
8 Australian Capital Territory

8.1 Guide to the Australian Capital Territory legislation review schedule

Legislation review

The ACT legislation review schedule presents a summary of the regulatory review processes occurring within the ACT, including an integrated review timetable and details of progress to date with implementing review recommendations. A total of 252 Acts - including several pieces of NSW legislation which have application in the Territory – are scheduled for review.

In October 1997, the ACT Government published the *National Competition Policy: Practices and Procedures Manual* to assist Departments to meet their NCP obligations in the review of legislative restrictions.

The ACT Government has combined its National Competition Policy reviews and other reviews where appropriate. Legislation reviews which do not include a NCP component are not reported here. Further information concerning the legislation review schedule or the review process in general can be obtained from the ACT Microeconomic Reform Section.

Progress to 31 December 1998

The ACT had scheduled some 181 reviews to be completed by the NCP second tranche assessment. However, in 20 cases, review was deemed unnecessary, the legislation had been repealed or found to have no significant restrictions on competition. Of the remaining 161 reviews, 56 had been completed and 43 reviews were currently underway. Three third tranche reviews were commenced ahead of schedule.

The Government announced its response to 36 reviews, repealing 35 pieces of legislation. Significant decisions include:

- Repeal of the *Trading Hours Act 1962*, which removed restrictions to Monday to Sunday trading hours, and retained only minimal restrictions on shop trading.
- Amendments to legislation, following review of racing codes, ensured persons were not excluded from market entry or from accessing racing infrastructure.
- Reforms to the *Milk Authority Act 1971*, to be phased in over 2 years, eliminated subsidies and removed exclusive geographic distribution franchises.

8.2 Abbreviations

The following abbreviations are used in the ‘Agency’ column of the Australian Capital Territory legislation review timetable.

CMD	Chief Minister’s Department
CTP	Compulsory Third Party
DECS	Department of Education and Community Services
DHCC	Department of Health and Community Care
DTI	Department of Treasury and Infrastructure
JACS	Department of Justice and Community Safety
US	Urban Services

Where the year in which a review is scheduled to commence is followed by “/1” or “/2” in the ‘Date of review’ column it indicates that the review is scheduled to commence in the first or second half of the year, respectively.

8.3 Legislation review schedule: Australian Capital Territory

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Administration and Probate Act 1929</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Subject to a national law reform exercise.
<i>Adoption Act 1993</i> - except sub-sections 104(2) and 109(2)	DECS	Intra-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Agents Act 1968</i>	JACS	Targeted public review.	1998/2		Preliminary work for review underway.
<i>Air Pollution Act 1984</i>	US		Not applicable	Not applicable	Repealed by <i>Environment Protection Act 1997</i> .
<i>Anglican Church of Australia Trust Property Act 1917</i> - New South Wales legislation in its application in the Territory	JACS	Intra-departmental review. Minor issues.	1998/2		Draft review has been completed.
<i>Anglican Church of Australia Trust Property Act 1928</i> - New South Wales legislation in its application in the Territory	JACS	Intra-departmental review.	1998/2		Draft review has been completed.
<i>Animal Diseases Act 1993</i>	US	Intra-departmental review.	1999/1		Review in progress. Joint review with <i>Pounds Act 1928</i> and <i>Stock Act 1991</i> . Interim Report released.
<i>Animal Welfare Act 1992</i>	US	Intra-departmental review.	1999/2		

