Club Keno and the rules for participants.	Review completed in 1997. Report not released.	The Government is considering the review recommendations.
Conservation Forests & Lands Act 1987	NRE	Act assessed as not restricting competition.	Review not required.	
Construction Industry Long Service Leave Act 1983 (to transfer to the Industry Science and Technology portfolio from 1 January 1999)	T&F			Act repealed and replaced by the Construction Industry Long Service Leave Act 1997.
Consumer Credit (Finance Brokers) Act 1998	J	Licensing.	Review completed in 1998. Review concluded some restrictions, relating to licensing and fee structures, are justified as being in the public benefit.	Act replaced the Finance Brokers Act 1969.
Consumer Credit (Victoria) Act 1995	J		National review underway.	
Control of Weapons Act 1990	J		Deleted from review schedule due to overriding public safety considerations.	
Co-operation Act 1981	J			Act repealed and replaced by the Co-operatives Act 1996.
Co-operatives Act 1996	J			Act repealed and replaced the Co-operation Act 1981.
Corrections Act 1986	J	No competition restrictions in the legislation which creates a framework for the multi-provider (ie public and private sector) corrections system in Victoria.	Review not required.	

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Council of Law Reporting in Victoria Act 1967	J	Single series of authorised law reports.	<p>Review completed on 20 October 2000, in consultation with: the High Court and Federal Court of Australia; all Victorian Courts; Supreme Court library; Council of Law Reporting; all Victorian universities; publishers of law books; electronic law services; legal professional bodies and associations; and Legal Aid.</p> <p>The review concluded the restrictions: ensure continuation of a single series in a small market not large enough to sustain more than one publisher; ensure that the costs of law reports are as low as possible; and ensure that only relevant and important cases are reported and reduce the likelihood of confusion that would be caused by a multiplicity of law reports. There is no alternative means of achieving the objectives of the Act.</p> <p>The review recommended no legislative changes.</p>	The Government accepted the review recommendations.
Country Fire Authority Act 1958	J		Review not required.	Function has been divested.
Credit (Administration) Act 1984	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	

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Crown Lands (Reserves) Act 1978 and related Acts (eg Kew and Heidelberg Lands Act 1933, Melbourne Cricket Ground Act 1933, Royal Botanic Gardens Act 1991, Shrine of Remembrance Act 1978, and Zoological Parks and Gardens Act 1967)	NRE	Leases and licensing may result in anticompetitive outcomes.	Major public review by external consultants underway. Issues paper published June 2000, and public comment sought in 2001.	
Cultural and Recreational Lands Act 1963	Dol	Act assessed as not restricting competition.	Review not required.	
Dairy Industry Act 1992	NRE	Vesting of milk in Victorian Dairy Industry Authority. Farmgate price-setting for market milk. Pooling of market milk returns. Licensing of farmers, processors, distributors and carriers.	Review by independent consultant, CIE, completed in 1999. It recommended the removal of all restrictions except those that safeguard public health. It further recommended third party auditing of dairy food safety subject to acceptance of importing countries.	<p>In December 1999 the newly elected Victorian Government conducted a plebiscite of all Victorian dairy producers on whether to reform the state's market milk arrangements. Victorian producers overwhelmingly supported reform in conjunction with the Commonwealth's proposed industry adjustment package.</p> <p>In line with the March 2000 communique signed by all Australian Agriculture and Primary Industries Ministers committing to a national approach to dairy reform, Victoria passed Dairy Act 2000 on 1 June 2000, deregulating the industry from 1 July 2000.</p> <p>New Act also establishes Dairy Food Safety Victoria to regulate dairy food safety.</p>

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Dangerous Goods Act 1985 and Regulations 2000 (Explosive), (Storage and Handling) and (Major Hazards)	T&F	Licences required to manufacture, store, transport use, import and otherwise handle explosives.	Review underway.	New legislation. The regulations require a licence to manufacture, store, sell, transport, drive and import explosives or to use them for blasting at minesites and quarries. A licence is also required to discharge fireworks or to be a pyrotechnician. Shipping berths are to be approved for the transfer and handling of explosives. Major hazard facilities are required to be registered and licensed. These requirements may create barriers to entry into industries which undertake these activities. The restrictions are primarily aimed at safety and are justified on this basis.
Defence Reserves Re-employment Act 1995	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Dental Practice Act 1999	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.		New legislation. Enacted following the review of the Dental Technicians Act 1972 and Dentists Act 1972 completed in July 1998. The Health Practitioner Acts (Amendment) Act 2000 added professional indemnity insurance requirement and an ability for the dental board to issue guidelines on advertising.

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Dental Technicians Act 1972, and Dentists Act 1972	DHS	Restrictions on entry, registration, title, practice, advertising, ownership, and disciplinary provisions.	Review of the Dental Technicians Act 1972 and the Dentists Act 1972 completed in July 1998, recommended retention of restrictions on use of title, types of work, and a requirement for fair and accurate advertising. Recommendations also included the removal of ownership restrictions, removal of the restriction on 'disparaging remarks' in advertising, and allowing dental therapists to work in the private sector. The Victorian Law Reform Commission recommended compulsory professional indemnity insurance in 1999.	The Dental Practice Act 1999 replaced the Dental Technicians Act 1972 and the Dentists Act 1972. The Health Practitioner Acts (Amendment) Act 2000 added a requirement for professional indemnity insurance and an ability for the board to issue guidelines on advertising.
Discharged Servicemen's Preference Act 1943	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	

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Domestic (Feral and Nuisance) Animals Act 1994	NRE	Registration of domestic animal suppliers. Code of practice for domestic animal suppliers. Prohibition on the supply of animals from other than premises. Exemptions and concessions for specific associations.	Review by independent consultants KPMG completed in November 1998. It recommended: <ul style="list-style-type: none"> • retaining registrations and code of practise for domestic animal suppliers; • retaining prohibition on supply of animal from other than premises; • narrow exemption to breeders with no more than 2-3 animals; • allow all recognised animal associations access to exemptions and concessions; • remove "for profit" distinction between domestic animal suppliers; • repeal provisions relating to obedience training establishments; • regularly review the code of practise; • retain provisions relating boarding kennels and catteries until self-regulation is shown to be effective; and • improve consistency of enforcement by local councils. 	The Government accepted most of the review recommendations and the Act was amended in 2000. The Government rejected the recommendation relating to the 'for profit' distinction.
Dried Fruits Act 1958	NRE		Review not required as the industry decided to wind-up the Dried Fruits Board. See also the Dried Fruit Act 1939 (NSW).	Act repealed by Dried Fruits (Repeal) Act 1998.
Drugs, Poisons and Controlled Substances Act 1981	DHS	Licensing, storage, distribution and dispensing restrictions.	Part of Galbally Review. Final report under consideration by AHMAC.	

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Education Act 1958	DEET	<p>Requires the registration of private schools and endorsement of schools as suitable for overseas students and governs setting of fees for overseas students.</p> <p>Also provides for teacher licensing, registration and entry requirements (qualifications/teacher training, good character – including not convicted or guilty of a sexual offence), reservation of practice (all subjects except instrumental music, choral music, voice production and religion), and disciplinary processes.</p>	<p>Review completed May 2000. Victoria's review proposed less restrictive criteria than those in the existing legislation. The review recommended that schools satisfy three criteria (relating to suitable curriculum, suitable teachers, and suitable premises) but that a fourth criterion (concerning minimum student numbers) be dropped. Review recommended the existing system of teacher registration for teachers in non-government schools should be retained.</p>	<p>The Government opted to retain the fourth registration criterion, arguing that it ensures a school can offer a sufficient range of subject options and that it has a direct bearing on the financial viability of the school.</p> <p>Victoria's review committee also considered a proposal for a differential fee structure for overseas students attending government schools. The Government decided to retain the present restriction because the government school system is marketed as a whole and thus discontinuation of the present system would have a negative impact on broader marketing strategies across all education sectors.</p> <p>The Government accepted the review recommendations on teacher registration.</p>
Electric Light and Power Act 1958	T&F			Act repealed and replaced by the Electricity Safety Act 1998.
Electricity Industry Act 1993	NRE	The Act is one of the mechanisms by which the Government has effected competition reform of the Electricity Industry.		Act repealed and replaced by the Electricity Industry Act 2000. The Electricity Industry (Residual Provisions) Act 1993 now contains the remaining provisions from the 1993 Act that are relevant for historical purposes, including the privatisation provisions.

