
3 Victoria

3.1 Guide to the Victorian legislation review schedule

Legislation review

In 1996, the Victorian Government published *Timetable for Review of Legislative Restrictions on Competition*. Changes to the timetable have generated a program that currently schedules 211 Acts and associated Regulations for review.

Also in 1996, Victoria released:

- *National Competition Policy: Guidelines for the Review of Legislative Restrictions on Competition* (July 1996) - setting out administrative and methodological guidelines to ensure reviews are undertaken in accordance with the NCP principles; and
- *Guidelines for the Application of the Competition Test to New Legislative Proposals* (January 1996) - to assist agencies comply with legislative review guidelines in respect of proposed new legislation.

Cabinet submissions containing new legislative proposals are required to indicate that the competition test has been applied and justify restrictions on competition. Continuing compliance, including compliance of associated regulations made under Acts, will be reassessed every 10 years. The responsible Minister has a similar role in relation to new regulation. Local Government by-laws are being reviewed under separate processes.

Progress to 31 December 1998

Victoria originally scheduled 146 reviews for completion by 31 December 1998. Subsequently, preliminary reviews found that 22 Acts did not significantly restrict competition and did not warrant detailed review. Victoria removed a further two pieces of legislation, which provide exclusive licences for casinos, from its review timetable on the basis that these formed contractual arrangements with little scope for amendment. Victoria also removed the *Control of Weapons Act 1990* from its review timetable on the basis that it relates to public safety.

Of the remaining 121 reviews, 76 have been completed. There were 20 reviews underway, at 31 December 1998, 13 of which were nearing completion. In addition, Victoria has completed or commenced 23 third tranche reviews ahead of schedule.

Victoria had announced its response to 57 reviews, repealing 41 Acts and implementing reforms to a further 14 pieces of legislation. Key reforms include:

- Changes to the *Barley Marketing Act 1993* provide for the progressive opening of the market to competition. Restrictions on the domestic marketing of barley and the exporting of packaged barley were removed on 1 July 1999. Restrictions on the export of all other forms of barley will be removed after a transition period (to July 2001) to allow the Australian Barley Board (and its successor) to adjust to operating in an open, competitive market.
- Reform of the *Liquor Control Act 1987* has simplified licensing procedures and relaxed restrictions on the consumption of liquor on licensed premises. Victoria has retained some restrictions on packaged liquor licences. For example, it prevents an individual or single entity holding more than 8 per cent of the total number of packaged liquor licences, and it prevents outlets such as convenience stores, petrol stations and cinemas selling packaged liquor.
- Reforms to the regulatory arrangements governing several health professions include the relaxation of advertising controls and the removal of restrictions to ownership of practices. The statutory registration of practitioners and the restrictions on the use of professional title are retained.
- The legislative preference towards State Trustees, under the *State Trustees (State Owned Company) Act 1994*, to administer several categories of estates and funds has been removed.

3.2 Abbreviations

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

ABB	Australian Barley Board
AG	Attorney-General
ANZFA	Australia New Zealand Food Authority
AR	Agriculture and Resources
CALM	Conservation and Land Management
Corr	Corrections
CSHA	Commonwealth-State-Northern Territory Housing Agreements
E	Education
F	Finance
FT	Fair Trading
G	Gaming
H	Health
Hous	Housing
IST	Industry, Science and Technology
OH&S	Occupational Health and Safety
PES	Police and Emergency Services
PLG	Planning and Local Government
Prem	Premier
R&D	Research and Development
RIS	Regulation Impact Statement
RP	Roads and Ports
S	Sport
SB	Small Business
TET	Tertiary Education and Training
Tour	Tourism
Tpt	Transport
Treas	Treasurer
YCS	Youth and Community Services