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Annual Holidays Act 1973</i>	US	Not applicable .	No review scheduled	Not applicable	Act renamed <i>Annual Leave Act 1973</i> .
<i>Annual Leave Act 1973</i>	US	Not applicable	No review scheduled	Not applicable	Review not required. No competition restrictions. Act bestows employee benefits.
<i>Apiaries Act 1928</i>	US	Not applicable	Not applicable	Not applicable	Act repealed in March 1997 and replaced by an amendment to the <i>Animal Diseases Act</i> . Subsequent amendment currently under consideration in the Legislative Assembly.
<i>Architects Act 1959</i>	US	National review	1999/1		National review of legislation regulating architects commenced by Productivity Commission in November 1999.
<i>Associations Incorporation Act 1991</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Auctioneers Act 1959</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Australian-American Educational Foundation Act 1966</i>	JACS		Nor review scheduled	Not applicable	Act to be repatriated to the Commonwealth.
<i>Bank Mergers Act 1997</i>	DTI	Intra-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Betting (ACTTAB Limited) Act 1964</i>	DTI	Targeted public review.	1999/1		Draft report has been completed. The Act has been reviewed as part of the ACTTAB and Bookmakers legislation review.
<i>Birth (Equality of Status) Act 1988</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Draft review completed August 1999.
<i>Births, Deaths and Marriages Registration Act 1997</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Blood Donation (Transmittable Diseases) Act 1985</i>	DHCC	Intra-departmental review. Section 3 limits the conduct of the Red Cross Society. Section 5 confers benefit on the society.	1999/2		Review is on hold as related developments at a national level are progressed.
<i>Board of Senior Secondary Studies Act 1997</i>	DECS	Intra-departmental review.	1998/2		Legislation is necessary to provide the Government approved function. Also being considered in school legislation review.
<i>Bookmakers Act 1985</i>	DTI	Targeted public review. Will form stage two of the development of consolidated racing and betting legislation.	1999/1		Act will be reviewed as part of the ACTTAB legislation review. Draft report has been completed.
<i>Boxing Control Act 1993</i>	DECS	National review completed.	1998/2		Recommendations from review to be considered by the Sport and Recreation Minister's Conference in December 1999. ACT further action dependent on December meeting.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Building Act 1972</i>	US	Targeted public review.	1999/2		To be reviewed in conjunction with the <i>Plumbers, Drainers and Gasfitters Board Act</i> and the <i>Electricity Act</i> (licensing of electricians). Review focused on regulation of building occupations
<i>Building and Services Act 1924</i>	US	Not applicable	Not applicable	Not applicable	Part of the utilities legislation review under the lead of DTI. New legislation in preparation.
<i>Buildings (Design and Siting) Act 1964</i>	US	Not applicable	Not applicable	Not applicable	Repealed by <i>Land (Planning and Environment) (Amendment) Act</i> (No.3 of 1996) as a result of implementation of the 1995 Stein report. Design and siting provisions incorporated into streamlined Development Application.
<i>Business Franchise ("X" Videos) Act 1990</i>	JACS		No review scheduled	Not applicable	Repealed in 1996 following an adverse High Court decision
<i>Business Franchise (Liquor) Act 1993</i>	CM		No review scheduled	Not applicable	Federal Court S90 decision, no further action.
<i>Business Franchise (Tobacco and Petroleum Products) Act 1984</i>	CM		No review scheduled	Not applicable	Federal Court S90 decision, no further action.
<i>Business Names Act 1963</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Canberra Institute of Technology Act 1987</i>	DECS	The Act provides an exemption from Territory taxes and charges. Cabinet has decided that Canberra Institute of Technology taxation liability is to be reviewed by ACT Revenue Office. That review is expected to take place in the second half of 1998.	1999/1	1999	Review complete. Act assessed as not restricting competition.
<i>Canberra Tourism and Events Corporation Act 1997</i>	CM	Inter-departmental review.	No review scheduled.	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Casino Control Act 1988</i>	DTI	Targeted public review.	1997/2	1998	Completed as part of the gambling legislation review.
<i>Cemeteries Act 1933</i>	US DHCC (s16(b))	Targeted public review.	1999/1		Review in progress. Joint review with <i>Cremation Act 1966</i> . Issues and Options Paper released.
<i>Children's Services Act 1986</i>	DECS	Full public consultation.	1997/2	1999	Review complete. Act assessed as not restricting competition. Replacement Bill, the Children and Young People Bill 1999 passed in Legislative Assembly on 21 October 1999.
<i>Chiropractors and Osteopaths Act 1983</i>	DHCC	Targeted public review.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i>	JACS	Joint jurisdictional review.	1999/1		Part of a national regulatory scheme.
<i>Clinical Waste Act 1990</i>	US	Intra-departmental review.	1998/2		Review in progress.
<i>Co-operative Societies Act 1939</i>	DTI	Intra-departmental review.	1996		Review complete. The Act has been amended to reflect a consistent national approach.
<i>Collections Act 1959</i>	US	Targeted public review.	1999/2		Review in progress. Joint review with <i>Hawkers Act 1936</i> .
<i>Commercial Arbitration Act 1986</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Common Carriers Act 1902</i> - New South Wales legislation in its application in the Territory	JACS	Integrated Business and Consumer Code.	1997/2		Draft report has been completed .
<i>Community and Health Services Complaints Act 1993</i>	DHCC	Intra-departmental review. Section 27 confidentiality and Part V, VI invest powers.	1999/2		Scoping exercise commenced - review expected to be completed early 2000.
<i>Companies (Commonwealth Brickworks (Canberra) Limited) Act 1979</i>	CM	Intra-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Companies (Registered Societies) Ordinance 1990</i>	CM		No review scheduled	Not applicable	Registered Societies model legislation adopted nationally.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
Companies Auditors and Liquidators Disciplinary Board Ordinance 1982	CM		No review scheduled	Not applicable	Registered Societies model legislation adopted nationally.
<i>Consumer Affairs Act 1973</i>	JACS	Intra-departmental review. Minor issues.	1999/1		
<i>Consumer Credit (Administration) Act 1996</i>	JACS	Joint jurisdictional review.	To be scheduled		Part of a national regulatory scheme.
<i>Consumer Credit Act 1995</i>	JACS	Joint jurisdictional review.	To be scheduled		Part of a national regulatory scheme.
<i>Contractors' Debts Act 1897</i> - New South Wales legislation in its application in the Territory	JACS	Integrated Business and Consumer Code.	1999/1		Draft report has been completed.
<i>Coroners Act 1997</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Cotter River Act 1914</i>	US	Intra-departmental review.	1998/2	1999	Review complete. Government response agreed. Act to be repealed.
<i>Credit Act 1985</i>	JACS	National review.	No review scheduled	Not applicable	Review not required. Legislation substantially repealed.
<i>Cremation Act 1966</i>	US	Targeted public review.	1999/1		Review in progress. Joint review with <i>Cemeteries Act 1933</i> . Issues and Options Paper released.

