
7 Tasmania

7.1 Guide to the Tasmanian legislation review schedule

Legislation review

The Tasmanian Government published its *Legislation Review Program: 1996–2000 – Tasmanian Timetable for the Review of Legislation that Restricts Competition* (LRP) in June 1996. The LRP complements Tasmania’s previous *Systematic Review of Business Legislation*. The LRP sets out for review, by the year 2000, all State legislation that restricts competition to ensure that only restrictions in the public benefit are retained. In addition, the LRP provides an overview of the processes that agencies are to apply when reviewing existing and new legislative restrictions. Since 1996, the program has grown to include 240 pieces of legislation.

Progress to 31 December 1998

Tasmania scheduled 186 substantive reviews¹ of legislation for completion 31 December 1998, 113 had been completed. Of the 73 scheduled reviews not complete, or yet to commence, 14 were nearing completion, 12 were being conducted in conjunction with a national approach and 25 had been deferred pending completion of related reviews or the expected repeal of the legislation. Four reviews had been commenced ahead of schedule, and two other Acts were added to the review schedule for the third tranche.

The Government announced its response to 95 reviews, including the proposed repeal of 86 pieces of legislation. Key highlights include:

- The *Apple and Pear Industry (Crop Insurance) Act 1982* was to be repealed as no evidence was found to suggest that legislation to require growers to take out crop insurance was needed for the industry to operate efficiently and effectively.
- Part III of the *Traffic Act 1925*, regulating the carriage of goods or passengers, was found to have controls that stifled innovation and increased costs to consumers. New legislation was to be developed in line with the national road transport reforms.
- The *Weights and Measures Act 1934* was to be repealed and replaced with nationally uniform legislation.

¹ Excluding 16 cases where preliminary reviews found that legislation did not contain significant restrictions and further review was unnecessary.

7.2 Abbreviations

The following abbreviations are used in the review schedule.

CTP	Compulsory Third Party
DHHS	Department of Health and Human Services
DE	Department of Education
DIER	Department of Infrastructure, Energy and Resources
DOJ	Department of Justice
DOPPS	Department of Police and Public Safety
DPIWE	Department of Primary Industries, Water and Environment
FPB	Forest Practices Board
FT	Forestry Tasmania
HEC	Hydro-Electric Commission
IFC	Inland Fisheries Commission
LRP	Legislation Review Program
MAIB	Motor Accidents Insurance Board
P&C	Department of Premier and Cabinet
PAHSMA	Port Arthur Historic Site Management Authority
T&F	Department of Treasury and Finance
TAO	Tasmanian Audit Office
TDIA	Tasmanian Dairy Industry Authority
TFS	Tasmania Fire Service
WSA	Workplace Standards Authority

The following abbreviations are used in the ‘Description/Comment on Review’ column.

AD	Administrative discretion
CC	Restrictions on competitive conduct
CI	Common Interest
EGS	Restrictions on the entry of goods or services
ME	Restrictions on market entry
NC	National codes
ND	National dimension
PSI	Restrictions on product or service innovation
SE	Spillover effects

7.3 Legislation review schedule: Tasmania

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Adoption Act 1988</i>	DHHS	ME, PSI. Sets standards for counsellors and limits persons who may be approved as counsellors. Requires adoption agencies to be approved and provides for the setting of qualification and service standards in relation to such agencies.	1998	1998	Review completed and restrictions justified in the public benefit. Licensing restrictions retained to protect against the trafficking of children.
<i>Agricultural and Veterinary Chemicals (Control of Use) Act 1995</i>	DPIWE	ME, CC, PSI, ND, (NC). Prohibits persons from selling a chemical product unless it is registered under the Agvet Code or a permit. Regulates the packaging, labelling and the use of agricultural and veterinary chemicals.			National review complete. A SCARM/ARMCANZ working group is considering the recommendations.
<i>Agricultural and Veterinary Chemicals (Tasmania) Act 1994</i>	DPIWE	ME, PSI, ND, (NC). Applies certain laws of the Commonwealth, relating to agricultural and veterinary chemical products, as laws of Tasmania. Establishes standards for agricultural and veterinary chemicals.			National review complete. A SCARM/ARMCANZ working group is considering the recommendations.
<i>Air Navigation Act 1937</i>	DIER	ME, CC, PSI, ND, (NC). Requires air pilots to be licensed. The Act applies Commonwealth legislation to Tasmania with regard to air-traffic rules and the regulation of aerodromes.	1998		Anti-competitive elements to be considered as part of Productivity Commission review of International Air Services Agreement. PC Review underway.
<i>Aluminium Industry Act 1960</i>	T&F	CC. Provides a company with a low interest loan, directs them to increase production capacity and restricts their ability to sell assets for a specified time period.	1997		Repealed by the <i>Legislation Repeal Act 1998</i> .