3.3 Legislation review schedule: Victoria

Updated to 5 November 1999

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Accident Compensation (WorkCover Insurance) Act 1993, and Accident Compensation Act 1985</i> and Regulations 1990	F		01/07/98	1998	Review complete. Minor changes to restrictions. Restrictions to remain on: public underwriting, premium setting and funds management; approval conditions for insurers and occupational rehabilitation providers; and types of firms permitted to self-insure. These restrictions are retained in the public benefit.
<i>Accident Compensation Act 1985</i> - Division 7 Part 4	AG		01/12/97	1998	Review complete. Removal of many exclusive rights and legislative preference towards State trustees. Retention of reciprocal arrangements between public trustees in other jurisdictions, in keeping with private company practices to do the same. Minor restriction addressed in incidental amendments made by the <i>State Trustees (Amendment) Act 1998</i> .
<i>Adoption Act 1984</i>	H, AG and YCS		01/12/97	1998	Review complete, report not yet released.
<i>Adult, Community and Further Education Act 1991</i> to establish Adult Community Further Education Board, Regional Councils and make provision with respect to Adult, Community and Further Education	TET and E	The Tertiary Education and Training Review was completed in 1997 and reforms to legislation were passed by Parliament in the Spring sittings that year.	01/06/97	1998	Review complete and retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Agricultural Industry Development Act 1990</i>	AR	Joint review with NSW. Simultaneous review of wine grape legislation occurring in SA.	01/12/97	1999	Review complete, recommendations awaiting Cabinet consideration. Review proposes the removal of power for relevant Industry Development Councils to act as purchasing agents, review the effectiveness of their RandD activity, and various wine grape Orders to not be renewed upon expiry.
<i>Agriculture and Veterinary Chemicals (Control of Use) Act 1992</i>	AR	Victoria leading a national review of agricultural and veterinary chemical legislation, including control of use legislation in Queensland, Western Australia, and Tasmania.	01/06/99	1999	National review complete. A SCARM/ARMCANZ working group is considering the recommendations.
<i>Alpine Resorts Act 1983</i>	CALM		01/12/98		Act repealed and largely replaced by <i>Alpine Resorts Management Act 1997</i> .
<i>Ambulance Services Act 1986</i>	H		01/03/99		Review underway. Discussion paper released. Originally scheduled for December 1997, delayed due to reorganisation within Department of Human Services.
<i>Architects Act 1991</i>	PLC		01/06/99		National review of legislation regulating architects commenced by Productivity Commission in November 1999.
<i>Associations Incorporation Act 1981</i>	FT		01/06/97	1998	Review complete. Minor restriction removed with <i>Associations Incorporation (Amendment) Act 1997</i> .
<i>Auction Sales Act 1958</i>	FT		01/06/99		Review underway. Issues paper released.
<i>Audit Act 1994</i> - Parts 1,2 and 6 (Part 7 is repealed) (the Act is otherwise administered by the Minister for Finance)	Prem		01/08/98	1997	Review complete. Act amended in 1997 to make public sector audits contestable.
<i>Australian Grand Prix Act 1994</i>	Tour		01/12/96		Review complete. Act assessed as not restricting competition.

Legislation Review Compendium

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Barley Marketing Act 1993</i>	AR		01/12/96	1997	Review complete. Domestic barley market in Victoria and South Australia deregulated from 1 July 1999, and the ABB single export desk to be removed in July 2001 after a transition period.
<i>Benefit Associations Act 1958</i>	AG		01/12/97		Act expected to be repealed.
<i>Biological Control Act 1986</i>	AR	National legislative scheme. Found not to restrict competition because it requires a transparent public inquiry process and review to determine the net public benefit of a biological control release.	01/06/98		Review complete. Act assessed as not restricting competition.
<i>Border Railways Act 1922</i>	Tpt	Review deferred pending application of the <i>Rail Corporations Act</i> to Rail Track	01/12/97		
<i>Borrowing and Investment Powers Act 1987</i>	Treas		01/12/97	1997	Review complete, report not yet released.
<i>Bourke Street Mall Act 1982.</i>	PLC		01/12/96		Review not required. Act repealed.
<i>Broiler Chicken Industry Act 1978</i>	AR		01/05/99		Review underway. Issues paper released. Originally scheduled for December 1998, delayed to bring forward other reviews.
<i>Building Act 1993</i>	PLC	Possible national review of building code.	01/06/99		Review underway.
<i>Building Control (Plumbers Gasfitters and Drainers) Act 1981</i>	PLC		01/06/99		Act repealed and replaced by <i>Building (Amendment) Act 1996.</i>
<i>Building Societies Act 1986</i>	FT	To be repealed once jurisdiction passes to Commonwealth under financial sector reforms.	01/06/97		
<i>Business Franchise (Tobacco) Act 1974</i>	Treas	Following High Court ruling on excises the licensing provision of this Act no longer operate and the Act will be repealed	01/12/96		
<i>Business Investigations Act 1958</i>	FT	To be repealed	01/06/98		

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Business Names Act 1962</i>	FT		01/12/99		Originally scheduled for June 1998, delayed due to resource constraints.
<i>Caravan Parks and Moveable Dwellings Act 1988</i>	Hous	Replaced by the <i>Residential Tenancies Act 1997</i> .	01/06/97	1997	Review complete and retention of overall restrictions justified as being in the public benefit. Act repealed and replaced by <i>Residential Tenancies Act 1997</i> .
<i>Casino (Management Agreement) Act 1993</i>	G	Withdrawn from review due to lack of scope for amendment without varying contractual arrangements with the existing casino operator and requiring payment of compensation.	01/12/97		Review not required.
<i>Casino Control Act 1991</i> (excluding sections 128H to 128L which are administered by the Minister for Major Projects, excepting section 128K(2), which administered by the Minister for Finance)	G	Withdrawn from review due to lack of scope for amendment without varying contractual arrangements with the existing casino operator and requiring payment of compensation.	01/07/98		Review not required.
<i>Catchment and Land Protection Act 1994</i>	CALM		01/12/99		
<i>Cemeteries Act 1958</i>	H		01/12/98	1998	Review complete, report not yet released.
<i>Chattel Securities Act 1987 - Part 3 (Registrable Goods)</i>	RP and FT		01/12/99		Review not required. Act assessed as not restricting competition.
<i>Chiropodists Act 1968</i>	H		01/12/96	1998	Review complete. Retention of restrictions relating to the use of title, and fair and accurate advertising, justified in the net public benefit. Other restrictions addressed in the <i>Podiatrist Act 1997</i> .
<i>Chiropactors and Osteopaths Act 1978</i>	H		01/12/96	1998	Review complete. Retention of restrictions relating to the use of title, and fair and accurate advertising, justified in the net public benefit. Act repealed and replaced by <i>Chiropactors Registration Act 1996</i> and <i>Osteopaths Registration Act 1996</i> .