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Electricity Industry Act 2000	NRE	The Act is one of the mechanisms by which the Government has effected competition reform of the electricity industry.	Victoria assessed the Act against NCP principles at introduction. This assessment found the Act's provisions to be consistent with NCP principles, that is they do not restrict competition, but rather underpin existing competition and facilitate its introduction for domestic and small business customers.	Act replaced the Electricity Industry Act 1993. It substantially re-enacted various provisions of the 1993 Act relevant to the regulation of the electricity industry.
Electricity Safety (Equipment) Regulations 1999	NRE	All electrical equipment supplied in Victoria is required to comply with Australian and New Zealand Standard AS/NZS: 1998 unless a certificate of acceptance has been issued by the Office of the Chief Electrical Inspector. Also, certain prescribed electrical equipment must be approved by the Office of the Chief Electrical Inspector or a prescribed authority.	Victoria assessed the regulations were against NCP principles at introduction. The assessment found the restrictions were justified in the public interest on public safety and consumer protection grounds. The regulations address consumers' inability to detect hazardous products.	Restrictive provisions retained.
Electricity Safety (Installations) Regulations 1999	NRE	Licensing (electrical workers and inspectors), registration (electrical contractors), entry requirements (qualifications, also training course for person responsible for business management and administration), business conduct (insurance), prescribed methods for carrying out installation work, and standards for the quality of materials, fittings and apparatus.		New legislation to address information asymmetries. Regulations commenced 3 May 1999. Government notes regulations are justified because unskilled workers, contractors or inspectors or the use of inappropriate methods or substandard materials can result in loss of life, injury, industry downtime and property damage.

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Electricity Safety Act 1998	T&F	Licensing for electrical workers and persons contracting with customers to carry out electrical wiring work. Office of Chief Electrical Inspector may introduce provisions enabling identification of specific areas of work for specialist licensing, and may set minimum standards for all electrical equipment for hire.	Victoria assessed the Act against NCP principles at introduction. The assessment found the restrictions were justified in the public interest on public safety and consumer protection grounds. The Act addresses consumers' inability to detect hazardous products and assess the competency of tradespeople.	Act replaced the Electric Light and Power Act 1958. Restrictive provisions retained.
Employment Agents Act 1983	SRD		Review not required.	Act never brought into operation. Act repealed by the Training and Further Education Acts (Amendment) Act 2000.
Energy Consumption Levy Act 1982	T&F			Act repealed and replaced by section 19, Gas Industry (Amendment) Act 1997.
Environment Effects Act 1978	DoI	Act assessed as not restricting competition.	Review not required.	
Environmental Protection Act 1970	NRE		Review completed in August 2000.	Legislation introduced into Parliament in Spring 2000.

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Estate Agents Act 1980	J	Licensing (real estate agents not their representatives who are negatively licensed), registration, entry requirements (agents: licensed in past five years or qualifications and experience, over 18, fit and proper person (not insolvent, not convicted of prescribed offence or disqualified under Act); agent's representative: similar but no experience and lower level training), the reservation of practice (includes auctions of real estate or property), disciplinary processes, business conduct (ownership, name of business and address in advertising, agent's representatives only one employer, no commission sharing, professional conduct, trust accounts, Estate Agents Guarantee Fund (funded from interest on trust accounts) to pay for administration and defalcation), and business licensing.	Review completed in 2000. Recommended: retaining full licensing for residential property sales, but making experience and education requirements less restrictive; applying a less restrictive form of licensing to agents selling commercial property and business and managing property; and retaining regulation to protect against defalcation.	The Government released the report for consultation in formulating its response.