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Ambulance Service Act 1982</i>	DHHS	ME. Requires the approval of the Director of Ambulance Services for the provision of any privately run ambulance service.	1997	1997	Minor review complete and retention of restrictions justified as being in the public benefit. Restrictions relate to the licensing of private ambulance services, and the level of fees they can charge. Minor Review underway.
<i>Animal (Brands and Movement) Act 1984</i>	DPIWE		1999		
<i>Animal Farming (Registration) Act 1994</i>	DPIWE	ME. Requires the registration of farmers of emus and fallow deer.	1998	1999	Minor review completed and with the Government for consideration.
<i>Animal Health Act 1995</i>	DPIWE	ME, EGS, ND, (NC). Requires a licence for commercial artificial breeding. Enables the Minister to prohibit or restrict the movement of any animals into Tasmania from any other State. Protection of animal resources from the introduction of a disease, organism, variety or disorder.	1999		Minor review underway.
<i>Animal Welfare Act 1993</i>	DPIWE	ME. Prohibits persons from carrying out animal research unless it is carried out by an institution licensed under the Act. Essential provisions to restrict cruelty to animals.	1999		
<i>Apiaries Act 1978</i>	DPIWE	ME, CC, EGS. Requires beekeepers to be registered. Provides that the Governor may by order declare that only certain bees can be brought into or kept in a certain area.	1996		Act to be repealed.
<i>Apple and Pear Industry (Crop Insurance) Act 1982</i>	DPIWE	ME, CC. Provides that growers must apply to the Fruit Crop Insurance Board for a crop insurance policy and pay the premium as gazetted.	1996		Review complete, Government accepted recommendation to abolish compulsory insurance. Repealing legislation is being drafted.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Architects Act 1929</i>	P&C	ME, CC, ND, (CI). Prohibits persons promoting themselves as architects unless they are registered. Prescribes conduct standards of architects and prohibits certain practices.	1999		National review of legislation regulating architects commenced by Productivity Commission in November 1999.
<i>Auctioneers and Real Estate Agents Act 1991</i>	DOJ	ME, CC, ND, (CI). Requires auctioneers, real estate agents and sales consultants to be registered. Specifies conduct rules for auctions in relation to misrepresentation, bids by owners, collusion, etc.	1999		Review underway.
<i>Australia and New Zealand Banking Group Act 1970</i>	DOJ	Facilitates a bank merger, giving additional legal security. Provides for special treatment in relation to other Acts of Parliament, in particular the Companies and Stamp Duties Acts.	1998		Act does not restrict competition per se. Deals with mergers.
<i>Australian Titan Products Act 1945</i>	DIER	ME. Provides certain water rights to a company and prohibits it from generating electricity.	1997		Repealed by <i>Legislation Repeal Act 1998</i> .
<i>Bank Holidays Act 1919</i>	DIER	CC. The Act restricts bank trading days.	1997		The Act has been substantially amended to remove all anti-competitive provisions and those that impact on business. Amending legislation currently before Parliament.
<i>Bank of Adelaide (Merger) Act 1980</i>	DOJ	Facilitates a bank merger, giving additional legal security. Provides for special treatment in relation to other Acts of Parliament, in particular the Companies and Stamp Duties Acts.	1998		Act does not restrict competition per se. Deals with mergers.
<i>Ben Lomond Skifield Management Authority Act 1995</i>	DPIWE	ME. Imposes restrictions on commercial operations in the Ben Lomond Skifield area.	1999		Due date of review deferred until 1999 to coincide with completion of review of <i>National Parks and Wildlife Act 1970</i> .
<i>Biological Control Act 1986</i>	DPIWE	Provides that declared organisms can only be released in accordance with certain conditions.			Not proposed for review. NCC advised that Act contains no restrictions on competition.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Botanical Gardens Act 1950</i>	DPIWE	ME. Imposes restrictions on commercial operations in the Botanical Gardens.	1996		Restrictive components only in by-laws, which have now been rescinded and replaced.
<i>Building and Construction Industry Training Fund Act 1990</i>	DE	CC. Provides for the collection of a levy on building work, except in relation to any work undertaken by, or for, State and local governments.	1998		Review underway. Government exemption from the Building and Construction Industry Training Fund Levy has been repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Burnie to Waratah Railway Act 1939</i>	DIER	ME. The Act provides a particular company with a competitive advantage by giving them the authority to operate and maintain a railway (some on private land, the rest on Crown Land lease).	1998		Review deferred pending proclamation of <i>Rail Safety Act 1997</i> , as the safety and access provisions will negate the need for this Act.
<i>Business Names Act 1962</i>	DOJ	ME, ND, (NC). No person running a business may use a business name unless it is registered.	1998	1998	Minor review complete and retention of restrictions justified as being in the public benefit. Restrictions relate to business name registration, and are uniform across the country.
<i>Casino Company Control Act 1973</i>	T&F	ME. A casino licence can only be issued to a company specified in the Act. Prohibits the use of "casino" in any business name unless they are in possession of a casino licence. Restricts ownership and control of casinos by foreign individuals and companies.	1998		Minor review underway as part of a review of State gaming legislation.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Child Welfare Act 1960</i>	DHHS	ME, CC, PSI. Imposes licences for child care operators and their premises, including restrictions on the number of children in care and the setting of premise standards. Sets standards for family and home-based care.	1996	1997	To be repealed by the Children, Young Persons, and Their Families Bill passed in 1997 (but not yet proclaimed), deals with assistance and intervention in relation to children at risk of abuse or neglect previously contained in the <i>Child Welfare Act</i> . Child care provisions in the <i>Child Welfare Act</i> will be transferred to new child care legislation to be administered by the Department of Education.
<i>Chiropractors Registration Act 1982</i>	DHHS	ME, CC, ND (CI). Requires chiropractors to be registered. Restricts practices relating to the provision of services, including the use of names and titles, advertising, signs and soliciting patients.			Repealed and replaced by <i>Chiropractors and Osteopaths Registration Act 1997</i> . Draft legislation assessed under the LRP Gatekeeper requirements as imposing minor restrictions on competition, which could be justified in the public interest.
<i>Christ College Act 1926</i>	DE	ME. Provides for three schools and two trusts to be combined. It is effectively the constitution of the organisation. Provides a possible advantage not given to other schools.	1999		Awaiting advice as to whether this Act can be repealed.
<i>Classification (Publications, Films and Computer Games) Enforcement Act 1995</i>	DOJ	PSI, ND, (NC). Regulates the classification of publications, films and computer games. Essential provisions to limit the availability of pornographic material.	1999	1999	Minor review complete and retention of restrictions justified as being in the public benefit. National censorship scheme prohibits and classifies certain materials.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Clyde Water Act 1898</i>	DPIWE	ME. Vests trustees with the power to repair and alter works, construct works to convey water from Lake Sorell to the River Clyde and any waterworks necessary to provide the towns of Bothwell and Hamilton with water.	1998		Act to be repealed by the Water Management Bill 1999.
<i>Co-operative Housing Societies Act 1963</i>	T&F	Prohibits co-operative housing societies from carrying on business unless they are formed and registered under the Act. Specifies the purposes for which a co-operative housing society can be registered, conduct of the society and name of the society.	1998		Review not required, as Act does not restrict competition per se. Act has no effect except in relation to existing loans under the Act and will be repealed following expiry of those loans.
<i>Co-operative Industrial Societies Act 1928</i>	DOJ	ME, CC. Provides for the registration of co-operative building societies and regulates their conduct.	1998		New legislation will replace this Act. New legislation will be based on national template and subject to gatekeeper provisions.
<i>Commercial and Inquiry Agents Act 1974</i>	DOJ	ME, ND, (CI). Requires commercial and inquiry agents to be licensed. Prohibits licences from being issued to certain classes of persons.	1999		General review underway, which will also address NCP issues.
<i>Commercial Bank of Australia Limited (Merger) Act 1982</i>	DOJ	Facilitates a bank merger, giving additional legal security. Provides for special treatment in relation to other Acts of Parliament, in particular the Companies and Stamp Duties Acts.	1998		Act does not restrict competition per se. Deals with mergers.
<i>Commercial Banking Company of Sydney Limited (Merger) Act 1982</i>	DOJ	Facilitates a bank merger, giving additional legal security. Provides for special treatment in relation to other Acts of Parliament, in particular the Companies and Stamp Duties Acts.	1998		Act does not restrict competition per se. Deals with mergers.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<p><i>Companies (Acquisition of Shares) (Application of Laws) Act 1981,</i> <i>Companies (Acquisition of Shares) (Tasmania) Code,</i> <i>Companies (Application of Laws) Act 1982,</i> <i>Companies (Tasmania) Code,</i> <i>Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981,</i> <i>Companies and Securities (Interpretation and Miscellaneous Provisions) (Tasmania) Code,</i> <i>Companies and Securities (Miscellaneous Amendments) Act (No. 2) 1982,</i> <i>Companies and Securities Legislation (Miscellaneous Amendments) Act 1982,</i> and <i>Companies Auditors and Liquidators Disciplinary Board Act 1982</i></p>	DOJ	<p>Part of a suite of legislation that regulated companies prior to the introduction of the <i>Corporations (Tasmania) Act 1990</i>. They only have an effect in relation to breaches that occurred prior to introduction of <i>Corporations (Tasmania) Act 1990</i>. The Australian Securities Commission advises that it cannot be repealed yet.</p>			<p>Review not required, as Acts do not restrict competition per se. Acts have no effect except in relation to breaches that occurred prior to introduction of the <i>Corporations (Tasmania) Act 1990</i>.</p>
<p><i>Construction Industry (Long Service) Act 1997</i></p>	DIER	<p>Act contains anti-competitive provisions, and was passed without complying with gatekeeper provisions.</p>	1999		<p>Act added to review timetable.</p>
<p><i>Corporations (Tasmania) Act 1990</i></p>	DOJ	<p>ME, CC, PSI, ND, (NC). Applies Commonwealth Corporations Law within Tasmania.</p>			<p>Review of all areas of Corporation Law is being undertaken by Commonwealth review body. New legislation will replace this Act.</p>