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Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>City of Greater Geelong 1993</i> (excluding Part 5)	PLC		01/12/96		Review not required. Act (excluding Part 5) repealed.
<i>City of Melbourne Act 1993</i>	PLC		01/12/96		Review not required. Act repealed.
<i>Civil Aviation (Carriers' Liability) Act 1961</i>	IST	Due to the nature of this national arrangement, unilateral action by Victoria is not feasible. A national review is being considered.			Originally scheduled for December 1998, delayed due to consideration of national review.
<i>Club Keno Act 1993</i>	G	Act to be amended	01/12/97	1997	Review complete, report not yet released.
<i>Co-operation Act 1981</i>	FT		01/06/98	1997	Act repealed and replaced by <i>Co-operatives Act 1996</i> .
<i>Conservation Forests and Lands Act 1987</i>	CALM		01/12/99		
<i>Construction Industry Long Service Leave Act 1983</i> (to transfer to the Industry Science and Technology portfolio from 1 January 1999)	F		01/07/96		Act repealed and replaced by <i>Construction Industry Long Service Leave Act 1997</i> .
<i>Consumer Credit (Victoria) Act 1995</i>	FT	National review.	01/12/99		National review underway, led by NSW. Issues paper released.
<i>Control of Weapons Act 1990</i>	PES		01/06/98		Withdrawn from schedule due to overriding public safety considerations.
<i>Corrections Act 1986</i>	Corr	Amendments included in the Public Correctional Services Authority Bill.	01/07/97		Originally scheduled for July 1997, delayed to determine whether Act restricts competition.
<i>Council of Law Reporting in Victoria Act 1967</i>	AG		01/12/99		Originally scheduled for December 1997, delayed due to resource constraints. Terms of reference for review are being prepared.
<i>Country Fire Authority Act 1958</i>	PES		01/12/99		
<i>Credit (Administration) Act 1984</i>	FT	Awaiting review of Consumer Credit Code.	01/12/99		

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Crown Lands (Reserves) Act 1978</i> and related Acts (e.g. <i>Kew and Heidelberg Lands Act 1933</i> , <i>Melbourne Cricket Ground Act 1933</i> , <i>Royal Botanic Gardens Act 1991</i> , <i>Shrine of Remembrance Act 1978</i> , and <i>Zoological Parks and Gardens Act 1967</i>)	CALM		01/12/99		Originally scheduled for December 1998, delayed to coordinate simultaneous review with <i>Land Act 1958</i> , <i>National Parks Act 1975</i> , <i>Water Industry Act 1994</i> (Part 4) and various minor land Acts.
<i>Cultural and Recreational Lands Act 1963</i> .	PLC	Assessed as non-restrictive	01/12/96		Removed
<i>Dairy Industry Act 1992</i>	AR		01/05/99		Review underway. Issues paper released. Originally scheduled for December 1998, delayed to bring forward other reviews
<i>Dangerous Goods Act 1985</i> (section 15) formerly under the Industry, Science and Technology portfolio	F	Various regulations are under review, e.g.: new explosives legislation will replace the Order concerning display fireworks; new regulations come into force in March 2000 to replace the order concerning high risk carcinogenic substances.	01/12/96		Review underway.
<i>Defence Reserves Re-employment Act 1995</i>	FT		01/12/99		
<i>Dental Technicians Act 1972</i>	H		01/06/97	1999	Review complete, recommendations awaiting Cabinet consideration. Review proposes the retention of restrictions relating to the use of title, types of work, and fair and accurate advertising, justified in the net public benefit
<i>Dentists Act 1972</i>	H		01/06/97	1999	Review complete, recommendations awaiting Cabinet consideration. Review proposes the retention of restrictions relating to the use of title, types of work, and fair and accurate advertising, justified in the net public benefit.

