

# 4 Victoria

## Agency abbreviations

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

DET	Department of Education and Training
DHS	Department of Human Services
DI	Department of Infrastructure
DJ	Department of Justice
DPI	Department of Primary Industries
DSE	Department of Sustainability and Environment
DVC	Department of Victorian Communities
P&C	Department of Premier and Cabinet
T&F	Department of Treasury and Finance

## Legislation review: Victoria

*Updated to February 2004*

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Accident Compensation (WorkCover Insurance) Act 1993	T&F	Mandatory insurance, monopoly insurer, centralised premium setting.	Review completed in 1997-98. Review recommended retention of compulsory insurance and removal of the monopoly. Another review, by PricewaterhouseCoopers and Minter Ellison, was completed in 2000. This review recommended retention of compulsory insurance, retention of the monopoly and charges remaining to be set by the Victorian WorkCover Authority. The report recommended third party review of proposed premiums. The report also recommended retention of occupational rehabilitation service provider licensing and increasing the ability to self insure.	The Government rejected the recommendation of the first review with respect to removal of monopoly insurer arrangements, which gave rise to issues concerning National Competition Policy (NCP) compliance in June 1999. Minor changes to restrictions were accepted. Restrictions remain on: public underwriting, premium setting and funds management; approval conditions for insurers and occupational rehabilitation providers; and types of firms permitted to self-insure. Government provisionally accepted the PricewaterhouseCoopers recommendations. It is considering the scope for market testing (outsourcing) and Essential Services Commission reviews of premiums.

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Accident Compensation Act 1985	T&F	Mandatory insurance, monopoly insurer, centralised premium setting.	Review completed in 1997-98. Review recommended retention of compulsory insurance and removal of the monopoly. Another review, by PricewaterhouseCoopers and Minter Ellison, was completed in 2000. This review recommended retention of compulsory insurance and retention of the monopoly provision of workers compensation insurance. The report recommended the consideration of market testing some functions and a third party review of premiums. The report also recommended retention of occupational rehabilitation service provider licensing and increasing the ability to self insure.	The Government rejected the first review's recommendation to remove the monopoly in underwriting of workers compensation insurance. Minor changes to restrictions were accepted. Restrictions remained on: public underwriting, premium setting and funds management; approval conditions for insurers and occupational rehabilitation providers; and types of firms permitted to self-insure. The Government accepted the recommendations of the second review. It is considering the scope for market testing (outsourcing), and reviews of premiums by the Essential Services Commission.
Adoption Act 1984	DHS		Review completed in 1998. Review recommended retention of restrictions in order to protect the interests of children and meet international obligations.	The Adoption (Amendment) Act 2000 passed to deal with bilateral issues.
Adult, Community and Further Education Act 1991 (Ministerial direction on fees and charges)	DET		The Tertiary Education and Training Review completed in 1997. Retention of restrictions, relating to accreditation, registration of private providers and Ministerial setting of fees, justified as being in the public benefit.	Reforms to legislation were passed by Parliament in the Spring sittings in 1997.
Adult, Community and Further Education Act 1991 (to establish Adult Community Further Education Board, Regional Councils and make provision with respect to Adult, Community and Further Education)	DET	Sets accreditation procedures for courses and registration requirements for community education providers. Allows Minister to direct on fees and charges.	Review completed in 1997 as part of the Tertiary Education and Training Review. Review recommended restrictions on fee setting and accreditation procedures be retained in the public interest and reform of the registration system.	The Government accepted review recommendations. Reforms to legislation were passed by Parliament in the Spring sittings 1997.

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

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Agriculture and Veterinary Chemicals (Control of Use) Act 1992	DPI	Allows off-label use of chemicals subject to conditions which vary markedly between jurisdictions. Exempts veterinary surgeons from various controls. Licenses spray contractors.	<p>National review of agvet chemicals completed in 1999. Report, which was released by Standing Committee of Agriculture and Resources (SCARM)/Agriculture and Resources Management Council of Australia and New Zealand (ARMCANZ) in March 1999, recommended, in relation to control-of-use legislation:</p> <ul style="list-style-type: none"> <li>• developing a nationally consistent approach to off-label use;</li> <li>• retaining the veterinary surgeon exemption, but not for agricultural chemicals;</li> <li>• licensing of spraying businesses subject to maintenance of records, employing licensed persons and provision of necessary infrastructure;</li> <li>• licensing of persons spraying for fee or reward subject to accreditation of competency and working only for a licensed business; and</li> <li>• exempting persons spraying on own land from licensing.</li> </ul>	<p>Intergovernmental response completed in 2000. Ministers established a taskforce to develop a nationally consistent approach to 'control of use' regulation. The taskforce is still considering 'off-label' use. A working party is harmonising aerial sprayer licensing. Other reforms are being implemented by States and Territories. In 2001 Victoria:</p> <ul style="list-style-type: none"> <li>• removed the veterinarian exemption for agricultural chemicals;</li> <li>• amended its sprayer licensing regulation but retained mandatory insurance; and</li> <li>• recognised interstate licences.</li> </ul>
Agriculture and Veterinary Chemicals (Victoria) Act 1994	DPI	Imports the Agricultural and Veterinary Chemicals Code (national registration scheme) into State jurisdiction (see the Australian Government Agricultural and Veterinary Chemicals Code Act 1994).	National review completed in 1999 (see the Australian Government Agricultural and Veterinary Chemicals Code Act 1994).	See the Australian Government Agricultural and Veterinary Chemicals Code Act 1994.
Alpine Resorts Act 1983	DSE			Act replaced by the Alpine Resorts (Management) Act 1997.

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Ambulance Services Act 1986	DHS		Review completed in November 1999, recommending that competition be introduced in the provision of emergency services in the Metropolitan area.	The Government rejected the recommendation to introduce competition into the provision of emergency ambulance services, due to concerns that it would be impossible to develop contractual arrangements to ensure access to appropriate levels and standards of service for all Victorians.
Architects Act 1991	DI	Restrictions on registration, entry requirements, reservation of title, disciplinary processes, and business restrictions (ownership provisions that at least two thirds of directors of the company must be registered architects).	<p>Review completed in February 1999. Review recommended retention of title restriction and registration requirements, and reduced business restrictions (including reducing ownership provisions to at least one director or partner is a registered architect).</p> <p>National review (except Victoria) conducted by the Productivity Commission (PC) completed in August 2000 (publicly released November 2000) (Previously completed Victorian review put on hold). PC review involved public consultation via public release of issues paper, draft report, consultation, public hearings and receiving submissions. Review recommended repeal of Act.</p> <p>A States and Territories working group was established to develop a national response to the PC review. The working group recommended amendments to existing legislation to remove elements deemed to be anticompetitive and not in the public interest. All jurisdictions have accepted the approach of the working group.</p>	Victoria advised that legislative amendments are planned for the 2003 spring session of Parliament, with related Regulation changes to follow.

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Associations Incorporation Act 1981	DJ		Review completed in 1998.	Minor restriction removed with the Associations Incorporation (Amendment) Act 1997.
Auction Sales Act 1958	DJ	Licensing, entry requirements (resident in State, character), the reservation of practice (auctioneers of goods, including livestock), and business conduct (suitable premises, no music, no disorderly conduct, maintenance of register for cattle and sheep skins, no collusion).	Review by Victoria University completed in November 1999. Review recommended that licensing be discontinued, but that a minimal registration scheme be introduced for livestock auctioneers, in the interests of livestock disease control.	The Government accepted recommendation to discontinue licensing, but rejected the registration proposal as unnecessary. Act repealed by Auction Sales (Repeal) Act 2001, with effect from 1 January 2003.
Audit Act 1994 Parts 1,2 an 6 (Part 7 is repealed) (the Act is otherwise administered by the Minister for Finance)	P&C		Review completed in 1997.	Act repealed and replaced by the Audit Act 1997.
Australian Grand Prix Act 1994			Review completed. Act assessed as not restricting competition.	
Barley Marketing Act 1993	DPI	Vests ownership of all barley grown in Victoria solely in Australian Barley Board.	NCP review by Centre for International Economics (CIE) completed in 1998 jointly with South Australia, recommending that Victoria: <ul style="list-style-type: none"> <li>• remove the domestic barley marketing monopoly;</li> <li>• retain the export barley marketing monopoly for only the 'shortest possible transition period'; and</li> <li>• restructure the Australian Barley Board as a private grower-owned company.</li> </ul>	Act amended in 1999 to remove monopoly on domestic barley from 1 July 1999 and export barley from 1 July 2001. The Board was transferred into grower ownership on 1 July 1999. It has no regulatory powers. The Act sunsetted on 1 July 2001.

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Benefit Associations Act 1958	DJ		The Benefits Association Act 1958 was removed from the list of Acts to be reviewed at the end of 1999 as the legislation did not contain restrictions on competition.	The Act was superseded by newer regulatory schemes. The Act was subsequently repealed on 30 May 2001.
Biological Control Act 1986	DPI	Makes provision for the biological control of pests in Victoria. Complementary to Australian Government legislation. Act does not restrict competition. Act requires a transparent public inquiry process and review to determine the net public benefit of a biological control release.	Deleted from review schedule because the Council of Australian Governments (CoAG) Committee on Regulatory Reform (CRR) determined that the legislation has no anticompetitive impacts.	
Border Railways Act 1922	DI		Review completed. Act assessed as not restricting competition.	



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

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Broiler Chicken Industry Act 1978	DPI	Prohibits supply of chickens unless under an agreement consistent with terms determined by the Industry Negotiation Committee.	Independent review by KPMG completed in 1999. Review recommended that producers seek Australian Competition and Consumer Commission (ACCC) authorisation for collective bargaining, and that the Government repeal the Act.	The Government accepted the recommendations in principle, disbanding the industry committee, but retaining the legislation to cover remaining contract terms. The Trade Practices Act prevents operation of potentially anti-competitive provisions of the Act.
Building (Plumbing) Act 1998	DI	Licensing and registration for refrigeration mechanics.	New legislation assessed under Victoria's legislation gatekeeping arrangements. Public interest justification: previously the work of refrigeration mechanics did not have the usual 10 year warranty arising from the issue of compliance certifications under Part 12A. There were no standards applying to such installations. This was anomalous as some licensed plumbers perform this work in conjunction with plumbing work which is regulated under Part 12A, while refrigeration mechanics who carry out refrigeration work alone were not regulated. The public was not given the usual protection afforded in Part 12A and it was difficult for some consumers to identify which service providers are covered.	