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Crown Proceedings Act 1992</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Review underway.
<i>Cultural Facilities Corporation Act 1997</i>	CM	Targeted public review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Dangerous Goods Act 1975</i> - New South Wales legislation in its application in the Territory	US	Targeted public review or joint-jurisdictional review with NSW (to be agreed).	To be determined		To be reviewed in conjunction with the <i>Dangerous Goods Act 1984</i> . Note that the ACT legislation calls up the NSW Act.
<i>Dangerous Goods Act 1984</i>	US	Targeted public review or joint-jurisdictional review with NSW (to be agreed). Possible national review.	To be determined		To be reviewed in conjunction with the <i>Dangerous Goods Act 1975</i> (New South Wales). Note that the ACT legislation calls up the NSW Act.
<i>Defamation Act 1901</i> - New South Wales legislation in its application in the Territory	JACS	Commercial & Law Reform Group Review.	No review scheduled	Not applicable	Scheduled for repeal in 1999.
<i>Dental Technicians and Dental Prosthetists Registration Act 1988</i>	DHCC	Targeted public review.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.
<i>Dentists Act 1931</i>	DHCC	Targeted public review. Restrictions on competition throughout Act.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Disability Services Act 1991</i>	DHCC	Intra-departmental review. S6 and S7 grant conditions that may restrict competition.	1999/2		Preliminary scoping exercise commenced - review to be finalised in early 2000
<i>Discrimination Act 1991</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Domestic Relationships Act 1994</i>	JACS	Intra-departmental review.	1999/1		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Door-to-Door Trading Act 1991</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Drugs of Dependence Act 1989</i> - except sections 123 and 140	DHCC	National review. Restrictions on competition throughout Act.	1999/2		National review in progress - final report due June 2000.
<i>Earnings (Assignment and Attachment) Act 1966</i>	JACS	Intra-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Education Act 1937, Schools Authority Act 1976, Public Instruction Act 1880, and Free Education Act 1906</i>	DECS	Legislation Review Committee established in 1998. Public consultation completed and being assessed.	1998/2		Recommendations from Review Committee in relation to legislation are expected in mid 2000.
<i>Education Services for Overseas Students (Registration and Regulation of Providers) Act 1994</i>	DECS	Inter-departmental review.	1999/2		Act mirrors Commonwealth legislation, which has recently been reviewed. Provisions have been extended until 2001. ACT complies with the Commonwealth legislation.
<i>Electoral Act 1992</i>	JACS	Intra-departmental review.	1999/1		Preliminary work for review underway.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Electricity Act 1971</i> - utilities regulation	US	Not applicable	Not applicable	Not applicable	Part of the utilities legislation review under the lead of DTI . New legislation in preparation.
<i>Electricity Act 1971</i> - electricians licensing	US	Targeted public review	1999/2		Provisions for licensing of electricians to be reviewed separately as part of review of regulation of building occupations in conjunction with <i>Building Act 1972</i> and the <i>Plumbers, Drainers and Gasfitters Board Act 1982</i> .
<i>Enclosed Lands Protection Act 1943</i>	US	Inter-departmental review.	1999/1		Review in progress. Joint review with <i>Protection of Lands Act 1937</i> , <i>Recovery of Lands Act 1929</i> and <i>Trespass on Territory Land Act 1932</i> .
<i>Energy and Water Act 1988</i>	US DTI (Pts I & VII)	Not applicable	Not applicable	Not applicable	Part of the utilities legislation review under the lead of DTI. New legislation in preparation.
<i>Enforcement of Public Interests Act 1973</i>	JACS	Inter-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Essential Services (Continuity of Supply) Act 1992</i>	US	Not applicable	Not applicable	Not applicable	Part of the utilities legislation review under the lead of DTI . New legislation in preparation.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Fair Trading (Fuel Prices) Act 1993</i>	JACS	Full public review. Possible national approach.	1997/1		Preliminary work for review underway. Related Act repealed.
<i>Fair Trading (Petroleum Retail Marketing) Act 1995</i>	JACS	Full public review. Possible national approach.	No review scheduled	Not applicable	Legislation repealed.
<i>Fair Trading Act 1992</i>	JACS	Targeted public review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Family Provision Act 1969</i>	JACS	Intra-departmental review.	1999/1		Preliminary work for review underway.
<i>Fertilizers Act 1904 - New South Wales legislation in its application in the Territory</i>	JACS	Minor issues.	1998/2		Draft review has been completed.
<i>Financial Institutions (Application of Laws) Act 1992</i>	CM		Not applicable	Not applicable	To be repealed within 18 months of Wallis Inquiry. Centralised Commonwealth supervision of financial institutions.
<i>Financial Institutions (Removal of Discrimination) Act 1997</i>	CM	Intra-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Financial Institutions (Supervisory Authority) Act 1992</i>	CM		No review scheduled	Not applicable	To be repealed within 18 months of Wallis Inquiry. Centralised Commonwealth supervision of financial institutions.
<i>Financial Institutions Duty Act 1987</i>	DTI	National review.	1996		Review complete. Act amended to reflect a consistent national approach.
<i>Firearms Act 1996</i>	JACS				Part of a national regulatory scheme.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Fishing Act 1967</i>	US	Not applicable	Not applicable	Not applicable	Existing Act to be repealed. New legislation - Fishing Bill 1999 - currently being drafted.
<i>Food Act 1992</i>	DHCC	National review. Restrictions on competition throughout the Act.	1999/2		National review complete. Recommendations under consideration.
<i>Free Education Act 1906</i>	DECS	Legislation Review Committee established in 1998. Public consultation completed and being assessed.	1998/2		Recommendations from Review Committee in relation to legislation are expected in mid 2000.
<i>Freedom of Information Act 1989</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Fuels Control Act 1979</i>	US	Not applicable	No review scheduled	Not applicable	Review not required. No competition restrictions. Act establishes emergency rationing powers.
<i>Games Wagers and Betting-houses Act 1901</i> - New South Wales legislation in its application in the Territory	DTI	Targeted public review.	1997/1	1998	Review complete. Act part of the gambling legislation review.
<i>Gaming and Betting Act 1906</i> (New South Wales legislation in its application in the Territory)	DTI	Targeted public review.	1997/1	1998	Review complete. Act part of the gambling legislation review.
<i>Gaming Machine Act 1987</i>	DTI	Targeted public review.	1997/1	1998	Review complete. Act part of the gambling legislation review.