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Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Discharged Servicemen's Preference Act 1943</i>	FT		01/12/99		
<i>Domestic (Feral and Nuisance) Animals Act 1994</i>	AR		01/12/97	1998	Review complete, report not yet released.
<i>Dried Fruits Act 1958</i>	AR		01/12/97		Act repealed by <i>Dried Fruits (Repeal) Act 1998</i> following industry decision to wind-up the Dried Fruits Board.
<i>Drugs, Poisons and Controlled Substances Act 1981</i>	H		01/12/99		Originally scheduled for August 1998, delayed due to participation in national review, expected completion June 2000.
<i>Education Act 1958</i>	E	Establishes the Ministry of Education, the administration and management of state schools and the regulation of non-government teachers and schools.	01/06/99		Review underway. Originally scheduled for June 1997, delayed for inclusion in special policy review of competition principles in the school education sector.
<i>Electric Light and Power Act 1958</i>	Treas		01/09/96		Act repealed and replaced by <i>Electricity Safety Act 1998</i> .
<i>Electricity Industry Act 1993</i>	Treas	The Act is one of the mechanisms by which the Government has effected competition reform of the Electricity Industry. Nevertheless it is to be reviewed to ensure it imposes no unjustified restrictions on the market.	01/06/98	1998	Review complete, report not yet released.
<i>Employment Agents Act 1983</i>	IST	Review being considered.	01/12/96		Act has never been brought into operation. Act is expected to be repealed.
<i>Energy Consumption Levy Act 1982</i>	Treas		01/06/98		Act repealed and replaced by the <i>Gas Industry (Amendment) Act 1997</i> .
<i>Environment Effects Act 1978</i>	PLC		01/06/98		Review not required. Act assessed as not restricting competition.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Environment Protection Act 1970</i>	CALM		01/07/99		Review underway. Issues paper released. Originally scheduled for January 1997, delayed to allow for proposed changes to Act in 1998.
<i>Estate Agents Act 1980</i>	FT		01/06/97		Review underway.
<i>Extractive Industries Development Act 1995</i>	AR		01/12/99		Originally scheduled for July 1999, delayed to allow other reviews to be brought forward.
<i>Finance Brokers Act 1969</i>	FT		01/06/97	1998	Review complete and retention of some restrictions, relating to licensing and fee structures, justified as being in the public benefit. Act repealed and replaced by <i>Consumer Credit (Finance Brokers) Act 1998</i> .
<i>Financial Institutions (Victoria) Act 1992</i>	FT		01/06/98		Act to be repealed once jurisdiction passes to Commonwealth under financial sector reforms.
<i>Firearms Act 1958</i>	PES		01/06/98		Act repealed and replaced by <i>Firearms Act 1996</i> .
<i>Fisheries Acts 1968 and 1995</i>	AR		01/12/99		Review underway. Issues paper released.
<i>Flora and Fauna Guarantee Act 1988</i>	CALM		01/12/99		Review complete, report not yet released.
<i>Food Act 1984</i>	H	National review by ANZFA.	01/12/99	1998	Review complete, report not yet released.
Forest agreement Acts (primarily for softwoods) including: Victree Forests Agreement; Australian Newsprint Mill Limited; Bowater-Scott Agreement; Laminex Industries Agreement; Pulpwood Agreement; and Wood Pulp Agreement.	CALM		01/12/98		Withdrawn from review, as have either been repealed – following sale of Victorian Plantations Corporation – or cannot be amended without agreement.
Forest agreement Acts relating to hardwoods, e.g. <i>Forests (Masonite Agreement) Act 1956</i>	CALM		01/12/99		
<i>Forests Act 1958</i>	CALM		01/12/99	1998	Review complete, report not yet released.
<i>Friendly Societies Act 1986</i>	FT		01/06/99		Act repealed and replaced by the <i>Friendly Societies (Victoria) Act 1996</i> .

Legislation Review Compendium

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Fuel Emergency Act 1977</i>	IST		01/09/97		Review complete. Act assessed as not restricting competition.
<i>Fuel Prices Regulation Act 1981</i>	FT		01/12/99		
<i>Fundraising Appeals Act 1984</i>	FT		01/06/99		Act repealed and replaced by <i>Fundraising Appeals Act 1998</i> .
<i>Funerals (Pre-Paid Money) Act 1993</i>	FT		01/06/99		
<i>Gaming and Betting Act 1994</i> - except Part 5, Div 2 of Part 6, Part 15, and Div 2 of Part 18, which are jointly administered with the Office of Racing	G		01/06/98	1998	Review complete, report not yet released.
<i>Gaming Machine Control Act 1991</i>	G		01/06/00		Originally scheduled for June 1998, delayed for inclusion in wider review of Act.
<i>Gas Industry Act 1994</i>	Treas	The Act has been very substantially amended over the past two years in order to progress reform of the industry and to facilitate privatisation. These amendments were subject to competition principles.	01/06/97		
<i>Health Act 1958</i>	H		01/05/99		Review underway. Discussion paper released.
<i>Health Services Act 1988</i>	H		01/12/99		Review underway. Discussion paper released. Originally scheduled for December 1997, delayed due to wider review of the policy framework.
<i>Heritage Act 1995</i>	PLC		01/12/2000		Review underway.
<i>Housing Act 1983</i>	Hous		01/12/99		Regulatory parts of the Act were repealed and replaced by the <i>Housing (Amendment) Act 1996</i> . Potential competition policy issues may arise, relating to CSHA matters, which extend beyond the provisions of the Act alone. Completion of the review has been extended to examine these issues.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Housing Act 1983 - Part VI</i>	AG		01/12/99		Part VI of the Act (relating to rental housing co-operatives) was repealed and replaced by the <i>Co-operatives Act 1996</i> . The Housing (Rental Housing Co-operative) Regulations 1994 are redundant and will be revoked.
<i>Impounding of Livestock Act 1994</i>	PLC		01/12/96		Review not required. Act assessed as not restricting competition.
<i>Industrial and Provident Societies Act 1958</i>	FT		01/06/99		Act to be repealed once jurisdiction passes to Commonwealth under financial sector reforms.
<i>Labour and Industry Act 1958</i>	IST		01/07/97		Act is largely redundant and is expected to be repealed.
<i>Land (Goonawarra Golf Course) Act 1988</i>	PLC		01/01/98		Review not required. Act assessed as not restricting competition.
<i>Land Act 1958</i>	CALM		01/12/99		Originally scheduled for December 1998, delayed to coordinate simultaneous review with <i>Crown Land Reserves Act 1978</i> , <i>National Parks Act 1975</i> , <i>Water Industry Act 1994</i> (Part 4) and various minor land Acts.
<i>Landlord and Tenant Act 1958</i>	FT		01/12/99		
<i>Legal Aid Act 1978 - as amended 1995</i>	AG		01/12/98	1998	Review complete, report not yet released.
<i>Liquor Control Act 1987 and Liquor Control Prescribed Substances Regulations 1997</i>	SB		01/12/98	1998	Review complete and retention of a number of restrictions, relating to sale of liquor, trading hours, licensing, and ownership, justified as being in the public benefit. Amendments to Act, and repeal of Regulations, implemented through <i>Liquor Control Reform Act 1998</i> .
<i>Litter Act 1987</i>	CALM		01/07/99		Review underway. Issues paper released. Originally scheduled for December 1997, delayed to allow for proposed changes to <i>Environmental Protection Act</i> in 1998.
<i>Livestock Disease Control Act 1994</i>	AR		01/12/99		Originally scheduled for April 1999, delayed due to legislative changes in 1998 and 1999.