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Building Act 1993	DI	Licensing (engineers, quantity surveyors, building surveyors, building practitioners, plumbers, drainers, gasfitters), the reservation of title and practice (plumbing: mechanical services, residential and domestic fire sprinklers, roofing (stormwater), sanitary, water supply, draining, gasfitting), registration requirements, permit requirements, and business conduct (insurance).	Review completed in 1998. Recommendations included: integrating Act with Architects Act; making companies and partnerships subject to registration requirements; retaining Minister's power to issue compulsory insurance orders; increasing the use of audits of building surveyors to ensure standards are maintained; repealing exemptions to public sector employees, public authorities and the Crown retain those that exempt certain high security Crown buildings from requirement to lodge permit documents with relevant council; and basing the building permit levy should on a formula that is cost-reflective and includes incentives for cost-effective administration of legislation. The Government considered the review in conjunction with its assessment of the Architects Act 1991, partly to consider opportunities to integrate Victoria's building and architects legislation.	Victoria is considering its response to the review of architects legislation, focusing on the Victorian review but also accounting for the Inter-Governmental Working Party's response to the Productivity Commission inquiry into Architects Acts and the government and industry working group initiated by the Australian Procurement and Construction Ministerial Council. Legislative amendments are planned for the 2003 spring session of Parliament, with related Regulation changes to follow.
Building Control (Plumbers Gasfitters and Drainers) Act 1981 No. 9720	DI			Act repealed and replaced by the Building Act 1993.
Building Societies Act 1986	DJ			Act repealed. Jurisdiction has passed to Australian Government under financial sector reforms.

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Business Franchise (Tobacco) Act 1974	T&F			<p>This Act contains provisions which relate to the administration of the Business Franchises (Petroleum Products) Act and are required for the on-going administration of the Act.</p> <p>Although parts of this Act have been repealed, there is also some outstanding litigation in relation to tobacco matters that requires retention of the Act.</p>
Business Investigations Act 1958	DJ			Act repealed.
Business Names Act 1962	DJ	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Caravan Parks and Moveable Dwellings Act 1988	DHS		Review completed in 1997 and retention of overall restrictions justified as being in the public benefit.	Act repealed and replaced by the Residential Tenancies Act 1997.
Casino (Management Agreement) Act 1993	T&F	Licences, exclusive licence.	Deleted from the LRP due to lack of scope for amendment without varying contractual arrangements with the existing casino operator and requiring payment of compensation.	
Casino Control Act 1991 - Part 5A	T&F	Restricts sports betting to the casino.	Public review by CIE completed in 1998.	The Government is retaining the restriction as it is in line with the decision not to expand the sports betting licensing regime on the grounds of problem gambling and regulatory efficiency.

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Casino Control Act 1991 (excluding sections 128H to 128L which are administered by the Minister for Major Projects, excepting section 128K(2), which is administered by the Minister for Finance)	T&F		Deleted from the LRP due to lack of scope for amendment without varying contractual arrangements with the existing casino operator and requiring payment of compensation.	
Casino Control Act 1991	T&F	Market conduct, and operations.		<p>New restrictions introduced by the Gambling Legislation (Miscellaneous Amendments) Act 2000, which changes the Casino Control Act to allow increased accountability of the gaming industry. It allows for full reporting and enhanced probity checks, allows the Victorian Casino and Gaming Authority to conduct open hearings and gives the community the right to know details of applications.</p> <p>The Gambling Legislation (Responsible Gambling) Act 2000 changes the Casino Control Act to provide for players of gaming machines to be given information relevant to gaming on those machines.</p>

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Cemeteries Act 1958	DHS		Review completed in December 2000. Review made 19 recommendations, including: retaining the restriction that prevents funeral directors and others in the death care industry operating cemeteries and crematoria; retaining cemeteries and those crematoria that have memorial sites for interred ashes in the public sector; transferring restrictions on the location of crematoria to planning legislation; retaining requirements for burial permits; and repealing the limitation on fees that can be charged by cemeteries but requiring cemeteries and crematoria to report their fees to the Department of Human Services.	<p>The Government accepted the majority of the review recommendations. The Government rejected the recommendation to remove restrictions on fees. Instead, it proposes to reform fee regulation. It will place greater emphasis on disclosure of terms, conditions and fees, whilst retaining some residual control over fees by requiring cemeteries and crematoria to justify and seek approval for fee increases greater than CPI and through a power to investigate and overturn excessive fees. The Government considers that fee regulation is in the public interest due to the presence of cemeteries and crematoria on Crown land and hence the Government's interest in the efficient use of that land. In addition, fee regulation protects community access to burial sites.</p> <p>Some legislative changes were introduced in spring 2003 — the Cemeteries and Crematoria Act 2003 was passed in October 2003 and assented in November 2003.</p>
Chattel Securities Act 1987 - Part 3 (Registrable Goods)	DI	Act assessed as not restricting competition.	Review not required.	

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Children's Services Act 1996	DHS	Licensing.	The Act screened under Victoria's gatekeeper arrangements for new legislation when introduced into Parliament. Victoria considers that there is a clear public benefit in restricting the market through licensing, which safeguards the care and protection of preschool children. It also considers that the provisions stimulate, rather than limit, competition.	
Chinese Medicine Registration Act 2000	DHS	Restrictions on entry, registration, title, advertising, insurance, and disciplinary provisions.	Review completed in 2000. Victoria led Australian Health Ministers Advisory Council (AHMAC) investigation of the need for registration. Decision made to register.	New licensing legislation passed May 2000.  The Health Practitioner Acts (Further Amendment) Act 2002 included changes to the advertising guideline provisions to require Ministerial approval of advertising guidelines.
Chiropodists Act 1968	DHS	Restrictions on entry, registration, title, practice, advertising, business licensing, and disciplinary provisions.	Review completed in 1997.	Legislation replaced with the Podiatrists Registration Act 1997 in line with recommendations.  Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained.

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Chiropractors and Osteopaths Act 1978	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in 1996.	Act repealed and replaced by the Chiropractors Registration Act 1996 and the Osteopaths Registration Act 1996. Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained in the new Acts.
Chiropractors Registration Act 1996	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.		Legislation replaced the Chiropractors and Osteopaths Act 1978 in line with recommendations.  Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained in the new Act.
City of Greater Geelong 1993 (excluding Part 5).	DI		Review not required.	Act (excluding Part 5) repealed.
City of Melbourne Act 1993	DI		Review not required.	Act repealed.
Civil Aviation (Carriers' Liability) Act 1961	DI	Act assessed as not restricting competition.	Review not required.	
Club Keno Act 1993	T&F	Sets out provisions for allowing the playing of Club Keno and the rules for participants.	Review completed in 1997. Reforms recommended in conjunction with broader review of electronic gambling scheduled to occur by 2006.	The Government will consider the review recommendations as part of its 2006 review of Victoria's electronic gaming machine industry.
Conservation Forests and Lands Act 1987	DSE	Act assessed as not restricting competition.	Review not required.	



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Construction Industry Long Service Leave Act 1983 (to transfer to the Industry Science and Technology portfolio from 1 January 1999)	T&F			Act repealed and replaced by the Construction Industry Long Service Leave Act 1997.
Consumer Credit (Finance Brokers) Act 1998	DJ	Licensing.	Review completed in 1998. Review concluded some restrictions, relating to licensing and fee structures, are justified as being in the public benefit.	Act replaced the Finance Brokers Act 1969.
Consumer Credit (Victoria) Act 1995	DJ		National review completed. The review recommended maintaining the current provisions of the code, reviewing its definitions to bring term sales of land, conditional sales agreements, tiny term contracts and solicitor lending within the scope of the code. The review also recommended enhancing the code's disclosure requirements. The Ministerial Council on Consumer Affairs endorsed the final report in 2002 and referred it to the Uniform Consumer Credit Code Management Committee which is facilitating the resolution of some issues.	The Code will be amended through the Queensland Parliament and the amendments will automatically apply in Victoria.
Control of Weapons Act 1990	DJ		Review not required. Deleted from the LRP due to overriding public safety considerations.	
Co-operation Act 1981	DJ			Act replaced by the Co-operatives Act 1996.
Co-operatives Act 1996	DJ			Act repealed and replaced the Co-operation Act 1981.

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Corrections Act 1986	DJ	There are no competition restrictions in the legislation which creates a framework for the multi-provider (i.e. public and private sector) corrections system in Victoria.	Review not required.	
Council of Law Reporting in Victoria Act 1967	DJ	Single series of authorised law reports.	<p>Review completed on 20 October 2000, in consultation with the High Court and Federal Court of Australia; all Victorian Courts; Supreme Court library; Council of Law Reporting; all Victorian universities; publishers of law books; electronic law services; legal professional bodies and associations and Legal Aid.</p> <p>Review concluded the restriction: ensures continuation of a single series in a small market not large enough to sustain more than one publisher; ensures that the costs of law reports are kept as low as possible; ensures that only relevant and important cases are reported and reduces the likelihood of confusion that would be caused by a multiplicity of law reports; and there is no alternative means of achieving the objectives of the Act.</p> <p>Review recommended no legislative changes.</p>	The Government accepted the review recommendations.
Country Fire Authority Act 1958	DJ		Review not required.	Function has been divested.
Credit (Administration) Act 1984	DJ	Scoping study has shown that the legislation does not restrict competition.	Review not required.	

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Crown Lands (Reserves) Act 1978 and related Acts (e.g. Kew and Heidelberg Lands Act 1933, Melbourne Cricket Ground Act 1933, Royal Botanic Gardens Act 1991, Shrine of Remembrance Act 1978, Zoological Parks and Gardens Act 1967)	DSE	Leases and licensing may result in anti-competitive outcomes.	Major public review by external consultants completed.  The NCP review of Victoria's Crown land management legislation and the response to this review will be released in 2003.	
Cultural and Recreational Lands Act 1963	DI	Act assessed as not restricting competition.	Review not required.	
Dairy Industry Act 1992	DPI	Vests milk in Victorian Dairy Industry Authority. Sets farmgate price for market milk and pools market milk returns. Licenses farmers, processors, distributors and carriers.	Review, by independent consultant, completed in 1999. It recommended the removal of all restrictions except those that safeguard public health. It further recommended third party auditing of dairy food safety subject to acceptance of importing countries.	In December 1999, the Victorian Government conducted a plebiscite of all Victorian dairy producers on whether to reform the State's market milk arrangements. Victorian producers overwhelmingly supported reform in conjunction with the Australian Government's proposed industry adjustment package.  In line with the March 2000 communiqué signed by all Australian Agriculture and Primary Industries Ministers committing to a national approach to dairy reform, Victoria passed the Dairy Act 2000 on 1 June 2000, deregulating the industry from 1 July 2000.  The new Act also establishes Dairy Food Safety Victoria to regulate dairy food safety.

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Dangerous Goods Act 1985 Regulations 2000 (Explosive), (Storage and Handling) and (Major Hazards)	T&F	Licenses required to manufacture, store, transport, use, import and otherwise handle explosives.	Review completed in 1999.	New legislation. The regulations require a licence to manufacture, store, sell, transport, drive and import explosives or to use them for blasting at minesites and quarries. A licence is also required to discharge fireworks or to be a pyrotechnician. Shipping berths are to be approved for the transfer and handling of explosives. Major hazard facilities are required to be registered and licensed. These requirements may create barriers to entry into industries which undertake these activities. The restrictions are primarily aimed at safety and are justified on this basis.
Defence Reserves Re- employment Act 1995	DJ	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Dental Practice Act 1999	DHS	Restrictions on entry, registration, title, practice and advertising, and disciplinary provisions.	New legislation enacted following the review of the Dental Technicians Act 1972 and the Dentists Act 1972.	The Health Practitioner Acts (Amendment) Act 2000 added professional indemnity insurance requirement and an ability for the dental board to issue guidelines on advertising. The Health Practitioner Acts (Further Amendment) Bill 2002 amended the advertising guideline provisions of the Dental Practice Act to require Ministerial approval of advertising guidelines.

