

5 Queensland

Agency abbreviations

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

CS	Corrective Services
E	Education
EPA	Environmental Protection Agency
ES	Emergency Services
ET	Employment and Training
F	Families
H	Health
HO	Housing
IIESR	Innovation and Information Economy, Sport and Recreation Queensland
IR	Industrial Relations
JAG	Justice and Attorney-General
LGP	Local Government and Planning
MR	Main Roads
NR&M	Natural Resources and Mines
P&C	Premier and Cabinet
PI	Primary Industry
PW	Public Works
SD	State Development

T	Transport
TR	Queensland Treasury
TR&FT	Tourism, Racing and Fair Trade

Legislation review schedule: Queensland

Updated to September 2001

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Agricultural and Veterinary Chemicals (Queensland) Act 1994	PI	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.
Agricultural Chemicals Distribution Control Act 1966 and Regulations 1970	PI	Licensing of chemical spray contractors.	National review completed in 1999. See the Agriculture and Veterinary Chemicals (Control of Use) Act 1992 (Victoria).	See the Agriculture and Veterinary Chemicals (Control of Use) Act 1992 (Victoria).
Ambulance Service Act 1991	ES	Restricts use of the words 'Ambulance Service' and 'Ambulance', 'collections of money' and 'first aid training'.	Review by independent consultants underway. First aid training to be separated from other restrictions and examined as a separate review.	
Architects Act 1985 and Regulation	PW	Registration, entry requirements reservation of title, disciplinary processes, business restrictions, and business licensing.	National review conducted by the Productivity Commission (PC) completed in August 2000, and publicly released in November 2000. PC review involved public consultation via public release of issues paper, draft report, consultation, public hearings and receiving submissions. Review recommended repeal of the Act.	A States and Territories working group has developed a national response to the PC review. The Queensland Government response, framed against national outcomes, is being developed as at October 2001.

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Auctioneers and Agents Act 1971 and Regulation 1986	TR&FT	Licensing (real estate agents, motor vehicle dealers, commercial agents, auctioneers and pastoral house corporations), entry requirements, the reservation of practice, disciplinary processes, and business conduct (maximum fees).	Review completed in 2000. Targeted public model, undertaken by PricewaterhouseCoopers. Public consultation involved circulation of issues paper, submissions, and consultations. Review recommendations included: reducing some requirements for licensing; expanding licensing requirements to some property developers; introducing a time limit for exclusive real estate agent arrangements; and removing maximum commissions subject to monitoring and transitional arrangements including a public education campaign.	The Government repealed the Auctioneers and Agents Act 1971 and replaced it with the Property Agents and Motor Dealers Act 2000. Legislation incorporates most of review recommendations. Recommendation to remove maximum commissions subject to monitoring and transitional arrangements including a public education campaign.
Beach Protection Act 1968, and Coastal Management Control Districts Regulation 1984	EPA	Legislation provides for the regulation and provision of advice in respect to activities affecting the coast, and functions to minimise the damage to property from erosion and encroachment of tidal water.	Reduced National Competition Policy (NCP) review completed in November 1998, and report made available to the public. Review supported retention of provisions which do not materially restrict competition and are in the public interest.	
Building Act 1975, Standard Building Regulation 1993, and Building Regulation 1991	LGP	Sets building regulations and specifies building approval procedures and accreditation of building certifiers.	Departmental review underway and expected to be completed in early 2002.	

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Business Names Act 1962 and Regulation 1986	TR&FT	Requirement that a person cannot carry on business in Queensland under a business name unless it is registered under this Act could restrict interstate or overseas participants. Other provisions may be seen as restrictions on business conduct although legislation applies a common set of requirements.	Reduced NCP review underway. Although the legislation is common to all States, a national review has not been undertaken. Queensland review will take account of interstate legislation review exercises. Expected completion in early 2002 following consideration of results of consultation on a business regulation review exercise occurring in parallel with the NCP review.	
Casino Agreement Acts – Jupiters Casino Agreement Act 1983, Breakwater Island Casino Agreement Act 1984, Brisbane Casino Agreement Act 1992, and Cairns Casino Agreement Act 1993.	TR	Licences, restrictions on conduct and operations.	These 'Agreement Acts' are effectively contractual arrangements between the State and the respective licensees. These were not previously listed for review. Due to the confidential and contractual nature of the agreements an internal review was conducted.	Provisions retained without reform.
Casino Control Act 1982 and Regulation 1984	TR	Legislation provides for the granting of casino licences by the Queensland Government subject to prescribed probity, structural, financial and other qualifications and prescribes subsequent restrictions on the conduct of licensees and casino operations. Under the Act, the conduct of gaming, which would otherwise be illegal, is made lawful within a licensed casino.	Review deferred subject to outcome of PC inquiry into gambling in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by late 2001.	

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Charitable and Non-profit Gaming Act 1999	TR	Current legislation provides for a range of licence, permit and approval requirements in regard to the conduct of art unions and games such as bingo. Public amusements, which were also regulated under the Art Unions and Public Amusements Regulation 1992, were completely deregulated in June 1997.	Review deferred subject to outcome of PC inquiry into gambling in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by late 2001.	The Charitable and Non-profit Gaming Act 1999 replaced the Art Unions and Public Amusements Act 1992.
Chemical Usage (Agricultural and Veterinary) Control Act 1988 and Regulation 1989	PI	Allows off-label use of chemicals subject to conditions. Conditions vary markedly between jurisdictions. Veterinary surgeons exempt from various controls.	National review completed in 1999. See the Agriculture and Veterinary Chemicals (Control of Use) Act 1992 (Victoria).	See the Agriculture and Veterinary Chemicals (Control of Use) Act 1992 (Victoria).
Chicken Meat Industry Committee 1976	PI	Prohibits supply of chickens unless under an agreement approved by the Industry Committee.	Review completed in 1997, recommending the industry committee convene groups of producers to negotiate with processors, but it be barred from intervening in negotiations on initial growing fees. It also recommended that individual growers be able to negotiate directly with a processor.	Amending legislation, including authorisation of collective bargaining under the Trade Practices Act 1974 (TPA), passed by the Queensland Parliament in September 1999.

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Child Care Act 1991, Child Care (Child Care Centres) Regulation 1991, and Child Care (Family Day Care) Regulation 1991	F	Provides for the licensing of childcare services (eg kindergartens and limited hours care centres) and family day care centres. Prescribes matters such as: qualifications of child care personnel; building and physical environment standards; minimum staffing levels; maximum capacity; food and safety standards for child care facilities; and required content for child care programs. Operation of child care facilities is prohibited in certain locations (such as premises adjacent to a place where flammable materials or dangerous chemicals are manufactured or stored).	Draft report was under consideration in February 1999. At that time, the incoming Minister responsible for the legislation established a forum to examine all aspects of child care legislation in consultation with a wide cross section of stakeholders. NCP requirements were addressed as part of the forum's deliberations in developing new legislative proposals. Major themes considered include the level of prescription of the current legislation and possible tiering of regulatory requirements. A framework and terms of reference for the review of all aspects of child care was approved by the Treasurer in November 2000. The review, which involved public consultation will be finalised during 2001.	Cabinet and parliamentary processes for new legislation expected to be completed by mid 2002.
Chiropractors and Osteopaths Act 1979	H	Restrictions on entry, registration, title, practice, advertising, business licensing, and disciplinary provisions.	Part of Queensland health professions review process, which recommended changes to disciplinary system, advertising and business restrictions.	Act repealed and replaced by the Chiropractors Registration Act 2001.
Chiropractors Registration Act 2001	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Core practice review underway.	Act replaced the Chiropractors and Osteopaths Act 1979 following health professions review.

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City of Brisbane Market Act 1960 and Regulation (formerly By-laws) 1982	PI	Legislation provides for the establishment and operation of the central wholesale fruit and vegetable market, and provides for the exclusive operation of such a market within the Brisbane metropolitan area by the Brisbane Market Authority (BMA). Broadly similar arrangements for capital city wholesale markets previously existed under NSW and Victorian legislation, and still exist in WA.	Full public review completed in May 1998. Joint review covering ownership, competitive neutrality and legislation review.	The Government removed BMA's statutory monopoly status as a wholesale market in the Brisbane area, effective from 31 August 1999 and corporatised the BMA as of 13 December 1999.
Coal Industry (Control) Act 1948 and Orders	NR&M	Contains reserve powers in relation to regulation of the industry by the Queensland Coal Board, including powers to: compulsorily acquire coal; regulate prices for sale, purchase or resale of coal; and regulate the opening, closing and abandonment of coal mines (all currently dormant). Certain orders issued under the Act require certain users of coal to purchase coal from specific coal mines; however, the orders relate only to three small coal mines in the south-east of the State and therefore do not affect the major export coal mining operations.	Formal NCP review not required. Departmental examination of the legislation resulted in its repeal.	Legislation repealed.

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Coal Mining Act 1925	NR&M	Regulates the operation of coal mines, particularly health and safety issues.		Act repealed by the Coal Mining Safety and Health Act 1999 and Regulations. New Act and Regulations deal with health and safety issues across the coal, metalliferous and quarrying industries. New Act and Regulations reviewed under the gatekeeper provisions and considered to be in the public interest and less restrictive than the previous legislation.
Coastal Protection and Management Act 1995	EPA	Legislation provides for the conservation, rehabilitation and management of the coast. This can impact on coastal commercial development through coastal plans and the declaration of control districts that can restrict or prohibit certain developments or mandate certain requirements.	Review completed in November 1998. Review found restrictions in the Act to be in the public interest.	Provisions subjected to NCP review have been retained without reform.
Competition Policy Reform (Queensland) Public Passenger Service Authorisations Regulation 2000	T	The regulation excludes various passenger transport arrangements (such as those governing Airtrain) from the provisions of the TPA.	Public Benefit Test supported exclusion of integrated ticketing in southeast Queensland from the TPA. Queensland advised Australian Competition and Consumer Commission (ACCC) as required under NCP agreements.	
Consumer Credit (Queensland) Act 1994, Consumer Credit Regulation 1995, and Consumer Credit Code	TR&FT		National review of consumer credit legislation underway. Review process has been approved by the Committee on Regulatory Reform (CRR). Awaiting approval by the Ministerial Council on Consumer Affairs (MCCA).	Amendments to be made to the Consumer Credit (Queensland) Act 1994 and Consumer Credit Code if necessary as part of co-operative Commonwealth-State regulatory arrangements.