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Gas Act 1992</i>	US	Not applicable	Not applicable	Not applicable	Act repealed as part of the national gas reform agenda.
<i>Gas Levy Act 1991</i>	DTI	Inter-departmental review.	1996	1998	Review complete.
<i>Government Solicitor Act 1989</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Encompassed by stage 2 of Legal Practitioner Acts review.
<i>Guardianship and Management of Property Act 1991</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Hawkers Act 1936</i>	US DHCC (s8A)	Targeted public review.	1999/2		Review in progress. Joint review with <i>Collections Act 1959</i> .
<i>Health Act 1993</i>	DHCC	Intra-departmental review. The Act places some restrictions on the conduct of public health facilities and health professionals such that restrictions on competition could occur.	1999/2		Preliminary scoping exercise commenced - to be finalised early 2000.
<i>Health and Community Care Services Act 1996</i>	DHCC	Intra-departmental review. Sections 8 & 9 of Part 11 could be regarded as restricting competition.	1999/2		Preliminary scoping exercise commenced - review to be finalised early 2000.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Health Promotion Act 1995</i>	DHCC	Intra-departmental review. The Act limits the functions to which board monies can be applied. This could restrict competition.	1999/2		Preliminary scoping exercise commenced - review to be finalised in early 2000.
<i>Health Records (Privacy and Access) Act 1997</i>	DHCC	Intra-departmental review. Limited restrictions on competition.	1999/2		Preliminary scoping exercise commenced - review to be finalised in early 2000.
<i>Heritage Objects Act 1991</i>	US	Not applicable	Not applicable	Not applicable	Following the decision to develop new legislation for the regulation of heritage matters, The Act has been withdrawn from the NCP program. It will be subject to normal scrutiny in relation to anti-competitive effects through preparation of the Regulatory Impact Statement.
<i>Hotel School Act 1996</i>	CM	Targeted public review.	No review scheduled	Not applicable	Legislation audit revealed no competitive restrictions.
<i>Housing Assistance Act 1987</i>	US	Possible national review	To be determined		National review agreed at officer level. Recommendation to be considered by Ministers.
<i>Inebriates Act 1900 - New South Wales legislation in its application in the Territory</i>	DHCC	Sections 10 & 14 could restrict competition by licensing and regulating institutions.	1999/2		To be reviewed in conjunction with the <i>Intoxicated Persons Act 1994</i> .
<i>Inebriates Act 1938</i>	DHCC	Not applicable - no review required	No review scheduled	Not applicable	

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Innkeepers' Liability Act 1902</i> - New South Wales legislation in its application in the Territory	JACS	Integrated Business and Consumer Code.	1997		Draft report has been completed.
<i>Institute for the Study of Man and Society Incorporation Act 1968</i>	JACS	Intra-departmental review.	No review scheduled	Not applicable	Review complete. Act should be repatriated back to the Commonwealth.
<i>Intoxicated Persons (Care and Protection) Act 1994</i>	DHCC	Intra-departmental review. The Act contains licensing provisions that could restrict competition.	1999/2		
<i>Judgment Creditors Remedies Act 1933</i>	JACS	Intra-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Judiciary (Stay of Proceedings) Act 1933</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Preliminary work for review underway.
<i>Juries Act 1967</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Lakes Act 1976</i>	US	Targeted public review.	1999/2		To be reviewed in conjunction with the <i>Public Parks Act</i> .
<i>Land (Planning and Environment) Act 1991</i> - Division 4A of Part VI	JACS	Intra-departmental review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Land (Planning and Environment) Act 1991</i> - Parts V & VI (grants of land and development approval processes)	US	Full public inquiry.	1999/1		Review in progress.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Land (Planning and Environment) Act 1991</i> - Part III (heritage provisions)	US	Not applicable	Not applicable	Not applicable	Following the decision to develop new legislation for the regulation of heritage matters, this Act has been withdrawn from the NCP program. It will be subject to normal scrutiny in relation to anti-competitive effects through preparation of the Regulatory Impact Statement.
<i>Land Acquisition (Northbourne Oval) 1996</i>	US	Targeted public review.	1999/1		Review in progress. Joint review with the <i>Lands Acquisition Act 1994</i> .
<i>Land Titles (Unit Titles) Act 1970</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway
<i>Land Titles Act 1925</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Landlord and Tenant Act 1899</i> - New South Wales legislation in its application in the Territory	JACS		No review scheduled	Not applicable	Review complete. Act repealed by <i>Residential Tenancies Act 1997</i> .
<i>Landlord and Tenant Act 1949</i>	JACS		No review scheduled	Not applicable	Review complete. Act repealed by <i>Residential Tenancies Act 1997</i> .
<i>Lands Acquisition Act 1994</i>	US	Targeted public review.	1999/1		Review in progress. Joint review with the <i>Land Acquisition (Northbourne Oval) 1996 Act</i> .
<i>Law Reform (Manufacturers Warranties) Act 1977</i>	JACS	Intra-departmental review.	1998/1	1998	Review complete. Act assessed as not restricting competition.