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Extractive Industries Development Act 1995	NRE	Regulates the quarrying of stone. The main purposes of the Act are to: provide a coordinated assessment and approvals process for extractive industries; ensure that extractive industry operations are carried out with safe operating standards and in a manner that ensures the rehabilitation of quarried land to a safe and stable landform; provide a procedure for notification of proposed extractive industries to licence-holders under the Mineral Resources Development Act 1990; and provide for the payment of royalties for stone extracted from Crown land.	Review underway. Review period extended to allow for additional consultation. Review expected to be completed in 2001.	
Fair Trading Act 1999	J	Requirements imposed on 'Off-Business Premises Sales' in Part 4 entail some restriction on competition.	The Act was assessed against NCP principles at introduction. The assessment recommended retention of restrictions on the grounds that they are the least restrictive means of achieving the Act's objectives, and so are in the public interest.	Restrictive provisions retained.
Finance Brokers Act 1969	J	Licensing.	Review completed and retention of some restrictions, relating to licensing and fee structures, justified as being in the public benefit.	Act repealed and replaced by the Consumer Credit (Finance Brokers) Act 1998.
Financial Institutions (Victoria) Act 1992	J			Act repealed by the Financial Sector Reform (Victoria) Act 1999.
Firearms Act 1958	J			Act repealed and replaced by the Firearms Act 1996.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Fisheries Acts 1968 and 1995	NRE	Licensing of commercial and recreational fishers. Input controls on boat size, gear and fishing methods. Output controls such as total allowable catches, individual transferable quota, and bag and size limits.	<p>Review by independent economic advisers ACIL Consulting completed in 1999. It recommended:</p> <ul style="list-style-type: none"> • retaining access licences but for longer periods and with automatic renewal; • introducing full cost recovery; • considering royalty or rent taxes to limit fishing; • removing restrictions on quota transfers and holdings for abalone; and • replacing input controls with output controls for rock lobster. 	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Flora and Fauna Guarantee Act 1988	NRE		<p>Review by consultant (KPMG) completed in February 1999. Consultation involved an issues paper, call for submissions, and targeted interviews. The review recommended no changes to :</p> <ul style="list-style-type: none"> • the listing process for species; • the provisions outlining management processes; • the provisions detailing Interim Conservation Orders; • the current permit provisions for native flora collection. However, there are effects on competition created by the division of the permit system by land ownership (public or private) and the pricing of these permits. Charging for permits should reflect full costs, including opportunity costs of alternative land uses. Decision guidelines for issuing of permits should facilitate transparency and reflect awareness of competition issues; and • the processes used in the operation of the Act. Consideration should be given to taking a broader legislative approach to environmental regulation. 	
Food Act 1984	DHS	<p>Various food safety offences. Food to meet prescribed food standards. Registration of food premises and vehicles. Food safety programs required for declared food premises/vehicles. Approval of food safety auditors.</p>	<p>National review completed in 2000 (see the NSW Food Act 1989).</p>	<p>All Australian governments agreed in November 2000 to adopt the core provisions of the Model Food Bill by November 2001. Act amended by Food (Amendment) Act 2001 to adopt provisions of Model Food Bill.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Forest agreement Acts (primarily for softwoods) including: Victree Forests Agreement, Australian Newsprint Mill Limited, Bowater-Scott Agreement, Laminex Industries Agreement, Pulpwood Agreement, and Wood Pulp Agreement.	NRE	Acts import into statute agreements between the Government and wood processors to supply softwood timber.	Review of Acts not required as they cannot be amended without renegotiating the agreements and paying compensation.	Following the sale of the Victorian Plantations Corporation, the Victree Forests Agreement & Bowater-Scott Agreement Acts have been repealed. The other Acts remain and the associated agreements are performed by the new owner of the plantations.
Forest agreement Acts (relating to hardwoods) eg Forests (Masonite Agreement) Act 1956	NRE			
Forests Act 1958	NRE	Exclusive control and management of State forests by the Department. Licensing of timber harvesting. Permits and leases for grazing and other uses of State forest. Administrative discretion over how licences and produce are allocated and priced. Logs harvested to equal sustainable yield.	Review by independent economic advisers, KPMG, completed in 1998. The review recommended most importantly: allowing purchaser/provider structure for management of State forests; removing requirement for minimum level of logging; developing market-based processes for log allocation and pricing; and separating policy, regulatory and commercial forestry functions of the department.	In August 2000 the commercial forestry function was established as a commercially-focused business unit within the Department, with separate financial reporting. A revised response to the review is under preparation. The Government has also commissioned an independent review of timber pricing. In June 2001 a discussion paper was released for public comment.
Friendly Societies (Victoria) Act 1996	J			Act replaced the Friendly Societies Act 1986 and repealed by Financial Sector Reform (Victoria) Bill 1999.
Friendly Societies Act 1986	J			Act repealed and replaced by the Friendly Societies (Victoria) Act 1996.
Fuel Emergency Act 1977	SRD		Review completed. Act assessed as not restricting competition.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Fuel Prices Regulation Act 1981	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Fundraising Appeals Act 1984	J			Act to be replaced by new legislation for passage in Spring 1998.
Funerals (Pre-Paid Money) Act 1993	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Gaming and Betting Act 1994	T&F	Allows for the issuing of a wagering and gaming licence to Totalizator Agency Board Corporation (TABCORP) Holdings Ltd providing that the company has entered into an unincorporated joint venture with the racing industry. Establishes the Victorian Casino and Gaming Authority as the regulator of the gaming and wagering licence. Generally regulates the operation of totalizator and fixed odds betting by TABCORP. Prescribes the taxation regime for totalizator and fixed odds betting by TABCORP.	Review of racing and betting legislation in Victoria completed in November 1998. Review included the Racing Act 1958, the Gaming and Betting Act 1994, the Lotteries Gaming and Betting Act 1966, and the Casino Control Act 1991(as it relates to betting). Concluded that the need for adequate totalizator pools justified the single licence arrangements. It also identified a public benefit in the arrangements for funding the Victorian racing industry.	The Government did not accept the review recommendations for an expansion of the sports betting licences, arguing that there was a public benefit in restricting the number of licences and the venues where such betting could be conducted (this was for reasons of monitoring and supervision).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gaming Machine Control Act 1991 - Part 1 of 2	T&F	Generally regulates the gaming machine industry in which the racing industry and TABCORP are participants.	<p>Review completed in November 2000. Recommendations included:</p> <ul style="list-style-type: none"> • that the current licences should end as soon as practicable; • that the on-going support of the racing industry be renegotiated to accommodate the licence restructure; • removal of the requirement that monitoring and control be a requirement of the operator's licence; • removal of the minimum 20 per cent allocation of gaming machines to non-metropolitan Victoria; • the club/hotel 50:50 split be retained; • a package of reforms of the club sector; and • that restrictions on matters such as machine numbers per venue, 24-hour gaming, licensing, ministerial discretion and probity should be retained. 	The Government accepted most of the review recommendations. It noted in principle support for changes to the licence structure and consequential changes to the support for the racing industry.

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<p>Gaming Machine Control Act 1991 - Part 2 of 2 CI5(5) applies</p>	<p>T&F</p>			<p>New restrictions introduced in the Gambling Legislation (Miscellaneous Amendments) Act 2000, which changes the Gaming Machine Control Act to allow increased accountability of the gaming industry. It allows for full reporting and enhanced probity checks, allows the Victorian Casino and Gaming Authority to conduct open hearings and gives the community the right to know details of applications.</p> <p>The Gambling Legislation (Responsible Gambling) Act 2000 changes the Gaming Machine Control Act to provide for players of gaming machines to be given information relevant to gaming on those machines. The local community is now considered in the locations of new venues through Councils having the opportunity to comment on proposals. Regional gaming machine caps have been put into place in areas where gaming is likely to cause harm. No 24-hour venues are permitted in regional and rural Victoria.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gaming No 2 Act 1997	T&F	Restrictions on minor gambling such as bingo.		<p>New restrictions introduced in the Gaming No 2 (Community Benefit) Act 2000, which revises the Gaming No 2 Act by guaranteeing a portion of bingo revenues returns to charity and community groups to counter the growing market power of the bingo venues. It also allows community organisations to use trade promotions so that they can broaden their revenue raising opportunities.</p> <p>The amendments also ban the offer of cash or cash redeemable prizes in amusement centres, so as to reduce the inducements to gamble in areas children frequent.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gas Industry Act 1994 and Amendment Acts	T&F	<p>Act currently provides for:</p> <ul style="list-style-type: none"> • licensing regime administered by Office of Regulator-General; • market and system operation rules for Victorian gas market; • cross-ownership restrictions to prevent re-aggregation of Victorian gas industry; and • prohibitions on significant producers (the Bass Strait producers) engaging in anticompetitive conduct. 		<p>The Act has been substantially amended over the past few years in order to progress reform of the industry and to facilitate privatisation. These amendments were subjected to NCP principles. Reform continuing. Further amendments planned for 2001 to further facilitate orderly introduction of full retail contestability. Amendments to be as consistent as possible with reforms in electricity industry.</p> <p>Full retail contestability amendments introduced in 2000 will facilitate orderly introduction of full retail contestability:</p> <ul style="list-style-type: none"> • a safety net for domestic customers, including interim reserve price regulation power to be reviewed in August 2004; and • requirement for retailers to enter community service agreements.
Gas Safety Act 1997 and Regulations	NRE			<p>New restrictive regulations introduced in relation to Gas Appeals Board, gas installations, and gas quality and safety case. Aim of new regulations is to ensure safety. Uniform gas quality specifications aim to ensure gas in distribution pipelines is safe for end use.</p> <p>Efforts made to minimise compliance costs by restricting the scope of restrictions to minimum functional requirements and avoiding prescription of style or format.</p> <p>No further reforms planned.</p>

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Health Act 1958 (Part V, Division 2AA), and Health (Radiation Safety) Regulations 1994	DHS		National review completed in December 2000.	
Health Services Act 1988	DHS		Review completed in March 2000. Recommendations include removal of bed caps, consideration of clinical performance indicators and consumer access to health records.	Bed caps for private hospitals and day procedure centres removed in July 2000. Health Records Bill before Parliament as at June 2001 to provide for consumer access to health records.
Heritage Act 1995	Dol	Monopolistic administrative powers granted to Executive Director of Heritage Victoria and heritage protection constraints on the real estate market.	Review by Freehill, Hollingdale and Page completed in April 1999. Consultation involved public notification, targeted consultation, and consideration of submissions by interested parties. Review concluded legislation procures net benefit to the community and no preferred alternative. Recommended some changes to administrative processes and develop and report key performance indicators to observe and encourage compliance with the practice notes.	The Government accepted all of the review recommendations. The Heritage Council has prepared draft practice notes, legislation has included changes to further improve legislative clarity and transparency, and from 2001, the Heritage Council will report annually on its compliance with the practice notes.
Hire Purchase (Amendment) Act 1997	J	Retains the principal Act's special consumer protection measures for new hire-purchase agreements for farm machinery for two years (while removing all other new hire-purchase agreements from coverage).	Victoria provided the following competition policy justification for the Act's introduction: there is benefit in continuing to use the Act to address rural sector difficulties in relation to hire purchase for two years while a more comprehensive policy is developed in relation to finance in the rural sector.	