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Contaminated Land Act 1991 and Regulation	EPA	Legislation categorises land according to the risk of contamination and restricts certain land uses on certain sites.	Targeted public review completed in August 2000.	Act subsumed within the Environmental Protection Act 1994 in 1997 without any increase in restrictions on competition. See the Environmental Protection Act 1994.
Co-operatives Act 1997	TR&FT			Queensland participates in national cooperatives legislation. This resulted in the repeal of the Co-operative and Other Societies Act 1967 and the Primary Producers' Co-operative Associations Act 1923, and the introduction during 1997 of co-operatives legislation (Co-operatives Act 1997) containing core provisions and Regulations consistent with other jurisdictions. This national scheme of regulation was developed, and NCP justification provided, by Victoria.

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Corrective Services Act 1988, and Corrective Services (Administration) Act 1988	CS	Legislation arguably gives the Queensland Corrective Services Commission (QCSC) monopoly powers in respect to the provision of prisons and community correction centres. However, the legislation authorises the QCSC to engage other parties to conduct any part of its operations (which underpins contract management arrangements for a number of correctional facilities).	Review not required.	<p>Corrective Services Legislation Amendment Act 1999 abolished the QCSC and the Government Owned Corporation: Queensland Corrections. The amending legislation also established the Corrective Services Advisory Council and provided for a new head of power for the new Department of Corrective Services.</p> <p>The Corrective Services (Administration) Act 1988 also amended. The legislation gives the Department responsibility for corrective services in Queensland. Where the Government opts for service delivery by private contractor, there will be a competitive tendering process.</p> <p>Corrective Services Act 2000 passed by Parliament in November 2000. The Act was proclaimed on 2 April 2001 (except certain sections which commenced on 24 November 2000). This legislation replaces the Corrective Services Act 1988 and the Corrective Services Administration Act 1988. The Corrective Services Act 2000 is not likely to restrict competition and, as a result, a formal review was not undertaken.</p>

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Credit Act 1987, and Credit Regulations 1988	TR&FT	The Credit Act was established to regulate the provision of personal loans up to \$40000. It was replaced by the Consumer Credit Code in November 1996 and now only regulates a few remaining personal loans up to \$40000 entered into prior to November 1996.	It is proposed to repeal the Credit Act without review.	Repeal expected in 2002-2003 after finalisation of outstanding litigation.
Cremation Act 1913	H	Prohibition on cremation at places other than established crematoria.	Review not required.	Certain restrictions removed in December 1993 (ie repeal of licensing and establishment provisions for crematoria). Decision taken by the Department to repeal the remaining restrictive provisions without review. Anticompetitive provisions repealed late 1998.
Dairy Industry Act 1993 and Regulation and Standards, and Dairy Industry (Market Milk Prices) Order 1995	PI	Vesting of milk in Queensland Dairy Industry Authority. Farmgate price-setting for market milk. Market milk quotas. Licensing of farmers and processors.	Review by a joint government-industry panel completed in 1998. Review recommended: <ul style="list-style-type: none"> • retention of farmgate price regulation for five years to December 2003, but reviewed again before 1 January 2001; and • extension of quota arrangements from South into Central and North Queensland for five years. 	The Government initially accepted the review recommendations. In line with the March 2000 communiqué signed by all Australian Agriculture and Primary Industries Ministers committing to a national approach to dairy reform, Queensland passed the Dairy Industry (Implementation of National Adjustment Arrangements) Amendment Act 2000 on 22 June 2000, deregulating the industry from 1 July 2000. Food Safety Queensland to assume responsibility for dairy food safety under the Food Production (Safety) Act 2000.

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Dental Act 1971	H	Restrictions on entry, registration, title, practice, advertising, business, and disciplinary provisions.	Review of health practitioner Acts completed in 1999. NCP issues considered and documented at that time.	Framework legislation in place. New Dental Practitioners Registration Act and Dental Technicians and Prosthetists Registration Act passed in May 2001, removing most business restrictions.
Dental Practitioners Registration Act 2001	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	New Act, which retained practice restrictions subject to a further review. The review of the restrictions on the practice of dentistry was completed in 2000, and released for public consultation in June 2001.	Act implemented in May 2001, following review of health professions, with amended title restrictions, business restrictions and disciplinary systems. Practice restrictions retained from the previous Act, and a review of these restrictions is under consideration by the Government.
Dental Technicians and Dental Prosthetists Registration Act 2001	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	New Act, which retained practice restrictions subject to a further review. The review of the restrictions on the practice of dentistry was completed in 2000, and released for public consultation in June 2001.	Act implemented in May 2001, following review of health professions, with amended title restrictions, business restrictions and disciplinary systems. Practice restrictions retained from the previous Act, and a review of these restrictions is under consideration by the Government.
Education (Capital Assistance) Act 1993	E	Limits the provision of certain funding assistance to schools affiliated with two nominated Capital Assistance Authorities (CAA). It also includes limitations regarding the type of financial institutions that can receive deposits/investment of CAA capital assistance funds.	A formal review was not undertaken.	The restriction related to affiliation and was resolved through amendment to legislation which requires schools to be listed (but not affiliated) with a group. The remaining issue of the type of financial institution that can receive deposits/investments was subjected to further analysis and was determined not to be restrictive. Legislation has been amended accordingly.

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Education (General Provisions) Act 1989 and Regulation	E	Covers a range of matters including: approval of school curricula; restrictions on the commercial use of State educational facilities; and specifying the powers and proceedings of Parents and Citizens Associations (including comparatively minor restrictions such as regulating the items permitted to be sold in a school canteen or tuckshop).	Departmental review of proposed new legislation pertaining to establishment, registration and accountability of non-State schools, in conjunction with the Education (General Provisions) Act 1989, underway. General policy review of legislation and proposed new legislation pertaining to registration and accountability of non-state schools are also underway. Review expected to be finalised 2001. It is proposed that the new Act will be rewritten.	
Education (Overseas Students) Act 1996	E	Provides for the registration of education service providers in respect to training courses for overseas students and for the registration of education and training courses for overseas students. Gives effect to a decision of the Australian Education Council in regard to the marketing of Australian education and training courses.	Reduced NCP review completed in January 2000. NCP justification provided for 1999 amendments and this provided input to review the Act. Final report submitted to Treasury in April 2000.	New legislation. The Treasurer endorsed the review recommendations in June 2000. Existing regulatory regime retained in the public interest.
Education (Teacher Registration) Act 1988 and Regulation 1989, and Board of Teacher Registration By-laws 1989	E	Licensing, registration (primary and secondary school teaching staff, including private schools), entry requirements (qualifications, experience, good character), reservation of practice, and disciplinary processes.	Departmental review completed in May 2000. Review recommended existing legislation be retained (including qualification requirements, registration fees and processes in the election of registered teachers to positions on the Board of Teacher Registration).	The Government endorsed review recommendations in October 2000. Teacher registration requirements retained in the public interest.

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Egg Industry (Restructuring) Act 1993	PI	The Act provides for the restructuring of the egg industry marketing and regulatory arrangements and includes transitional regulation of the production and marketing of eggs.	Review not required.	Decision taken to repeal the Act without review. Act allowed to sunset on 31 December 1998 thereby removing all anticompetitive legislative provisions.
Electricity Act 1994 and Regulation - Part 1 of 2	TR	Legislation contains extensive provisions relating to the conduct of the industry including the issuing of authorities for generation, transmission and supply entities; powers (including 'reserve Ministerial powers') about electricity pricing and restrictions on the trading activities of transmission and generation authorities and supply entities. Regulation provides for the licensing of electrical workers (such as electricians) and electrical contractors.	Part of the broader Council of Australian Governments (CoAG) electricity reform process (to give effect to market restructuring and establish the National Electricity Market). A separate legislation review exercise was not undertaken at this time. Following amendments to the legislation to give effect to the CoAG reforms in 1997 (three tranches of significant amendments to the Act were passed and changes made to the Regulation), some provisions remaining in the legislation have been identified as potentially restricting competition. These aspects are currently being examined under NCP. Departmental review underway, and expected to be completed in the first quarter of 2002.	

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Electricity Act 1994 and Regulation - Part 2 of 2 (Electrical Safety)	TR	Licensing (electrical workers, electrical contractors), registration, entry requirements (qualifications and experience, also suitable person financial requirements for electrical contractor), disciplinary processes, and business conduct (advertising whereby workers must state whether licensed, name licensed under and identifying number; public liability insurance for electrical contractor).	Review underway, and expected to be completed in the first quarter of 2002.	
Environmental Protection Act 1994 and Interim Regulation 1995, Regulation 1998 and Interim Waste Regulation 1996	EPA	Legislation is designed to protect Queensland's environment while allowing for ecologically sustainable development. Licensing and approval requirements (which could be issued subject to compliance conditions, for example, prescribing allowable levels of discharge for certain substances) apply for certain specified environmentally relevant business activities.	Review completed in August 2000. Review incorporated Environmental Protection Policies and Regulations passed under gatekeeping arrangements in 1997-98, as well as contaminated land provisions which were subsumed within this Act. The restrictions related primarily to licensing and approval requirements.	The Treasurer endorsed the review recommendations. Provisions subjected to NCP review retained without reform.
Explosives Act 1952 and Regulation 1955	NR&M	Legislation provides for the issue of licences for various activities in the importation and exportation, manufacture, carriage, storage, sale and use of explosives. Certain explosives that are considered dangerous to the public are prohibited.	Review not required. The National Competition Council (NCC) supported removal of legislation from review timetable on the basis that the provisions are in the public interest and are not for the purpose of restricting competition.	Legislation is moving in the direction of national standards and has been modernised.