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Law Reform (Misrepresentation) Act 1977</i>	JACS	Intra-departmental review.	1998/1	1998	Review complete. Act assessed as not restricting competition.
<i>Lay-by Sales Agreements Act 1963</i>	JACS	Intra-departmental review.	1999/1		
<i>Legal Aid Act 1977</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Legal Practitioners Act 1970</i>	JACS	Targeted public review. Public benefit tests and extensive public consultation have been conducted on this issue in other jurisdictions.	1998/2		Terms of Reference have been established. Options paper ready for public release.
<i>Legislation (Republication) Act 1996</i>	JACS	Intra-departmental review. Minor issues.	1998/1		Draft report has been completed.
<i>Liquor Act 1975</i> - except subsections 42E(2) and 42e(4)	JACS	Intra-departmental review. Public benefit tests and some public consultation have been conducted on this issue in other jurisdictions.	1998/1		Preliminary work for review underway.
<i>Liquor Act 1975</i> - subsections 42E(2) and 42E(4)	CM	Intra-departmental review.	1997/1	1998	Review complete.
<i>Listening Devices Act 1992</i>	JACS	Minor issues.	1999/1		Draft review has been completed.
<i>Litter Act 1977</i>	US	Targeted public review.	1999/2		To be reviewed in conjunction with the <i>Roads and Public Places Act 1937</i> .

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Long Service Leave (Building and Construction Industry) Act 1981</i>	US	Targeted public review.	1999/1		Review commenced. Interim Report released.
<i>Long Service Leave Act 1976</i>	US	Not applicable	No review scheduled	Not applicable	Review not required. No competition restrictions. Act bestows employee benefits.
<i>Lotteries Act 1964</i>	DTI	Targeted public review.	1997/1	1998	Review complete. Act part of gambling legislation review.
<i>Machinery Act 1949</i>	US	Not applicable	Not applicable	Not applicable	Act repealed and replaced by <i>Occupational Health and Safety (Amendment) Act 1997</i> .
<i>Magistrates Court Act 1930</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Meat Act 1931</i>	DHCC	National review (Food legislation). Restrictions on business conduct.	1998/2		Will be revoked subject to the carriage of the proposed uniform Food Act legislation.
<i>Meditation Act 1997</i>	JACS	Intra-departmental review. Minor issues.	1999/1		
<i>Medical Practitioners Act 1930</i>	DHCC	Targeted public review. Possible national approach to review of professional registration. Restrictions on competition throughout the Act.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Medical Services (Fees) Act 1984</i>	DHCC	Intra-departmental review. Section 3 restricts the fees payable for the treatment of private patients in public hospitals.	1999/2		Requirement for review under examination - possible application for exemption on the basis of its relationship to an intergovernmental financial arrangements.
<i>Mental Health (Treatment and Care) Act 1994</i> - except all of Part III, Part VII, Part IX and sections 141, 142 and 143 of Part XIII	DHCC	Intra-departmental review. Restrictions on competition throughout Act.	1998/2		Bill introduced to Assembly early 1999.
<i>Mercantile Law Act 1962</i>	JACS	Intra-departmental review.	No review scheduled	Not applicable	Review complete. Archaic provisions to be repealed.
<i>Milk Authority Act 1971</i>	DTI US (s5 of Pt I, Pts III & IV, s 54 of Pt V)	Targeted public review.	1998/1	1998	Review complete. Report released. Government response announced. New legislation passed in early 1999. Transitional implementation in progress.
<i>Milk Authority Act 1971</i> - section 38	DHCC	Targeted public review.	1997/2		Review complete. Review report released for public comment.
<i>Motor Omnibus Services Act 1955</i>	US	Not applicable	No review scheduled	Not applicable	Review not required. To be repealed and replaced by the Passenger Transport Bill.
<i>Motor Traffic Act 1936</i> - taxi and hire car provisions	US	Full public inquiry.	1999/1		Review in progress. Issues Paper released.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Motor Traffic Act 1936</i> - compulsory third party insurance provisions	US	Not applicable	No review scheduled	Not applicable	Review not required. Current Act allows for competing providers to seek Ministerial approval to offer CTP insurance services.
<i>Motor Vehicles (Dimensions and Mass) Act 1990</i>	US	Not applicable	No review scheduled	Not applicable	Review not required. Act superseded by national road transport reforms.
<i>National Environment Protection Council Act 1994</i>	US	Intra-departmental review.	1999/2		
<i>National Exhibition Centre Trust Act 1976</i>	CM	Targeted public review.	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Nature Conservation Act 1980</i>	US	Targeted public review.	1998/2	1999	Review complete. Government response in development.
<i>Noise Control Act 1988</i>	US	Not applicable	Not applicable	Not applicable	Act repealed by <i>Environment Protection Act 1997</i> .
<i>Notaries Public Act 1984</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Nurses Act 1988</i>	DHCC	Targeted public review. Restrictions on competition throughout Act.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.
<i>Oaths and Affirmations Act 1984</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Occupational Health and Safety Act 1989</i>	US	National review.	To be determined		National review agreed by OH&S Administrators Group in March 1999.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Ombudsman Act 1989</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Optometrists Act 1956</i>	DHCC	Targeted public review. Restrictions on competition throughout the Act.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.
<i>Ozone Protection Act 1991</i>	US	Not applicable	No review scheduled	Not applicable	Act repealed by <i>Environment Protection Act 1997</i> .
<i>Parental Leave (Private Sector Employees) Act 1992</i>	US	Not applicable	No review scheduled	Not applicable	Review not required. No competition restrictions. Act bestows employee benefits.
<i>Partnership Act 1963</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Pawnbrokers Act 1902</i> - New South Wales legislation in its application in the Territory	JACS		No review scheduled	Not applicable	To be repealed following successful implementation of a trial electronic commerce initiative.
<i>Payroll Tax Act 1987</i>	DTI	Intra-departmental review.	1997/1	1998	Review complete.
<i>Periodic Detention Act 1995</i>	JACS	Intra-departmental review. Minor issues.	1998/1		Preliminary work for review underway.
<i>Perpetuities and Accumulations Act 1985</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Preliminary work for review underway.
<i>Pesticides Act 1989</i>	US	Not applicable	Not applicable	Not applicable	Act repealed by <i>Environment Protection Act 1997</i> .