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Hire Purchase (Amendment) Act 2000	J	Retains the principal Act's special consumer protection measures for new hire-purchase agreements for farm machinery for a further three years.	Victoria provided the following competition policy justification for the Act's introduction: there is benefit in continuing to use the Act to address rural sector difficulties in relation to hire purchase while a more comprehensive policy is developed in relation to finance in the rural sector. Further time is needed for this policy work.	
Housing Act 1983	DHS	Act assessed as not restricting competition.	Review not required.	
Housing Act 1983 (Part VI)	J			Part VI of the Act (relating to rental housing co-operatives) repealed and replaced by the Co-operatives Act 1996. The Housing (Rental Housing Co-operative) Regulations 1994 are redundant and will be revoked.
Impounding of Livestock Act 1994	NRE	Act assessed as not restricting competition.	Review not required.	
Industrial and Provident Societies Act 1958	J			Act to be repealed once jurisdiction passes to the Commonwealth under financial sector reforms, amended by the Financial Sector Reform (Victoria) Act 1999.

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Interactive Gaming (Player Protection) Act 1999	T&F	The Act makes provisions for the protection of consumers participating in interactive games by regulating the provision of interactive gaming services.		New legislation. The Act introduces various restrictions that will help ensure that consumers who use interactive gambling services are adequately protected. Players will be protected by measures that: ban the use of credit betting; restrict access to minors; involve strict player registration guidelines; have self-exclusion; detail operator licensing procedures; set betting limits; and ensure there is a minimum seven day cooling off period before increasing the betting limit.
Introduction Agents Act 1997	J	Negative licensing, business conduct (disclosure requirements, cooling-off period, restriction on advance payments to 30 per cent of the total contract price).	Victoria's public interest justification: regulation only introduced after other forms of intervention had demonstrably failed to correct problems in the market for introduction services: large advance payments were frequently being extracted for services which did not meet the expectations created in clients; consumer complaints were not being heeded; and civil action by aggrieved consumers was not deterring further malpractice. The benefit of better informed consumers and reduced consumer loss due to poor service delivery following advance payments outweigh the compliance costs imposed. Less restrictive alternatives would not achieve the objective of deterring dishonest operators and promoting effective competition in the industry.	New legislation.
Labour and Industry Act 1958	SRD	Act assessed as not restricting competition.	Review not required.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Land (Goonawarra Golf Course) Act No. 6/1988	Dol	Act assessed as not restricting competition.	Review not required.	
Land Act 1958	NRE	Leases and licensing.	Review underway. Issues paper publicly released. Call for submissions. Targeted consultation with key stakeholders. Part of coordinated review with the Crown Land Reserves Act 1978, the National Parks Act 1975, the Water Industry Act 1994 (Part 4) and various minor land Acts.	
Landlord and Tenant Act 1958	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Legal Aid Act 1978 (as amended 1995)	J		Review underway. Completion is contingent on resolution of discussions with the Commonwealth over legal aid funding. Expected completion in December 2001.	
Legal Practice Act 1996	J	Licensing, registration, entry requirements, reservation of title and practice, disciplinary processes, and business conduct (including professional indemnity insurance monopoly).	Review of legal practice legislation completed in 1996. Victoria has also undertaken two reviews into professional indemnity insurance, by KPMG (recommending removing the monopoly provision of professional indemnity insurance) and the Legal Practice Board (recommending maintaining the monopoly). The latter report was released for public comment in November 2000.	Range of reforms being implemented. A draft Government response to the Legal Practice Board review was released in November 2000, for public comment. Response proposed to maintain monopoly provision of professional indemnity insurance (through the Legal Practice Liability Committee).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Legal Practice (Amendment) Act 1998	J	Statutory mutual fund monopoly on supply of compulsory professional indemnity insurance for solicitors.		New legislation. The benefits of lower and more stable premiums outweigh the costs flowing from reduced incentives for product innovation and tailoring to different solicitor's needs (and those of their clientele). In addition the objectives of comprehensive cover for consumers of legal service and access to the services of sole and small firm practices, cannot be met without restricting competition.
Liquor Control Act 1987	SRD	Contained a needs test, 8 per cent rule and multiple licence categories.	Review completed in 1998 and recommended significant pro-competitive reform including abolition of needs criteria, simplification of licencing arrangements and removal of the 8 per cent rule.	Some restrictions (relating to sale of liquor, trading hours, licensing etc) retained as in the public interest based on review recommendations. Retained 8 per cent rule contrary to review recommendation. Amendments to Act, and repeal of Regulations, implemented through Liquor Control Reform Act 1998.
Liquor Control Reform Act 1998	SRD	Contains 8 per cent rule under which no licensee can own more than 8 per cent of general or packaged liquor licences.	Review completed and report publicly released in September 2000. It found that the 8 per cent rule is not an effective way to promote the viability of small business and creates inconvenience for consumers. The review recommended that the 8 per cent rule should not be removed until there is a mechanism in place to ensure diversity in the market place. It provided three examples of potential mechanisms including a phase out of the 8 per cent limit linked to an industry adjustment program aimed at improving the competitiveness of small liquor stores.	Act replaced Liquor Control Act 1997. In January 2001 the Government announced that it would introduce a gradual phase-out of the 8 per cent cap from the end of 2003.

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Litter Act 1987	NRE		Review completed in August 2000.	Legislation introduced into Parliament in Spring 2000.
Livestock Disease Control Act 1994	NRE		Review by independent consultants, PricewaterhouseCoopers, underway. Review in conjunction with the Stock (Seller Liability and Declarations) Act 1993.	
Local Government Act 1989	DoI	Act assessed as not restricting competition.	Review not required.	
Long Service Leave Act 1992	SRD	Formerly the Employee Relations Act 1992. Act assessed as not restricting competition.	Review not required.	
Lotteries Gaming and Betting Act 1966 (all except Parts I, IA, II, III, IV & V which are jointly administered with the Office of Racing) (Gaming restrictions)	T&F	Prohibits 'unlawful gambling'. Two-up can only be played on Anzac Day.		Legislation relating to minor gaming amended in 1997. The amendments were essentially in the form of enabling legislation to set up a framework under which various forms of minor gaming are regulated. This replaced the previous enforcement-based approach.
Lotteries Gaming and Betting Act 1966 (as it relates to racing and betting)	T&F	Contains enforcement provisions against illegal betting (eg SP bookmaking). Regulates the advertising and communication of betting related information.	Review of racing and betting legislation, by CIE, completed in November 1998. Review included the Racing Act 1958, the Gaming and Betting Act 1994, the Lotteries Gaming and Betting Act 1966, and the Casino Control Act 1991 (as it relates to betting). Recommended that betting operators continue to be regulated as this provided a net public benefit.	The Government accepted the review recommendations to remove restrictions on cross-border advertising by betting operators, subject to the development of national uniformity. It accepted the recommendation to deregulate tipping services.