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

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Domestic (Feral and Nuisance) Animals Act 1994	DPI	Registration of domestic animal suppliers. Code of practice for domestic animal suppliers. Prohibition on the supply of animals from other than premises. Exemptions and concessions for specific associations.	<p>Review by independent consultants KPMG completed in November 1998. Review recommended:</p> <ul style="list-style-type: none"> <li>• retaining registrations and code of practice for domestic animal suppliers;</li> <li>• retaining prohibition on supply of animal from other than premises;</li> <li>• narrowing exemption to breeders with no more than 2-3 animals;</li> <li>• allowing all recognised animal associations access to exemptions and concessions;</li> <li>• removing 'for profit' distinction between domestic animal suppliers;</li> <li>• repealing provisions relating to obedience training establishments;</li> <li>• regularly reviewing the code of practice;</li> <li>• retaining provisions relating boarding kennels and catteries until self-regulation is shown to be effective; and</li> <li>• improving consistency of enforcement by local councils.</li> </ul>	The Government accepted most recommendations and the Act was amended in 2000.
Dried Fruits Act 1958	DPI		Review not required as the industry decided to wind up the Dried Fruits Board. See also the Dried Fruit Act 1939 (NSW).	Act repealed by the Dried Fruits (Repeal) Act 1998.

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Drugs, Poisons and Controlled Substances Act 1981	DHS	Licensing, storage, distribution and dispensing restrictions.	Part of Galbally Review. Draft Review Report completed on 11 September 2000. Final review report given to the Australian Health Ministers Conference in early 2001. It found a net benefit from regulating drugs, poisons and controlled substances, but also found that controls could be reduced in some areas, efficiency improved, and nonlegislative policy responses used in some areas.	CoAG referred the Report through the Australian Health Ministers Conference and the Australian Health Ministers Advisory Council to an AHMAC Working Party, comprised of representatives from the Australian Government, NSW and Western Australia. AHMAC endorsed the draft response prepared by the working party. CoAG is expected to receive the final response from the AHMC in spring 2003.
Education Act 1958	DET	Requires the registration of private schools and endorsement of schools as suitable for overseas students and governs setting of fees for overseas students.  Also provides for teacher licensing, registration and entry requirements (qualifications/teacher training, good character — including not convicted or guilty of a sexual offence), reservation of practice (all subjects except instrumental music, choral music, voice production and religion), and disciplinary processes.	Review completed in May 2000. Victoria's review proposed less restrictive criteria than those in the existing legislation. The review recommended that schools satisfy three criteria (relating to suitable curriculum, suitable teachers, and suitable premises) but that a fourth criterion (concerning minimum student numbers) be dropped.  Review recommended the existing system of teacher registration for teachers in non-government schools should be retained.	The Government opted to retain the fourth registration criterion, arguing that it ensures a school can offer a sufficient range of subject options and that it has a direct bearing on the financial viability of the school.  Victoria's review committee also considered a proposal for a differential fee structure for overseas students attending government schools. The Government decided to retain the present restriction because the government school system is marketed as a whole and thus discontinuation of the present system would have a negative impact on broader marketing strategies across all education sectors.  The Government accepted review recommendations on teacher registration.
Electric Light and Power Act 1958	T&F			Act repealed and replaced by the Electricity Safety Act 1998.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Electricity Industry Act 1993	DI	The Act is one of the mechanisms by which the Government has affected competition reform of the Electricity Industry.		Act repealed and replaced by the Electricity Industry Act 2000. The Electricity Industry (Residual Provisions) Act 1993 now contains the remaining provisions from the 1993 Act that are relevant for historical purposes, including the privatisation provisions.
Electricity Industry Act 2000	DI	The Act is one of the mechanisms by which the Government has affected competition reform of the Electricity Industry.		The Electricity Industry Act 2000 replaced the Electricity Industry Act 1993. It substantially re-enacted various provisions of the 1993 Act relevant to the regulation of the electricity industry. The Act was assessed against NCP principles at introduction. This assessment found the Act's provisions to be consistent with NCP principles, that is they do not restrict competition, but rather underpin existing competition and facilitate its introduction for domestic and small business customers.
Electricity Safety (Equipment) Regulations 1999	DI	All electrical equipment supplied in Victoria is required to comply with Australian and New Zealand Standard AS/NZS:1998 unless a certificate of acceptance has been issued by the Office of the Chief Electrical Inspector. Also, certain prescribed electrical equipment must be approved by the Office of the Chief Electrical Inspector or a prescribed authority.	Regulations assessed against NCP principles at introduction. The assessment found the restrictions justified in the public interest on public safety and consumer protection grounds. The regulations address consumers' inability to detect hazardous products.	Restrictive provisions retained.



<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Electricity Safety (Installations) Regulations 1999	DI	Licensing (electrical workers and inspectors), registration (electrical contractors), entry requirements (qualifications, also training course for person responsible for business management and administration), business conduct (insurance), prescribed methods for carrying out installation work, and standards for the quality of materials, fittings and apparatus.		New legislation to address information asymmetries. Government considers regulations are justified because unskilled workers, contractors or inspectors or the use of inappropriate methods or substandard materials can result in loss of life, injury, industry downtime and property damage.
Electricity Safety Act 1998	T&F	Licensing for electrical workers and persons contracting with customers to carry out electrical wiring work. Office of Chief Electrical Inspector may introduce provisions enabling identification of specific areas of work for specialist licensing, and may set minimum standards for all electrical equipment for hire.	Act assessed against NCP principles at introduction. The assessment found the restrictions justified in the public interest on public safety and consumer protection grounds. The Act addresses consumers' inability to detect hazardous products and assess the competency of tradespeople.	Act replaced the Electric Light and Power Act 1958. Restrictive provisions retained.
Employment Agents Act 1983	RD		Review not required.	Act never brought into operation. Act repealed by the Training and Further Education Acts (Amendment) Act 2000.
Energy Consumption Levy Act 1982	T&F			Act repealed and replaced by section 19, Gas Industry (Amendment) Act 1997.
Environment Effects Act 1978	DI	Act assessed as not restricting competition.	Review not required.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
<p>Environment Protection Act 1970</p>	<p>DSE</p>	<p>The requirement for works approval restricts the undertaking of works subject to the conditions set by EPA.</p> <p>Licensing of premises where operations pose a potentially significant risk to the environment.</p> <p>The requirement for financial assurance imposes a cost on companies due to the cost of funds.</p> <p>The requirement for a permit is a restriction on competition as it restricts who can transport waste.</p> <p>Some provisions of the Act, such as those that prohibit placing advertising leaflets on motor vehicles, may also be seen to be placing competitive restrictions on smaller operators who cannot afford major electronic advertising campaigns.</p>	<p>Review completed in August 2000. Review recommendations included:</p> <ul style="list-style-type: none"> <li>• that the requirement for Works Approval be retained as the competition restriction is outweighed by the benefits of certainty to industry and the community;</li> <li>• the Act should be amended to include provision for the appointment of auditors and set out general criteria for such an appointment consistent with competition policy principles. More specific criteria should continue to be published in the guidelines;</li> <li>• the impact of new regulations on the overall regulatory burden should be assessed, where appropriate, under EPA's Protocol for the Development of Regulations and the Preparation of Regulatory Impact Statements (RIS); and</li> <li>• the Act should be amended to include the Litter Act to make the Litter Act a more forceful piece of legislation. The new provisions should be subject to a competition policy test and allow EPA to employ economic measures to limit litter in Victoria.</li> </ul>	<p>Reform ongoing. The remaining restrictions in the Act are justified under the public benefit.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Estate Agents Act 1980	DJ	Licensing (real estate agents not their representatives who are negatively licensed), registration, entry requirements (agents: licensed in past five years or qualifications and experience, over 18, fit and proper person (not insolvent, not convicted of prescribed offence or disqualified under Act); agent's representative: similar but no experience and lower level training), the reservation of practice (includes auctions of real estate or property), disciplinary processes, business conduct (ownership, name of business and address in advertising, agents' representatives only one employer, no commission sharing, professional conduct, trust accounts, Estate Agents Guarantee Fund (funded from interest on trust accounts) to pay for administration and defalcation), and business licensing.	Review completed in 2000. Recommended: retaining full licensing for residential property sales, but making experience and education requirements less restrictive; applying a less restrictive form of licensing to agents selling commercial property and business and managing property; and retaining regulation to protect against defalcation.	The Government introduced the Estate Agents and Sale of Lands Act (Amendment) Bill in spring 2002. The Bill lapsed when Parliament was prorogued for the State election, but was reintroduced in April 2003 and passed without amendment.  The amended Act implements the majority of the review recommendations except the recommendation to apply a less restrictive licensing approach to agents who are not involved in residential real estate sales.
Extractive Industries Development Act 1995	DPI	Searching for quarry stone prohibited without a permit.  Quarrying prohibited without a work authority from the Minister.	Review completed and released in October 2001. Review recommended removal of work authority.	The Government considered its response and introduced amendments in the Extractive Industries Development (Amendment) Act 2003 that was passed by Parliament on 6 November 2003 and assented on 11 November 2003.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Fair Trading Act 1999	DJ	Requirements imposed on 'Off-Business Premises Sales' in Part 4 entail some restriction on competition.	Act assessed against NCP principles at introduction. The assessment recommended retention of restrictions on the grounds that they are the least restrictive means of achieving the Act's objectives, and so are in the public interest.	Restrictive provisions retained.
Finance Brokers Act 1969	DJ	Licensing.	Review completed and retention of some restrictions, relating to licensing and fee structures, justified as being in the public benefit.	Act repealed and replaced by the Consumer Credit (Finance Brokers) Act 1998.
Financial Institutions (Victoria) Act 1992	DJ			Act repealed by the Financial Sector Reform (Victoria) Act 1999. Jurisdiction has passed to the Australian Government under financial sector reforms.
Firearms Act 1958	DJ			Act repealed and replaced by the Firearms Act 1996.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Fisheries Acts 1968 and 1995	DPI	Licensing of commercial and recreational fishers. Input controls on boat size, gear and fishing methods. Output controls such as total allowable catches, individual transferable quota, bag and size limits.	<p>Review by independent economic advisers ACIL Consulting completed in 1999. It recommended that the Government:</p> <ul style="list-style-type: none"> <li>• review alternatives to nontransferable fishing licences;</li> <li>• grant access licences for longer than one year;</li> <li>• introduce full recovery of fishery management costs and consider introducing royalties or rent taxes;</li> <li>• move from input controls to output controls (quota) in the rock lobster fishery; and</li> <li>• remove minimum and maximum quota holding restrictions in the abalone fishery.</li> </ul>	<p>The Government accepted all general recommendations except longer term access licences with automatic renewal. The recommended replacement of input controls with output controls in the lobster fishery was implemented in 2001. Restrictions on abalone quota holdings and transfers are to be removed in 2003. Other reforms to be implemented are:</p> <ul style="list-style-type: none"> <li>• introducing full cost recovery of fishery management costs;</li> <li>• removing employee limits on quota-managed fisheries other than abalone; and</li> <li>• removing pot limits in the rock lobster fishery.</li> </ul>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
<p>Flora and Fauna Guarantee Act 1988</p>	<p>DSE</p>		<p>Review, by consultant KPMG, completed in February 1999. Consultation involved issues paper and call for submissions, targeted interviews. Review recommended no changes to:</p> <ul style="list-style-type: none"> <li>• the listing process for species;</li> <li>• the provisions outlining management processes;</li> <li>• the provisions detailing Interim Conservation Orders;</li> <li>• the current permit provisions for native flora collection. However, there are effects on competition created by the division of the permit system by land ownership (public or private) and the pricing of these permits. Charging for permits should reflect full costs, including opportunity costs of alternative land uses. Decision guidelines for issuing of permits should facilitate transparency and reflect awareness of competition issues; and</li> <li>• the processes used in the operation of the Act. Consideration should be given to taking a broader legislative approach to environmental regulation.</li> </ul> <p>The regulations created under the Act do not restrict competition. The review also recommended that decision guidelines should be developed for the issuing of permits on public and private land in order to facilitate transparency and reflect awareness of competition issues.</p>	<p>The DSE will continue development of a new instrument for funded management agreements.</p> <p>The Government is finalising a management program for the commercial harvesting of tree fern; a further management program for flowers and foliage will then be prepared.</p> <p>The Department will finalise management programs for the wild harvesting of tree ferns, flowers and foliage for submission to Environment Australia and will then update the guidelines for making protected flora permit decisions and to better reflect competition issues. It will also prepare explanatory material for distribution to stakeholders.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Food Act 1984	DHS	Provides for various food safety offences. Imposes standards on food products. Requires registration of food premises and vehicles and operation of food safety programs. Requires approval of food safety auditors.	National review completed in 2000 (see the NSW Food Act 1989).	All States and Territories agreed in November 2000 to adopt core provisions of the model food bill by November 2001. Act amended accordingly by the Food (Amendment) Act 2001.
Forest agreement Acts (primarily for softwoods) including: Victree Forests Agreement; Australian Newsprint Mill Limited; Bowater-Scott Agreement; Laminex Industries Agreement; Pulpwood Agreement; and Wood Pulp Agreement.	DSE	Acts import into statute long term agreements between the Government and wood processors to supply softwood timber.	The Acts are not for review as they cannot be amended without renegotiating the agreements and paying compensation.	Following the sale of the Victorian Plantations Corporation, the Victree Forests Agreement and Bowater-Scott Agreement Acts have been repealed. The other Acts remain and the associated agreements are performed by the new owner of the plantations.
Forest agreement Acts relating to hardwoods, eg Forests (Masonite Agreement) Act 1956	DSE		Forest Agreements Acts are legislated agreements between Government and producers of paper and other wood products. They are binding legal contracts (put into legislation) and consequently were not scheduled for NCP review.  The Forests (Wood Pulp Agreement) Act 1996 relates to hardwood. This agreement between the Government and AMCOR does not expire until 2030.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Forests Act 1958	DSE	15 year non-transferable timber harvesting licences. Permits and leases for grazing and other uses of State forest. Administrative discretion over how licences and produce are allocated and priced. Logs harvested to equal sustainable yield.	Reviewed by independent economic advisers completed in 1998. Review recommended: <ul style="list-style-type: none"> <li>• allowing purchaser/provider structure for management of State forests;</li> <li>• removing requirement for minimum level of logging;</li> <li>• developing market-based processes for log allocation and pricing; and</li> <li>• separating policy, regulatory and commercial forestry functions of the department.</li> </ul>	In February 2002, Victoria released a major policy statement. The Government intends to establish a new commercial entity VicForests and to make pricing and allocation of forest produce more competitive and transparent. An industry/department task force is advising on implementation.
Friendly Societies (Victoria) Act 1996	DJ			Act replaced the Friendly Societies Act 1986 and repealed by the Financial Sector Reform (Victoria) Bill 1999.
Friendly Societies Act 1986	DJ			Act repealed and replaced by the Friendly Societies (Victoria) Act 1996.
Fuel Emergency Act 1977			Review completed. Act assessed as not restricting competition.	
Fuel Prices Regulation Act 1981	DJ	Scoping study has shown that the legislation does not restrict competition.	Review not required.	
Fundraising Appeals Act 1984	DJ			Act repealed and replaced.
Funerals (Pre-Paid Money) Act 1993	DJ	Scoping study has shown that the legislation does not restrict competition.	Review not required.	