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Fair Trading Act 1989, and Fair Trading Regulation 1989	TR&FT	Legislation intended to provide for a statutory minimum standard of conduct engaged in by persons offering goods and services, in the interests of consumer protection. Similar legislation exists in the other jurisdictions. State and Territory fair trading legislation in part mirrors Part IV of the TPA and, in this sense, forms part of a national uniform scheme.	Minor departmental review underway.	
Farm Produce Marketing Act 1964 and Regulation 1984	PI	Legislation regulates commercial arrangements for the sale of fruit and vegetables between producers and wholesalers (agents and merchants), provides for the licensing of agents and merchants and business conduct requirements. Conditions to qualify for licences (eg posting of fidelity bonds) and restrictions on the business practices of licence holders (eg regulation of maximum rates of commission) would be the principal areas for review.	Review completed in June 1999. It found that the Act was largely ineffective as most transactions occur outside its scope and therefore there was no public benefit in retaining the legislation.	Act sunsetted on 31 July 2000. A voluntary code of conduct is to replace it.
Financial Intermediaries Act 1996	TR	Prudentially-based supervisory system.	It had been expected that the supervision of the institutions covered by this Act would be transferred to the Commonwealth. However some institutions continue to be covered by this Act. It is currently being assessed to identify potential restrictions.	

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Fire Services Act 1990	ES	Various restrictions restrict potential competition in the fire services market. For example, by conferring extensive powers relating to the protection of persons and property from fire on 'authorised fire officers' of metropolitan and rural fire brigades which are not available to private operators and which could expose them to claims relating to property damage in the course of fighting a fire.	Reduced NCP review completed in August 2000. Restrictions were identified in relation to the powers of officers which are not available to other providers under the legislation and the imposition of compulsory fire levies. Final report recommending retention of status quo released.	The Treasurer endorsed the review recommendations in September 2000.
Fisheries Act 1994 and Regulation 1995	PI	Licensing of fishers and crew. Input controls on boat and gear. Output controls such as total allowable catches, individual transferable quotas, bag and size limits.	Review completed.	The Government is considering the review recommendations.
Food Act 1981, Food Hygiene Regulation 1989, and Food Standards Regulation 1994	H	Various food safety offences. Food to meet prescribed food standards. Registration of food premises (under associated regulations).	National review completed in 2000 (see the NSW Food Act 1989).	All Australian governments agreed in November 2000 to adopt the core provisions of the Model Food Bill by November 2001.

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Forestry Act 1959 and Regulation 1987	PI	Management and control of forest products on State land vested in the Department under agreement with the Queensland Parks and Wildlife Service and regulated by that service. Licensing of timber collection and of taking of other resources. Administrative discretion over how licences and produce are allocated and priced. Logs harvested not to exceed sustainable yield. Levy to fund timber research.	Review by officials completed in 1999. Review recommended retaining the native forest sawlog allocation system as, while pro-competitive reform would bring economic gains, it avoided imposing significant social costs on several rural communities and retaining the timber research levy. A subsequent review of agricultural levies recommended removal of the timber research levy.	The Government accepted the recommendations and in late 1999 the Forestry Amendment Act 1999 was passed which exempted the allocation system from the trade practices law until 2009. In January 2000, following a separate review of agricultural levies, the Government removed a stumpage levy to fund the Timber Research and Development Advisory Council.
Fruit Marketing Organisation Act 1923	PI	Contains statutory marketing provisions for fruit and vegetables.		Industry agreed to repeal of the Act. Act sunsetted on 21 January 2000.
Funeral Benefit Business Act 1982, and Funeral Benefit Business Regulation 1989	TR&FT	Legislation limits the registration of corporations and provides for business conduct requirements. Similar legislation exists in some other jurisdictions (including Victoria and NSW).	Departmental review underway. Draft NCP report under consideration by the Department of Tourism, Racing and Fair Trading and Treasury. Final report expected to be endorsed by the Treasurer in the fourth quarter of 2001.	
Gaming Machine Act 1991 and Regulation	TR	Possession and playing of gaming machines, which would otherwise be illegal, is made lawful at a licensed site.	Review deferred subject to outcome of the PC inquiry into gaming in Australia. That inquiry released its report in December 1999. A NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by late 2001.	Certain reforms have been implemented as a result of a general review of the legislation. Reforms to date include the removal of the Government's exclusivity over the purchase of gaming machines, instead requiring that manufacturers and suppliers of gaming machines be licensed to ensure that the probity and integrity of the industry is maintained.

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Gas Act 1965 and Regulations 1989	TR	Provisions of the Act relating to granting gas franchises (effectively an exclusive right to lay pipes in an area and thus to supply gas to that area) and requirements for Government approval for large gas contracts establishes a virtual statutory monopoly situation. Legislation also enables quantitative restrictions to be placed on the supply of gas in certain (emergency) situations while the Gas Tribunal has the power to recommend price restrictions. Other jurisdictions have legislation pertaining to the particular circumstances of their gas industry. A common provision, as per Queensland Gas Regulations, is the licensing of persons engaged in gas installation and servicing which is considered essential for public safety.	The Gas Act and Regulations were reviewed as part of the CoAG gas reform process. The legislation review component has occurred and amendment is proposed in accordance with franchising and licensing principles of the CoAG Natural Gas Pipelines Access Agreement. Review completed of those parts of the Gas Act and the Petroleum Act not the subject of the national review of the Petroleum and Submerged Land Act.	Exposure draft of new Petroleum and Gas Bill released for public comment. The aim is to replace the Gas Act 1965 and the Petroleum Act 1923 with a single Act covering both areas, dealing with exploration, development, production, transmission, distribution, and in the case of gas, use. New legislation expected to be introduced late 2001.
Gas Suppliers (Shareholdings) Act 1972	TR	Prohibition relates to a statutory limitation on the level of ownership of shares in a nominated gas supplier (ie to prevent a corporate takeover) and hence restricts the ownership of a gas utility although it only relates to one company at present. A similar restriction is understood to apply in regard to the same company in NSW.		Act repealed in October 2000.

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Grain Industry (Restructuring) Act 1993	PI	Legislation provided for the restructuring of the previously statutory grain industry organisations. Statutory domestic and export powers conferred on Grainco over barley state-wide and grain sorghum produced in Central Queensland. Powers over wheat 'parked' while Commonwealth arrangements in place and, under section 10(3), can only be activated by regulation if a public benefit assessment shows this to be consistent with Competition Principles Agreement (CPA) clause 5(1).	<p>Joint government-industry review completed in 1997, recommending that Queensland remove the domestic monopoly; and extend the export monopoly until at least mid-2002.</p> <p>A related review of accountability requirements applying to Grainco was completed in November 1998. Review recommended a supervisory panel be established in lieu of current government appointments to Board of Grainco. Application of a number of Acts to Grainco also modified.</p> <p>In late 1999, the Government initiated a re-examination by officials of its grain marketing arrangements following the export reform recommendations arising from the joint Victoria/SA review and the liberalisation of controls over barley imports into Japan. This re-examination was delayed pending a decision by NSW following its grains review. This re-examination has since taken place and the outcome is under consideration within Government.</p>	The Government accepted the recommendations and, via the Primary Industries Legislation Amendment Act 1999, exempted from vesting grain sold for consumption in the domestic market (see section 20 of the principal Act). It also undertook to review the export monopoly before mid-2002 if either grain arrangements in other States, or the policy of the Japanese Food Agency, changed.