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Marine Act 1988 (and Notices made under Section 15)	Dol	Pilotage restrictions (marine safety). Vessel registration.	<p>Review completed in 1998. Review made several recommendations aimed at ensuring the Act meets its objectives as effectively as possible, including:</p> <ul style="list-style-type: none"> • retaining licensing of ship pilots; • consideration of legislation aimed at increasing competition for ship pilotage services; • establishing performance based standards for ship crewing • management of local ports for local authorities; and • no change to provisions for recreational vessels. 	<p>The Government has incorporated review recommendations in the Marine Bill. Major provisions: rules, standards and determinations issued by the Marine Board reviewed and amended to ensure they are consistent with NCP principles; licensing standards for Harbour Masters in commercial ports; power to appoint and licence harbour masters in local ports transferred from Marine Board to local port authorities; licencing and compulsory use of pilots retained; monopoly provision of pilotage services sunsetted but legislation amended to ensure competition does not adversely affect safety standards; survey services able to be undertaken by a private contractor subject to safety; Marine Board to continue to determine crewing levels subject to future Commonwealth regulation; and registration of vessels retained as fees contribute to safety and provision of facilities.</p>

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Meat Industry Act 1993	NRE	Licensing of processing facilities and vehicles. Quality assurance programs required for certain premises. Minimum qualifications for inspectors. Minimum experience and qualifications for auditors.	Review completed by consultant in March 2001. It recommended: <ul style="list-style-type: none"> • retaining licensing of processing facilities and vehicles; • retaining minimum qualifications for inspectors, and minimum experience and qualifications for auditors; • improved accountability of the Meat Industry Authority; and • prohibiting discriminatory exercise of Ministerial powers. 	
Medical Practice Act 1994	DHS	Restriction on entry, registration, title, practice, advertising and disciplinary provisions.	Review completed in March 2001.	The Health Practitioner Acts (Amendment) Act 2000 passed with amended advertising provisions, including the ability of the board to issue guidelines.
Melbourne Market Authority Act 1977	NRE		Review not required as the only restrictions were those identified in the competitive neutrality review of the Authority.	
Mental Health Act 1986	DHS		Review completed in 1998, recommending removing funding and registration provisions, and retaining electroconvulsive therapy licensing and regulation provisions.	Review recommendations implemented through amending legislation in 1999.
Metropolitan Fire Brigades Act 1958	J		Review not required.	Function has been divested.

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Mineral Resources Development Act 1990	NRE	Vests ownership of minerals in the Crown. Establishes a uniform system for access to land for mineral search and development, and for the management of environmental issues. Restrictions relate to exclusive rights to explore and mine, and the granting of licences and permits to explore and mine.	Review completed in 1999. Review concluded that the majority of restrictions are necessary to achieve the objectives of the legislation and are justified in the public interest.	The Government rejected some review recommendations, but accepted and implemented most recommendations in Spring 2000. Other recommendations have been or will be implemented through changes in policies and practices, including Ministerial guidelines on fit and proper person provisions.
Mines Act 1958	NRE		Review not required. Occupational health and safety provisions to be reviewed in consultation with the WorkCover Authority with a view to consolidating them with occupational health and safety legislation.	Act largely repealed. The few remaining provisions relate to occupational health and safety.
Ministerial Direction No.1, Tendering Provisions	DoI		Review completed and retention of restrictions justified as being in the public benefit.	

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Motor Car Traders Act 1986	J	Licensing, registration, entry requirements (age at least 18 years, financial resources, fit and proper person - that is, person who is not insolvent, person who is 'likely to carry on such a business honestly and fairly', and person (and spouse and business partner) who was not convicted of serious offence in past 10 years), the reservation of practice, disciplinary processes, business conduct (statutory warranties, requirement for authority to conduct public auction, maintenance of records, no tampering with odometers, cooling-off period, fees and penalties paid into Motor Car Traders' Guarantee Fund for losses from licensed traders not complying with Act, no consignment selling, suitable premises, advertising).	Internal departmental review completed in 1998. Review recommended: replacing the eligibility criterion of 'suitable premises' by a criterion that a trader have all relevant planning approvals for any premises at which the trader conducts business, or proposed to carry on business, as a motor car trader; removing the eligibility criterion for a trader conducting a business 'efficiently'; and reducing the potential for unwarranted claims on the Motor Car Traders' Guarantee Fund.	The Government accepted the review recommendations, with amendments made by Tribunals and Licensing Authorities (Miscellaneous Amendment) Act 1998.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Murray Valley Citrus Marketing Act 1989	NRE	Joint NSW-Victorian scheme that establishes the Murray Valley Citrus Marketing Board that provides information services to growers and allows it to be engaged in the marketing and processing of citrus fruit.	Joint review with NSW by independent consultants, CIE, completed in July 1999. It recommended: <ul style="list-style-type: none"> • removing powers of the Murray Valley Citrus Marketing Board to be engaged in marketing or processing of citrus fruit; • improving accountability of the Board to growers; • introducing user charging for services with private benefits; and • repealing the Act and reconstituting the Board under the Agricultural Industry Development Act. 	Act repealed and Board reconstituted by regulation under the Agricultural Industry Development Act 1990.
Museums Act 1983	P&C		Targeted review by consultant completed in 1998.	
National Parks Act 1975	NRE		Review by independent consultants, the Allen Consulting Group, underway. The review is also considering the Part IV of the Water Industry Act 1994.	
National Rail Corporation (Victoria) Act 1991	DoI	Gives effect to an agreement between some states and the Commonwealth relating to the conduct of the National Rail Corporation Ltd. Scoping study concluded legislation did not restrict competition	Review not required.	

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Nurses Act 1993	DHS	Restrictions on entry, registration, title and disciplinary provisions.	Review completed in 2000. Discussion paper released in October 1998, but final report not released. Separate Nurse Practitioner Report released June 2000.	Amending legislation passed in November 2000, also amends the Drugs, Poisons and Controlled Substances Act 1981. New legislation includes nurse practitioner and prescribing provisions, a requirement for professional indemnity insurance, disciplinary changes, and introduces advertising restrictions.
Optometrists Registration Act 1958	DHS	Restrictions on entry, registration, title, practice, advertising and disciplinary provisions.	Review completed in 1996. Review justified retention of restrictions relating to the use of title and fair and accurate advertising in the net public benefit.	Act repealed and replaced by the Optometrists Registration Act 1996. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained.
Optometrists Registration Act 1996	DHS	Restrictions on entry, registration, title, practice, advertising and disciplinary provisions.		Act repealed and replaced the Optometrists Registration Act 1958. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained.
Order - authorises the Alpine Resorts Commission to act as a gas undertaking solely within the Mount Buller Alpine Resort	NRE	Order made under Gas and Fuel Corporation Act which is administered by the Department of Treasury and Finance.		Amendments made by an order under the Gas Industry Act make this order redundant.

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Osteopaths Registration Act 1996	DHS	Restrictions on entry, registration, title, practice, advertising and disciplinary provisions.		Act replaced the Chiropractors and Osteopaths Act 1978 in line with recommendations. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained in the new Acts.
Parliamentary Salaries and Superannuation Act 1968	P&C	Act assessed as not restricting competition.	Review not required.	
Partnership Act 1958	J	Scoping study has shown that the Act does not restrict competition.	Review not required.	
Pathology Services Accreditation Act 1984	DHS	Licensing.	Review underway, and due for completion mid to late 2001.	
Petroleum (Submerged Lands) Act 1982	NRE	Regulates exploration for and development of undersea petroleum resources. This legislation forms part of a national scheme.	National review completed in 1999-2000. Endorsed by the Australian and New Zealand Minerals and Energy Council (ANZMEC) Ministers.	Amendments to be developed by the Commonwealth and subsequently reflected in State and Territory legislation.
Petroleum Act 1958	NRE	Provides for Crown ownership of petroleum resources and a permit system for exploration and production.	Review completed. Review recommended changes to remove obstacles to the exploration and production of petroleum and to improve administrative efficiency.	Act repealed and replaced by the Petroleum Act 1998. New Act retains Crown ownership of petroleum resources and permits lease system, and removes obstacles to exploration, production, and administrative efficiency.
Petroleum Retail Selling Sites Act 1981	J	Scoping study has shown that the legislation does not restrict competition.	Review not required.	Act repealed.