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Pharmacy Act 1931</i>	DHCC		1998/2		National review underway, discussion paper released.
<i>Physiotherapists Act 1977</i>	DHCC	Targeted public review. Restrictions on competition throughout Act.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.
<i>Plant Diseases Act 1934</i>	US	Intra-departmental	1999/1		Review commenced. Joint review with <i>Land (Planning and Environment) Act 1991</i> (pest plant provisions).
<i>Plumbers, Drainers and Gasfitters Board Act 1982</i>	US	Targeted public review.	1999/2		To be reviewed in conjunction with the <i>Building Act 1972</i> and <i>Electricity Act 1971</i> (licensing of electricians). Review focused on regulation of building occupations.
<i>Podiatrists Act 1994</i>	DHCC	Targeted public review. Possible national review of professional registration. Restrictions on competition throughout Act.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.
<i>Poisons Act 1933</i>	DHCC	National review. Restricts the sale and storage of poisons and biological substances.	1999/2		National review has commenced - final report due June 2000.
<i>Poisons and Drugs Act 1978</i>	DHCC	National review.	1999/2		National review has commenced - final report due June 2000.
<i>Pool Betting Act 1964</i>	DTI	Targeted public review.	1997/1		Review complete. Act part of the gambling legislation review.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Pounds Act 1928</i>	US	Intra-departmental review.	1999/1		Review in progress. Joint review with <i>Animal Diseases Act 1993</i> and <i>Stock Act 1991</i> . Interim Report released.
<i>Powers of Attorney Act 1956</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Encompassed in the trustee companies review.
<i>Presbyterian Church (Proposals for Union with other Churches) Act 1972</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Preliminary work for review underway.
<i>Presbyterian Church Trust Property Act 1971</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Draft report has been completed.
<i>Printing and Newspapers Act 1961</i>	JACS	Intra-departmental review. Minor issues.	1998/1	1999	Review complete. Act to be repealed
<i>Proceeds of Crime Act 1991</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Prohibited Weapons Act 1996</i>	JACS	Part of a national scheme.	To be scheduled		Preliminary work for review underway.
<i>Prostitution Act 1992</i>	JACS	Full public review.	1998/2		Awaiting outcome of Australian Federal Police review.
<i>Protection of Lands Act 1937</i>	US	Inter-departmental review.	1999/1		Review in progress. Joint review with <i>Enclosed Lands Protection Act 1943</i> , <i>Recovery of Lands Act 1929</i> and <i>Trespass on Territory Land Act 1932</i> .