Legislation Review Compendium

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Local Government Act 1989.</i>	PLC		01/06/97		Review not required. Act assessed as not restricting competition.
<i>Long Service Leave Act 1992</i>	IST	Formerly <i>Employee Relations Act 1992.</i>	01/12/97		Originally scheduled for December 1997, delayed due to amendments made in 1997. Assessment underway to determine whether the remaining provisions restrict competition.
<i>Lotteries Gaming and Betting Act 1966</i> - all except Parts I, IA, II, III, IV and V which are jointly administered with the Office of Racing	G		01/06/98		Withdrawn from review due to amendments made in 1997.
<i>Marine Act 1988</i> and Notices made under Section 15	RP		01/12/98	1998	Review complete, recommendations awaiting Cabinet consideration. Review proposes performance-based standards for crewing, increased competition for pilotage services, and the retention of pilot licensing.
<i>Meat Industry Act 1993</i>	AR		01/12/99		Review underway. Issues paper released.
<i>Medical Practice Act 1994</i>	H		01/03/99		Originally scheduled for June 1998, delayed to allow completion of a competitive neutrality review of the Authority.
<i>Melbourne Market Authority Act 1977</i>	AR		01/12/99		Review complete, recommendations awaiting Cabinet consideration. Review proposes that the funding and registration provisions be removed, and the licensing and regulation provisions be retained.
<i>Mental Health Act 1986</i>	H		01/12/2000		Review complete, recommendations awaiting Cabinet consideration. Review proposes the removal of restrictions, such as limiting the certification criteria of mine managers to: OHandS skills and experience; and various licensing requirements.
<i>Metropolitan Fire Brigades Act 1958</i>	PES		01/12/99		
<i>Mineral Resources Development Act 1990</i>	AR		01/02/99	1997	Review complete, recommendations awaiting Cabinet consideration. Review proposes the removal of restrictions, such as limiting the certification criteria of mine managers to: OHandS skills and experience; and various licensing requirements.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Mines Act 1958</i>	AR		01/04/99		Review underway. The Act has largely been repealed, a few OHandS provisions remain.
Ministerial Direction No.1, Tendering Provisions	PLC		01/06/97		Review not required. Act assessed as not restricting competition.
<i>Motor Car Traders Act 1986</i>	FT		01/06/97	1998	Review complete. Some subjective components of trader eligibility removed, and licensing and warranty requirements retained. Amendments made by <i>Tribunals and Licensing Authorities (Miscellaneous Amendment) Act 1998</i> .
<i>Murray Darling Basin Act 1993</i> and other legislation relating to interstate sharing and management of resources	AR	Multi-jurisdictional review planned	01/12/99		
<i>Murray Valley Citrus Marketing Act 1989</i>	AR	Joint review with NSW	01/12/97		Review underway. Issues paper released.
<i>Museums Act 1983</i>	A		01/12/96	1998	Review complete, report not yet released.
<i>National Parks Act 1975</i>	CALM		01/12/99		Originally scheduled for December 1998, delayed to coordinate simultaneous review with <i>Crown Land Reserves Act 1978, Land Act 1958, Water Industry Act 1994</i> (Part 4) and various minor land Acts.
<i>National Rail Corporation (Victoria) Act 1991</i>	Tpt		01/12/2000		Review postponed until agreement for the sale of NRC is resolved.
<i>Nurses Act 1993</i>	H		01/03/99		Review underway. Issues paper released.
<i>Optometrists Registration Act 1958</i>	H		01/12/96	1996	Review complete. Retention of restrictions relating to the use of title, and fair and accurate advertising, justified in the net public benefit. Act repealed and replaced by the <i>Optometrists Registration Act 1996</i> .
Order - authorises the Alpine Resorts Commission to act as a gas undertaking solely within the Mount Buller Alpine Resort	CALM	Order made under <i>Gas and Fuel Corporation Act</i> , administered by the Department of Treasury and Finance. Amendments made by an order under the <i>Gas Industry Act</i> make this order redundant.	01/12/97		