<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gambling Legislation (Miscellaneous Amendments) Act 2000		Caps, regional caps, advertising restrictions, and conduct.	Gatekeeper provisions apply.	New legislation accepted. These amendment Acts introduced responsible gambling initiatives and key restrictions such as regional caps and advertising controls in all gambling-related legislation in Victoria.
Gambling Legislation (Responsible Gambling) Act 2000		Caps, regional caps, advertising restrictions, and conduct.	Gatekeeper provisions apply.	New legislation accepted. These amendment Acts introduced responsible gambling initiatives and key restrictions such as regional caps and advertising controls in all gambling-related legislation in Victoria.
Gaming and Betting Act 1994 - Part 1 of 2 (as it relates to gaming machines)	T&F	Provides for the licensing of a gaming machine operator in conjunction with a wagering licence. The Act also provides for the racing industry to be a major beneficiary of the licence and future licences.	See the Gaming Machine Control Act 1991, Part 1.	See the Gaming Machine Control Act 1991, Part 1.
Gaming and Betting Act 1994 - Part 2 of 2 (as it relates to racing and betting)	T&F	Allows for the issuing of a wagering and gaming licence to TABCORP Holdings Ltd providing that the company has entered into an unincorporated joint venture with the racing industry. Establishes the Victorian Casino and Gaming Authority as the regulator of the gaming and wagering licence. Generally regulates the operation of totalizator and fixed odds betting by TABCORP. Prescribes the taxation regime for totalizator and fixed odds betting by TABCORP.	Review of racing and betting legislation in Victoria completed in November 1998. Review included the Racing Act 1958, Gaming and Betting Act 1994, the Lotteries Gaming and Betting Act and the Casino Control Act 1991 (as it relates to betting). Concluded that the need for adequate totalisator pools justified the single licence arrangements. It also identified a public benefit in the arrangements for funding the Victorian racing industry.	The Government did not accept the review recommendations for an expansion of the sports betting licences, arguing that there was a public benefit in restricting the number of licences and the venues where such betting could be conducted (this was for reasons of monitoring and supervision).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gaming Machine Control Act 1991 - Part 1 of 2	DJ	Generally regulates the gaming machine industry in which the racing industry and TABCORP are participants.	<p>Review completed in November 2000. Review recommendations included:</p> <ul style="list-style-type: none"> <li>• that the current licences should end as soon as practicable;</li> <li>• that the on-going support of the racing industry be renegotiated to accommodate the licence restructure;</li> <li>• removal of the requirement that monitoring and control be a requirement of the operator's licence;</li> <li>• removal of the minimum 20 per cent allocation of gaming machines to non-metropolitan Victoria;</li> <li>• the club/hotel 50:50 split be retained;</li> <li>• a package of reforms of the club sector; and</li> <li>• that restrictions on matters such as machine numbers per venue, 24-hour gaming, licensing, ministerial discretion and probity should be retained.</li> </ul>	The Government accepted most of the review recommendations. It noted in principle support for changes to the licence structure and consequential changes to the support for the racing industry.

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

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gaming No 2 Act 1997	T&F	Restrictions on minor gambling such as bingo.		<p>New restrictions introduced in the Gaming No 2 (Community Benefit) Act 2000, which revises the Gaming No 2 Act by guaranteeing a portion of bingo revenues returns to charity and community groups to counter the growing market power of the bingo venues. It also allows community organisations to use trade promotions so that they can broaden their revenue raising opportunities.</p> <p>The amendments also ban the offer of cash or cash redeemable prizes in amusement centres, so as to reduce the inducements to gamble in areas children frequent.</p>
Gaming No. 2 (Community Benefit) Act 2000		Operations, and conduct.	Gatekeeper provisions apply.	Act revised the Gaming No. 2 Act 1997. New legislation protects minors and reduces the market power of bingo venues, to enhance charitable and community organisations' fundraising abilities.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gas Industry Act 1994 and Amendment Acts	T&F	<p>Act provided for:</p> <ul style="list-style-type: none"> <li>• licensing regime administered by Office of Regulator-General;</li> <li>• market and system operation rules for Victorian gas market;</li> <li>• cross-ownership restrictions to prevent re-aggregation of Victorian gas industry; and</li> <li>• prohibitions on significant producers (the Bass Strait producers) engaging in anti-competitive conduct.</li> </ul>	<p>Full retail contestability amendments to facilitate orderly introduction of full retail contestability via:</p> <ul style="list-style-type: none"> <li>• a safety net for domestic customers, including interim reserve price regulation power to be reviewed in August 2004; and</li> <li>• a requirement for retailers to enter community service agreements.</li> </ul>	<p>Act replaced by the Gas Industry Act 2001 and the Gas Industry (Residual Provisions) Act 1994 on 1 September 2001. New Acts are designed to further facilitate orderly introduction of full retail contestability. New Acts are to be as consistent as possible with reforms in the electricity industry.</p> <p>The Gas Industry Act 2001 and the Gas Industry (Residual Provisions) Act 1994 were introduced on 1 September 2001. These amendments are consistent with NCP principles and are essentially similar to those operating in the electricity context. The 'safety net' provisions will be reviewed before their scheduled expiry on 31 August 2004.</p> <p>However provisions were introduced to enable the deferral of FRC. Further amendments were also made in 2001, primarily designed to facilitate the orderly introduction of FRC.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Gas Safety Act 1997 and Regulations	DI			<p>New restrictive regulations introduced in relation to Gas Appeals Board, gas installations, gas quality and safety case. Aim of new regulations is to ensure safety. Uniform gas quality specifications aim to ensure gas in distribution pipelines is safe for end use.</p> <p>Efforts made to minimise compliance costs by restricting the scope of restrictions to minimum functional requirements and avoiding prescription of style or format.</p> <p>No further reforms planned.</p>
Health Act 1958 (Part V, Division 2AA) Health (Radiation Safety) Regulations 1994	DHS		National review completed in December 2000.	
Health Services Act 1988	DHS		Review completed in March 2000. Review recommendations include removal of bed caps, consideration of clinical performance indicators and consumer access to health records.	Bed caps for private hospitals and day procedure centres removed July 2000. The Health Records Act 2001 provides for consumer access to health records.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Heritage Act 1995	DI	Monopolistic administrative powers granted to Executive Director of Heritage Victoria and heritage protection constraints on the real estate market.	Review completed in April 1999. Review undertaken by Freehill, Hollingdale and Page. Consultation involved public notification, targeted consultation, and consideration of submissions by interested parties. Review concluded legislation procures net benefit to the community and no preferred alternative. Recommended some changes to administrative processes and develop and report key performance indicators to observe and encourage compliance with the practice notes.	The Government accepted all recommendations. The Heritage Council prepared draft practice notes, legislation has included changes to further improve legislative clarity and transparency, and from 2001, the Heritage Council has reported annually on its compliance with the practice notes.
Hire Purchase (Amendment) Act 1997	DJ	Retains the principal Act's special consumer protection measures for new hire-purchase agreements for farm machinery for two years (while removing all other new hire-purchase agreements from coverage).	Victoria considers there is benefit in continuing to use the Act to address rural sector difficulties in relation to hire purchase to allow time to ensure that the unconscionable conduct provisions of the Australian Government TPA would prove adequate to protect farmers.	
Hire Purchase (Amendment) Act 2000	DJ	Retains the principal Act's special consumer protection measures for new hire-purchase agreements for farm machinery for a further three years.	Victoria considers there is benefit in continuing to use the Act to address rural sector difficulties in relation to hire purchase to allow time to ensure that the unconscionable conduct provisions of the Australian Government TPA would prove adequate to protect farmers.	
Housing Act 1983	DHS	Act assessed as not restricting competition.	Review not required. Reassessment of this Act demonstrated that there are no restrictions on competition contained in this Act. Its removal from the timetable of review has been accepted.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Housing Act 1983 (Part VI)	DJ			Part VI of the Act (relating to rental housing co-operatives) repealed and replaced by the Co-operatives Act 1996. The Housing (Rental Housing Co-operative) Regulations 1994 are redundant and will be revoked.
Impounding of Livestock Act 1994	DPI	Act assessed as not restricting competition.	Review not required.	
Industrial and Provident Societies Act 1958	DJ			There is only one society still registered under the Act. That society is in liquidation, however finalisation of the liquidation has been delayed due to some Supreme Court proceedings. As soon as these proceedings have been resolved the liquidation will be completed and the registration of the society will be cancelled. The Act will then be repealed.
Interactive Gaming (Player Protection) Act 1999	T&F	The Act makes provisions for the protection of consumers participating in interactive games by regulating the provision of interactive gaming services.		New legislation. The Act introduces various restrictions that will help ensure that consumers who use interactive gambling services are adequately protected. Players will be protected by measures that: ban the use of credit betting; restrict access to minors; involve strict player registration guidelines; have self-exclusion; detail operator licensing procedures; set betting limits; and ensure there is a minimum seven day cooling off period before increasing the betting limit.