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Psychologists Act 1994</i>	DHCC	Targeted public review. Possible national approach. Restrictions on competition throughout Act.	1999/2		Incorporated in review of ACT health professional legislation. Discussion paper to be released early 1999.
<i>Public Health (Miscellaneous Provisions) Act 1997</i>	DHCC	Intra-departmental review. Limited restrictions on competition.	1999/2		
<i>Public Health (Prohibited Drugs) Act 1957</i>	DHCC	National review. Sections 4, 5 & 6 prohibit certain potential business activities and place restrictions on business conduct.	1999/2		National Review in progress - final report due July 2000.
<i>Public Health Act 1928</i>	DHCC		Not applicable	Not applicable	Act to be repealed by Public & Environmental Health Bill.
<i>Public Health Act 1997</i>	DHCC	Targeted public review.	1999/2		Review being re-drafted. Reviews on other licensable activities being developed.
<i>Public Instruction Act 1880</i>	DECS	Legislation Review Committee established in 1998. Public consultation completed and being assessed.	1998/2		Recommendations from Review Committee in relation to legislation are expected in mid 2000.
<i>Public Trustee Act 1985</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Rabbit Destruction Act 1919</i>	US	Not applicable	Not applicable	Not applicable	Act repealed by the <i>Land (Planning and Environment) (Amendment) Act</i> (no 7 of 1997) and relevant provisions transferred to the <i>Land (Planning and Environment) Act 1991</i> .
<i>Racecourses Act 1935</i>	DTI		No review scheduled	Not applicable	Act to be repealed and provisions incorporated in new racing legislation.
<i>Radiation Act 1983</i>	DHCC	National review.	1999/2		Terms of reference circulated - national review to commence shortly.
<i>Rates and Land Rent (Relief) Act 1970</i>	DTI	Intra-departmental review.	1996	1998	Review complete.
<i>Rates and Land Tax Act 1926</i>	DTI	Intra-departmental review.	1996	1998	Review complete.
<i>Rates and Land Tax Act 1986</i>	DTI	Intra-departmental review.	1996	1998	Review complete.
<i>Real Property (Unit Titles) Act 1970</i>	JACS		1996	Not applicable	Review complete. Act to be repealed by new legislation subjected to clause 5 requirements.
<i>Recovery of Lands Act 1929</i>	US	Intra-departmental review.	1999/1		Review in progress. Joint review with <i>Enclosed Lands Protection Act 1943</i> , <i>Protection of Lands Act 1937</i> and <i>Trespass on Territory Land Act 1932</i> .
<i>Registration of Births, Deaths and Marriages Act 1963</i>	JACS	Intra-departmental review. Minor issues.	No review scheduled.	Not applicable	Review not required. Act repealed.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Registration of Deeds Act 1957</i>	JACS	Intra-departmental review. Minor issues	1998/2		Review completed, no NCP issues.
<i>Registration of Interests in Goods Act 1990</i>	JACS	Intra-departmental review.	1999/1		Preliminary work for review underway.
<i>Roads and Public Places Act 1937</i>	US	Targeted public review.	1999/2		To be reviewed in conjunction with the <i>Litter Act 1977</i> .
<i>Roman Catholic Church Property Trust Act 1937</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Draft review has been completed.
<i>Sale of Goods (Vienna Convention) Act 1987</i>	JACS	Intra-departmental review.	1999/1		Preliminary work for review underway.
<i>Sale of Goods Act 1954</i>	JACS	Intra-departmental review.	1999/1		Preliminary work for review underway.
<i>Sale of Motor Vehicles Act 1977</i>	JACS	Full public review. Integrated Business and Consumer Code.	1998/2		Preliminary work for review underway.
<i>Salvation Army Property Trust Act 1934</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Draft review has been completed.
<i>Scaffolding and Lifes Act 1957</i>	US	Not applicable	Not applicable	Not applicable	Act repealed by <i>Occupational Health and Safety (Amendment) Act 1997</i> .
<i>Scaffolding and Lifes Act, 1912-1948 - New South Wales</i> legislation in its application in the Territory	US	Not applicable	Not applicable	Not applicable	Act repealed by <i>Occupational Health and Safety (Amendment) Act 1997</i> .

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Schools Authority Act 1976</i>	DECS	Legislation Review Committee established in 1998. Public consultation completed and being assessed.	1998/2		Recommendations from Review Committee in relation to legislation are expected in mid 2000.
<i>Second-hand Dealers and Collectors Act 1906</i> - New South Wales legislation in its application in the Territory	JACS	Integrated Business and Consumer Code.	No review scheduled	Not applicable	The Act is scheduled for repeal in 2000.
<i>Sewerage Rates Act 1968</i>	DTI	Inter-departmental review.	Not applicable	Not applicable	Act will be considered in the development of new utilities legislation.
<i>Skin Penetration Procedures Act 1994</i>	DHCC		No review scheduled	Not applicable	To be repealed.
<i>Small Claims Act 1974</i>	JACS	Intra-departmental review.	1996	Not applicable	Review complete. Act to be repealed by the Small Claims Tribunal Bill.
<i>Smoke-free Areas (Enclosed Public Places) Act 1994</i>	DHCC	Targeted public review. Restrictions on competition throughout Act.	1999/2		Review rescheduled to take into consideration amendments to the <i>Tobacco Act 1927</i> .
<i>Stamp Duties and Taxes Act 1987</i>	DTI	Intra-departmental review.	1996	1998	Review complete.
<i>Standard Time and Summer Time Act 1972</i>	US	Not applicable	No review scheduled	Not applicable	Review not required. Act assessed as not restricting competition.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Stock Act 1991</i>	US	Intra-departmental review	1999/1		Review in progress. Joint review with <i>Animal Diseases Act 1993 and Plant Diseases Act 1924</i> . Interim Report released.
<i>Subordinate Laws Act 1989</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Review underway.
<i>Substitute Parent Agreements Act 1994</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Draft report completed.
<i>Supervision of Offenders (Community Service Orders) Act 1985</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Encompassed by the Legal Practitioners Review.
<i>Supreme Court Act 1933</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Encompassed by stage 2 of the Legal Practitioner Acts review.
<i>Surveyors Act 1967</i>	US	Targeted public review.	1998/2	1998	Review completed. Report released. Government Response announced.
<i>Tenancy Tribunal Act 1994</i>	JACS	Targeted public review.	1997/2		Review has been rescheduled.
<i>Territory Owned Corporations Act 1990</i>	DTI	Targeted public review. Marginal restrictions on competition in section 18.	1999/2		
<i>Theatres and Public Halls Act 1928</i>	CMD	Intra-departmental review.	1997/2	1998	Review complete. Act to be repealed as soon as possible.