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Pharmacists Act 1974	DHS	Restrictions on entry, registration, title, practice, advertising, business, ownership, licensing and discipline provisions.	National Review of Pharmacy Regulation (Wilkinson Review) completed in February 2000. Review recommended retaining registration, 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.	The Council of Australian Governments (CoAG) referred the Wilkinson Review to a senior officials' working party, which is yet to report back to CoAG.
Physiotherapists Act 1978	DHS	Restrictions on entry, registration, title, practice, advertising and disciplinary provisions.	Review completed in 1997.	Act repealed and replaced by the Physiotherapists Registration Act 1998. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained.
Physiotherapists Registration Act 1998	DHS	Restrictions on entry, registration, title, advertising and disciplinary provisions.		Act repealed and replaced the Physiotherapists Act 1978. Most restrictions on commercial practice and reservation of practice removed from the Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Pipelines Act 1967	NRE	Regulates construction and operation of pipelines.	<p>Review completed. Review recommendations included:</p> <ul style="list-style-type: none"> • introduction of a nationally consistent regulatory regime; • formalised time limits for Government assessment of pipeline projects; • some relaxation of restrictions on tradability of pipelines, permits, and licences; • introduction of appeals to the Victorian Civil and Administrative Tribunal against regulatory alteration of permits or licences; • removal of open access provisions; • development of safety guidelines by Department of Treasury and Finance; and • changes to compensation provisions to extend possible liability. 	The Government is considering the review recommendations.
Planning and Environment Act 1987	Dol	Controls the uses to which land may be put. Sets procedures for the issue of planning permits and approval.	<p>Review by Deacons Lawyers completed in 2001. Public consultation involved submissions and written invitations for comment to stakeholders. The review found that in the main the legislation achieved its objective in an effective and efficient manner and that the restrictions identified were in the public interest. The review recommendations aimed at improving the manner in which the Act is administered to ensure that effectiveness and efficiency is improved and maintained.</p>	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>
Planning Authorities Repeal Act 1994 No. 118/1994	Dol		Review not required.	Act repealed and replaced by Part 3(8) of the Planning and Environment Act.
Plant Health and Plant Products Act 1995	NRE		Review by independent consultants, PricewaterhouseCoopers, underway.	
Podiatrists Registration Act 1997	DHS	Restrictions on entry, registration, title, advertising and disciplinary provisions.		Act replaced the Chiropodists Act 1968 in line with recommendations. Most restrictions on commercial practice and reservation of practice removed from the new Act. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained.
Police Regulation Act 1958	J	Act assessed as not restricting competition.	Review not required.	
Port Services Act 1995 - Hastings Port (Holding) Corporation	Dol	Competitive neutrality: Hastings Port (Holding) Corporation (HP(H)C) exempt from Commonwealth and State taxes and local rates. The HP(H)C's primary business is to administer the port management agreement with a private operator (Hastings Port has been contracted out since 1997), not to trade in goods and services directly with end users.		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Port Services Act 1995 - Melbourne Port Corporation	Dol	<p>Competitive neutrality.</p> <p>The Melbourne Port Corporation (MPC) is subject to all Commonwealth and State taxes, including compliance with the Victorian Income Tax Equivalent System. The MPC is subject to all local government rates and charges, and also to the Victorian Government's Financial Accommodation Levy, which aims to offset the competitive advantage associated with government guarantees. The MPC is subject to all Commonwealth and State regulations applying to private sector organisations.</p> <p>The MPC does not undertake community service obligations unless directed by the Treasurer in accordance with Section 38 of the Port Services Act 1995 and financially compensated accordingly.</p>		

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Port Services Act 1995 - Victorian Channels Authority	Dol	Competitive neutrality. The Victorian Channels Authority (VCA) is subject to all Commonwealth and State taxes, including compliance with the Victorian Income Tax Equivalent System, and all local government charges and rates. The VCA is also subject to the Victorian Government's Financial Accommodation Levy, which aims to offset the competitive advantage associated with government guarantees, although the VCA currently does not have any external borrowings requiring government guarantees. The VCA is subject to all Commonwealth and State regulations applying to private sector organisations. The VCA does not provide any community service obligations.		
Prevention of Cruelty to Animals Act 1986	NRE		Review completed. It recommended retaining most restrictions on animal welfare grounds.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Private Agents Act 1966	J	Security guards, crowd controllers, security firms, inquiry agents (private detectives), commercial agents (debt collectors), and commercial sub-agents. Licensing, registration, entry requirements (all good character, others vary), the reservation of practice, disciplinary processes, and business conduct (no misleading or deceptive conduct, financial sureties for commercial agents).	<p>Review by Freehills Regulatory Group of currently regulated activities completed in October 1999. Recommended: retaining occupational licensing; reviewing exemptions of certain groups, and making efforts to develop a national regulatory model for the industry; for commercial agents, removing licensing requirements and replacing them with a 'light-handed' registration requirement (with greater use of general trade practices/fair trading legislation to deal with problem operators); reforming the financial surety scheme; and considering establishing an appropriate compensation fund or minimum insurance requirement.</p> <p>Review of unregulated activities underway. Discussion paper released in 2000.</p>	Draft Bill expected to be released for public comment when review completed.
Professional Boxing and Martial Arts Act 1985	SRD	Registration (professional contestants, promoters, trainers, match-makers, referees and judges), and business conduct.	<p>Departmental review completed in August 1999. Consultation involved release of discussion paper, receipt of submissions and further targeted consultation. Review recommendations were to: streamline contestant registration system so the Act refers to competition in a professional contest (rather than a boxing or martial arts contest); examine scope for replacing detailed rules and conditions with less prescriptive national or international standards; and amend the provision that exempts the Victorian Amateur Boxing Association from the Act's requirements so other suitable qualified amateur boxing association can be exempted.</p>	The Government accepted all the review recommendations except to examine scope for replacing detailed rules and conditions. Government rejected this because the industry is fragmented into different bodies that follow various rules, so it is not possible for it to adopt one set of rules. Parliament considering amending legislation (Bill will change the name of legislation to Professional Boxing and Combat Sports Act).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Project Development and Construction Management Act 1994 No. 101/199	Dol	Act assessed as not restricting competition.	Review not required.	
Property Law Act 1958	J	Only competition policy issues relate to the registry function.	Review of registry function and associated regulations have been added to the Department of Natural Resources and Environment schedule.	
Prostitution Control Act 1994	J		Review not required. No scope for change due to overriding social policy objectives.	
Psychologists Registration Act 1987	DHS	Restrictions on entry, registration, title, practice, advertising, business conduct and disciplinary provisions.	Review completed in 1998. Review recommended removal of most restrictions on commercial practice and reservation of practice.	Replacement legislation, the Psychologists Registration Act 2000 enacted. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained.
Psychologists Registration Act 2000	DHS	Restrictions on entry, registration, title, practice, advertising and disciplinary provisions.		Act replaced the Psychologists Registration Act 1987. Reserved title and investigation of advertising provisions (to ensure fairness and accuracy) retained. Advertising provisions include the ability of the board to impose additional restrictions.
Public Authorities Marks Act 1958	Dol		Review not required.	Act repealed.
Public Lotteries Act 2000	T&F	Exclusive licence.		Act replaced the Tattersall Consultations Act 1958. Gives effect to the recommendations of the review of the Tattersall Consultations Act 1958 to remove the legislated monopoly at the end of the current licence.
Public Safety Preservation Act 1958	P&C	Act assessed as not restricting competition.	Review not required.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Public Transport Competition Act 1995	Dol	Provisions relating to large commercial passenger vehicles - buses. The main purpose of this Act is to improve the operation of road-based public transport by providing for the accreditation of operators and implementing a system of service contracts for certain types of transport service.	Review, in conjunction with Part 6 Division 5 of the Transport Act, completed in August 2000.	The Government is considering the review recommendations.
Racing Act 1958, including Rules of the Harness Racing Board, and Rules of the Greyhound Racing Control Board	SRD	Regulates the conduct of race meetings and governs the licensing of racecourses and racing clubs. (Only the three established codes are granted 'as right' to conduct race meetings). Regulates the races in which jockeys can participate. Other restrictions on alternative codes establishing themselves. Proprietary racing is prohibited. Controlling bodies can make rules for the licensing of bookmakers.	Review of racing and betting legislation in Victoria by CIE completed in November 1998. Review included the Racing Act, the Gaming and Betting Act, the Lotteries Gaming and Betting Act and the Casino Control Act (as it relates to betting).	The Government accepted most of the review recommendations, including measures to allow other codes of racing, maintenance of the prohibition on proprietary racing until proponents can provide detailed, costed recommendations for their regulation (submission from Teletrak underway), and abolition of the minimum telephone bets for bookmakers (staged reduction). In addition, subject to consultations and proposals from bookmakers, the Government has accepted the recommendations on 24 hour bookmaking and internet betting by bookmakers. Victoria will abolish the restrictions on advertising subject to a uniform national approach.
Railways (Standardisation Agreement) Act 1958	Dol	Potential to restrain competition through application of standards.	Review not required.	Act repealed.
Registration of Births, Deaths and Marriages Act 1959	J			Act repealed and replaced by Births, Deaths and Marriages Registration Act 1996.
Residential Tenancies Act 1980	DHS		Review completed in 1997 and retention of overall restrictions justified as being in the public benefit.	Act repealed and replaced by Residential Tenancies Act 1997.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Retirement Villages Act 1986	DHS	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Road Safety (Driving Instructors) Act 1998	Dol	Licensing, entry requirements (mandatory minimum standards including requirement to pass a training course, fit and proper person, held licence for at least three years, criminal and driving record checks), the reservation of practice (teaching someone without a licence on a highway for financial gain), and business conduct (display photograph, instructor to have zero blood alcohol level).	Victoria's public interest justification: introduction of the registration scheme with mandatory minimum standards will restrict competition by imposing additional costs on entry to the market for the provision of driving instruction for hire or reward and by excluding potential entrants who do not meet the standards. The costs relate to the requirements to attain minimum competency standards and to undergo criminal and driving record checks and to the administration of the scheme by a government agency. The restrictions imposed by the mandatory minimum standards are consistent with NCP because the overall public benefits outweigh the compliance costs.	New legislation.
Road Safety Act 1986	Dol		Review completed in 1997. Act assessed as not restricting competition. Minor restrictions relating to drink driving program providers and blood alcohol testing equipment justified as being in the public benefit.	
Road Transport (Dangerous Goods) Act 1995	T&F		Review not required.	Part of the NCP road reform program. Based on the Commonwealth Road Transport Reform (Dangerous Goods) Act, which was used as template legislation for national reform. Replaces licences and other restrictions with a code of conduct.
Rooming House Act 1990	DHS			Act repealed and replaced by the Residential Tenancies Act 1997.