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Cremation Act 1934</i>	P&C	ME, CC, PSI. Licences crematoriums and prohibits cremation without a licence. Sets out the procedures to be followed in order to establish a crematorium and when cremating human bodies.	1997		Following a minor review, this Act was expanded to include burials. New legislation has been assessed under gatekeeper provisions.
<i>Dairy Industry Act 1994</i>	TDIA	ME, CC, PSI, ND, (SE). Requires dairy processing and manufacturing operations to be licensed. Establishes the 'farmgate' price which processors pay for milk. Provides for the operation of "Codes of Practice" and sets standards for dairy produce and premises.	1998		Major review is nearing completion.
<i>Dangerous Goods Act 1976</i>	DIER	ME, CC, ND, (NC). Requires the licensing of persons manufacturing dangerous goods. Persons may not possess dangerous goods without complying with certain requirements and premises must comply with prescribed requirements.			To be repealed and replaced by new legislation based on national model. New legislation has been assessed under the gatekeeper provisions.
<i>Dental Act 1982</i>	DHHS	ME, CC, ND, (CI). Requires dentist and dental mechanics to be registered. Restricts the use of titles, payments of commission, advertisements, soliciting patients and exhibiting signs.	1999		To be repealed and replaced by new legislation which will also incorporate provisions of the <i>School Dental Therapy Act 1965</i> . New legislation will be assessed under the gatekeeper provisions.
<i>Devonport Airport (Special Provisions) Act 1980</i>	DIER	ME. Provides for the granting of a lease or licence to use any part of the land, buildings or structures of the airport.	1998		Repealed by <i>Port Companies Act 1997</i> .
<i>Dog Control Act 1987</i>	P&C	ME, CC. Prohibits kennels and the keeping of dogs for breeding purposes without a licence. Sets standards for dog breeders and imposes certain standards on all licensed kennels.	1997	1997	Minor review complete and retention of restrictions justified as being in the public benefit. Act to be repealed and replaced with new legislation.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Don River Tramway Act 1974</i>	DIER	ME, PSI. Provides a railway agreement giving a competitive advantage to a particular company, potentially acting to restrict competition. Gives the company authority to construct and operate a railway.	1998		Review deferred pending proclamation of the <i>Rail Safety Act 1997</i> , as the safety and access provisions will negate the need for this Act.
<i>Door to Door Trading Act 1986</i>	DOJ	CC, PSI. Defines a prescribed contract and prohibited contractual terms. Details information to be incorporated under prescribed contracts. Limits the hours in which a dealer may call on a person.	1999	1999	A minor review of this Act has been completed and the restrictive provisions have been justified as being in the public benefit.
<i>Education Act 1994</i>	DE	ME. Requires non-Government schools to be registered.	1999		Review body currently being finalised.
<i>Education Providers Registration (Overseas Students) Act 1991</i>	DE	ME, CC, ND, (NC). Requires providers of education to overseas students to be registered and enables conditions to be imposed on the conduct of registered education services.	1999		State-based review in 1999. Review body currently being finalised.
<i>Egg Industry Act 1988</i>	DPIWE	ME, PSI, ND, (SE). Requires egg producers to be licensed. Provides that producers must consign all second grade eggs to the Egg Marketing Board for processing.	1998		Major review complete, final report with Government for consideration.
<i>Electricity Industry Safety and Administration Act 1997</i>	DIER	ME. Requires the licensing of electricians and electrical contractors.	1999		Major review yet to commence.
<i>Electricity Supply Industry Act 1995</i>	DIER	ME, CC. Requires licences for the generation, transmission, distribution or retailing of electricity. Can compel acceptance of conditions of a national electricity code and may impose restrictions on re-supply in contracts with very large users of electricity.	1999		Terms of reference for a major review are currently being drafted. Review to commence shortly.
<i>Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995</i>	DIER	ME. Requires certain irrigation waters to be made available to certain water users, providing them with a commercial benefit that is not available to others.	1998		Being reviewed as part of COAG reform agenda for water industry. The Water Management Bill 1999 has been passed by Parliament.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Emu Bay Railway Act 1976</i>	DIER	CC. Provides a competitive advantage by releasing a particular company from obligations as a common carrier (<i>Common Carrier Act</i>). Provides that the company is not entitled to any of the rights or privileges of a common carrier.	1998		Review deferred pending proclamation of the <i>Rail Safety Act 1997</i> , as the safety and access provisions will negate the need for this Act.
<i>Environment Protection (Sea Dumping) Act 1987</i>	DPIWE	ME, CC, ND, (CI). Requires a permit to undertake waste dumping or incineration at sea. Essential provisions to prevent degradation of the environment.			To be repealed following amendments to the <i>Environmental Management and Pollution Control Act 1994</i> .
<i>Environmental Management and Pollution Control Act 1994</i>	DPIWE	ME, CC, PSI, EGS. Requires a person carrying out a controlled activity to have authorisation and a TAFE certificate. Sets minimum standards for products in terms of air emissions. Restricts the importation of certain products. Essential provisions to prevent degradation of the environment.	1998		Major review has been completed and is with the Government for consideration.
<i>Evidence Act 1910</i>	DOJ	ME. Restricts court room employment of shorthand writers to those who have been examined and licensed.	1997		To be repealed and replaced by Uniform Evidence Bill 1998. New legislation to be assessed under gatekeeper provisions.
<i>Fair Trading Act 1990</i>	DOJ	CC, PSI. Requires motor vehicle traders to provide a warranty for specific vehicles and establishes a system for dealing with customer complaints.	1998	1998	Minor review complete and retention of restrictions justified as being in the public benefit. Requirement for manufacturers to provide vehicle warranties and complaints mechanisms.
<i>Fertilisers Act 1993</i>	DPIWE	CC, PSI, ND, (NC). Prohibits the sale of fertiliser unless the package has the prescribed label. Regulates the details to be included on the label. Sets standards for the composition of fertilisers.	1999		Minor review in progress.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Financial Management and Audit Act 1990</i>	TAO	ME. Requires the Auditor-General to be the auditor of the Treasurer, all Government Departments, statutory authorities and GBEs. The Auditor-General can appoint external auditors to undertake the audit and pay them an appropriate fee.	1998	1998	Minor review complete and review recommendations soon to be progressed for Government consideration.
<i>Fire Service Act 1979</i>	TFS	ME. The formation of private fire brigades and salvage corps is prohibited unless authorised by the Tasmanian Fire Service.	1998		Minor review underway.
<i>Firearms Act 1996</i>	DOP	Replaces <i>Guns Act 1991</i> .	1999		Minor review completed. Restrictions justified as being in public benefit - community standard legislation.
<i>Fisheries Act 1959</i>	DPIWE – IFC	ME, CC, PSI, EGS. Prohibits persons carrying out marine farming activities or fish processing without authorisation and/or licences. Requires licensing of private fisheries and restricts the methods and equipment for taking fish. Restricts the import of fish. Protection of a natural resource from unsustainable extraction and the introduction of a disease, organism, variety or disorder.			Repealed May 1996 by <i>Inland Fisheries Act 1995</i> , <i>Living Marine Resources Management Act 1995</i> , and <i>Marine Farming Planning Act 1995</i> . Major review of these Acts are underway.
<i>Flammable Clothing Act 1973</i>	DOJ	PSI, ND, (NC). Requires clothing to be labelled in accordance with the regulations. Requires that labels must indicate the level of flammability.	1998	1998	Minor review complete and retention of restrictions justified as being in the public benefit. Requirement of manufacturers to label children's nightwear with garment flammability.
<i>Florentine Valley Paper Industry Act 1935</i>	FT	ME. Grants a particular company the right to construct a pulp and paper mill at Boyer. Authorises the granting of exclusive timber, water and transport rights to that company.	1998		Being reviewed as part of COAG reform agenda for water industry. New legislation has been assessed under the gatekeeper provisions and recently passed by Parliament.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Forest Practices Act 1985</i>	FPB	ME, CC. The Forest Practices Board has the authority to restrict the operation of timber harvesting through the Forest Practices Code, to reduce the concentration of harvesting or to control transport routes for the transportation of timber.	1998	1998	Minor review complete and retention of restrictions justified as being in the public benefit. Restrictions relate to the Forest Practices Code and the Forest Practices Code and Officers, Timber Harvesting Plans and Private Timber Reserves.
<i>Forestry Act 1920</i>	FT	ME. Provides for the granting of forest permits, licences and the registration of all sawmills and timber brands. Specifies the qualifications that must be held by forestry officers.	1998	1998	A minor review has been completed and majority of restrictions are to be removed. Remaining restriction, relating to minimum supply requirements, considered justified in the public benefit.
<i>Friendly Societies Act 1888</i>	T&F	ME, CC, ND, (NC). Requires friendly societies to be registered. Requires that two friendly societies conducting the business of a chemist must be within a distance of 11 km of the Hobart or Launceston GPO.			This Act was repealed and replaced by the Friendly Society Code. The Code has been repealed. Friendly Society legislation now falls under Commonwealth jurisdiction.
<i>Futures Industry (Application of Laws) Act 1987</i> and Futures Industry (Tasmania) Code	DOJ	Part of a suite of legislation that regulated companies prior to the introduction of the <i>Corporations (Tasmania) Act 1990</i> . Regulation has no effect except in relation to breaches prior to introduction of <i>Corporations (Tasmania) Act 1990</i> . The Australian Securities Commission advises that it can not yet be repealed.			Review not required, as Acts do not restrict competition per se. Acts have no effect except in relation to breaches that occurred prior to introduction of the <i>Corporations (Tasmania) Act 1990</i> .