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Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Parliamentary Salaries and Superannuation Act 1968</i> - excluding Part II, which deals with the super scheme and is administered by the Minister for Finance	Prem		01/01/97		Review not required. Act assessed as not restricting competition.
<i>Partnership Act 1958</i>	FT		01/12/99		Originally scheduled for June 1999, delayed due to resource constraints.
<i>Pathology Services Accreditation Act 1984</i>	H		01/12/99		Review underway. Originally scheduled for June 1997, delayed due to difficulties finding independent pathology experts for review panel.
<i>Petroleum (Submerged Lands) Act 1982</i>	AR	National legislation, with mirror legislation in each state.	01/07/2000		National review underway. Issues paper released in November 1999.
<i>Petroleum Act 1958</i>	AR		01/12/97	1998	Review complete. Act repealed and replaced by <i>Petroleum Act 1998</i> . Retaining Crown ownership of petroleum resources and overall permit lease system, and removal of obstacles to exploration, production and administrative efficiency.
<i>Petroleum Retail Selling Sites Act 1981</i>	FT		01/06/99		Referred to Scrutiny of Acts and Regulation Committee of Parliament for repeal.
<i>Pharmacists Act 1974</i>	H		01/12/99		National review underway, discussion paper released.
<i>Physiotherapists Act 1978</i>	H		01/10/97	1998	Review complete. Retention of restrictions relating to the use of title, and fair and accurate advertising, justified in the net public benefit. Act repealed and replaced by the <i>Physiotherapists Registration Act 1998</i> .
<i>Pipelines Act 1967</i>	AR		01/07/97		Review complete, recommendations awaiting Cabinet consideration. Review proposes introduction of a nationally consistent regulatory regime, and changes to safety and compensation guidelines.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Planning and Environment Act 1987</i>	PLC		01/01/99		Review underway.
<i>Planning Authorities Repeal Act 1994</i>	PLC		01/01/98		Review not required. Act repealed and replaced by Part 3(8) of the <i>Planning and Environment Act</i> .
<i>Plant Health and Plant Products Act 1995</i>	AR		01/12/99		Originally scheduled for April 1999, delayed to allow other reviews to be brought forward.
<i>Police Regulation Act 1958</i>	PES		01/06/98		Originally scheduled for June 1998, delayed due to a policy review of policing by the Police Board. The need for an NCP review will be reconsidered.
<i>Pollution of Waters by Oil and Noxious Substances Act 1986</i>	RP and CALM		01/12/99		Review not required. Act assessed as not restricting competition.
<i>Prevention of Cruelty to Animals Act 1986</i>	AR		01/07/97		Review complete and retention of most restrictions justified on animal welfare grounds.
<i>Private Agents Act 1966</i>	PES		01/06/99		Terms of reference for review established. Originally scheduled for June 1998, delayed due to proposal for national review.
<i>Professional Boxing and Martial Arts Act 1985</i>	S	Formerly the <i>Professional Boxing Control Act 1985</i> and <i>Martial Arts Control Act 1986</i> .	01/12/98		
<i>Project Development and Construction Management Act 1994</i>	PLC		01/06/97		Review not required. Act assessed as not restricting competition.
<i>Property Law Act 1958</i>	AG		01/12/99		
<i>Prostitution Control Act 1994</i>	FT		01/06/97		Review not required. No scope for change due to overriding social policy objectives.
<i>Psychologists Registration Act 1987</i>	H		01/12/97	1998	Review complete. Retention of restrictions relating to the use of title, and fair and accurate advertising, justified in the net public benefit. Bill proposed for autumn session 1999.
<i>Public Authorities Marks Act 1958</i>	PLC		01/12/96		Review not required. Act repealed.
<i>Public Safety Preservation Act 1958</i>	Prem		01/03/98		Review not required. Act assessed as not restricting competition.