<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Introduction Agents Act 1997	DJ	Negative licensing, business conduct (disclosure requirements, cooling-off period, restriction on advance payments to 30 per cent of the total contract price).	New legislation examined under Victoria's legislation gatekeeping arrangements. Public interest justification: regulation only introduced after other forms of intervention had demonstrably failed to correct problems in the market for introduction services: large advance payments were frequently being extracted for services which did not meet the expectations created in clients; consumer complaints were not being heeded; and civil action by aggrieved consumers was not deterring further malpractice. The benefit of better informed consumers and reduced consumer loss due to poor service delivery following advance payments outweigh the compliance costs imposed. Less restrictive alternatives would not achieve the objective of deterring dishonest operators and promoting effective competition in the industry.	
Labour and Industry Act 1958		Act assessed as not restricting competition.	Review not required.	
Land (Goonawarra Golf Course) Act No. 6/1988	DI	Act assessed as not restricting competition.	Review not required.	
Land Act 1958	DSE	Leases and licensing.	The NCP review of Victoria's Crown land management legislation and the response to this review will be released in 2003.	
Landlord and Tenant Act 1958	DJ	Scoping study has shown that the legislation does not restrict competition.	Review not required.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Legal Aid Act 1978 (as amended 1995)	DJ		NCP review completed in 1998. The report of the review is expected to be released in 2003. Review involved targeted consultation with key stakeholders.	
Legal Practice (Amendment) Act 1998	DJ	Statutory mutual fund monopoly on supply of compulsory professional indemnity insurance for solicitors.		New legislation. The benefits of lower and more stable premiums outweigh the costs flowing from reduced incentives for product innovation and tailoring to different solicitors' needs (and those of their clientele). In addition the objectives of comprehensive cover for consumers of legal services and access to the services of sole and small firm practices, cannot be met without restricting competition.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Legal Practice Act 1996	DJ	Licensing, registration, entry requirements, reservation of title and practice, disciplinary processes, business conduct (including professional indemnity insurance monopoly).	<p>Review of legal practice legislation completed in 1996, leading to a range of reforms being implemented in the Legal Practice Act 1996.</p> <p>Victoria has also undertaken two reviews into professional indemnity insurance, by KPMG (recommending removing the monopoly provision of professional indemnity insurance) and the Legal Practice Board (recommending maintaining the monopoly). The latter report (and a draft response) was released for public comment in November 2000, and Supplementary Report on Professional Indemnity Insurance for solicitors in Victoria was subsequently provided to the National Competition Council (NCC) in June 2001. The response concluded that any insurance scheme for solicitors in Victoria must deliver affordable insurance to all solicitors licensed to practise, provide comprehensive run-off cover, and facilitate risk management. It concluded that, to achieve these objectives, it is necessary to require all solicitors to obtain legal professional indemnity insurance through the Legal Practice Liability Committee.</p>	<p>Victoria implemented the Legal Practice Act 1996, which removed the distinction between solicitors and barristers, allowed clients direct access to barristers, allowed incorporation of legal practices, removed binding fee scales, abolished compulsory membership of professional associations, permitted nonlawyer property conveyancing, but retained restrictions on preparing documents that create, vary, transfer or extinguish an interest in land, or to giving legal advice.</p> <p>The Government decided to retain the Legal Practice Liability Committee's monopoly over the provision of professional indemnity insurance for solicitors, but will review this decision in light of any national scheme developed by the Standing Committee of Attorneys General.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Liquor Control Act 1987	DJ	Contained a needs test, 8 per cent rule and multiple licence categories.	Review completed in 1998 and recommended significant procompetitive reform including abolition of needs criteria, simplification of licensing arrangements and removal of the 8 per cent rule.	Some restrictions (relating to sale of liquor, trading hours, licensing etc) retained as in the public interest based on review recommendations. Retained 8 per cent rule contrary to review recommendation.  Amendments to Act, and repeal of Regulations, implemented through Liquor Control Reform Act 1998.  8 percent rule subsequently removed following further review.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Litter Act 1987	DSE	<p>The requirement for works approval restricts the undertaking of works subject to the conditions set by EPA.</p> <p>Licensing of premises where operations pose a potentially significant risk to the environment.</p> <p>The requirement for financial assurance imposes a cost on companies due to the cost of funds.</p> <p>The requirement for a permit is a restriction on competition as it restricts who can transport waste.</p> <p>Some provisions of the Act, such as those that prohibit placing advertising leaflets on motor vehicles, may also be seen to be placing competitive restrictions on smaller operators who cannot afford major electronic advertising campaigns.</p>	<p>Review, in conjunction with the Environment Protection Act 1970, completed in August 2000. Review recommended the Environment Act should be amended to include the Litter Act to make the Litter Act a more forceful piece of legislation. The new provisions should be subject to a competition policy test and allow EPA to employ economic measures to limit litter in Victoria.</p> <p>See the Environment Protection Act 1970.</p>	See the Environment Protection Act 1970.
Livestock Disease Control Act 1994	DPI		<p>Review by independent consultants, PricewaterhouseCoopers, completed in January 2002. Review jointly with the Stock (Seller Liability and Declarations) Act 1993. Review recommended that the Government retain existing disease control measures and various associated licensing provisions.</p>	

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

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Marine Act 1988 (and Notices made under Section 15)	DI	Provides for pilotage, licensing of pilots and harbour masters, and vessel registration.	<p>Review completed in 1998. Review made several recommendations aimed at ensuring the Act meets its objectives as effectively as possible, including:</p> <ul style="list-style-type: none"> <li>• retaining but amending licensing of ship pilots;</li> <li>• consideration of legislation aimed at increasing competition for ship pilotage services;</li> <li>• establishing performance based standards for ship crewing;</li> <li>• management of local ports for local authorities; and</li> <li>• no change to provisions for recreational vessel.</li> </ul>	<p>The Government incorporated some review recommendations in the Marine Act. These include: rules, standards and determinations issued by the Marine Board have been reviewed and amended to ensure they are consistent with NCP principles; licensing standards for Harbour Masters in commercial ports reviewed and amended as have the licensing standard for pilots. Monopoly provision of pilotage services sunsetted but legislation amended to ensure competition does not adversely affect safety standard. Registration of vessels retained as fees contribute to safety and provision of facilities. Survey services can be undertaken by the private sector.</p>
Meat Industry Act 1993	DPI	Licenses processing facilities and vehicles. Requires certain meat processing facilities to operate quality assurance programs. Requires inspectors to hold minimum qualifications. Requires auditors to hold minimum experience and qualifications.	<p>Review by consultant completed in March 2001. Review recommended:</p> <ul style="list-style-type: none"> <li>• retaining licensing of processing facilities and vehicles;</li> <li>• retaining minimum qualifications for inspectors, and minimum experience and qualifications for auditors;</li> <li>• improved accountability of the Meat Industry Authority; and</li> <li>• prohibiting discriminatory exercise of Ministerial powers.</li> </ul>	<p>The Government accepted all but the recommendation to circumscribe the Minister's power to direct the Meat Industry Authority. Instead, the Government agreed to the disclosure of such directions. Act was amended accordingly in 2001.</p>

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Medical Practice Act 1994	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in March 2001. Further Discussion Paper covering Medical Practice Act and Nursing Act Issues (corporate ownership, performance assessment, nursing practice, nurse prescribing rights, appeals) released August 2001.	<p>The Health Practitioner Acts (Amendment) Act 2000 passed with amended advertising provisions, including the ability of the board to impose additional restrictions.</p> <p>Health Practitioner Acts (Further Amendment) Act 2002:</p> <ul style="list-style-type: none"> <li>• creates a negative licensing scheme for the purpose of regulating corporate owners of medical practice who direct or incite medical practitioners to engage in unprofessional conduct;</li> <li>• establishes powers for the Medical Practitioners Board to manage poorly performing medical practitioners; and</li> <li>• amends the advertising guideline provisions, to require Ministerial approval of advertising guidelines.</li> </ul>
Melbourne Market Authority Act 1977	DPI		Review not required as the only restrictions were those identified in the competitive neutrality review of the Authority.	
Mental Health Act 1986	DHS		Review completed in 1998, recommending removing funding and registration provisions, and retaining electro convulsive therapy licensing and regulation provisions.	Review recommendations implemented through amending legislation in 1999.
Metropolitan Fire Brigades Act 1958	DJ		Review not required.	Function has been divested.