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Gaming Control Act 1993</i>	T&F	ME, CC, PSI. Grants exclusive rights to specific companies to conduct casino operations and operate gaming machines in Tasmania. Requires that gaming equipment must meet the approval of the Gaming Commission. Limitations on the availability of gaming to minors.	1998		Minor review underway as part of a review of State gaming legislation.
<i>Gas Franchises Act 1973</i>	DIER	ME. Grants franchise holders (Hobart and Launceston Gas Companies) exclusive rights to supply gas by reticulation or in bulk in their respective franchise areas.	1996		This Act is expected to be repealed by new legislation.
<i>Goods (Trade Descriptions) Act 1971</i>	DOJ	PSI, ND, (NC). Requires the Labelling of footwear and textiles. Limits the materials that can be used in footwear and requires safety footwear to comply with Australian standards requirements.	1998	1998	Minor review complete and retention of restrictions justified as being in the public benefit. Requirement for manufacturers to disclose the materials from which textile products are made. Other restrictive provisions are to be further assessed.
<i>Grain Reserve Act 1950</i>	DPIWE	ME. Exempts the Tasmanian Grain Elevators Board from Council rates and protects it from being sued.	1998		Preliminary work for review underway.
<i>Groundwater Act 1985</i>	DIER	ME, CC. Prohibits the construction or enlarging of a well, or the drawing of water, in a proclaimed region without a permit. Provides the Director of Mines with the power to shut, limit, repair or modify any Tasmanian well.	1998		Being reviewed as part of COAG reform agenda for water industry. A Bill to replace the <i>Water Act 1957</i> and associated legislation has been passed by Parliament
<i>Guns Act 1991</i>	DOP	ME. Requires gun owners and firearm dealers to be licensed. Essential provisions to limit the availability of potentially dangerous goods such as guns.	1998		Repealed by <i>Firearms Act 1996</i> , which is scheduled for review.
<i>Hairdressers' Registration Act 1975</i>	DIER	ME, CC. Requires the registration of hairdressers and the licensing of hairdressers' premises. Premises must comply with prescribed requirements in relation to their design, construction, furnishings and equipment.	1998		Preliminary work for review underway. Act is likely to be repealed.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Henry Jones Limited (Huon Pine) Agreement Act 1978</i>	FT	ME. Ratifies an agreement allowing a company to cut and take a specific quantity of Huon Pine.	1998		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Hire-Purchase Act 1959</i>	DOJ	Relates to hire purchase contracts taken out prior to introduction of Consumer Credit Code. Specifies the conditions of a legal hire-purchase agreement. It specifies the standards that must be met in writing a legal hire-purchase contract.			Act does not restrict competition per se. Relates only to Hire-Purchase agreements prior to the replacement Consumer Credit Code.
<i>Historic Cultural Heritage Act 1995</i>	DPIWE	CC. Places restrictions on building work on places of historic heritage significance that may affect historic cultural heritage.	1999		Minor review in progress in conjunction with the <i>Land Use Planning and Approvals Act 1993</i> .
<i>HIV/AIDS Preventative Measures Act 1993</i>	DHHS	ME, CC, PSI. Provides for the approval of health care workers at Secretarial discretion. Imposes restrictions on the manufacture and sale of HIV testing kits. Sets guidelines on medical and surgical procedures.	1998	1998	Minor review complete and retention of restrictions justified as being in the public benefit. Restrictions relate to the licensing associated with testing, counselling and treatment of AIDS sufferers.
<i>Hobart Bridge Act 1958</i>	DIER	ME. Restricts the business of passenger ferry services on the Derwent River. Provides a contractual agreement effectively establishing a monopoly with one licensed operator, i.e. restricts market entry.	1996		Repealed by <i>Legislation Repeal Act 1996</i> .
<i>Hobart Regional Water Act 1984</i>	DPIWE	ME. Gives the Hobart Regional Water Board exclusive rights to take water from the Derwent River, Mount Wellington and other streams, construct bulk supply works and enter into agreements with municipalities to provide water.	1996		Repealed by the <i>Hobart Regional Water (Arrangements) Act 1996</i> , which was assessed under gatekeeper provisions.
<i>Hobart Town Gas Company's Act 1854</i>	DOJ	CC, PSI. Establishes the Hobart Town Gas Company to provide Hobart with gas powered street lights. Specifies conduct of the company and sets lighting standards to be met.	1997		To be repealed following winding-up of company.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Hobart Town Gas Company's Act 1857</i>	DOJ	ME. Gives the company powers not afforded to potential competitors, such as entering premises, and recovering property on 24 hours notice.	1997		To be repealed following winding-up of company.
<i>Hospitals Act 1918</i>	DHHS	ME, CC. Prohibits private medical establishments unless a licence to operate is obtained. Prohibits alterations, extensions and other changes to private hospitals without authorisation. Requires certain qualifications to be held by hospital managers.	1997		RIS and public consultation completed for hospital section of Act. Direction to take with nursing home section is yet to be established by DHHS.
<i>Housing Indemnity Act 1992</i>	DOJ	CC. Requires builders to obtain an indemnity insurance policy before performing building work.	1998	1998	A minor review has been completed and the restrictive provisions have been justified as being in the public benefit.
<i>Huon Valley Pulp and Paper Industry Act 1959</i>	FT	ME, CC, PSI. Provides the company with free unlimited water rights and restricts the water rights of the Huon Council (and its residents). Provides the company with rights over Crown land. Sets company conduct in relation to river bank degradation and water quality.	1996		Repealed by <i>Legislation Repeal Act 1996</i> .
<i>Hutchins School Act 1911</i>	DE	ME. Combines the Hutchins School and a trust and gives the school the power to lease land that it otherwise could not. Provides a possible advantage not given to other schools.	1999		Awaiting advice as to whether this Act can be repealed.
<i>Hydro-Electric Commission (Doubtful Removal) Act 1972</i>	HEC	ME. Provides the Hydro-Electric Commission with the power to do all such acts, matters and things in relation to the specified area of Crown land as are necessary to construct and carry out works.	1997		Repealed by <i>Electricity Supply Industry Act 1995</i> , and <i>Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995</i> , which are scheduled for review.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Hydro-Electric Commission (Doubts Removal) Act 1982</i>	HEC	ME. Provides the Hydro-Electric Commission with the power to do all such acts, matters and things in relation to the specified area of Crown land as are necessary to construct and carry out works.	1997		Repealed by <i>Electricity Supply Industry Act 1995</i> , and <i>Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995</i> , which are scheduled for review.
<i>Hydro-Electric Commission Act 1944</i>	HEC	ME, CC, PSI. Prohibits the generation and/or transmission of electricity without the consent of the Hydro-Electric Commission (HEC). Establishes pricing rules and prohibits electrical wiring work and the sale of electrical fittings unless approved by the HEC.	1997		Repealed by <i>Electricity Supply Industry Act 1995</i> , and <i>Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995</i> , which are scheduled for review.
<i>Ida Bay Railway Act 1977</i>	DPIWE	ME. Confers Ida Bay Railway with an exemption from the provisions of the <i>National Parks and Wildlife Act 1950</i> and the <i>Railway Management Act 1935</i> .	1997		To be repealed following proclamation of the <i>Rail Management Act (Repeal) Act 1997</i> .
<i>Inland Fisheries Act 1995</i>	DPIWE - IFC	ME, CC, PSI, EGS. Requires the licensing and registration of private fisheries and restricts the methods and equipment that can be used to take or kill fish. Limits the size and sex of fish that can be taken. Restricts the importation of fish. Protection of a natural resource from unsustainable extraction or the introduction of a disease, organism, variety, or disorder.	1997		Major review underway.
<i>Irrigation Clauses Act 1973</i>	DPIWE	ME. Provides for the construction of waterworks by persons authorised by another Act to do so. Provides for the right to a supply of water for irrigation.	1998		Being reviewed as part of COAG reform agenda for water industry. New legislation has been assessed under the gatekeeper provisions and passed by Parliament.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Land Surveyors Act 1909</i>	DPIWE	ME, CC, ND, (CI). Requires surveyors to be registered and sets standards for the profession.	1998		Major review complete and is with the Government for consideration.
<i>Land Use Planning and Approvals Act 1993</i>	DPIWE	CC, PSI. Requires the observance of planning schemes by planning authorities in respect of all use or development within a certain area. Requires persons undertaking certain developments to apply to the planning authority for a permit.	1999		Minor review in progress.
<i>Land Valuation Act 1971</i>	DPIWE	ME. Gives the Valuer-General a monopoly on the provision of valuation services to local government for the setting of valuations for the purpose of determining local rates.	1997	1997	Major review complete Government has accepted the recommendations. Undertaken in conjunction with review of <i>Valuers Registration Act 1974</i> .
<i>Launceston Gas Company Act 1982</i>	DOJ	ME. Gives the Launceston Gas Company powers that are not available to potential competitors in the gas supply market. For example, they are given the power to "break up public roads" without council approval, only needing to give 24 hours notice.	1997		This Act is expected to be repealed.
<i>Launceston Savings Investment and Building Society Act 1955</i>	DOJ	ME. Provides the Launceston Savings, Investment and Building Society with the power to invest in a specific property that it may not have been able to under the <i>Building Societies Act 1876</i> .	1996		Repealed by <i>Legislation Repeal Act 1996</i> .
<i>Legal Profession Act 1993</i>	DOJ	ME, CC, ND, (CI). Prohibits persons practising as a legal practitioner or barrister unless admitted by the Supreme Court. Specifies conduct rules for legal practitioners and the way in which mandatory trust accounts must be operated.			Originally, the COAG legal profession reform working group recommended three references for national review. Other issues are to be reviewed at State level. The state-based review will commence shortly.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Lending of Money Act 1915</i>	DOJ	Only relates to money lending contracts taken out prior to introduction of Consumer Credit Code. Requires that money lenders be registered.			Act does not restrict competition per se. Relates only to money lending contracts prior to the replacement Consumer Credit Code.
<i>Liquor and Accommodation Act 1990</i>	T&F	ME, CC, PSI. Prohibits granting of a liquor licence in connection with supermarket activities. Regulates the sale of liquor, provides for licensing of certain accommodation and provides an appellation system for Tasmanian wine. Limitations on the availability of liquor to minors.	1999		Major review to commence shortly. Terms of reference currently being drafted.
<i>Living Marine Resources Management Act 1995</i>	DPIWE	ME, CC, EGS. Prohibits fish processing and marine farming without a licence. Provides for management plans for fisheries that limit the use of equipment and set conduct rules. Prohibits importation of live fish into Tasmania. Protection of a natural resource from unsustainable extraction and the introduction of a disease, organism, variety or disorder.	1999		Major review in progress.
<i>Loan (Hydro-Electric Commission) Act 1957</i>	HEC	ME. Provides irrigation rights to persons in the Parish of Lawrenny.	1997		Repealed by <i>Electricity Supply Industry Act 1995</i> , and <i>Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995</i> , which are scheduled for review.
<i>Local Government (Building and Miscellaneous Provisions) Act 1993 (Part III)</i>	DPIWE	ME, CC, PSI, ND, (NC). Provides for the approval of subdivisions and restrictions on the use of water.	1999		Originally expected to be national review, state review scheduled for 1999.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> - (except in relation to health issues and Part III (subdivisions))	DIER	ME, CC, PSI, ND, (NC). Provides for the control of building and plumbing work, the setting of product and construction standards and application of the Building Code of Australia to Tasmania.	1999		New legislation will replace the building provisions of the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> . This legislation has been assessed under the LRP gatekeeper arrangements. Other provisions will be progressively replaced by specific purpose Acts.
<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> - (in so far as it relates to health issues)	DHHS	ME. Prohibits cesspools and the inhabitation of houses that do not have sanitation facilities. Requires the registration of premises used for offensive trades (tanneries, etc), the licensing of night-soil disposal systems and places of public entertainment.	1996		Repealed by the <i>Local Government (Building and Miscellaneous Provisions) Amendment Act 1998</i> .
<i>Local Government (Highways) Act 1982</i>	P&C	ME, CC. Provides for the creation, construction, maintenance and management of highways and establishes construction standards. Empowers Councils to make by-laws prohibiting the carriage of certain materials over local highways unless licensed.	1998		Minor review underway.
<i>Local Government Act 1993</i>	P&C	ME, CC. Enables Councils to make by-laws in respect of any matter or thing, such as fees and licences and the execution of works, for which the Council has a function of power under this or any other Act.	1998		Some amendments were made to the Act in the Budget session 1999. However, the remainder of the Act is still to be reviewed.
<i>Marine Act 1976</i>	DIER	ME, CC, PSI, ND, (NC). Provides for the survey of marine vessels and equipment. Establishes standards for marine vessels and equipment through the adoption of national codes and standards.			Repealed in June 1997 and replaced by <i>Marine and Safety Authority Act 1997</i> , <i>Port Companies Act 1997</i> , and <i>Marine (Consequential Amendment) Act 1997</i> . These Acts were assessed under gatekeeper provisions.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Marine Farming Planning Act 1995</i>	DPIWE	ME, CC. Prohibits persons from carrying out marine farming activities unless they hold a lease, a re-seeding lease, a permit or a marine farm licence. Provides that a person must not do anything that is contrary to any marine farming development plan.	1999		Major review underway.
<i>Meat Hygiene Act 1985</i>	DPIWE	ME, CC, PSI, EGS, ND, (NC). Prohibits the operation of abattoirs and slaughterhouses without a licence and provides for conditions to be attached to licences. Prohibits persons from selling or bringing meat into Tasmania unless it is fit for human consumption.	1998		Major review completed. The Government is considering the recommendations.
<i>Medical Act 1959</i>	DHHS	ME, CC, ND, (CI). Requires medical practitioners to be registered and prevents certain medical activities from being performed without being registered, for example, prescribing medicine.			Repealed and replaced by <i>Medical Practitioners Registration Act 1996</i> , which is included in LRP timetable.
<i>Medical Practitioners Registration Act 1996</i>	DHHS	ME, CC, ND, (CI). Requires medical practitioners to be registered and prevents certain medical activities from being performed without being registered, for example, prescribing medicine.	1999		Review currently underway.
<i>Mental Health Act 1963</i>	DHHS	ME. Restricts the involuntary admission of patients to public hospitals only.			To be repealed when the <i>Mental Health Act 1996</i> is proclaimed.
<i>Mental Health Act 1996</i>	DHHS	This Act replaces the <i>Mental Health Act 1963</i> .	1999		Act to be proclaimed in late 1999.
<i>Merchant Seamen Act 1935</i>	DIER	CC, ND, (NC). Places restrictions on shipping crews through the adoption of International Labour Conventions.			Repealed by <i>Legislation Repeal Act 1998</i> .