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Grammar Schools Act 1975	E	Imposes a Government approval mechanism for the establishment of a grammar school and provides for various Government intervention measures (such as the capacity to withhold or grant assistance funds) and controls/limitations on activities of grammar schools (eg borrowing and investment practices). These may restrict the ability of such schools to compete in the overall market for secondary education.	Original departmental review completed in September 1997. Review re-opened and is being conducted in accordance with revised framework for scoping and conducting the review guidelines. Public Benefit Test has been completed and has been submitted for Ministerial approval.	
Harbours (Reclamation of Land) Regulation 1979, and Marine Land (Dredging) By-Laws under the Harbours Act 1955 (sections 91-93)	EPA	Legislative provisions set out certain external approval requirements for activities in tidal waters (such as land reclamation and harbour works).		Provisions were to sunset in December 2000. The regulation has been extended until June 2002. The purpose of the extension is to keep the regulation in force until the Coastal Regulation is integrated with the Integrated Development Approval System (now expected to occur in March 2002 with the passage of the Coastal Protection and Other Legislation Amendment Bill).
Hawkers Act 1984 and Regulation 1994	TR&FT	Licensing, entry requirements (age, no mental disease, fit and proper person), and business conduct (no business between 6 p.m. and 7 a.m.). Act does not apply to certain businesses (for example, charity or sale by maker of goods).	Reduced NCP review completed.	The Government is considering the review recommendations.
Health Act 1937 - Health (Drugs and Poisons) Regulation 1996	H	Licensing, storage, handling and dispensing of goods.	Part of Galbally Review. Final report under consideration by the Australian Health Ministers Advisory Council (AHMAC).	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Health Act 1937 - Health Regulation 1996 Part 6 (Hyperbaric Chamber Therapy)	H	Restricts possession and use of a compression chamber.	Review completed in March 2001. Final report recommended the repeal of restrictive provisions of the Act.	The Treasurer endorsed the review recommendations in March 2001. The restrictive provisions of the legislation were repealed June 2001.
Health Act 1937 - Health Regulation 1996 Parts 5 (Hairdressers) and 15 (Skin Penetration)	H	Licensing, and codes of practice.	Review completed in December 1999 recommending negative licensing for medium/low risk activities and licensed premises for high risk activities.	New legislation being prepared, with implementation due to be finalised by mid 2002.
Health Act 1937 - Health Regulation 1996 Parts 10 (Pest Control Operators) and 12 (Poisons (Fumigation)) under Health Act 1937 Part 4 Division 7	H	Provides for the licensing of both fumigators and pest control operators. Similar regulations exist in the other States.	Targeted public review completed in October 1999. The review examined licensing of fumigators and pest control operators. Report on the framework for scoping and conducting the review completed late in 1999. The review recommended that licensing be retained but licensing criteria include new training requirements based on National Competency Standards to minimise the health risks to the public from pesticides and fumigants.	New legislation being prepared with implementation due to be finalised by mid 2002.
Health Act 1937 - Health (Nursing Homes) Regulation 1982	H	Negative licensing of residential care facilities.	Departmental review completed in 1997. Queensland Health has examined the Commonwealth's Aged Care Act 1997 to determine its impact on the Regulation. Policy proposals were subsequently developed to allow the Regulation to lapse on 1 July 1998, to repeal Part 3 Division 5 of the Health Act 1937, and to replace it with a negative licensing framework in respect of residential care facilities.	Restrictive provisions dealing with nursing homes expired on 1 July 1998. Proposals were endorsed by the then Government for a new, non-licensing legislative framework.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Health Act 1937 - Health (Private Hospitals) Regulation 1978 and Health Act 1937 Part 3 Division 4	H	Licensing and monitoring of private hospitals, and building standards.	Review completed in February 1999. Review recommended retention of a licensing regime for private hospitals and day facilities performing higher risk procedures and rejected the formal adoption of planning controls.	The Private Health Facilities Act 1999, which replaces the legislation scheduled for review, was passed in November 1999 and commenced in late 2000.
Health Act 1937 - Health Regulation 1996 Part 16 (Therapeutic Goods and Other Drugs)	H	Restricts the advertising, including publication and labeling, of therapeutic goods and drugs (including cigarettes).	No formal NCP review undertaken. Legislative proposals involving the adoption, by reference, of the Commonwealth's Therapeutic Goods Act 1989, are currently being finalised prior to submission for Ministerial approval.	Implementation of new legislation to adopt Commonwealth legislation, expected by mid 2002.
Health Services Act 1991 - Health Services Regulation 1992 (Public Hospitals Fees and Charges)	H		Review not required.	The anticompetitive provisions repealed in 1997.
Health Services Regulation 1992	H	Limits the ability of a Health Authority to provide private ancillary services (eg physiotherapy, speech pathology, etc) to circumstances where there is no private practitioner.	Review not required.	The anticompetitive provisions repealed in 1997.
Higher Education (General Provisions) Act 1993	E	Provides for accreditation and monitoring procedures to address standards and modes of delivery in regard to higher education (tertiary) degree courses.	Review completed. Review was expanded in recognition of the accreditation provisions being nationally uniform.	The Treasurer endorsed the review recommendations in August 2001. Existing regulatory regime retained in the public interest.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Hire Purchase Act 1959	TR&FT	Legislation provides for the rights and responsibilities of owners and hirers under hire purchase agreements and conduct requirements in regard to hire purchase agreements. One type of transaction prohibited (ie entering into an agreement for the bailment of goods, which includes an option to purchase them, so as to constitute a hire purchase agreement).	Reduced NCP review completed.	The Government is considering the review recommendations, including proposal to repeal the legislation.
Industrial Development Act 1963	SD	Acquisition and use of land for industrial purposes (ie in industrial estates) thereby precluding other uses (but only in a defined area).	Review not required.	As the intention of the Act is not to limit use to industrial purposes, the definition section of the Act has been amended to remove this limitation.
Indy Car Grand Prix Act 1990 and Regulations	IIESR	The Act provides for a nominated promoter as the sole participant in the business activity of promoting the Indy Grand Prix with certain other exclusive rights attached (ie sale of film and television rights, sale of goods with the Grand Prix insignia and sale of other goods in a declared area during a declared period (ie the race days)).	Reduced NCP review completed in October 1998. Short-form justification, that included a Regulation Impact Statement (RIS) process, supported retention of all legislative provisions under review. Legislation gives effect to conditions for staging the race, including sole promoter role, that are contained in agreements with international owner of the rights to stage the race worldwide. All services and products associated with the Gold Coast event (eg catering) are competitively tendered.	Existing regulatory regime retained in the public interest.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Integrated Planning Act 1997	LGP	Establishes a planning framework and is not considered to restrict competition itself.	Review completed in October 1997. Review found the Act to be far less prescriptive than the Local Government (Planning and Environment) Act 1990 which it replaced, and that it merely sets up a planning framework. Review reported that the Act does not restrict competition.	
Interactive Gambling (Player Protection) Act 1998	TR		Part of the omnibus review of gambling in Queensland.	
Invasion of Privacy Act 1971 and Invasion of Privacy Regulation 1986	TR&FT	Legislation requires the licensing of credit reporting agents and prohibits the advertising and exhibiting of listening devices that has the intention of promoting their sale and use. Other jurisdictions may have legislation dealing with some aspects of credit reporting eg advertising of listening devices.	Reduced NCP review completed.	The Treasurer is considering the final Public Benefit Test report.
Keno Act 1996	TR	Permits the holder of a keno licence to have the right to conduct the game of keno on a State-wide basis through approved outlets for a defined period (the playing of keno would otherwise be illegal under the gaming laws).	NCP issues were to be fully examined prior to the introduction of the Bill. Certain outstanding NCP matters were examined and a draft report compiled. Completion of this exercise was deferred subject to the outcome of the PC inquiry into gambling in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by late 2001.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Land Act 1994	NR&M	Legislation provides for the administration and management of non-freehold lands and the legal creation of freehold land. Review examined two restrictions: prohibiting corporations from holding perpetual leases for grazing or agricultural purposes; and limiting the number of living units that non-freehold land owners may aggregate.	Review committee completed its report in May 1999. However, Cabinet decided that further consultation was required and this began in early 2001.	The Government is considering the review recommendations.
Land Sale Act 1984 and Regulation 1989	TR&FT	Legislation contains various provisions relating to the process of sale of land via a registrable instrument of transfer and rights and responsibilities of vendors and purchasers. Queensland is currently the only State that prohibits the sale of unregistered land before survey plans are approved under the seal of the relevant local authority.	Final Public Benefit Test report is being finalised by the Department, and expected to be completed late in 2001.	
Legal Practitioners Act 1995	JAG	Licensing, registration, entry requirements, reservation of practice (including conveyancing), disciplinary processes, and business conduct (including the process for determining maximum prices). (Also see the Queensland Law Society Act 1952.)	General review of legislation has occurred. NCP review commenced in the fourth quarter of 2001.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Liquid Fuel Supply Act 1984	TR	The purpose of the Act is to regulate the distribution of liquid fuels (petrol, diesel and liquid petroleum gas (LPG)) in times of shortage/emergency but, to date, has never been activated. Similar legislation exists in the other States. At present the Queensland legislation does not have any practical impact on commercial business activities.	Review not required. NCC supported the removal of the Act from the review timetable on the grounds that the legislation is in place to serve the public interest in terms of controlling liquid fuel usage in times of shortage or emergencies.	
Liquor Act 1992 and Regulation	TR&FT	Defines licence categories, contains a proof of need test, restricts the sale of packaged liquor to the public to general (hotel) licences, requires hotel bottle shops to be detached, restricts the number any one hotel can establish and the distance from the hotel and sets maximum size limits on bottle shops.	Review completed in February 2000. Recommended retention of major restrictions relating to the public needs test and general (hotel) licence requirement for sales of packaged liquor to the public. Minor changes to the regulations governing bottle shop distance from main outlet (extended from 5kilometers to 10kilometers) and to maximum bottle shop size (100 square meters to 150 square meters)	The Government accepted the significant review recommendations with modifications: the Public Needs Test was changed to a Public Benefit Test. General licence requirement for sales of packaged liquor retained although volume restrictions on sales by clubs to members lifted and licensed restaurants may sell small quantities to diners for consumption off premises.
Loan Fund Companies Act 1982	TR&FT	Conduct and licensing. No loan fund companies operate under the Act.	Reduced NCP review underway. Public Benefit Test report to be released for consultation.	
Local Government (Harbour Town Zoning) Act 1990	LGP	Legislation specific to one location but could be seen to confer a competitive advantage on the owners of the site through the possible application of the Act to bypass normal approval processes.	Review not required.	Legislation was allowed to expire on 7 December 2000.
Local Government (Planning and Environment) Act 1990	LGP		See the Integrated Planning Act 1997.	Act repealed and replaced by the Integrated Planning Act 1997.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Local Government Act 1993, City of Brisbane Act 1924, and Local Government Finance Standard 1994	LGP	The legislation establishes the framework for the constitution, planning and operation of local government (ie essentially it is enabling legislation). Only two current provisions in the Act appear to be anticompetitive, namely the exclusive right for a local government to operate a river ferry service and a prohibition on a local government operating its own superannuation scheme outside of a statutory scheme for all local governments.	Departmental review underway. Major review for ferries issue. Minor review for remaining issues. Review of relevant provisions relating to the operation of joint local government water supply boards under the Local Government Act and other water-related local government functions will need to be coordinated.	The Government is considering the review recommendations.
Local Government Local Laws (formerly By-laws) made under the Local Government Act 1993	LGP	Establishes a program for review of local government laws.	Departmental review completed in 1997.	The Local Government Amendment Act 1997 applies NCP legislation review requirements to local government. Individual local governments reviewed their own anticompetitive local laws and local law policies with oversight by the responsible Department.
Lotteries Act 1994	TR	Exclusive licence to operate a lottery.	Review completed. Certain outstanding competition policy matters were identified and a draft report prepared. This exercise was deferred subject to the outcome of the PC inquiry into gambling in Australia, which released its report December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by late 2001.	Act repealed and replaced by the Lotteries Act 1997. The statutory monopoly of the Golden Casket Corporation was replaced with a limited duration exclusive licence. This was to enable the Golden Casket Corporation time to mature in a commercial environment following its corporatisation.
Lotteries Act 1997 and Regulation	TR	Assigns a limited duration exclusive licence on the Golden Casket Corporation to offer lottery products.	Part of the omnibus review of gambling in Queensland.	The Lotteries Act 1997 replaced the Lotteries Act 1994.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Meat Industry Act 1993	PI	Various food safety offences. Minimum qualifications for meat safety officers. Accreditation of processing facilities. Wide powers to make standards.	Not originally scheduled for review. Review completed in 1999, recommending development of new food safety standards, especially for high-risk foods (refer NCP Annual Report to 31 December 2000).	Act repealed and provisions for meat safety standards included in the Food Production (Safety) Act 2000.
Medical Act 1939	H	Restrictions on entry, registration, title, practice, advertising, business, and disciplinary provisions.	Review completed in 1999. Core practices review underway.	Framework legislation passed in 1999. New Medical Practitioners Registration Act 2001 passed in May 2001, preserving practice restrictions subject to review.
Medical Practitioners Registration Act 2001	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	New legislation considered by the gatekeeper process. A review of the restrictions on practice is underway.	Legislation implemented May 2001, following review of health professions, with amended title restrictions, business restrictions and disciplinary systems. Practice restrictions retained from the previous Act.
Medical Radiation Technologists Act 2001	H	Restrictions on entry, registration, title, advertising, and disciplinary provisions.	Review completed in 1999, recommending registering radiation therapists, medical imaging technologists/radiographers and nuclear imaging technologists.	Framework legislation passed in December 1999. New Medical Radiation Technologists Act 2001 passed in May 2001. The Act does not restrict practice.
Mental Health Act 1974	H	Conferral on the Public Trust Office of sole responsibility for the management of estates of specified patients.	Review not required.	The anticompetitive provision repealed as an amendment under the Guardianship and Administration Act 2000. The Mental Health Act 2000 was passed in May 2000, replacing the Mental Health Act 1974.
Mental Health Act 2000	H			The Mental Health Act 2000 replaced the Mental Health Act 1974.
Mercantile Act 1867	TR&FT	Restricts the duration of partnerships and prohibit partnerships in banking and insurance businesses.	Review not required.	Provisions identified as restrictions have been repealed or contained within Partnership (Limited Liability) Act which is included in review timetable.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Mobile Homes Act 1989 and Regulation 1994	TR&FT	Contains particular requirements relating to agreements between owners and occupiers of mobile home sites. Regulations provide for maximum fees for services in regard to sale of a mobile home.		As part of an extensive general policy review of the mobile homes legislation, the Government has decided to repeal the existing Mobile Homes Act and replace it with a new Act. NCP-related issues are being identified and addressed in the context of the new legislation. New Act to be considered by Parliament in 2002.
Motor Accident Insurance Act 1994	TR	Mandatory insurance, licensing of insurers, and file and write premium setting.	Full public review completed in November 1999. Review recommended retaining fundamental Compulsory Third Party (CTP) scheme aspects, including mandatory insurance requirement, licensing of insurers, community rating and Nominal Defendant. Also recommended removing specific entry barriers (in terms of minimum market share and re-entry requirements) and premium setting by the Government will be replaced by setting a premium range within which private insurers can determine their own premiums subject to approval by the Government.	New legislation enacted in line with recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Nature Conservation Act 1992 and Regulation 1994, and specific flora and fauna Conservation Plans	EPA	Legislation contains extensive provisions for the conservation of wildlife (flora and fauna) related to ecological sustainability. Licensing and permit arrangements apply for a range of commercial and recreational activities involving wildlife (including, for example, licensing of pet shops selling commercial birds, nurseries selling certain restricted plants, the harvesting of macropods and protected plants and permits for commercial activities involving wildlife, such as filming, etc). Prior to any NCP review commencing, further consideration is required to identify whether there are any restrictions in the various species' Conservation Plans in place that go beyond what is required for legitimate natural resource management purposes.	Reduced NCP review completed in July 1999. Review supported retention of provisions which are considered to be for natural resource management purposes. Targeted consultation and review report made public January 1999.	Provisions subjected to NCP review retained without reform.
Nursing Act 1992	H	Restrictions on entry, registration, title, practice, and disciplinary provisions.	Review underway. Targeted public model. The Department decided the single anticompetitive provision in the By-Law should be repealed. In relation to review of restriction on practice in the Act, terms of reference have been completed. The review's public benefit analysis is due for consultation at the end of 2001/beginning 2002 and the Public Benefit Test report is expected to be completed in early 2002.	The Anticompetitive provision in the Nursing By-Law repealed in 1999. Framework legislation in place, covering discipline and administration of all health professionals. New legislation is being prepared with implementation to be finalised by mid 2002.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Occupational Therapists Act 1979	H	Restrictions on entry, registration, title, practice, and disciplinary provisions.	Omnibus review of health practitioners registration Acts completed in 1998. Review of practice restrictions in health services completed in 2000.	Framework legislation in place. New Occupational Therapists Registration Act passed in May 2001, removing reserved areas of practice.
Occupational Therapists Registration Act 2001	H	Restrictions on title, entry, registration, and disciplinary provisions.	New legislation considered by the gatekeeper process.	Act replaced the Occupational Therapists Act 1979.
Optometrists Act 1974	H	Ownership restrictions, entry, registration, title, practice, business, and advertising.	Omnibus review of health practitioners registration Act completed in 1998. A second review, limited to examination of ownership and related restrictions was completed in 1999, recommending removal of ownership restrictions. Review of practice restrictions in health services completed in 2000.	Framework and new registration legislation passed the Queensland Parliament in late 1999. The Optometrists Registration Act 2001 was passed in May 2001, removing ownership restrictions, but reserving restrictions on practice subject to further review.
Optometrists Registration Act 2001	H	Restrictions on entry, registration, title, practice, business, and advertising.	New legislation considered by the gatekeeper process. Review of core practice restrictions underway.	
Osteopaths Registration Act 2001	H	Restrictions on entry, registration, title, advertising, and disciplinary provisions.		Act replaced the Chiropractors and Osteopaths Act 1979 following health practitioners omnibus review. Framework legislation in place. New Osteopaths Registration Act 2001 passed in May 2001. The Act does not contain practice restrictions.
Partnership (Limited Liability) Act 1988	TR&FT	Restrictions relating to limited partners.	Review, in conjunction with the Partnership Act 1891, completed.	The Government is considering the review recommendations.
Partnership Act 1891	TR&FT	Prohibits business outside of the partnership except where the consent of other partners is obtained.	See the Partnership (Limited Liability) Act 1988.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Pawnbrokers Act 1984 and Regulation	TR&FT	Licensing, entry requirements (aged over 18 years, not mentally incapacitated, fit and proper person, not a collector, not convicted of fraud or dishonesty offence in past five years), the reservation of practice, disciplinary processes, and business conduct (prescribed records, public auction of unredeemed goods over \$40, cooperation with police).	Minor departmental review of pawnbrokers and second-hand dealers legislation underway. Discussion paper to be released for consultation in the fourth quarter of 2001.	
Petroleum Act 1923	TR		Review, in conjunction with the Gas Act 1965, underway.	Act to be replaced, along with the Gas Act 1965, by a single Act.
Pharmacists Registration Act 2001	H	Restrictions on entry, registration, title, practice, business, advertising, and ownership.	New legislation resulted from health practitioner review process in Queensland, retaining restrictions examined by the Wilkinson Review pending completion of review process. National Review of Pharmacy Regulation (Wilkinson Review) completed in February 2000. The review recommended retaining registration, the protection of title, practice restrictions and disciplinary systems (although with minor changes to the registration systems recommended for individual jurisdictions). Further, the review recommended maintaining existing ownership restrictions, and removing business licensing restrictions.	Act replaced the Pharmacy Act 1976. New legislation addresses discipline and advertising restrictions, but reserves previous legislation's practice and ownership restrictions pending Wilkinson Review outcomes. CoAG referred the Wilkinson Review to a senior officials' working party, which is yet to report back to CoAG.