<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Mineral Resources Development Act 1990	DSE	Licensees must be 'fit and proper' and intend to do work. Licence conditions including employment levels. Maximum term of licences and restrictions on renewal. Work prohibited without approved work plan. Certification of mine managers.	Review by independent consultant completed in 1997, recommending removal of subjective licence criteria, employment conditions and mine manager certification. Government accepted most recommendations at least in part.	Act amended in Spring 2000. Guidelines prepared on interpretation of licence criteria.
Mines Act 1958	DPI	Act largely repealed. The few remaining provisions relate to occupational health and safety.	Review not required. Occupational health and safety provisions to be reviewed in consultation with the WorkCover Authority with a view to consolidating them with occupational health and safety legislation.	
Ministerial Direction No.1, Tendering Provisions	DI		Review completed and retention of restrictions justified as being in the public benefit.	

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

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Murray Valley Citrus Marketing Act 1989	DPI	Joint NSW–Victorian scheme that establishes the Murray Valley Citrus Marketing Board that provides information services to growers and allows it to be engaged in the marketing and processing of citrus fruit.	<p>Joint review with NSW by independent consultants, CIE, completed in July 1999. Review recommended:</p> <ul style="list-style-type: none"> <li>• removing powers of the Murray Valley Citrus Marketing Board to be engaged in marketing or processing of citrus fruit;</li> <li>• improving accountability of the Board to growers;</li> <li>• introducing user charging for services with private benefits; and</li> <li>• repealing the Act and reconstituting the Board under the Agricultural Industry Development Act.</li> </ul>	The Government has accepted all recommendations. Act to be repealed in 2002 and board reconstituted by regulation under the Agricultural Industry Development Act 1990 in accordance with the recommendations of the review.
Museums Act 1983	P&C		A review of alleged anticompetitive provisions in the Museums Act 1983 was conducted in 1997 by an independent person, Professor Glenn Withers. In August 1998, Arts Victoria considered Professor Withers' report and recommended that the review of the Museums Act 1983 found that there was no 'Restriction on competition in the Act to remove'. Hence there was no legislative reform/amendments.	
National Parks Act 1975	DSE	Restricts commercial activities in national parks.	Review by independent consultants, the Allen Consulting Group, completed. This review also considering Part IV of the Water Industry Act 1994. The release of the report will be provided concurrently with the release of the Government response, which will be completed in 2003.	It is proposed that any legislative reforms required will be implemented during 2004.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
National Rail Corporation (Victoria) Act 1991	DI	Gives effect to an agreement between some States and the Australian Government relating to the conduct of the National Rail Corporation Ltd.	Scoping study concluded legislation did not restrict competition and the legislation was removed from the review timetable.	
Nurses Act 1993	DHS	Restrictions on entry, registration, title, and disciplinary provisions.	Review completed in 2000. Discussion paper released in October 1998, but final report not released. Separate Nurse Practitioner Report released June 2000.	<p>Amending legislation passed November 2000, also amends Drugs, Poisons and Controlled Substances Act.</p> <p>New legislation includes nurse practitioner and prescribing provisions, a requirement for professional indemnity insurance, disciplinary changes, and introduces advertising restrictions.</p> <p>The Health Practitioner Acts (Further Amendment) Bill 2002 included changes to the advertising guideline provisions to require Ministerial approval of advertising guidelines, and established a form of negative licensing to allow regulation of those nurses' agents who pressure nurses to engage in unprofessional conduct and thus place the health and safety of the public at risk.</p>
Optometrists Registration Act 1958	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in 1996. Review justified retention of restrictions relating to the use of title and fair and accurate advertising in the net public benefit.	Act repealed and replaced by the Optometrists Registration Act 1996. New legislation assessed under clause 5(5). Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Optometrists Registration Act 1996	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	New legislation assessed under clause 5(5).	Act repealed and replaced the Optometrists Registration Act 1958. Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained.
Order - authorises the Alpine Resorts Commission to act as a gas undertaking solely within the Mount Buller Alpine Resort	DSE	Order made under Gas and Fuel Corporation Act which is administered by the Department of Treasury and Finance.		Amendments made by an order under the Gas Industry Act make this order redundant.
Osteopaths Registration Act 1996	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.		Act replaced the Chiropractors and Osteopaths Act 1978 in line with recommendations. Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained in the new Acts.
Parliamentary Salaries and Superannuation Act 1968	P&C	Act assessed as not restricting competition.	Review not required.	
Partnership Act 1958	DJ	Scoping study has shown that the Act does not restrict competition.	Review not required.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Pathology Services Accreditation Act 1984	DHS	Licensing.	Review completed. The review was conducted by an independent panel chaired by Mr Don Nardella MP. The matters considered by the review panel were not strictly limited to restrictions on competition, reflecting the fact that boundaries between competition and other regulatory issues are often indistinct. A discussion paper was released in May 2001. The final report has been submitted to the Minister for Health, and a government response is being prepared. It is anticipated that the release of the final report and the government response will coincide.	Cabinet is considering a range of proposals to amend this Act over the next 12 months.  Further advice may be provided following advice on Cabinet's decisions.
Petroleum (Submerged Lands) Act 1982	DPI	Regulates exploration for and development of undersea petroleum resources. This legislation forms part of a national scheme.	National review completed in 1999-2000. Endorsed by Australian and New Zealand Minerals and Energy Council (ANZMEC) Ministers.	The Government is awaiting the introduction of amendments by the Australian Government before amending its own legislation.
Petroleum Act 1958	DPI	Provides for Crown ownership of petroleum resources and a permit system for exploration and production.	Review completed. Review recommended changes to remove obstacles to the exploration and production of petroleum and to improve administrative efficiency.	Act repealed and replaced by the Petroleum Act 1998. New Act retains Crown ownership of petroleum resources and permits lease system, and removes obstacles to exploration, production, and administrative efficiency.
Petroleum Retail Selling Sites Act 1981	DJ	Scoping study has shown that the legislation does not restrict competition.	Review not required.	Act repealed.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Pharmacists Act 1974	DHS	Restrictions on entry, registration, title, practice, advertising, business, ownership, licensing, and disciplinary provisions.	<p>National Review of Pharmacy Regulation (Wilkinson Review) completed in February 2000. The review recommended retaining registration, the protection of title, practice restrictions and disciplinary systems (although with minor changes to the registration systems recommended for individual jurisdictions). Further, the review recommended maintaining existing ownership restrictions, and removing business licensing restrictions.</p> <p>In anticipation of the CoAG response to the national review, a Victorian review of the Pharmacists Act commenced in August 2001, for the purpose of implementing those national review recommendations endorsed by CoAG, assessing outstanding restrictions on competition not considered by the national review, updating the Act to establish consistency with other Victorian health practitioner registration Acts, and examining additional issues raised by key stakeholders. A discussion paper was released for consultation in August 2002.</p>	CoAG established a Senior Official's Working Group to advise on the Reports recommendations. The working group's response was released in August 2002. It recommended that CoAG accept most of the national review recommendations (except the recommendation on nonpharmacy ownership of pharmacies by friendly societies and other nonpharmacists that currently own pharmacies). The Minister for Health is considering the recommendations arising from responses to the Victorian discussion paper.
Physiotherapists Act 1978	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in 1997.	Act repealed and replaced by the Physiotherapists Registration Act 1998. Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Physiotherapists Registration Act 1998	DHS	Restrictions on entry, registration, title, advertising, and disciplinary provisions.		Act repealed and replaced the Physiotherapists Act 1978. Most restrictions on commercial practice and reservation of practice restrictions removed from the Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained.
Pipelines Act 1967	DPI	Regulates construction and operation of pipelines.	<p>Review completed. Review recommendations included:</p> <ul style="list-style-type: none"> <li>• introduction of a nationally consistent regulatory regime;</li> <li>• formalised time limits for Government assessment of pipeline projects;</li> <li>• some relaxation of restrictions on tradability of pipelines, permits, and licences;</li> <li>• introduction of appeals to the Victorian Civil and Administrative Tribunal against regulatory alteration of permits or licences;</li> <li>• removal of open access provisions;</li> <li>• development of safety guidelines by Department of Treasury and Finance; and</li> <li>• changes to compensation provisions to extend possible liability.</li> </ul>	The Government response is planned for 2002.



<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Planning and Environment Act 1987	DI	Controls the uses to which land may be put. Sets procedures for the issue of planning permits and approval.	Review by Deacons Lawyers completed in 2001. The review found that Victoria's planning legislation achieved its objective in an effective and efficient manner, and that the competition restrictions identified were in the public interest. The review recommendations aimed to improve the manner in which the Act is administered, to enhance planning effectiveness and efficiency.	The Victorian Government is considering its response to the review's recommendations. The majority of the recommendations will be implemented by way of amendments to planning schemes and administrative arrangements; only minor legislative amendments are required, which will be included in the next amendment to the Act anticipated for the 2003 spring session of Parliament. Since the legislative restrictions
Planning Authorities Repeal Act 1994 No. 118/1994	DI		Review not required.	Act repealed and replaced by Part 3(8) of the Planning and Environment Act.
Plant Health and Plant Products Act 1995	DPI		Review by independent consultants, PricewaterhouseCoopers, completed in March 2002. It recommended that the Government retain existing disease control powers but consider repeal of s 38.	S. 38 repealed in 2002.
Podiatrists Registration Act 1997	DHS	Entry, registration, title, discipline, advertising.	Legislation replaced the Chiropodists Act 1968, in line with the recommendations of the review of the Chiropodists Act. Most restrictions on commercial practice and reservation of practice restrictions removed from the new Act. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained.	
Police Regulation Act 1958	DJ	Act assessed as not restricting competition.	Review not required.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Port Services Act 1995	DI	Provides port arrangements (relating to structures, objectives, functions and powers), channels access, charges, regulation and governance.	Russell review completed in 2001. One of the review's key recommendations was to reintegrate the land and water management of commercial trading ports to enable them to better compete with interstate ports.	Major legislative amendments resulting from the Russell review were scheduled for the sessions of Parliament in autumn and spring 2003. The Port Services (Port of Melbourne Reform) Bill, passed on 13 May 2003, establishes a new integrated corporation to manage the port of Melbourne from 1 July 2003. A second Bill —the Port Services (Port Management Reform) Bill — was introduced in spring 2003 and addresses remaining issues arising from the review, including arrangements for the establishment of commercial and local ports, port safety, security and environmental obligations, governance arrangements for the port of Hastings, the management of channels serving the port of Geelong and the holding and licensing of channels generally. This second Bill was passed by Parliament on 5 November 2003 and assented on 11 November 2003.
Prevention of Cruelty to Animals Act 1986	DPI	Requires presence of registered veterinarian at rodeos.  Sets various minimum housing and transport standards for certain animal farming activities.	Review completed. It recommended replacing industry accreditation of rodeo stock suppliers with a code of practice. Most other restrictions retained on animal welfare grounds.	Regulations to be amended in 2003.