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Metropolitan Transport Act 1954</i>	DIER	ME. Places restrictions on the provision of public bus services within a 22 kilometre radius of the Hobart GPO and a 12 kilometre radius of the Launceston GPO.	1998		Replaced by <i>Metro Tasmania Act 1997</i> and <i>Metro Tasmania (Transitional and Consequential Provisions) Act 1997</i> . New legislation was assessed under gatekeeper provisions. Major review in progress.
<i>Mineral Resources Development Act 1995</i>	DIER	ME, CC. A person must not carry out mining operations other than on their own land unless holding a lease or authorised under a mineral tenement.	1998		
<i>Mining Act 1929</i>	DIER	ME, CC. Provides for the issuing of prospecting, retention, mining, water and easement licenses and leases, providing substantial rights over unoccupied land. Prospecting licences for private land provide certain rights over private land.	1997		Repealed and replaced by the <i>Mineral Resources Development Act 1995</i> . This Act is currently under review.
<i>Mock Auctions Act 1973</i>	DOJ	CC. Prohibits auctions whereby it is a normal auction, but items are sold at a price lower than the highest bid, i.e. no kick backs allowed.	1998		To be included in the 1999 Legislation Repeal Bill.
<i>Motor Accidents (Liabilities and Compensation) Act 1973</i>	MAIB	ME, CC. Prohibits the driving of a motor vehicle on a public road unless a third party insurance premium has been paid. Provides the Motor Accidents Insurance Board (MAIB) with a monopoly on the provision of compulsory third party insurance.	1997	1997	Major review complete and Government has accepted the review recommendations. The Motor Accidents Insurance Board is to remain the monopoly provider of CTP insurance.
<i>Mount Cameron Water Race Act 1926</i>	DIER	This Act contains a legislated restriction on competition as part of a legislative scheme governing water rights to the Rushy Lagoon property. Not originally listed for review.			Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Mount Dundas and Zeehan Railway Act 1890</i>	DIER	ME, CC. The Act sets out a railway agreement providing a competitive advantage to a particular company. It gives the authority to construct and operate a railway.	1997		Repealed by the <i>Legislation Repeal Act 1998</i> .

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Mount Dundas and Zeehan Railway Act 1891</i>	DIER	ME, CC. The Act sets out a railway agreement providing a competitive advantage to a particular company. It gives the authority to construct and operate a railway.	1997		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Mount Lyell and Strahan Railway Act 1892</i>	DIER	ME, CC, PSI. Provides the company with the power to construct a railway through public and private lands. Specifies quality levels to be met in the construction of the railway.	1996		Repealed by the <i>Legislation Repeal Act 1996</i> .
<i>Mount Lyell and Strahan Railway Act 1893</i>	DIER	PSI. Specifies railway construction standards to be met by this railway.	1996		Repealed by the <i>Legislation Repeal Act 1996</i> .
<i>Mount Lyell and Strahan Railway Act 1896</i>	DIER	ME. Provides the company with the power to alter the course of the railway through public and private lands. It provides the company with greater rights of acquisition than is available to other companies under the law.	1996		Repealed by the <i>Legislation Repeal Act 1996</i> .
<i>Mount Lyell and Strahan Railway Act 1898</i>	DIER	CC. Restricts the ability of the company to set freight rates. As a monopoly provider of rail services to Strahan the Government empowered itself to oversee the private freight fees charged by the company.	1996		Repealed by the <i>Legislation Repeal Act 1996</i> .
<i>Mount Lyell and Strahan Railway Act 1900</i>	DIER	ME. Provides the company with an extension to its rights over public and private lands.	1996		Repealed by the <i>Legislation Repeal Act 1996</i> .
<i>Mount Read and Rosebery Mines Limited Leases Act 1916</i>	DIER	ME. The Act authorises the issue of special leases and licences to the Company in order for it to acquire "a more certain tenure of the lands, water and other rights". The Company has sole rights to timber on any lands in the lease.	1998		Legislation to repeal this Act is currently before Parliament.
<i>National Parks and Wildlife Act 1970</i>	DPIWE	ME. Provides for conditions to be placed on the commercial use of crown land and limits the number and type of licenses that can be issued.	1997		Minor review underway.
<i>North Esk Regional Water Act 1960</i>	DPIWE	ME. Provides the Rivers and Water Supply Commission with the exclusive right to supply certain "water districts" from waterworks vested in the Commission.	1996		Repealed by <i>Northern Regional Water (Arrangements) Act 1997</i> .