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Pharmacy Act 1976	H	Restrictions on entry, registration, title, practice, business, advertising, and ownership.	Considered as part of the health practitioner review process in Queensland, with new registration Act enacted. National Review of Pharmacy Regulation (Wilkinson Review) completed in February 2000. The review recommended retaining registration, the protection of title, practice restrictions and disciplinary systems (although with minor changes to the registration systems recommended for individual jurisdictions). Further, the review recommended maintaining existing ownership restrictions, and removing business licensing restrictions.	Act replaced by the Pharmacists Registration Act 2001. New legislation addresses discipline and advertising restrictions, but reserves previous legislation's practice and ownership restrictions pending Wilkinson review outcomes. CoAG referred the Wilkinson Review to a senior officials' working party, which is yet to report back to CoAG.
Physiotherapists Act 1964	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in 1999.	Framework legislation enacted in December 1999. New Physiotherapists Registration Act 2001 passed in May 2001, preserving practice restrictions subject to further review.
Physiotherapists Registration Act 2001	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	New legislation. Review of core practice restrictions underway.	Act replaced the Physiotherapists Act 1964.
Podiatrists Act 1969	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in 2000. Part of Queensland health professions review process, which recommended changes to disciplinary system, advertising and business restrictions.	Act replaced by the Podiatrists Registration Act 2001.
Podiatrists Registration Act 2001	H	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	New legislation considered by gatekeeper process. Review of core practice restrictions underway.	Act replaced the Podiatrists Act 1969 following health professions review.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Primary Producers Co-operative Associations Act 1923	TR&FT		Review not required.	Act repealed and replaced by the Cooperatives Act 1997.
Primary Producers Organisation and Marketing Act 1926	PI	Allows for the constitution, powers, and functions of statutory commodity marketing boards and statutory producer representative bodies. Provisions relating to the latter are not considered to restrict competition.	Review not required.	Act repealed by the Primary Industry Bodies Reform Act 1999 as of 21 January 2000.
Private Employment Agencies Act 1983 and Regulation 1989	IR	Licensing, entry requirements (resident in Queensland, fit and proper person, suitable premises), the reservation of practice, and business conduct (no charge to jobseekers except performers and models, maintenance of records, no misleading advertising).	Departmental review completed. Review report finalised, canvassing the repeal of the Act and the incorporation of fee-charging restrictions into the Industrial Relations Act 1999.	New legislation being prepared with implementation due to be finalised by the end of March 2002.
Private Health Facilities Act 1999	H	Licensing.		Act replaced the Health Act 1937 - Health (Private Hospitals) Regulation 1978 and Health Act 1937 Part 3 Division 4, and was passed in November 1999 and commenced in late 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Professional Engineers Act 1988 and Regulation 1992	PW	Licensing, registration (for professional engineers - in various divisions of the profession, ie civil, mechanical, metallurgical, etc, professional engineering companies and professional engineering units within a company), entry restrictions (qualifications and 5 years experience), reservation of title and of practice, disciplinary processes, commercial restrictions, business licensing.	Full public review underway. Review report completed in March 2000. Review conducted by an interdepartmental committee supplemented by a consumer representative and an independent member with engineering expertise. Report was released in November 2000 for further consultation.	The Government is considering the review recommendations. The timing of any legislative amendments may be coordinated with amending legislation regulating the practice of architecture.
Profiteering Prevention Act 1948	TR&FT	Quality/technical standards, pricing restrictions, business conduct, and measures that confer a benefit.	Public Benefit Test report being finalised with expected completion in the fourth quarter of 2001 - consideration being given to repeal.	Implementation expected in the second quarter of 2002.
Property Agents and Motor Dealers Act 2000	TR&FT	Licensing, entry requirements, reservation of practice, disciplinary processes, business conduct.		Act replaces the Auctioneers and Agents Act 1971.
Psychologists Act 1977	H	Restrictions on entry, registration, title, advertising, and disciplinary provisions.	Part of Queensland health professions review process, which recommended changes to disciplinary system, advertising and business restrictions.	Act replaced by the Psychologists Registration Act 2001.
Psychologists Registration Act 2001	H	Restrictions on entry, registration, title, advertising, and disciplinary provisions.		Act replaced the Psychologists Act 1977 following health professions review.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Queensland Building Services Authority (QBSA) Act 1991 and Regulations 1992 and Policy 1995	HO	Licensing, registration, entry requirements (qualifications and experience, fit and proper, financial requirements), the reservation of practice, disciplinary processes, and business conduct (ownership; advertising and sign at building site - whereby workers must state whether licensed, name licensed under and identifying numbers; written contract; compulsory insurance administered by the QBSA; warranty).	Departmental review underway.	
Queensland Heritage Act 1992 and Regulation	EPA	Legislation provides for the conservation of Queensland's cultural heritage. Currently, Heritage Council approval is required before any development is allowed on heritage-registered properties.	Reduced NCP review completed in December 1998 and publicly released. Review justified retention of provisions on public interest grounds.	
Queensland Law Society Act 1952 and Rules 1987, Queensland Law Society (Indemnity) Rule 1987 and Continuing Legal Education Rule	JAG	Annual practicing certificates can only be issued by the Queensland Law Society, and business conduct (various educational programs and practise courses, indemnity insurance - with law society master policy or an insurer approved by law society).	Being reviewed as part of a broad review of the legal profession in Queensland. See the Legal Practitioners Act 1995.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Racing and Betting Act 1980 and Regulations as they relate to the Totalizator Agency Board (TAB)	TR&FT	Statutory monopoly provisions in Queensland legislation relate to the establishment of TAB to control totalisator betting and of control bodies for horse racing (Queensland Principal Club), harness racing (Harness Racing Board) and greyhound racing (Greyhound Authority). Registration requirements apply for race, trotting and greyhound clubs while licensing requirements apply in respect of bookmakers (and their clerks) and totalisators. Matters such as the recording of bets and the conduct of betting, drug sampling and analysis, advertising and the standard of facilities at race clubs are also prescribed. A price control provision relates to maximum bets at greyhound meetings. An outright prohibition exists in respect of betting and bookmaking outside of the coverage of the Act.	Racing Industry Taskforce examined statutory monopoly of Queensland TAB. This was addressed in developing the Wagering Act.	New legislation, the Wagering Act 1998 replaces the statutory monopoly applying to the TAB with an exclusive licence of limited duration.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Racing and Betting Act 1980 and Regulations as they relate to racing and the conduct of bookmakers	TR&FT	Statutory monopoly provisions in Queensland legislation relate to the establishment of TAB to control totalisator betting and of control bodies for horse racing (Queensland Principal Club), harness racing (Harness Racing Board) and greyhound racing (Greyhound Authority). Registration requirements apply for race, trotting and greyhound clubs while licensing requirements apply in respect of bookmakers (and their clerks) and totalisators. Matters such as the recording of bets and the conduct of betting, drug sampling and analysis, advertising and the standard of facilities at race clubs are also prescribed. A price control provision relates to maximum bets at greyhound meetings. An outright prohibition exists in respect of betting and bookmaking outside of the coverage of the Act.	Review of provisions of the Racing and Betting Act relating to bookmakers, conduct of race meetings and other related restrictions concerning the operation of race events completed in 2000. Review recommended that regulations that maintain and enhance probity, integrity and public confidence in the industry (eg licensing) be retained, and the prohibitions on entry of new codes of racing, conduct of proprietary racing and racing bookmakers' advertising be removed.	Cabinet endorsed the NCP review recommendations in November 2000. Cabinet also approved preparation of the proposed Racing Bill 2001 as a consultation draft. During 2000, the Act was amended to remove the majority of non-probity based, competition restrictions on bookmakers, in particular those relating to minimum phone bet, betting type and recording of bets.
Racing Venues Development Act 1982	TR&FT	The Act prescribes terms that apply to leases granted by trustees of racing venues and is not considered to impose any significant restrictions on competition.	The Act applies only to Albion Park. On close examination, it became apparent that the Act does not contain any provisions that restrict competition. In particular, it was determined that the provisions that specify the terms of a lease by trustees of a racing venue are not anticompetitive.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Radiation Safety Act 1999	H		National review completed. Review completed under gatekeeping arrangements, finding restrictions justified in the public interest.	
Residential Tenancies Act 1994 and Regulation 1995	HO	Statutory monopoly provisions relate to Residential Tenancies Authority as the sole body authorised to manage rental bonds. Similar requirements exist in most other jurisdictions.	Public Benefit Test completed in March 1998 and supported retention of authority's statutory monopoly over administration of rental bonds.	Cabinet agreed to the review recommendations. Current arrangements preserved in legislation.
Retail Shop Leases Act 1994 and Regulation	SD	Provides protection to lessees of premises in retail shopping centres, as defined. Some services operated in such premises may not have the same protection if situated outside of a retail shopping centre.	Departmental review completed in November 1999. This statutory review included consideration of NCP issues. Review recommended retention of existing restrictions to ensure fair and equitable lease arrangements exist for small lease holders in shopping centres. Review also justified amendments requiring prospective lessees to obtain a pre-lease certificate relating to the nature of, and consequences of entering, a lease agreement.	Act amended. Included in the amendments was the introduction of pre-lease certificates which was justified through the NCP review. The Retail Shop Leases Amendment Act 2000 was assented to in June 2000 and commenced on 1 July 2000, with the exception of those sections dealing with unconscionable conduct. These sections cannot be proclaimed until amendments to the TPA are effected.