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Private Agents Act 1966	DJ	Security guards, crowd controllers, security firms, inquiry agents (private detectives), commercial agents (debt collectors), and commercial sub-agents. Licensing, registration, entry requirements (all good character, others vary), the reservation of practice, disciplinary processes, and business conduct (no misleading or deceptive conduct, financial sureties for commercial agents).	Review by Freehills Regulatory Group of currently regulated activities completed in October 1999. Recommended: retaining occupational licensing; reviewing exemptions of certain groups, and making efforts to develop a national regulatory model for the industry; for commercial agents, removing licensing requirements and replacing them with a 'light-handed' registration requirement (with greater use of general trade practices/fair trading legislation to deal with problem operators); reforming the financial surety scheme; and considering establishing an appropriate compensation fund or minimum insurance requirement. Another broader review has been completed. Discussion paper released in 2000, but not the final report.	A public discussion paper was released in July 2000 and targeted consultation completed. It is intended to seek Cabinet approval to introduce legislative reform in the autumn 2004 Parliamentary Sittings.
Professional Boxing and Martial Arts Act 1985	DVC	Registration (professional contestants, promoters, trainers, match-makers, referees and judges), and business conduct.	Departmental review completed in August 1999. Consultation involved release of discussion paper, receipt of submissions and further targeted consultation. Review recommendations were to: streamline contestant registration system so the Act refers to competition in a professional contest (rather than a boxing or martial arts contest); examine scope for replacing detailed rules and conditions with less prescriptive national or international standards; amend the provision that exempts the Victorian Amateur Boxing Association from Act's requirements so other suitable qualified amateur boxing association can be exempted.	The Government accepted all recommendations except to examine scope for replacing detailed rules and conditions. Government rejected this because the industry is fragmented into different bodies that follow various rules, so it is not possible for it to adopt one set of rules. Parliament passed amending legislation in 2001 (Bill changed the name of legislation to Professional Boxing and Combat Sports Act).

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Project Development and Construction Management Act 1994 No. 101/199	DI	Act assessed as not restricting competition.	Review not required.	
Property Law Act 1958	DJ	The legislation contains a small number of minor restrictions that are necessary to the achievement of the objectives of the legislation. The restrictions are mainly in the form of compliance costs which are contained in the subordinate legislation made under the Act and subject to RIS requirements.	Act removed from the review schedule in 2001.	
Prostitution Control Act 1994	DJ		Review not required. No scope for change due to overriding social policy objectives.	
Psychologists Act 1978		Restrictions on entry, registration, title, practice, advertising, business, and disciplinary provisions.	Review completed in 1998. It recommended removing most commercial practice restrictions and the reservation of practice, but retaining reserved title and the investigation of advertising (to ensure it is fair and accurate).	Act repealed and replaced by the Psychologists Registration Act 2000. The new Act was amended in 2002 to require Ministerial endorsement of any advertising restrictions proposed by the board.
Psychologists Registration Act 1987	DHS	Restrictions on entry, registration, title, practice, advertising, business, and disciplinary provisions.	Review completed in 1998, with most restrictions on commercial practice and reservation of practice restrictions recommended for removal from the Act.	The Psychologists Registration Act 2000 was enacted as replacement legislation. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained.
Psychologists Registration Act 2000	DHS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.		Replaced Psychologists Registration Act 1987. Reserved title and investigation of advertising provisions (to ensure fair and accurate) retained. Advertising provisions include the ability of the board to impose additional restrictions.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Public Authorities Marks Act 1958	DI		Review not required.	Act repealed.
Public Lotteries Act 2000	T&F	Exclusive licence.	Review completed in 1997.	Public Lotteries Act 2000 repealed this Act. New Act allows for multiple suppliers, but Victoria has extended the exclusive Tattersalls licence until 2007.
Public Safety Preservation Act 1958	P&C	Act assessed as not restricting competition.	Review not required.	
Public Transport Competition Act 1995	DI	Provisions relating to large commercial passenger vehicles — buses. The main purpose of this Act is to improve the operation of road-based public transport by providing for the accreditation of operators and implementing a system of service contracts for certain types of transport service.	<p>NCP review completed late in 1999. The review was carried out by an independent Review Panel in accordance with the 'semi-public' model contained in the Guidelines for the Review of Legislative Restrictions, and the review process included a call for public submissions and a direct approach to key industry representatives seeking comments on a Discussion Paper published by the Panel.</p> <p>Review report made key findings and recommendations relating to:</p> <ul style="list-style-type: none"> <li>• the objectives of the legislation;</li> <li>• quality regulation (Bus Operators Accreditation and Transport Management Course);</li> <li>• economic regulation (Licensing and Bus Contracts); and</li> <li>• occupational licensing (Driver Certificate/Authority).</li> </ul>	The Minister for Transport wrote to the Treasurer in January 2000, advising that the Minister accepted the Review's recommendations, with a single exception. That exception was that the Minister did not think it was necessary for the legislation to unequivocally state that bus contracts be competitively tendered. The existing legislation already provided for competitive tendering of bus services, and the Minister was of the opinion that in some circumstances competitive tendering may not be practicable or appropriate. In September 2000, the Treasurer wrote back to the Minister for Transport approving the Government response to the review, and all recommendations have been successfully implemented.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Racing Act 1958, including Rules of the Harness Racing Board and Rules of the Greyhound Racing Control Board	DJ	Regulates the conduct of race meetings and governs the licensing of racecourses and racing clubs. (Only the three established codes are granted 'as right' to conduct race meetings). Regulates the races in which jockeys can participate. Other restrictions on alternative codes establishing themselves. Proprietary racing is prohibited. Controlling bodies can make rules for the licensing of bookmakers.	Review of racing and betting legislation in Victoria by CIE completed in November 1998. Review included the Racing Act 1958, the Gaming and Betting Act 1994, the Lotteries Gaming and Betting Act 1966 and the Casino Control Act 1991 (as it relates to betting).	The Government accepted most of the review recommendations, including measures to allow other codes of racing, maintenance of the prohibition on proprietary racing until proponents can provide detailed, costed recommendations for their regulation (submission from Teletrak under way), and abolition of the minimum telephone bets for bookmakers (staged reduction). In addition, subject to consultations and proposals from bookmakers, the Government has accepted the recommendations on 24 hour bookmaking and internet betting by bookmakers. Victoria will abolish the restrictions on advertising subject to a uniform national approach.
Railways (Standardisation Agreement) Act 1958	DI	Potential to restrain competition through application of standards.	Review not required.	Act repealed.
Registration of Births, Deaths and Marriages Act 1959	DJ			Act repealed and replaced by the Births, Deaths and Marriages Registration Act 1996.
Residential Tenancies Act 1980	DHS		Review completed in 1997 and retention of overall restrictions justified as being in the public benefit.	Act repealed and replaced by the Residential Tenancies Act 1997.
Retirement Villages Act 1986	DHS	Scoping study has shown that the legislation does not restrict competition.	Review not required.	

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

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Rules of the Council of Legal Education 1993 201/1993	DJ		NCP review and RIS completed during 1999-2000.	Made under the Legal Profession Practice Act 1959 which has been replaced by the Legal Practice Act 1996. The Rules are to be replaced by proposed new Rules subject to an RIS review.
Second-hand Dealers and Pawnbrokers Act 1989	DJ	Licensing (pawnbrokers, second-hand dealers for not exempt goods), registration, entry requirements (not convicted disqualifying offence in past five years, not insolvent), the reservation of practice, disciplinary processes, business conduct (pawnbrokers: prescribed records, auction of unredeemed goods over \$40; second-hand dealers: prescribed records, hold goods for prescribed period, requirement that seller provide identification, interest rates, cooperation with police).	Departmental review completed in 1996. Recommended: replacing 'fit and proper' with 'no serious offences'; removing obligation to retain metals for seven days after acquisition (with some exceptions); removing requirement for dealers to conduct certain transactions at registered business premises or a market (instead requiring dealers to register any place habitually used); and removing interest rate restrictions.	The Government accepted all review recommendations. Amendments made by the Law and Justice Legislation Amendment Act 1997.
Shop Trading Act 1987 and Capital City (Shop Trading) Act 1992		Contained restrictions on opening hours based on shop type or employee numbers.	Review completed in 1996.	Acts repealed and replaced by the Shop Trading Reform Act 1996.
Snowy Mountains Hydro-Electric Agreements Act 1958	T&F		Review not required.	Act repealed.
South Australian and Victorian Border Railways Act 1930	DI		Review not required.	Act repealed.
State Electricity Commission Act 1958	DSE	Scoping study has shown that the legislation does not restrict competition.		



<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
State Superannuation Act 1988	T&F	Limits on choice of funds.	Review completed in 1999.	Government employees have had a choice of superannuation fund since 1994 — they can use VicSuper or a private superannuation fund.
State Trustees (State Owned Company) Act 1994	T&F		Review completed in 1998.	Minor restriction addressed in incidental amendments made by the State Trustees (Amendment) Act 1998. Removal of many exclusive rights and legislative preference towards State trustees. Retention of reciprocal arrangements between public trustees in other jurisdictions, in keeping with private company practices to do same.
Stock (Seller Liability and Declarations) Act 1993	DPI		Review by independent consultants, PricewaterhouseCoopers, completed in January 2002. Review jointly with the Livestock Disease Control Act 1994. Review recommended that the Government retain existing disease control measures and various associated licensing provisions, but limit the Secretary's power in relation to declarations (maximum term for suspensions and introduce appeal process).	
Subdivision Act 1988 No. 53/1988	DI	Act assessed as not restricting competition.	Review not required.	
Superannuation (Public Sector) Act 1992	P&C	Limits on choice of funds. Act assessed as not restricting competition.	Review not required.	