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>North Mount Lyell and Macquarie Harbour Railway Act 1897</i>	DIER	ME, CC, PSI. Provides the company with the power to construct a railway through public and private lands. Specifies quality levels to be met in the construction of the railway.	1996		Repealed under <i>Legislation Repeal Act 1996</i> .
<i>North Mount Lyell Mining and Railway Act 1901</i>	DIER	ME, CC. Provides the company with more land for its railway and retrospectively approves certain new railway constructions. Specifies the conduct and form of leasing arrangements that the company can enter into.	1996		Repealed under <i>Legislation Repeal Act 1996</i> .
<i>North-West Regional Water Act 1987</i>	DPIWE	ME. Provides that the North West Regional Water Authority may take water from specified places. Provides that the Authority shall supply municipalities in the Water District with water and that municipalities will not obtain water in bulk from elsewhere.	1996		Repealed by <i>North West Water (Arrangements) Act 1997</i> in 1998. New Act assessed under gatekeeper provisions.
<i>Noxious Insects and Molluscs Act 1951</i>	DPIWE	CC, EGS, ND, (NC). Prohibits the importation into Tasmania of any noxious insect or mollusc, except for scientific purposes and with the prior approval of the Minister. Prohibits the sale of any infested animal or good. Protection of plant resources from the introduction of a disease, organism, variety or disorder.			Repealed and replaced by <i>Plant Quarantine Act 1997</i> . New legislation assessed under gatekeeper provisions.
<i>Noxious Weeds Act 1964</i>	DPIWE	CC, EGS, ND, (NC). Provides for the declaration of "infected areas" and prohibits the movement of plants and animals from that area. Prohibits the importation of banned weeds and unidentified plants. Controls the importation of seeds, aquatic plants and animals. Protection of plant resources from the introduction of a disease, organism, variety or disorder.			Expected to be replaced by new legislation. New provisions to be assessed under gatekeeper provisions.
<i>Nursing Act 1987</i>	DHHS	ME, ND, (CI). Sets out the qualifications necessary for persons to be registered or enrolled as nurses.			Repealed and replaced by <i>Nursing Act 1995</i> . New legislation is on LRP timetable.
<i>Nursing Act 1995</i>	DHHS	ME, ND, (CI). Sets out the qualifications necessary for persons to be registered or enrolled as nurses.	1998		Government has approved the repeal of the restrictive provisions of the Act relating to advertising.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Optometrists Registration Act 1994</i>	DHHS	ME, CC, ND, (CD). Requires optometrists to be registered. Restricts the ownership of optometry practices, advertising and the dispensing of optical appliances.	1999		Review underway.
<i>Partnership Act 1891</i>	DOJ	CC. Defines the rights and obligations of partnerships and partners. Places restrictions on partners competing with the partnership.	1998		Minor review complete and retention of restrictions justified as being in the public benefit. Restrictions apply to the ability of partners to compete with their partnerships.
<i>Pawnbrokers Act 1857</i>	DOJ	ME, CC. Prohibits persons acting as pawnbrokers without a licence. Restricts the conduct of pawnbrokers.	1999		Repealed by <i>Second-Hand Dealers and Pawnbrokers Act 1994</i> , which is scheduled for review.
<i>Pesticides Act 1968</i>	DPIWE	ME, CC, PSI, ND, (NC). Provides for the registration of pesticides and prohibits their sale unless registered. Prohibits the sale of foodstuffs that contain pesticide residue above the permitted tolerance. Controls the packaging, labelling and use of pesticides.			Repealed by the <i>Agricultural and Veterinary Chemicals (Control of Use) Act 1995</i> , which is part of a national review.
<i>Petroleum (Submerged Lands) Act 1982</i>	DIER	ME, ND, (NC). Requires licences for the production of petroleum and the construction and operations of pipelines. Requires retention leases for petroleum.	1999		National review underway. Issues paper released in November 1999.
<i>Petroleum Products Emergency Act 1994</i>	DOP	ME, CC. Provides for the licensing and prohibition of sale of petroleum products and the rationing of petroleum sales in an emergency.	1998		Not for review. Legislation provides that any restrictions must be in public benefit, therefore no further justification of provisions is considered necessary.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Pharmacy Act 1908</i>	DHHS	ME, CC, ND, (CI). Requires pharmaceutical chemists to be registered and restricts advertising, the selling of medicines, the recording of prescriptions and so on.		Jan 1998	National review underway, discussion paper released. A State-based review, which did not address ownership issues (being addressed nationally), was completed Jan 1998. This Act to be replaced by new legislation.
<i>Physiotherapists Registration Act 1951</i>	DHHS	ME, CC, ND, (CI). Requires physiotherapists to be registered and restricts various forms of advertising.	1997		New legislation being drafted to replace existing Act. New Act to be assessed under gatekeeper provisions
<i>Plant Diseases Act 1930</i>	DPIWE	CC, EGS, ND, (NC). Provides for the Governor to prohibit the introduction into Tasmania of any plant that is likely to introduce any disease or noxious organism. Prohibits the movement and export of diseased plants. Protection of plant resources from the introduction of a disease, organism, variety or disorder.			To be repealed by <i>Plant Quarantine Act 1997</i> , which is to be assessed under gatekeeper provisions.
<i>Plant Protection Act 1994</i>	DPIWE	CC, EGS, ND, (NC). Provides that the Minister may prohibit the sale of anything found in an "infested area" and may prohibit any article, goods or material from being imported into Tasmania. Prohibits exportation of diseased plants unless in accordance with restrictions. Protection of plant resources from the introduction of a disease, organism, variety or disorder.			Act passed but not proclaimed. To be repealed and replaced by new legislation under gatekeeper provisions.
<i>Plumbers and Gas-fitters Registration Act 1951</i>	DIER	ME. Requires that plumbers and gas-fitters be registered. Prohibits plumbing and gas-fitting work by unregistered persons.	1997		Review near completion, a final report is being prepared,
<i>Podiatrists Registration Act 1974</i>	DHHS	ME, CC, ND, (CI). Requires podiatrists to be registered and restricts various forms of advertising.			Repealed and replaced by <i>Podiatrists Registration Act 1995</i> .
<i>Podiatrists Registration Act 1995</i>	DHHS	ME, CC, ND, (CI). Requires podiatrists to be registered and restricts various forms of advertising.	1998		Review is nearing completion.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Poisons Act 1971</i>	DHHS	ME, CC, PSI, ND, (NC). Requires the licensing of manufacturing and wholesale chemists, and restricts the sale or supply of narcotic or prohibited substances. Prohibits the sale of new drugs until they are classified. Essential provisions to prohibit the widespread use of potentially dangerous substances such as drugs.			National review underway. Expected completion June 2000. DHHS is drafting legislation to replace <i>Poisons Act 1971</i> with two Bills dealing with licit and illicit drug use. New Acts to be assessed under gatekeeper provisions.
<i>Police Offences Act 1935</i>	DOP	ME. Requires the licensing of tanners, motor racing events, wood stacks, fund raising, money lending and boxing.	1999		Replacement legislation is being drafted. New Act to be assessed under gatekeeper provisions.
<i>Port Arthur Historic Site Management Authority Act 1987</i>	PAHSMA	ME. Imposes restrictions on commercial operations in the Port Arthur Historic Site area.	1998		Review deferred due to considerable management changes made following the Port Arthur tragedy. Preliminary work for review underway.
<i>Port Huon Wharf Act 1955</i>	T&F	Contains legislation that restricts competition. Was not on original timetable for review.			Act repealed in 1997.
<i>Primary Industry Activities Protection Act 1995</i>	DPIWE	ME, CC. Provides legal protection from a claim of nuisance to established primary producers, but not to new ones entering the market.	1999		
<i>Printers and Newspapers Act 1911</i>	DOJ	CC. Requires printed matter to carry printer's name and address. Prohibits the sale of printed matter that does not bear printer's name and address.	1997		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Psychologists Registration Act 1976</i>	DHHS	ME, CC, ND, (CI). Requires psychologists to be registered. Restricts advertising by persons who are not registered psychologists without Board approval. Prevents a person other than a registered psychologist from using certain instruments or devices.			New registration legislation drafted to replace this Act.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Public Health Act 1962</i>	DHHS	ME, CC, PSI, ND, (NC). Prohibits persons other than medical practitioners from treating patients suffering from certain diseases. The Act prescribes food labelling requirements and sets food standards. Requires the registration of, and sets standards for, food premises.			Repealed and replaced by <i>Public Health Act 1997</i> and <i>Food Act 1998</i> . National review of food regulation complete.
<i>Pulpwood Products Industry (Eastern and Central Tasmania) Act 1968</i>	FT	ME. Ratifies a financial agreement providing a particular company with a competitive advantage, potentially acting to restrict competition.	1997		Repealed by <i>Legislation Repeal Act 1995</i> .
<i>Racing Act 1983</i>	DIER	ME, CC, ND, (NC). Provides for the licensing of thoroughbred horses and greyhounds and persons involved in this type of racing. Controls thoroughbred and greyhound racing in Tasmania.	1999		Review has been deferred until 1999 pending completion of a minor review of the State's gaming legislation. The Act will be reviewed in conjunction with racing components of the <i>Racing and Gaming Act 1952</i> .
<i>Racing and Gaming Act 1952</i> (except in relation to totalisator betting)	DIER	ME, CC. Requires the registration of bookmakers, bookmaker's clerks, racing clubs and racecourses. Restricts race meetings, telephone sports betting, bookmaker betting activities and the appointment of officials. Prohibits proprietary racing. Limitations on the availability of gaming to minors.	1999		Review of the racing components has been deferred until 1999 pending completion of a minor review of the State's gaming legislation. The Act will be reviewed in conjunction with the <i>Racing Act 1983</i> .
<i>Racing and Gaming Act 1952</i> (in so far as it relates to minor gaming)	T&F		1999		Minor review underway as part of a review of State gaming legislation.
<i>Racing and Gaming Act 1952</i> (in so far as it relates to totalisator betting)	T&F – DPIWE	ME, CC, ND, (NC). Restrictions on totalisator betting.	1999		Racing components will be reviewed following completion of the review of the State's gaming legislation.
<i>Radiation Control Act 1977</i>	DHHS	ME, CC. Prohibits unlicensed dealings with radioactive materials and electronic products. Enables requirements to be imposed on premises and requires the registration of certain products and materials.	1996		New legislation is being drafted and will be subject to LRP gatekeeper provisions.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Radiographers Registration Act 1971</i>	DHHS	ME, CC, ND, (CI). Requires radiographers to be registered. Prevents persons carrying out radiographic procedures unless they are registered.			New registration legislation covering radiation technologists is proposed to replace existing legislation, and is subject to gatekeeper provisions.
<i>Railway Management Act 1935</i>	DIER	ME, CC. Gives the Transport Commission the power to issue licences to reopen abandoned railways. Exempts railway buildings from planning laws.	1997		To be repealed following proclamation of <i>Rail Safety Act 1997</i> . Since Government no longer owns any railways, Act is redundant.
<i>Railways (Transfer to Commonwealth) Act 1975</i>	DIER	CC. Establishes a price fixing regime, whereby rail freight charges cannot be set at a level higher than those applying to railways of the Commonwealth outside Tasmania.	1997		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Railways Clauses Consolidation Act 1901</i>	DIER	CC, PSI. Authorises the construction of railways or tramways and sets fares, construction standards, rates and charges.	1998		Review deferred pending proclamation of the <i>Rail Safety Act 1997</i> , as the safety and access provisions will negate the need for this Act.
<i>Renison Limited (Zeehan Lands) Act 1970</i>	DPIWE	ME. Vests certain land to Renison Limited.	1997		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Roads and Jetties Act 1935</i>	DIER	CC. Prohibits persons from moving vehicles or livestock so as to cross the side boundary of a limited access road without authority to do so.	1998		Preliminary work for review underway.
<i>Rossarden Water Act 1954</i>	DPIWE	CC. Provides that the Fingal Council may use its power to supply water to the Aberfoyle Tin mine free of charge, effectively providing the company with a competitive advantage.	1996		Act to be repealed by the Water Management Bill 1999.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Rules Publication Act 1953</i>	DOJ	ME, PSI, AD. All Statutes and Statutory Rules to be sent to the Government Printer and shall be numbered, printed and sold by the Printer as prescribed. Provides administrative discretion to the Chief Parliamentary Council to appoint the Government printer.	1997		Restrictive provisions to be repealed by <i>Legislation Publication Act 1996</i> in 1998.
<i>Sale of Condoms Act 1987</i>	DHHS	ME, CC, PSI. Requires the installers of condom vending machines to be licensed. Prohibits certain advertisements and the sale and supply of particular condoms. Requires that condoms meet certain standards.	1998		This Act has been repealed. The standard of condoms falls under the provisions of the <i>Therapeutic Goods and Cosmetics Act 1976</i> .
<i>Sale of Hazardous Goods Act 1977</i>	DOJ	PSI, ND, (NC). Enables the prohibition of the sale of certain products that are determined to be hazardous.	1999		Originally expected to be national review, state review scheduled for 1999.
<i>Salt-water Salmonid Culture (Supplementary Agreements Validation) Act 1992</i>	DPIWE	ME. The Act amends the Joint Venture Agreement, which gives SALTAS a monopoly on the production of salmon smolt.	1998		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Salt-water Salmonid Culture Act 1985</i>	DPIWE	ME. The Act ratifies the Joint Venture Agreement, which gives SALTAS a monopoly on the production of salmon smolt.	1998		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>School Dental Therapy Service Act 1965</i>	DHHS	ME, CC. Sets conditions under which dental therapists can practice, for example, they can only treat children up to 16 years. Outlines the limited range of duties that can be performed by dental therapists and limits their practice to the public sector.	1999		To be incorporated into new legislation to replace the <i>Dental Act 1982</i> . The new legislation will be assessed under the gatekeeper provisions.
<i>Second-hand Dealers Act 1905</i>	DOJ	ME, CC. Prohibits persons acting as second-hand dealers without a licence. Restricts the conduct of second-hand dealers.			Repealed by <i>Second-Hand Dealers and Pawnbrokers Act 1994</i> , which is scheduled for reviewed