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Retirement Villages Act 1988 and Regulation 1989	TR&FT	Provides the registration procedure for retirement village schemes with applicants required to meet prescribed requirements. Provision for exemption from some requirements for religious or charitable organisations that may confer a competitive benefit. The Act also provides for a statutory charge and encumbrances over village land for the benefit of residents but which may impede business conduct. Price controls relate to service charges payable by residents. Other potential restrictions on business conduct also exist.	Reduced NCP review completed in July 1999.	Draft Bill released for public comment and anticompetitive provisions to be subject to Public Benefit Test prior to introduction (expected in 1998-99). New Bill assessed against NCP obligations. New Bill passed in 1999, retaining some restrictions on competition including: retention of entry requirements for village operators; business conduct requirements more stringent but provide greater clarity for operators and residents; and statutory charge requirements less stringent than current legislation.
Sale of Goods Act 1896, and Sale of Goods (Vienna Convention) Act 1986	TR&FT	Legislation contains certain stipulations relating to the sale or purchase of goods that affect rights and remedies of buyers and sellers.	Short form report completed indicating legislation did not contain anticompetitive provisions. Report released.	
Sawmills Licensing Act 1936 and Regulation 1965	PI	Licensing of sawmills at absolute discretion of corporation. Licenses specify maximum productive capacity of mill.	Review completed in 2000.	The Government is considering the review recommendations.