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Tobacco Act 1927</i>	DHCC	Targeted public review. Limited restrictions on competition.	1999/2		Review has been rescheduled to take into consideration amendments to the Act.
<i>Tobacco Products (Health Warnings) Act 1986</i>	DHCC	Targeted public review. Restrictions on competition throughout Act.	1999/2		Review report currently being re-drafted. Review has been rescheduled to take into consideration 1999 amendments to the Act.
<i>Trade Measurement (Administration) Act 1991</i>	JACS	Intra-departmental review.	1999/1		Terms of reference for national review are currently being determined. Queensland is the lead reviewer.
<i>Trade Measurement Act 1991</i>	JACS	Intra-departmental review. Minor issues. Integrated Business and Consumer Code.	1999/1		Terms of reference for national review are currently being determined. Queensland is the lead reviewer.
<i>Trading Hours Act 1962</i>	US Previously BASAT	Not applicable	Not applicable	Not applicable	Legislation repealed.
<i>Trading Stamps Act 1972</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Trans-Tasman Mutual Recognition Act 1997</i>	CM	National review.			National review complete, recommendations awaiting Governments' consideration.

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Transplantation and Anatomy Act 1978</i>	DHCC	Intra-departmental review. Limited restrictions on competition.	1999/2		As the legislation is based on model national legislation there is some current consideration is being given to the efficacy of a national review.
<i>Trespass on Territory Land Act 1932</i>	US	Inter-departmental review.	1999/1		Review in progress. Joint review with <i>Enclosed Lands Protection Act 1943</i> , <i>Protection of Lands Act 1937</i> and <i>Recovery of Lands Act 1929</i> .
<i>Trustee Act 1957</i>	JACS	Intra-departmental review. Minor issues.	Not applicable	Not applicable	Review complete. Anti-competitive provisions repealed
<i>Trustee Companies Act 1947</i>	JACS		1997/1		New uniform trustee companies legislation drafted by Standing Committee of Attorneys-General. Review underway with NSW as lead agency.
<i>Unclaimed Moneys Act 1950</i>	JACS	Integrated Business and Consumer Code. Minor issues.	1998/2		Preliminary work for review underway.
<i>Uncollected Goods Act 1996</i>	JACS	Intra-departmental review. Minor issues.	1999/1		Preliminary work for review underway.
<i>Unit Titles Act 1970</i>	US	Not applicable	No review scheduled	Not applicable	The Act has been the subject of a major non-NCP review and new amending legislation is in preparation. There are no identified restrictions on competition.
<i>Uniting Church in Australia Act 1977</i>	JACS	Intra-departmental review. Minor issues.	1998/2		Draft report has been completed.

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Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Unlawful Games Act 1984</i>	CM	Targeted public review.	1997/1	1998	Review complete. Act part of the gambling legislation review.
<i>Veterinary Surgeons Act 1965</i>	DHCC	Restrictions on competition throughout the Act. Targeted public review.	1999/2		Review in progress. Joint review incorporating all health professional registration Acts.
<i>Vocational Education and Training Act 1995</i>	DECS	Intra-departmental review.			Act arose from national agreements. Review concluded that public benefit of restrictions on competition outweigh costs.
<i>Water Pollution Act 1984</i>	US	Not applicable	Not applicable	Not applicable	Act repealed by the <i>Environment Protection Act 1997</i> .
<i>Water Rates Act 1959</i>	DTI	Intra-departmental review.	No review scheduled	Not applicable	Act will be considered in the development of new utilities legislation.
<i>Witness Protection Act 1996</i>	JACS	Intra-departmental review. Minor issues.	To be scheduled	Not applicable	Review not required. Act assessed as not restricting competition.
<i>Workers' Compensation Act 1951</i>	US	Not applicable	Not applicable	Not applicable	Following the decision to develop new legislation for workers compensation, this Act has been withdrawn from the NCP program. It will be subject to normal scrutiny in relation to anti-competitive effects through preparation of the Regulatory Impact Statement. Rescheduled for review with <i>Workers' Compensation Supplementation Fund Act 1980</i> .

Legislation Review Compendium

Name of legislation	Agency	Description/Comment on review	Review scheduled	Review complete	Review/Reform progress
<i>Workers' Compensation Supplementation Fund Act 1980</i>	US	Not applicable Targeted public review.	Not applicable	Not applicable	Following the decision to develop new legislation for workers compensation, this Act has been withdrawn from the NCP program. It will be subject to normal scrutiny in relation to anti-competitive effects through preparation of the Regulatory Impact Statement. Rescheduled for review with <i>Workers' Compensation Act 1951</i> .