Legislation Review Compendium

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Public Transport Competition Act 1995</i>	Tpt		01/12/99		Review underway, in conjunction with Part 6 Division 5 of the <i>Transport Act</i> .
Racing and betting legislation (<i>Racing Act 1958, Rules of the Harness Racing Board, Rules of the Greyhound Racing Control Board, Lotteries Gaming and Betting Act 1966, Gaming and Betting Act 1994, and Casino Control Act 1991</i>)	S and G	This review incorporated all of Victoria's racing and betting legislation.	01/06/98	1998	Review complete, report not yet released.
<i>Railways (Standardisation Agreement) Act 1958</i>	Tpt		01/12/97		Review not required. Act repealed.
<i>Registration of Births, Deaths and Marriages Act 1959</i>	AG		01/12/99		Act repealed and replaced by <i>Births, Deaths and Marriages Registration Act 1996</i> .
<i>Residential Tenancies Act 1980</i>	Hous		01/06/97	1997	Review complete and retention of overall restrictions justified as being in the public benefit. Act repealed and replaced by <i>Residential Tenancies Act 1997</i> .
<i>Retirement Villages Act 1986</i>	FT		01/12/99		
<i>Road Safety Act 1986</i>	RP		01/12/98	1997	Review complete. Act assessed as not restricting competition per se. Minor restrictions relating to drink driving program providers and blood alcohol testing equipment justified as being in the public benefit.
<i>Road Transport (Dangerous Goods) Act 1995</i>	F	Mirrors Commonwealth legislation.	01/12/98		Originally scheduled for December 1998, awaiting outcome of Commonwealth review.
<i>Rooming House Act 1990</i>	Hous		01/06/98		Review complete and retention of overall restrictions justified as being in the public benefit. Act repealed and replaced by <i>Residential Tenancies Act 1997</i> .
Rules of the Council of Legal Education 1993	AG		01/12/99		Made under the <i>Legal Profession Practice Act 1959</i> , which has been replaced by the <i>Legal Practice Act 1996</i> . The Rules are to be replaced by proposed new Rules subject to an RIS review.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Second-hand Dealers and Pawnbrokers Act 1989</i>	FT		01/06/97		Review complete. Reduction in requirements for licensing, premises and obligations to retain certain goods. Registration retained in the public benefit as a deterrent to criminal activity.
<i>Shop Trading Act 1987 and Capital City (Shop Trading) Act 1992</i>	SB		01/01/97		Acts repealed and replaced by <i>Shop Trading Reform Act 1996</i> .
<i>Snowy Mountains Hydro-Electric Agreements Act 1958</i>	Treas		01/06/97		
<i>South Australian and Victorian Border Railways Act 1930</i>	Tpt		01/12/97		Review not required. Act repealed.
<i>State Electricity Commission Act 1958</i>	Treas		01/12/97		Review complete, recommendations awaiting Cabinet consideration.
<i>State Superannuation Act 1988</i>	F		01/12/96		Review complete. Minor restriction addressed via an amendment passed in 1997.
<i>State Trustees (State Owned Company) Act 1994</i>	Treas		01/06/97	1998	Review complete. Removal of many exclusive rights and legislative preference towards State trustees. Retention of reciprocal arrangements between public trustees in other jurisdictions, in keeping with private company practices to do the same. Minor restriction addressed in incidental amendments made by the <i>State Trustees (Amendment) Act 1998</i> .
<i>Stock (Seller Liability and Declarations) Act 1993</i>	AR		01/12/99		Originally scheduled for April 1999, delayed due to legislative changes in 1998 and 1999.
<i>Subdivision Act 1988</i>	PLC		01/01/99		Review not required. Act assessed as not restricting competition.
<i>Superannuation (Public Sector) Act 1992 - Part 2 (the Act is otherwise administered by the Minister for Finance)</i>	Prem		01/03/98		Review not required. Act assessed as not restricting competition.
<i>Surveyors Act 1978</i>	CALM		01/12/97	1997	Review complete, report not yet released.

Legislation Review Compendium

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Tattersall Consultations Act</i> - only sections 4(1), (3) and (4), 5(4) and (5) and section 11 as they relate to the making of regulations for or with respect to sections 4(1), (3) and (4), 5(4) and (5) - these provisions are jointly administered with Treasurer	G and Treas		01/12/97	1998	Review complete, report not yet released.
<i>Tattersall Consultations Act 1958</i>	Treas		01/12/97	1998	Review complete, report not yet released.
<i>Tertiary Education Act 1993</i> to provide for promotion, development and co-ordination of post-secondary education in Victoria	E	The Tertiary Education and Training Review was completed in 1997 and reforms to legislation were passed by Parliament in the Spring sittings that year.	01/06/97	1998	Review complete and retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.
<i>Therapeutic Goods (Victoria) Act 1994</i>	H		01/05/99		Review underway. Originally scheduled for February 1998, delayed due to resource constraints.
<i>Tobacco Act 1987</i>	H		01//99		Review underway. Originally scheduled for November 1997.
<i>Trade Measurement Act 1995</i>	SB	Due to the nature of the national trade measurement system, unilateral reform by Victoria is not feasible.	01/06/99		Terms of reference for national review are currently being determined. Queensland is the lead reviewer.
<i>Transfer of Land Act 1958</i>	CALM		01/12/99		
<i>Transport Accident Act 1986</i>	Treas		01/06/97	1998	Review complete and recommendations not accepted. Government considered all restrictions justified in the public benefit.
<i>Transport Act 1983</i> - Part 6: (Traffic Regulation, Registration and Licensing) Division 1 (General Provisions)	Tpt and RP		01/03/99		Originally scheduled for December 1998, delayed to accommodate the transport reform process.
<i>Transport Act 1983</i> - Part 6: Division 10 (<i>Passenger Ferry Services</i>)	Tpt		01/12/96		Act to be repealed.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Transport Act 1983</i> - Part 6: Division 5 (Commercial Passenger Vehicles)	Tpt and RP		01/12/99		Review underway.
<i>Transport Act 1983</i> - Part 6: Division 6 (Private Omnibuses)	RP		01/12/99		Act repealed and replaced by the <i>Transport Acts (Amendment) Act 1997</i> .
<i>Transport Act 1983</i> - Part 6: Division 7 (Hire and Drive Omnibuses)	RP		01/12/96		Act repealed and replaced by the <i>Transport Acts (Amendment) Act 1997</i> .
<i>Transport Act 1983</i> - Part 6: Division 8 (Tow Trucks)	RP		01/12/2000		Review underway.
<i>Transport Act 1983</i> - Part 6: Division 9 (Commercial Goods Vehicles)	RP		01/12/96		Act repealed and replaced by the <i>Transport Acts (Amendment) Act 1997</i> .
<i>Transport Act 1993</i> - Part 3 (Powers of the Corporations)	Tpt and RP		01/03/99		Originally scheduled for December 1998, delayed to accommodate the transport reform process.
<i>Transport Act 1993</i> - Part 4 (Financial)	Tpt and RP		01/03/99		Originally scheduled for December 1998, delayed to accommodate the transport reform process.
<i>Transport Act 1993</i> - Schedule 4 (Further Particular Powers of the Roads Corporation)	Tpt		01/03/99		Originally scheduled for December 1998, delayed to accommodate the transport reform process.
<i>Transport Act 1993</i> - Schedule 5 (Provisions with Respect to Roads)	RP		01/03/99		Originally scheduled for December 1998, delayed to accommodate the transport reform process.
<i>Transport Act 1993</i> - Schedule 7 (Covenants to be included in Deed of Assignment)	RP		01/12/98		Review underway. Issues paper released.
<i>Transport Act 1993</i> - Schedule 8 (Classes, Kinds or Descriptions of Goods)	Tpt		01/12/96		
<i>Travel Agents Act 1986</i>	FT	National review led by Western Australia.	01/06/98		National review underway. Issues paper released. Originally scheduled for June 1998, approval for the national review process delayed.