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Second-hand Dealers and Pawnbrokers Act 1994</i>	DOJ	CC. Requires a person seeking to commence business as a second-hand dealer or pawnbroker to notify the nearest police station of their intention. Persons may be prohibited (negatively licensed) from operating as second-hand dealers or pawnbrokers.	1999		
<i>Securities Industry (Application of Laws) Act 1981</i> and Securities Industry (Tasmania) Code	DOJ	Part of a suite of legislation that regulated companies prior to the introduction of the <i>Corporations (Tasmania) Act 1990</i> . No effect except in relation to breaches prior to <i>Corporations (Tasmania) Act 1990</i> . The Australian Securities Commission advises that they can not yet be repealed.			Review not required, as regulations do not restrict competition. No effect except in relation to breaches that occurred prior to introduction of the <i>Corporations (Tasmania) Act 1990</i> .
<i>Seeds Act 1985</i>	DPIWE	PSI, EGS, ND, (NC). Prohibits the importation of certain seeds and the sale of seeds if the quality of those seeds is less than prescribed, or if they are mixed with other seeds in the wrong proportion or with seeds that are infected.	1999		Originally expected to be national review, state review scheduled for 1999.
<i>Sewers and Drains Act 1954</i>	DPIWE	ME, PSI. Specifies material and work standards for the construction and maintenance of sewerage works. Requires certain Council officers to hold certificates of qualification.	1998		Being reviewed as part of COAG reform agenda for water industry. New legislation will be assessed under the gatekeeper provisions.
<i>Shop Trading Hours Act 1984</i>	DIER	CC. Stipulates that any business employing more than 250 people may not open on Sundays and certain other prescribed times. The Minister may declare certain days to be extended trading days.	1999		Review deferred to coincide with Government commitments made in relation to shop trading hours.
<i>Stock (Brands and Movement) Act 1984</i>	DPIWE	CC, ND, (CI). Imposes an obligation on all persons with cattle or sheep to brand them with registered earmarks. Pigs cannot be sold unless they are branded with a registered body tattoo.	1999		State-based review.

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Stock Act 1932</i>	DPIWE	ME, EGS, ND, (NC). Requires a licence for commercial artificial breeding. Enables the Minister to prohibit or restrict the movement of any animals into Tasmania from any other State. Protection of animal resources from the introduction of a disease, organism, variety or disorder.			Repealed and replaced by the <i>Animal Health Act 1995</i> , which is scheduled for review.
<i>Stock, Wool, and Crop Mortgages Act 1930</i>	DOJ	PSI. Provides for the registration of mortgages against stock, wool and crops by the Office of Consumer Affairs. Specifies what can be mortgaged and how it is to be done.	1998		New legislation being prepared to replace this Act. New Act to be assessed under gatekeeper provisions.
<i>Substandard Housing Control Act 1973</i>	DHHS	PSI. Provides for the closure of substandard rental accommodation and for rental control over certain premises.	1996		Expected to be repealed.
<i>Sunday Observance Act 1968</i>	DIER	CC. No person shall purchase, sell or negotiate the purchase of property on a Sunday. Certain other business activities are forbidden on a Sunday.	1997		Repealed by the <i>Sunday Observance (Repeal) Act 1997</i> .
<i>Survey Co-ordination Act 1944</i>	DPIWE	ME, CC. Prohibits the erection of a structure, building or any other erection that is likely to be mistaken for a standard permanent mark on a mountain, hill or elevated land without the approval of the Surveyor-General.	1998		Any restrictions to be repealed following review of the <i>Land Surveyors Act 1909</i> .
<i>Tasmanian Government Insurance Act 1919</i>	T&F	ME, CC, PSI. Establishes the Tasmanian Government Insurance Office and prohibits it from trading in life insurance. Specifies business practices and standards.	1997		To be repealed once transitional issues associated with sale of TGIO's business are completed (after July 1999).
<i>Tasmanian Harness Racing Board Act 1976</i>	DPIWE	ME, CC, ND, (NC). Provides for the registration of all harness racing trainers and drivers. Controls harness racing in Tasmania.			Repealed and replaced by <i>Racing Amendment Act 1997</i> as a result of the Racing Industry Review. New Act assessed under gatekeeper provisions as not restricting competition.
<i>Tasmanian Public Finance Corporation Act 1985</i>	T&F	ME. Provides for the Treasurer to direct a State authority to exclusively source loans from Tascorp.	1998		Minor review underway.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Taxi Industry Act 1995</i>	DIER	ME, CC, PSI, ND, (CI). Provides for the licensing of taxis and places restrictions on their operation. Limits the number of taxi licences available.	1999		Review underway.
<i>The Mount Lyell Mining and Railway Company Limited (Continuation of Operations) Act 1985</i>	T&F	CC. Provides financial assistance to extend the life of the mine and to establish a rehabilitation agreement.	1996		Repealed by the <i>Legislation Repeal Act 1996</i> .
<i>The Mount Lyell Mining and Railway Company Limited (Continuation of Operations) Act 1987</i>	T&F	CC. Provides financial assistance to further extend the life of the mine and to ensure continuation of the rehabilitation agreement.	1996		Repealed by the <i>Legislation Repeal Act 1996</i> .
<i>The Mount Lyell Mining and Railway Company Limited (Continuation of Operations) Act 1992</i>	T&F	ME. Ratifies and implements a deed of variation with respect to the continuation of operations of a particular company. Grants to the company certain environmental degradation exemptions.	1997		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Therapeutic Goods and Cosmetics Act 1976</i>	DHHS	PSI, ND, (NC). The Act provides for the control of therapeutic goods and cosmetics.			To be replaced by a new Therapeutic Goods Bill, which will complement Commonwealth legislation. New legislation to be assessed under gatekeeper provisions.
<i>Thomas Owen and Co. (Australia) Limited Act 1948</i>	DPIWE	ME. Provides a company with the right to take as much water as required at no cost and prohibits it from using that water to generate electricity.	1998		Being reviewed as part of COAG reform agenda for water industry. New legislation will be assessed under the gatekeeper provisions.
<i>Threatened Species Protection Act 1995</i>	DPIWE	ME, CC. Prohibits trade in protected flora and fauna. Provides for protection orders prohibiting certain activities and exemptions from those orders. Specifies conduct of Government agencies, GBEs, authorities and bodies in relation to sustainable development. Essential provisions to protect native species or other classes of animals from extinction.	1999		