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Sea Carriage of Goods (Queensland) Act 1930	T	Requires that before a voyage the shipping carrier must exercise due diligence to: make the ship seaworthy; properly crew, equip, and supply the ship; and make holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for reception, carriage and preservation of goods.	Review completed.	Act to be repealed.
Second-hand Dealers and Collectors Act 1984 and Regulation 1994	TR&FT	Licensing (second-hand dealers for not exempt goods), registration, entry requirements (aged over 18 years, not mentally incapacitated, fit and proper person, not convicted of fraud or dishonesty offence in past five years), the reservation of practice, disciplinary processes, and business conduct (prescribed records, holding goods for prescribed period, requirement that seller provide identification, cooperation with police).	Minor departmental review of pawnbrokers and second-hand dealers legislation underway. Discussion paper to be released for consultation in the fourth quarter of 2001.	
Security Providers Act 1992 and Regulation 1995	TR&FT	Licensing (security officers, private investigators, crowd controllers where services are for reward (not in-house security officers)), entry requirements, and the reservation of practice.	Minor departmental review underway. Issues paper to be released in the fourth quarter of 2001.	

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Sewerage and Water Supply Act 1949 and Regulation 1987, and Standard Water and Sewerage Laws	LGP	Plumbers and drainers: licensing, registration, entry requirements (qualifications and practical experience), reservation of practice, and disciplinary processes. Also provides the head of power for the making of plumbing and drainage standards.	Act administered jointly with Department of Natural Resources and Mines (NR&M). NR&M's NCP issues substantively dealt with in the Water Act 2000. NCP matters related to that part of the Act administered by Department of Local Government and Planning are being reviewed as part of current proposals to integrate plumbing approvals and appeal processes in the Integrated Planning Act. Review underway, and expected to be completed in early 2002.	To be determined.
South Bank Corporation 1989 and Regulation and By-laws 1992, and South Bank Corporation Amendment Regulation 1992	P&C	The primary purpose of the legislation is the development and provision of public parkland and facilities within the declared South Bank area. Various provisions in the Act modify or exclude the operation of certain other statutes (eg the South Bank Corporation is exempt from local government rates). Other provisions could be used to grant special privileges to lessees in the declared area (eg the exclusive right to deal in particular products). Arguably, the legislation could confer commercial advantages on businesses located within the South Bank compared to competitors outside the declared area.	Departmental review completed in February 2000. Review considered several provisions, including a public benefit assessment of the exemption provided in the legislation from the application of the Residential Tenancies Act 1994 and the Retail Shop Leases Act 1994.	Review report formally signed off by the Premier and was provided to the Treasurer for endorsement in January 2000. Amendments flowing from the review were included in the Bill resulting from a general review of the Act. Authority to Prepare the Bill was given in September 2001.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Speech Pathologists Act 1979	H	Restrictions on entry, registration, title, advertising, and disciplinary provisions.	Part of Queensland health professions review process, which recommended changes to disciplinary system, advertising and business restrictions.	Act replaced by the Speech Pathologists Registration Act 2001.
Speech Pathologists Registration Act 2001	H	Restrictions on entry, registration, title, and disciplinary provisions.	New legislation considered by the gatekeeper process. Review completed in 2000, recommending retaining registration.	Act replaced the Speech Pathologists Act 1979.
State Housing Act 1945 and Regulation 1986, State Housing (Freeholding of Land) Act 1957, and Interest Rate Orders under these Acts	HO	Legislation contains various provisions that confer advantages or privileges on the Queensland Housing Commission that are not available to other housing providers (eg Commission land is not rateable, securities executed under the Acts are not subject to stamp duty etc). Pricing Orders relate to maximum interest rates on advances and purchase prices under contracts entered into in terms of various schemes under the Housing Act and for purchase price of certain land under the Housing (Freeholding of Land) Act.	Departmental review near completion. Competition Impact Statement prepared for Treasury approval.	Minor legislative change anticipated.
State Transport (People-movers) Act 1989	T	Provides for licensing and agreements for the installation of people movers and also contains provisions which can override local government planning schemes.	Review completed. Review recommended the Act be repealed.	Act to be repealed via the Transport Legislation Amendment Bill 2001. Provisions of Act relating to existing licences and operating requirements proposed to be retained in the Transport Infrastructure Act 1994, following assessment of any restrictive elements.

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State Transport Act 1960 and Regulation 1987	T	Restrictions in regard to the carriage of goods by road.	Review completed in 1998.	Act repealed by the Transport Operations (Road Use Management) Act. Any future legislative control of restricted goods will be via regulation and subject to Public Benefit Test requirements.
Sugar Industry Act 1991, Sugar Industry Regulation 1991, and Sugar Industry (Assignment Grant) Guideline 1995	PI	Monopoly granted to Queensland Sugar Corporation over domestic and export marketing of all sugar produced in the State. Local boards control cane production areas and allocation of cane to mills.	Joint Commonwealth Government, Queensland Government and industry review (the Sugar Industry Review Working Party) of this Act and the Sugar Milling Rationalisation Act 1991, completed in 1996. It recommended: <ul style="list-style-type: none"> • retaining the domestic and export monopolies subject to export parity pricing of domestic sales; • permitting growers to negotiate individually with mills once collective agreements expire; and • removal of the Commonwealth's sugar tariff. 	The Commonwealth Government removed the tariff on sugar imports from mid 1997. The Queensland Government set the price of domestic raw sugar sales by the Queensland Sugar Corporation on the basis of export parity pricing rather than import parity. This is intended to replicate the benefits which might be expected from deregulating the domestic market single desk. Act repealed and replaced by the Sugar Industry Act 1999, which brought in a range of other reforms including some which allow more scope for growers to negotiate individually with mills. However some restrictions remain. The new Act also brought several structural reforms of the Corporation and bulk sugar terminals.
Sugar Milling Rationalisation Act 1991	PI	The Act is intended to provide a framework for rationalisation of milling operations but may in fact give rise to unintended restrictions on development of new mills.	Review, in conjunction with the Sugar Industry Act 1991, completed in November 1996.	Act repealed and replaced by the Sugar Industry Act 1999.

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Superannuation (Government and Other Employees) Act 1988, Superannuation (State Public Sector) Act 1990, State Service Superannuation Act 1972, Parliamentary Contributory Superannuation Act 1970, and Police Superannuation Acts 1968 and 1974	TR	Limits on choice of funds.	The Government considers a review is not required, as on close examination, the sole management of investments by the Queensland Investment Corporation is not considered to restrict competition as the legislation allows for the appointment of alternative providers to manage all or part of the investments. Two other matters regarding the administration of the Queensland public sector superannuation scheme - sole provision by QSuper and administration by the Government Superannuation Office - were also examined and not considered to be in breach of NCP.	
Surveyors Act 1977 and Regulations 1992	NR&M	Licensing, registration, entry requirements (education, experience, good fame and character), the reservation of title and practice, disciplinary processes, and business conduct (including business name approval, fee setting, professional indemnity insurance, ownership restrictions).	Review completed in November 1997, but report not yet released (brief summary included in 2001 NCP annual report). Recommendations included retaining registration, removing business name approval and fee setting by the Surveyors Board of Queensland, and removing requirement that directors of bodies corporate have qualifications.	The Government endorsed the review recommendations to retain registration for non-exempt surveyors (including mining and engineering surveyors) and remove anticompetitive provisions of business name approval and fee setting by the Surveyors Board of Queensland, and qualifications of directors of bodies corporate. Also endorsed scope to move to a co-regulatory model in the future. Amending legislation being prepared.
Tobacco Products (Licensing) Act 1988	TR	Legislation provides for the licensing of tobacco wholesalers and retailers and requires premises used for these purposes to be specified by licensees. It also requires the keeping of sales records (ie for the purposes of calculating the quantum of fees payable by a licensee).	Review not required as the High Court decision (Ha & Lim v NSW) removes anticompetitive effect of the Act.	

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Tow Truck Act 1973 and Regulation 1988	T		Reduced NCP review completed in 1999, and found a public benefit justification for consumer protection and industry regulation provisions in the Act.	Legislative amendments introduced in 1999 strengthen consumer protection provisions and retain industry regulatory provisions. New legislation commenced 1 July 1999.
Trade Measurement (Administration) Act 1990	TR&FT		Short form report being prepared advising that potential restrictions are not anticompetitive. To be advertised in the fourth quarter of 2001.	
Trade Measurement Act 1990	TR&FT		National review underway. Scoping study identifies most potential restrictions do not have anticompetitive effects or are in the public interest. Two restrictions were recommended to undergo a Public Benefit Test but jurisdictions are yet to agree on the approach etc.	
Trading (Allowable Hours) Act 1990 and Regulation 1994	IR	Restrictions on Monday-to-Saturday trading hours for 'nonexempt' stores (that is, shops employing more than prescribed numbers of employees and shops not predominantly selling nominated products). Sunday trading by nonexempt stores prohibited outside major cities and some tourist areas. Hardware stores are excepted but have restricted Sunday trading hours. Other stores allowed to open on Sundays but have restricted hours.	The Queensland Industrial Relations Commission (QIRC) determines applications for extended trading hours. The QIRC can extend hours having regard to a list of factors that comprise section 26 of the Act (locality, needs of industry, tourism, needs of the population, the public interest, alleviation of traffic congestion, and any other matters). The Queensland Government has made submissions to the QIRC to alert it to the public interest factors in the CPA and the Government's support for them in relation to trading hours.	Outcomes of QIRC cases are being monitored to see whether outcomes reflect NCP principles. The Commission's recent decisions have resulted in removal of restrictions in some cases.
Transport Infrastructure Act 1994 - Transport Infrastructure (Ports) Regulations 1994	T	Harbour towage restrictions.	Review underway. Final stakeholder consultation and consideration by the Government expected in the fourth quarter of 2001.	