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Surveyors Act 1978	DSE	Licensing, registration, entry requirements (education, experience, integrity criteria), the reservation of title and practice, disciplinary processes, and business conduct (ownership restrictions, fees).	Review completed in 1997. Review recommendations included: retaining restrictions on entry; making integrity criteria specific; reducing some commercial restrictions, such as the requirement for surveyors or related professions to form a majority of members/directors of a firm engaging in cadastral survey work and removing the power of the regulatory body to set fees for surveying services; and reducing barriers to the interstate mobility of surveyors.	The Government substantially accepted the recommendations of the review. It advised the Council that the Land Surveying Bill 2001 was introduced to Parliament in May 2001 to effect the recommendations. The Bill lapsed in November 2002 following the calling of an election and the consequent proroguing of Parliament. The Government reported that re-introduction of the Bill is part of its legislative priorities and program. Victoria also reported that the Surveyors Board implemented the recommendation that surveyors be allowed to gain practical training through course work as an alternative to training under a supervising surveyor. In relation to the recommendations to reduce barriers to the interstate mobility of surveyors, Victoria reported that the Surveyors Board is investigating costless interstate licensing through the Reciprocal Surveyors Boards of Australia and New Zealand.
Tattersall Consultations Act 1958	T&F	Licence for conducting Tattslotto, Super 66, Instant Lotteries and so on.	Review completed in 1998. Recommended that the legislative monopoly to Tattersall's should be removed at the end of current licence; the Government should reserve the right to issue one or more licence; and the tax should be converted from turnover to player loss basis.	Public Lotteries Act 2000 repealed this Act. New Act allows for multiple suppliers, but Victoria has extended the exclusive Tattersalls licence until 2007.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Tertiary Education Act 1993	DET	Requires accreditation, registration of private providers and Ministerial setting of fees.	Review, as part of the Tertiary Education and Training Review completed in 1997. Recommended restrictions on fee setting and accreditation procedures be retained in the public interest and reform of the registration system.	The Government accepted review recommendations. Reforms to legislation were passed by Parliament in 1997.
Therapeutic Goods (Victoria) Act 1994	DHS	Licensing, scheduling and labelling of goods.	Review completed in June 1999.	Any amendments will be incorporated into possible amendments to the Drugs Poisons and Controlled Substances Act 1984 to give effect to the outcomes of the national review of that Act.
Tobacco Act 1987	DHS	Various restrictions on the sale and advertising of tobacco products.	Review by officials completed in February 2000. Review recommended retaining all restrictions as they are necessary to meet the objectives of the Act.	Act retained without reform.
Trade Measurement (Administration) Act 1995	DJ			

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Trade Measurement Act 1995	DJ		<p>National review has been conducted. Scoping Paper completed and assessed August 2001 broadly considered that restrictions on the method of sale (relating to meat, beer and spirits, and pre packaged goods) appear to have little if any adverse impact on competition but provide benefits to consumers. The paper's concerns regarding the costs of restrictions on the sale of non-prepacked meat are being examined through a separate public benefit test. The scoping paper and PBT were circulated for public consultation in mid-2003 prior to the full report being finally considered by the CoAG CRR and subsequently the Ministerial Council on Consumer Affairs (MCCA).</p> <p>Other restrictions on competition are considered to be sound, imposing few costs while potentially generating widespread and significant benefits.</p>	<p>As a result of extended public consultation on the scoping paper and the public benefit test, the review of the scheme for uniform trade measurement legislation is unlikely to be completed until late 2003 or early 2004 because it is being considered in a national context. Victoria is now the lead state for the review, taking over from Queensland in late 2003. Victoria has been meeting its requirements for the review and is currently awaiting the national response before it can implement any reforms.</p>
Transfer of Land Act 1958	DSE	<p>The legislation contains a small number of minor restrictions that are necessary to the achievement of the objectives of the legislation and the restrictions are mainly in the form of compliance costs which are contained in the subordinate legislation made under the Act and subject to RIS requirements.</p>		

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Transport Accident Act 1986	T&F	Mandatory insurance, monopoly insurer, centralised premium setting.	First review completed in 1998, recommending retention of compulsory insurance and removal of the monopoly. Second review, by PricewaterhouseCoopers and Minter Ellison, completed in 2000. This review recommended retention of compulsory insurance, and retention of the monopoly and charges set by government. The report recommended the consideration of market testing some functions and introducing third party review of the TAC's proposed premiums.	The Government rejected the recommendation of the 1998 report regarding removal of the monopoly and accepted the recommendations of the 2000 report. The Government is considering the scope for market testing and the Essential Services Commission reviewed the Transport Accident Commission's proposed premium for 2003-04.
Transport Act 1983 - Part 1 of 13 - (Traffic Regulation, Registration and Licensing) Part 6: Division 1 (General Provisions)	DI	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, delayed to accommodate the transport reform process).	
Transport Act 1983 - Part 2 of 13 - Commercial Passenger Vehicles - Part 6: Division 5	DI	Restriction on taxi and hire car licence numbers.	Review completed in October 2000. Review recommended: <ul style="list-style-type: none"> <li>• removal of entry restrictions for taxis and hire cars;</li> <li>• buy-back of existing licences, to be funded by annual fees on operators;</li> <li>• continuing fare regulation pending development of a competitive market; and</li> <li>• improvement in the quality of fare regulation via transfer of responsibility to an independent economic regulator.</li> </ul>	The Government announced reforms in May 2002, including annual issue of 100 new 'peak period' licences for 12 years, additional licences in years 7-12 via conversion of peak licences to full licences and a reduction in restrictions on hire car numbers, subject to an entry fee of \$60 000.
Transport Act 1983 - Part 3 of 13 - Private Omnibuses - Part 6: Division 6	DI			Repealed by the Transport Acts (Amendment) Act 1997.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Transport Act 1983 - Part 4 of 13 - Hire and Drive Omnibuses - Part 6: Division 7	DI			Repealed by the Transport Acts (Amendment) Act 1997.
Transport Act 1983 - Part 5 of 13 -Tow Trucks - Part 6: Division 8	DI	Restrictions on conduct and operations of tow trucks, licensing.	Review completed in 1999 and report available for public consultation. Review recommended removal of entry restrictions for the heavy vehicle towing market, the development of an industry code of practice, a more pro-active role by insurers in educating their customers, retention of the allocation system and the introduction of a franchise scheme for the Melbourne Metropolitan area.	The Government rejected several recommendations, arguing that 'need' restrictions on licences and location are necessary to prevent distress to accident victims, facilitate the allocation system and ensure regions are adequately serviced.
Transport Act 1983 - Part 6 of 13 - Commercial Goods Vehicles - Part 6: Division 9	DI			Repealed by the Transport Acts (Amendment) Act 1997.
Transport Act 1983 - Part 7 of 13 - Powers of the Corporations - Part 3	DI	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, delayed to accommodate the transport reform process).	
Transport Act 1983 - Part 8 of 13 - Financial - Part 4	DI	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, delayed to accommodate the transport reform process).	
Transport Act 1983 - Part 9 of 13 - Further Particular Powers of the Roads Corporation - Schedule 4	DI	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, delayed to accommodate the transport reform process).	
Transport Act 1983 - Part 10 of 13 - Provisions with Respect to Roads - Schedule 6	DI	Legislation assessed as not restricting competition.	Review not required. (Review originally scheduled for December 1998, delayed to accommodate the transport reform process).	

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Transport Act 1983 - Part 11 of 13 - Covenants to be Included in Deed of Assignment - Schedule 7	DI		Review, in conjunction with Transport Act 1983 - Part 2 of 13 - Commercial Passenger Vehicles - Part 6: Division 5, completed in December 2000. Report publicly available.	See the Transport Act 1983 - Part 2 of 13 - Commercial Passenger Vehicles - Part 6: Division 5.
Transport Act 1983 - Part 12 of 13 - Classes, Kinds or Descriptions of Goods - Schedule 8	DI			Repealed by the Transport Acts (Amendment) Act 1998.
Transport Act 1983 - Part 13 of 13 - Part 6: Division 10 (Passenger Ferry Services)	DI	Provides for ferry operation	Review completed.	Repealed in 1999.
Travel Agents Act 1986	DJ	Licensing, compulsory consumer compensation fund, and business restrictions.	Part of national review of travel agent legislation, coordinated by WA. A final review report by CIE was released in 2000. Public consultation involved release of issues paper, background paper, consultation and receiving submissions. Review recommended that entry qualifications for travel agents be removed and maintain compulsory insurance, but recommended the requirement for agents to hold membership of the Travel Compensation Fund, the compulsory insurance scheme, be dropped. Instead, a competitive insurance system where private insurers compete with the Travel Compensation Fund was viewed as the best option. Final report has been released for further consultation.	A report was submitted to the MCCA in 2000 and subsequently released for stakeholder comment. In November 2002, MCCA agreed on a response to the national review, prepared with advice from the CoAG Committee on Regulatory Reform. MCCA decided to maintain the Travel Compensation Fund monopoly, but consider establishing a risk-based premium structure and making prudential reporting arrangements more equitable. It recommended that each participating jurisdiction review and amend its entry qualifications to ensure uniformity. Victoria has indicated it may introduce amending legislation in spring 2003.
Trustee Act 1958	DJ		Scoping study suggests that the legislation does not restrict competition but further research required. Review completed December 2001.	

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Trustee Companies Act 1984	DJ			Act is to be repealed and replaced by uniform national legislation currently under development.
Urban Land Authority Act 1979 No. 9320	DI		Review not required.	Act replaced by the Urban Land Corporation Act 1997.
Veterinary Practice Act 1997 (replaced the Veterinary Surgeons Act 1958)	DPI	Licensing of veterinary surgeons, reservation of practices, reservation of title, and advertising restrictions.	Act followed a pre-NCP review of earlier legislation. Victoria considers remaining restrictions are in the public interest.	New legislation. Act repealed and replaced the Veterinary Surgeons Act 1958. Compared with the old Act it removed restrictions on the advertising and the ownership of veterinary practices, and narrowed reservations on professional practice.
Veterinary Surgeons Act 1958	DPI	Established the Veterinary Practitioners Board of Victoria, professional registration, disciplinary procedures, reservation of professional practice, and restrictions on advertising and practice ownership.	Review not required.	Act repealed and replaced by the Veterinary Practice Act 1997.
Victorian Plantations Corporation Act 1993	DPI	Establishes the Victorian Plantations Corporation, the state-owned operator of softwood plantations.	Review not required (listed on original review schedule).	Act largely repealed in December 1998 following the sale of the corporation's plantation assets. Remaining provisions relate to the Crown's residual interests in the land, licences and legislated supply agreements.
Victorian Prison Industries Commission Act 1983	DJ			Act repealed and replaced by the Corrections (Amendment) Act 1996.
Vital State Industries (Works and Services) Act 1992	P&C	Act assessed as not restricting competition.	Review not required.	



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Vital State Projects Act 1976 {excluding Sections 5 to 16 (these provisions are administered by the Attorney General)}	P&C	Act assessed as not restricting competition.	Review not required.	
Vocation Education and Training Act 1990	DET	Provides for registration of training providers, accreditation of training courses, sets guidelines for provision of services to overseas students, allows Minister to set fees and charges.	Review as part of the Tertiary Education and Training Review completed in 1997. Recommended restrictions on fee setting and accreditation procedures be retained in the public interest and reform of the registration system.	The Government accepted review recommendations. Reforms to legislation were passed by Parliament in 1997.
Wheat Marketing Act 1989	DPI	Imports Australian Government Act into State jurisdiction.	Legislation is redundant and the Government intends to repeal it at the first available opportunity.	Act to be repealed.
Wildlife Act 1975	DSE	Provides for licensing and permit arrangements for various activities related to wildlife (such as kangaroo harvesting, dolphin tourism and duck shooting).	Review by independent consultants, KPMG, completed in September 1998. It found few significant restrictions on competition but recommended: auctioning of dolphin interaction permits once maximum sustainable access to this resource is reached; and that fees for waterfowl hunting licences should reflect the opportunity cost of wetlands. The Government is considering the review recommendations.	
Workers' Compensation Act 1958 (Division 8 of Part 1)	T&F	Act assessed as not restricting competition. Compensation payments are no longer awarded under this Act.	Review not required.	