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Rules of the Council of Legal Education 1993 201/1993	J			Made under the Legal Profession Practice Act 1959 which has been replaced by the Legal Practice Act 1996. The Rules are to be replaced by proposed new Rules subject to a Regulation Impact Statement (RIS) review.
Second-hand Dealers and Pawnbrokers Act 1989	J	Licensing (pawnbrokers, second-hand dealers for not exempt goods), registration, entry requirements (not convicted disqualifying offence in past five years, not insolvent), the reservation of practice, disciplinary processes, and business conduct (pawnbrokers: prescribed records, auction of unredeemed goods over \$40; second-hand dealers: prescribed records, hold goods for prescribed period, requirement that seller provide identification, interest rates, cooperation with police).	Departmental review completed in 1996. Recommended: replacing 'fit and proper' with 'no serious offences'; removing obligation to retain metals for seven days after acquisition (with some exceptions); removing requirement for dealers to conduct certain transactions at registered business premises or a market (instead requiring dealers to register any place habitually used); and removing interest rate restrictions.	The Government accepted all the review recommendations. Amendments made by the Law and Justice Legislation Amendment Act 1997.
Shop Trading Act 1987 and Capital City (Shop Trading) Act 1992	SRD	Restrictions on opening hours based on shop type or employee numbers.	Review completed in 1996.	Acts repealed and replaced by Shop Trading Reform Act 1996.
Snowy Mountains Hydro-Electric Agreements Act 1958	T&F		Review not required.	Act repealed.
South Australian and Victorian Border Railways Act 1930	DoI	Potential to restrain competition.	Review not required.	Act repealed.
State Electricity Commission Act 1958	NRE	Scoping study has shown that the legislation does not restrict competition.	Review not required.	

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State Superannuation Act 1988	T&F	Limits on choice of funds.	Review completed in 1999.	Government employees now have a choice of superannuation fund – they can use VicSuper or a private superannuation fund.
State Trustees (State Owned Company) Act 1994	T&F		Review completed in 1998.	Minor restriction addressed in incidental amendments made by the State Trustees (Amendment) Act 1998. Removal of many exclusive rights and legislative preference towards State trustees. Retention of reciprocal arrangements between public trustees in other jurisdictions, in keeping with private company practices to do same.
Stock (Seller Liability and Declarations) Act 1993	NRE		Review by independent consultants, PricewaterhouseCoopers, underway. Review jointly with the Livestock Disease Control Act 1994.	
Subdivision Act 1988 No. 53/1988	Dol	Act assessed as not restricting competition.	Review not required.	
Superannuation (Public Sector) Act 1992	P&C	Limits on choice of funds. Act assessed as not restricting competition.	Review not required.	
Surveyors Act 1978	NRE	Licensing, registration, entry requirements (education, experience, integrity criteria), the reservation of title and practice, disciplinary processes, and business conduct (ownership restrictions, fees).	Review completed in 1997. Recommendations included: retaining restrictions on entry; making integrity criteria specific; reducing some commercial restrictions, such as the requirement for surveyors or related professions to form a majority of members/directors of a firm engaging in cadastral survey work and removing the power of the regulatory body to set fees for surveying services; and reducing barriers to the interstate mobility of surveyors.	The Government accepted most of the review recommendations and introduced amending legislation during the autumn 2001 sitting of Parliament. The Government has put in place a transitional surveyors board with a greater proportion of nonsurveyors as members in response to the recommendation that nonsurveyors should form a greater proportion of members of the regulatory body.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Tattersall Consultations Act 1958	T&F	Licence for conducting Tattslotto, Super 66, Instant Lotteries and so on.	Review completed in 1998. Recommended that the legislative monopoly to Tattersall's should be removed at the end of current licence; the Government should reserve the right to issue one or more licence; and the tax should be converted from turnover to player loss basis.	The Government accepted the review recommendations. New legislation passed. See the Public Lotteries Act 2000.
Tertiary Education Act 1993	DEET	Requires accreditation, registration of private providers and Ministerial setting of fees.	Review, as part of the Tertiary Education and Training Review completed in 1997. Recommended restrictions on fee setting and accreditation procedures be retained in the public interest and reform of the registration system.	The Government accepted the review recommendations. Reforms to legislation were passed by Parliament in 1997.
Therapeutic Goods (Victoria) Act 1994	DHS	Licensing, scheduling and labelling of goods.	Review completed.	
Tobacco Act 1987	DHS	Various restrictions on the sale and advertising of tobacco products.	Review by officials completed in February 2000. It recommended retaining all restrictions as they are necessary to meet the objectives of the Act.	
Trade Measurement Act 1995	SRD		National review underway.	
Transfer of Land Act 1958	NRE	The legislation contains a small number of minor restrictions that are necessary to the achievement of the objectives of the legislation and the restrictions are mainly in the form of compliance costs which are contained in the subordinate legislation made under the Act and subject to RIS requirements.		