Legislation Review Compendium

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Trustee Act 1958</i>	FT		01/12/99		Originally scheduled for June 1998, delayed due to resource constraints.
<i>Trustee Companies Act 1984</i>	FT		01/06/98		New uniform trustee companies legislation drafted by Standing Committee of Attorneys-General. Review underway with NSW as lead agency.
<i>Urban Land Authority Act 1979</i>	PLC		01/01/99		Review not required. Act replaced by the <i>Urban Land Corporation Act 1997</i> .
<i>Veterinary Surgeons Act 1958</i>	AR		01/12/96		Act repealed and replaced by the <i>Veterinary Practice Act 1997</i> .
<i>Victorian Plantations Corporation Act 1993</i>	AR	Repeal likely following privatisation of the Corporation.	01/12/98		
<i>Victorian Prison Industries Commission Act 1983</i>	Corr		01/07/99		Act repealed and replaced by <i>Corrections (Amendment) Act 1996</i> .
<i>Vital State Industries (Works and Services) Act 1992</i>	Prem		01/03/98		Review not required. Act assessed as not restricting competition.
<i>Vital State Projects Act 1976</i> - excluding Sections 5 to 16 (these provisions are administered by the Attorney General)	Prem		01/03/98		Review not required. Act assessed as not restricting competition.
<i>Vocational Education and Training Act 1990</i> - Governor in Council declarations under s.49 and State Training Board determination of training schemes under s.50	E	The Tertiary Education and Training Review was completed in 1997 and reforms to legislation were passed by Parliament in the Spring sittings that year.	01/06/97	1998	Review complete and retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.
<i>Vocational Education and Training Act 1990</i> - establishment of State Training Board, TAFE college, Industry Training Boards, accreditation of vocational and training courses by TAFE institutions	E	The Tertiary Education and Training Review was completed in 1997 and reforms to legislation were passed by Parliament in the Spring sittings that year.	01/06/97	1998	Review complete and retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.

Name of legislation	Portfolio	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Vocational Education and Training Act 1990</i> - Guidelines for educational services to International Students under s.85	E	The Tertiary Education and Training Review was completed in 1997 and reforms to legislation were passed by Parliament in the Spring sittings that year.	01/06/97	1998	Review complete and retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.
<i>Vocational Education and Training Act 1990</i> - Ministerial direction on fees and changes 1994	E	The Tertiary Education and Training Review was completed in 1997 and reforms to legislation were passed by Parliament in the Spring sittings that year.	01/06/97	1998	Review complete and retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.
<i>Vocational Education and Training Act 1990</i> - Private Provider Guidelines under s.81	E	The Tertiary Education and Training Review was completed in 1997 and reforms to legislation were passed by Parliament in the Spring sittings that year.	01/06/97	1998	Review complete and retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.
<i>Water Act 1989, Water Industry Act 1994, Melbourne and Metropolitan Board of Works Act 1958, Melbourne Water Corporation Act 1992, and Rain Making Control Act 1967</i>	AR and CALM		01/12/99		
<i>Water Industry Act 1994</i> - Part 4	CALM and AR		01/12/98		Originally scheduled for December 1998, delayed to coordinate simultaneous review with <i>Crown Land Reserves Act 1978, Land Act 1958, National Parks Act 1975</i> and various minor land Acts.
<i>Wheat Marketing Act 1989</i>	AR	Commonwealth is the main Act, and other jurisdictions have complementary legislation.	01/07/2000		Originally scheduled for June 1999, delayed awaiting outcome of Commonwealth or multi-jurisdictional review.
<i>Wildlife Act 1975</i>	CALM		01/12/99	1998	Review complete, report not yet released.
<i>Workers' Compensation Act 1958</i> - Division 8 of Part 1	F and AG	Compensation payments are no longer awarded under this Act.	01/12/97		Review not required. Act assessed as not restricting competition.