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Transport Infrastructure Act 1994 - Transport Infrastructure (Ports) Regulations 1994	T	Restrictions on port activities outside prescribed port limits.	Review completed. Review found a net public benefit justification for the current regulatory regime and proposed no amendments to the Act, and a further review in ten years.	
Transport Infrastructure Act 1994, Transport Infrastructure (State Controlled Roads) Regulation 1994, and Transport Infrastructure (Railways) Regulation 1994	MR	Legislation deals with the development and management of transport infrastructure strategies and programs in regard to road transport, rail transport and ports. Identified restrictions (actual and potential) on competition include: the continuation of Queensland Rail's (QR) monopoly on haulage of export coal (ie effectively a statutory monopoly for 5 years before access provisions apply consistent with provisions of Part IIIA of the TPA), the accreditation requirement for the management and/or operation of a railway (with automatic interim accreditation provided for QR and other existing rail operators/managers), the requirement for tug operators in certain ports to obtain approval from the relevant Port Authority and a power for the Queensland Government to impose restrictions on the development of port infrastructures outside of designated existing Queensland ports.	Review not required. An initial scoping assessment of various Main Roads related NCP issues in this legislation concluded that there should be a full review of limitations on services able to be provided at access points to limited-access main roads, and reduced reviews of matters underlying road-side advertising restrictions and delivery of Main Roads work by local government. On closer examination, it became apparent that these matters did not amount to a legislative restriction on competition and therefore do not warrant review under Clause 5 of the CPA. These matters are primarily of a policy nature which the Department is continuing to address, including any NCP implications that fall outside of the legislation review program (LRP).	

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Transport Operations (Marine Safety) Act 1994 and Regulation 1995	T	Legislation provides for a regime of marine safety that is consistent with the Uniform Shipping Laws Code and which, as a general rule, only applies to matters outside the reach of the Commonwealth Navigation Act (notably pilotage in Queensland waters which is compulsory in a declared pilotage area). The only identified restriction on competition beyond the uniform standards relates to the holding of licences for piloting a ship.	Review completed in May 1999. Review recommended some pro-competitive legislative changes to take effect at the end of a three year transition period for transfer of responsibility for pilotage services from the Department to port authorities. Recommendations included retaining licensing of marine pilots by the Queensland Government (for safety and environmental reasons), each port authority to determine service delivery arrangements for its ports (including "in-house" provision and competitive tendering) and removal of price controls (with prices determined by each port authority subject to Queensland Competition Authority oversight arrangements).	Legislative amendments expected in the second quarter of 2002.
Transport Operations (Passenger Transport) Act 1994 and Regulation	T	Licensing arrangements for taxis, limousine services, inland air services, scheduled urban bus services and school transport. Market entry restrictions apply in respect of various public passenger services, for example giving exclusive rights to operators to provide a specific kind of public passenger service in a specific area. Quantitative restrictions (number of licences) apply in respect of taxi service areas. Regulation also provides for price control over taxi fares (ie. maximum fares) and other service requirements.	Review by a steering committee comprising senior officers from Queensland Transport, Queensland Treasury and Department of Premier and Cabinet completed and report published September 2000. Concluded that service contracts and the existing system of market entry restrictions for taxis, buses and air services are largely justified, but there are some areas where improvements could be made. The report recommended that market entry restrictions be retained for those areas of the limousine industry that compete directly with the taxi industry, but that the remainder of the limousine industry be deregulated. Policy positions being developed following community consultation of findings.	The Government is considering the review recommendations.

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Travel Agents Act 1988	TR&FT	Licensing and compulsory consumer compensation fund.	National review underway (coordinated by WA). A final review report by Centre for International Economics (CIE) released in 2000. Public consultation involved release of issues paper, background paper, consultation and receiving submissions. CIE 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. Supplementary consultation underway.	
Trustee Companies Act 1968	JAG	Restricts the provision of certain services in relation to deceased estates and the maintenance of minors and other legally incapable persons, to certain statutory trustee companies (ie those cited in a schedule to the Act) and also prescribes a maximum commission chargeable against the estate.	Combined review being undertaken by all jurisdictions in conjunction with the development of new uniform trustee company legislation. Discussion paper released in May 2001.	

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University of Southern Queensland Act 1989, University of Southern Queensland (Investment) Statute 1993 and similar legislation regarding Central Queensland University, Queensland University of Technology, James Cook University of Northern Queensland, University of Queensland, Griffith University, and Sunshine Coast University College	E	Legislation provides for the constitution, powers and operations of each university. Legislation contains certain restrictions on the University's activities, notably in respect of application of revenue (regardless of source) to specific university purposes, external approval requirements (ie from the Government) for borrowing and variation of terms of trusts and gifts, and limitation of investment activities. These could be construed as restricting the university from taking commercial advantage of opportunities for investment or other revenue raising business incidental to university functions.	Departmental review completed. Separate and similar Acts modelled on the James Cook University of North Queensland Act 1997 passed under gatekeeping arrangements in 1997-98 for each university. All of the Acts have been rewritten and passed by the Queensland Legislative Assembly early in 1998. All Acts were assented to by 12 March 1998 and are to commence on various dates to be fixed by proclamation.	The Treasurer endorsed the review recommendations in August 2001. Existing regulatory regime retained in the public interest.
Valuers Registration Act 1992 and Regulation	NR&M	Licensing, registration, entry requirements (education, five years practical experience and exam or certificate of competence, good fame and character, fit and proper), the reservation of title and practice, disciplinary processes, and business conduct (including advertising). The Act provides for the registration of valuers and for a Code of Professional Conduct.	Departmental review completed in October 1999. Review found deregulation in medium to long term is likely to deliver net public benefit, but in the short term is a risk to infrequent users of valuers. Review recommended retaining registration (with further review in three years) and removing other geographic and price control restrictions.	The Government endorsed the review recommendations in February 2000. Amending legislation was introduced to Parliament in March 2001. Amendments included re-composition of the board, reduction in practical experience requirements from five to three years, and a new requirement for continuing professional development for renewal of registration.

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Veterinary Surgeons Act 1936 and Regulation 1991, and various Orders in Council	PI	Registration of veterinary surgeons, reservation of practice, advertising restrictions, ownership restrictions, and controls on business names.	Review completed in 1999. Review recommended retention of registration and practice reservation, but removal of ownership restrictions, advertising restrictions, and controls on business names.	Amendments to the Act in line with the review recommendations to be introduced into Parliament in October 2001.
Vocational Education, Training and Employment Act 1991 and Regulation	ET	Creates a statutory monopoly of the State Training Council in regard to the administration of apprenticeship and traineeship schemes and to the Accreditation Council in regard to certain courses and training programs.	Minor review carried out on the then proposed new Bills (Vocational Education and Training Bill and Institutes Bill) to replace this Act with a view to undertaking full review after 18 months. These Bills were never introduced. A reduced NCP review was undertaken of the proposed new Training and Employment Act 2000 which replaced the legislation referred to above. The review concluded that the restrictions in the new Act were minimal and justifiable. The review was completed in April 2000.	New Training and Employment Act operates from June 2000. Providers will be required to be registered only when they wish to deliver nationally recognised training. Volume of course accreditation will diminish as providers use more national training packages. The Act also delivers increased flexibility and will ensure specific requirements can be properly negotiated between employers, apprentices and registered training bodies.
Wagering Act 1998 – Part 1 of 2 cl5(5)	TR	TAB licence.	The Racing Industry Taskforce examined statutory monopoly of Queensland TAB and this was addressed in developing the Wagering Act.	The Wagering Act replaced part of the Racing and Betting Act 1980. Queensland has granted the TAB a 15 year exclusive licence.
Wagering Act 1998 - Part 2 of 2 (Omnibus review)	TR		Omnibus review of Queensland gambling legislation (except racing) underway. A single NCP report on all gambling legislation in the Treasury portfolio is being developed and is due for completion by late 2001.	

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Wine Industry Act 1994 and Regulation 1995	TR&FT	The Act contains licensing provisions for wine producers and other restrictions on such things as blending.	Departmental review completed in July 1999. It recommended: <ul style="list-style-type: none"> • the single 'producer' licence be replaced with two-tier licensing system that provides for licensing of both 'producers' and 'merchants'; and • removal of restrictions on blending as the Commonwealth sets standards in this area. 	Amendments to be made to give effect to review recommendations.
Workcover (Queensland) Act 1997 and Regulation 1997 (replacing the Workers' Compensation Act 1990 and Regulation 1992)	IR	Mandatory insurance, monopoly insurer, and centralised premium setting.	Review completed in December 2000.	The Government is considering the review recommendations.
Workplace Health and Safety Act 1995 and Regulation 1997	IR	Licensing/registration, and business conduct.	Departmental review underway. The only part of the 1997 Regulation which has been identified as anticompetitive in the endorsed framework for scoping and conducting the review plan is Part 3 - Prescribed Occupations. Review expected to be finalised by the end of 2001, in conjunction with a review of certification conducted nationally.	