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Transport Accident Act 1986	T&F	Mandatory insurance, monopoly insurer, centralised premium setting.	First review completed in 1998, recommending retention of compulsory insurance and removal of the monopoly. Second review, by PricewaterhouseCoopers, completed in 2000. This review recommended retention of compulsory insurance, and retention of the monopoly and charges set by the government. The report recommends the consideration of market testing some functions and greater transparency through pricing. The report also recommends retention of occupational rehabilitation service provider licensing and increasing the ability to self insure.	The Government rejected the recommendation of the 1998 report, regarding retention of compulsory insurance and removal of the monopoly. Minor changes to restrictions were accepted. Restrictions to remain on: public underwriting, premium setting and funds management; approval conditions for insurers and occupational rehabilitation providers; and types of firms permitted to self-insure. The Government accepted the recommendations of the 2000 report.
Transport Act 1983 - Part 1 of 13 - (Traffic Regulation, Registration and Licensing) Part 6: Division 1 (General Provisions)	Dol		Originally scheduled for December 1998, but delayed to accommodate Victoria's transport reform process. Subsequently removed from timetable on basis that it does not restrict competition.	
Transport Act 1983 - Part 2 of 13 - Commercial Passenger Vehicles - Part 6: Division 5	Dol	Restriction on taxi and hire car licence numbers.	Review completed in July 1999. Taxis: review recommended removal of restrictions on taxi and hire car licence numbers, and buy-back of existing licences to be funded by annual licence fees over several years.	The Government is considering the review recommendations.
Transport Act 1983 - Part 3 of 13 - Private Omnibuses - Part 6: Division 6	Dol			Act repealed by the Transport Acts (Amendment) Act 1997.
Transport Act 1983 - Part 4 of 13 - Hire and Drive Omnibuses - Part 6: Division 7	Dol			Act repealed by the Transport Acts (Amendment) Act 1997.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Transport Act 1983 - Part 5 of 13 - Tow Trucks - Part 6: Division 8	Dol	Restrictions on conduct and operations of tow trucks, licensing.	Review completed in December 2000, and report available for public consultation. Review recommended removal of entry restrictions for the heavy vehicle towing market, the development of an industry code of practice, a more pro-active role by insurers in educating their customers, retention of the allocation system and the introduction of a franchise scheme for the Melbourne Metropolitan area.	
Transport Act 1983 - Part 6 of 13 - Commercial Goods Vehicles – Part 6: Division 9	Dol			Act repealed by the Transport Acts (Amendment) Act 1998.
Transport Act 1983 - Part 7 of 13 – Powers of the Corporations - Part 3	Dol	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, but delayed to accommodate the transport reform process.)	
Transport Act 1983 - Part 8 of 13 – Financial - Part 4	Dol	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, but delayed to accommodate the transport reform process.)	
Transport Act 1983 - Part 9 of 13 - Further Particular Powers of the Roads Corporation - Schedule 4	Dol	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, delayed to accommodate the transport reform process.)	
Transport Act 1983 – Part 10 of 13 – Provisions with Respect to Roads - Schedule 6	Dol	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, but delayed to accommodate Victoria's transport reform process.)	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Transport Act 1983 – Part 11 of 13 - Covenants to be Included in Deed of Assignment – Schedule 7	Dol		Review, in conjunction with the Transport Act 1983 - Part 2 of 12 - Commercial Passenger Vehicles - Part 6: Division 5, completed in December 2000. Report publicly available.	The Government is considering the review recommendations.
Transport Act 1983 – Part 12 of 13 - Classes, Kinds or Descriptions of Goods - Schedule 8	Dol			Act repealed by the Transport Acts (Amendment) Act 1998.
Transport Act 1983 - Part 13 of 13 - Part 6: Division 10 (Passenger Ferry Services)	Dol			Act repealed in 1999.
Travel Agents Act 1986	J	Licensing, compulsory consumer compensation fund, and business restrictions.	National review underway (coordinated by WA). A final review report by CIE was released in 2000. Public consultation involved release of issues paper, background paper, consultation and receiving submissions. Review recommended that entry qualifications for travel agents be removed and maintain compulsory insurance, but recommended the requirement for agents to hold membership of the Travel Compensation Fund, the compulsory insurance scheme, be dropped. Instead, a competitive insurance system where private insurers compete with the Travel Compensation Fund was viewed as the best option. Final report has been released for further consultation. Public comments are to be considered by the Ministerial Council for Consumer Affairs (MCCA).	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Trustee Act 1958	J	Scoping study suggests that the legislation does not restrict competition but further research required.		
Trustee Companies Act 1984	J			Act to be repealed. Uniform legislation under development.
Urban Land Authority Act 1979 No. 9320	DoI		Review not required.	Act replaced by the Urban Land Corporation Act 1997.
Veterinary Practice Act 1997	NRE	Licensing of veterinary surgeons, reservation of practices, reservation of title, and advertising restrictions.	The Act was subject to a Competition Principles Agreement (CPA) clause 5(5) like NCP review during its development.	New legislation. Act repealed and replaced the Veterinary Surgeons Act 1958. Compared with the old Act it removed restrictions on the advertising and the ownership of veterinary practices, and narrowed reservations on professional practice.
Veterinary Surgeons Act 1958	NRE	Established the Veterinary Practitioners Board of Victoria, professional registration, disciplinary procedures, reservation of professional practice, and restrictions on advertising and practice ownership.	Review not required.	Act repealed and replaced by the Veterinary Practice Act 1997.
Victorian Plantations Corporation Act 1993	T&F	Establishes the Victorian Plantations Corporation, the state-owned operator of softwood plantations.	Review not required.	Act largely repealed following the sale of the Corporations' plantation assets. Remaining provisions relate to the Crown's residual interests in the land, licences and legislated supply agreements.
Victorian Prison Industries Commission Act 1983	J			Act repealed and replaced by the Corrections (Amendment) Act 1996.
Vital State Industries (Works and Services) Act 1992	P&C	Act assessed as not restricting competition.	Review not required.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Vital State Projects Act 1976 (excluding Sections 5 to 16 (these provisions are administered by the Attorney General))	P&C	Act assessed as not restricting competition.	Review not required.	
Vocation Education and Training Act 1990	DEET	Provides for registration of training providers, accreditation of training courses, sets guidelines for provision of services to overseas students, and allows Minister to set fees and charges.	Review, as part of the Tertiary Education and Training Review, completed in 1997. Recommended restrictions on fee setting and accreditation procedures be retained in the public interest and reform of the registration system.	The Government accepted the review recommendations. Parliament passed reform legislation in 1997.
Wheat Marketing Act 1989	NRE	Imports Commonwealth Act into State jurisdiction.	Review delayed until completion of the Commonwealth review.	
Wildlife Act 1975	NRE		Review by independent consultants, KPMG, completed in September 1998. It found few significant restrictions on competition but recommended: auctioning of dolphin interaction permits once maximum sustainable access to this resource is reached; and fees for waterfowl hunting licenses should reflect opportunity cost of wetlands.	The Government is considering the review recommendations.
Workers' Compensation Act 1958 (Division 8 of Part 1)	T&F	Act assessed as not restricting competition. Compensation payments are no longer awarded under this Act.	Review not required.	