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Tobacco Products (Labelling) Act 1987</i>	DHHS	PSI. Prescribes regulations for the packaging of tobacco products and requires warning notices to be displayed on tobacco products.			Repealed by <i>Public Health Act 1997</i> .
<i>Traffic Act 1925</i>	DIER	ME, CC. Provides for the licensing of public vehicles (cars, carriers, omnibuses, hire cars and charter buses) and for conditions to be placed on licences.	1996		Substantially reviewed. Anti-competitive provisions of Part III will be replaced by <i>Passenger Transport Act 1997</i> , <i>Passenger Transport (Consequential and Transitional) Act 1997</i> and <i>Traffic Amendment (Accreditation and Miscellaneous) Act 1997</i> . Legislation to replace the remainder of the Act is being progressed.
<i>Travel Agents Act 1987</i>	DOJ	ME, CC, ND, (NC). Requires travel agents to be licensed and defines what does and does not constitute the business of a travel agent.			National review underway; coordinated by Western Australia. Issues paper released June 1999.
<i>Trustee (Insured Housing Loans) Act 1970</i>	T&F	ME, CC. Prescribes the power to approve insurers and provides that trustees can only invest in a housing loan if that housing loan is insured by an approved insurer.	1997		Repealed by <i>Trustee Amendment (Investment Powers) Act 1997</i> .
<i>Trustee Act 1898</i>	DOJ - T&F	CC. Regulates the types of investments that trustees can and cannot make.	1998		Restrictive provision replaced in 1997 with a 'prudent person' approach and assessed as non-restrictive.
<i>Trustee Banks Act 1985</i>	T&F	ME, CC. Restricts the establishment of Trustee Banks and provides a regulatory framework for Trustee Banks that can affect their competitive conduct. It also requires auditors of Trustee Banks to be registered auditors.	1998		Minor review complete and retention of restrictions justified as being in the public benefit. Restrictions relate to establishing and operating Trustee Banks.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Trustee Companies Act 1953</i>	DOJ	ME, CC, ND, (NC). Provides for the establishment of trustee companies. Prohibits specific actions in relation to loans. Prohibits trustee companies from engaging in any business unless expressly authorised in the Act.			New uniform trustee companies legislation drafted by Standing Committee of Attorneys-General. Review underway with NSW as lead agency.
<i>TT-Line Gaming Act 1993</i>	T&F	ME, CC. Grants a licence to a State shipping company to conduct gaming operations. Specifies how gaming is to be conducted and which games can be played. Limitations on the availability of gaming to minors.	1998		Minor review underway as part of a review of State gaming legislation.
<i>United Milk Products Ltd (Amalgamation) Act 1981</i>	DSD	ME. Special Act to allow the amalgamation of two companies and two co-operative industrial societies into one single company. Not practicable under the <i>Companies Act 1962</i> ; therefore this special Act was passed.	1998		Repealed by the <i>Legislation Repeal Act 1998</i> .
<i>Universities Registration Act 1995</i>	DE	ME, CC, ND, (NC). Requires institutions wanting to operate as universities to be registered and enables conditions to be imposed on their conduct.	1998	1998	Minor review has been completed and restrictions, relating to the registration and accreditation of private universities, are to be retained as they are considered to be in the public benefit.
<i>Valuers Registration Act 1974</i>	DPIWE	ME, CC, ND, (CI). Requires valuers to be registered and specifies conduct that may result in de-registration, such as professional misconduct, taking excessive amounts of alcohol and drugs, suffering from a mental disorder or committing an offence.	1997		Major review complete, recommendations soon to be progressed for Government consideration. Undertaken in conjunction with review of <i>Land Valuation Act 1971</i> .

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Van Dieman's Land Company's Waratah and Zeehan Railway Act 1895, Van Dieman's Land Company's Waratah and Zeehan Railway Act 1896 and Van Dieman's Land Company's Waratah and Zeehan Railway Act 1948</i>	DIER	ME, CC. These Acts sets out a railway agreement providing a competitive advantage to a particular company; gives authority to construct and operate a railway and prescribes the construction standards that must be met.	1998		Review deferred pending proclamation of the <i>Rail Safety Act 1997</i> , as the safety and access provisions will negate the need for these Acts.
<i>Vermin Destruction Act 1950</i>	DPIWE	ME, EGS, ND, (SE). Prohibits the keeping and intrastate transportation or importation into Tasmania of vermin and rabbits without a permit.	1999		Originally expected to be national review, state review scheduled for 1999.
<i>Veterinary Medicines Act 1987</i>	DPIWE	ME, PSI, ND, (NC). Provides for the registration of veterinary medicines, prohibits their sale unless they are registered and packaged in accordance with requirements. Requires animals treated with prescribed medicines to be marked in a manner approved by the Registrar.			Repealed Jan 1997 by the <i>Agricultural and Veterinary Chemicals (Control of Use) Act 1995</i> , which is scheduled for review.
<i>Veterinary Surgeons Act 1987</i>	DPIWE	ME, CC, ND, (CI). Requires persons practising veterinary surgery or rendering a veterinary service to be registered. Specifies constraints on the formation of veterinary services companies and alters the legal obligations of veterinary surgeons employed by such companies.	1999		Originally expected to be national review, state review scheduled for 1999.
<i>Vocational Education and Training Act 1994</i>	DE	ME, PSI, ND, (NC). Requires training providers to be registered in order to offer accredited courses. Provides for compulsory training agreements for training undertaken in respect of a declared vocation.	1999		Review commenced.
<i>Water Act 1957</i>	DPIWE	ME, CC, AD. Gives the Rivers and Water Supply Commission the power to allow or prevent persons from taking water from rivers and lakes. Prohibits the taking of water for irrigation without the authority of the Commission. Specifies water quality standards.	1998		Being reviewed as part of COAG reform agenda for water industry. New legislation will be assessed under the gatekeeper provisions.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Waterworks Clauses Act 1952</i>	DPIWE	ME. Gives power to persons, authorised by special Acts to construct waterworks, to acquire land and to undertake various activities associated with the construction of such waterworks.	1998		Being reviewed as part of COAG reform agenda for water industry. New legislation will be assessed under the gatekeeper provisions.
<i>Wee Georgie Wood Steam Railway Act 1977</i>	DIER	ME, CC. The Act sets out a railway agreement providing a competitive advantage to a particular company. It gives the authority to construct and operate a railway and prescribes the construction standards that must be met.	1998		Review deferred pending proclamation of the <i>Rail Safety Act 1997</i> , as the safety and access provisions will negate the need for this Act.
<i>Weights and Measures Act 1934</i>	DOJ	ME, CC, PSI, ND, (NC). Requires the licensing of weigh bridges and public weigh bridge operators. Specifies requirements for pre-packed articles and other products.			New legislation to be introduced in 1998 to provide for State-based uniform trade measurement. New Act to be assessed under gatekeeper provisions.
<i>Wellington Park Act 1993</i>	DPIWE	ME. Imposes restrictions on commercial operations in the Wellington Park area.	1998		Due date of review deferred until 1999 to coincide with completion of review of <i>National Parks and Wildlife Act 1970</i> .
<i>Wesley Vale Pulp and Paper Industry Act 1961</i>	FT	ME. Ratifies a financial agreement providing a particular company with a competitive advantage, potentially acting to restrict competition.	1998		Being reviewed as part of COAG reform agenda for water industry. New legislation will be assessed under the gatekeeper provisions.
<i>Whales Protection Act 1988</i>	DPIWE	ME, CC, ND, (CI). Requires a permit to trade in any whale products, or to take/interfere with whales.	1998		Preliminary work for minor review underway.
<i>Workers' (Occupational Diseases) Relief Fund Act 1954</i>	DIER	ME, CC. Compels employers in certain industries to contribute to the Workers (Occupational Diseases) Relief Fund.			Review not required. Restrictive components repealed by <i>Workers' Compensation Legislation Amendment Act 1993</i> .

Name of legislation	Agency	Description/Comment on Review	Review scheduled	Review complete	Review/Reform progress
<i>Workers' Rehabilitation and Compensation Act 1988</i>	DIER	ME, CC, PSI. Compels employers to take out insurance and provides for the compulsory licensing of insurers. Establishes employers' liability to compensate workers, specifies levels of compensation and specifies the requirement for medical practitioners to be accredited.	1998		Joint Select Committee examining need for reform of legislation, report submitted in May 1998. Additionally, Labour Ministers' Council co-ordinating a national review of workers' compensation arrangements. Review deferred pending outcome.
<i>Workplace Health and Safety Act 1995</i>	DIER	ME, CC, PSI. Establishes a code of practice with respect to workplace health and safety. Sets health, safety and welfare standards. Regulates workplaces and work practices.			Labour Ministers' Council reviewed National Occupational Health and Safety Commission and agreed to change in its direction and a new role in relation to approval of OH&S standards. Review options to be developed after considering reforms to NOHSC.
<i>Wynyard Airport (Special Provisions) Act 1982</i>	DIER	ME. Provides for the granting of a lease or licence to use any part of the land, buildings or structures of the airport.	1998		Repealed by <i>Port Companies Act 1997</i> .

