

Queensland Government

Fifth Annual Report to the National Competition Council Volume One

Queensland Government
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NATIONAL COMPETITION POLICY - QUEENSLAND TREASURY

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INTRODUCTION

Queensland's Fifth Annual Report to the National Competition Council is made pursuant to the reporting requirement in the Competition Principles Agreement.

The report to the National Competition Council (NCC) is made in respect of Queensland's further progress in implementing national competition policy (NCP) reforms in the period between 31 December 1999 and 31 December 2000. The report records the progress of Queensland's State Government and Local Governments in pursuing NCP reform in respect of this period.

The report details Queensland's progress in implementing the NCP reform agenda, including legislative review, competitive neutrality assessments and structural reform pursuant to the Competition Principles Agreement. The report also details Queensland's compliance with the Conduct Code Agreement and Queensland's progress in pursuing infrastructure reform in the electricity, gas and water industries, and in road transport.

PART 1

THE COMPETITION PRINCIPLES AGREEMENT

1.0 LEGISLATION REVIEW

1.1 Assessment criteria

The legislation review segment of this annual report addresses those areas outlined in the NCC's Third Tranche Assessment Framework dealing with assessing compliance with:

- the Competition Principles Agreement legislation review commitments;
- the Conduct Code obligations: legislation reliant on section 51(1) of the *Trade Practices Act 1974*; and
- the national standards setting obligation.

The report reviews processes and reporting against reform progress taking account not only of the original 1995 NCP agreements, but also, to the greatest extent possible, of the changes to the NCP arrangements endorsed by the Council of Australian Governments (COAG) on 3 November 2000.

1.2 Assessing compliance with the Competition Principles Agreement legislation review commitments

Clause 5 of the *Competition Principles Agreement* (CPA) requires governments to ensure legislation, including new legislation, does not restrict competition unless it can be shown the benefits of the restriction to the community as a whole exceed the costs, and the underlying objectives cannot be achieved without limiting competition. COAG's endorsed changes to the NCP arrangements now require public interest considerations to include the likely

impacts of reform measures on specific industry sectors and communities, including adjustment costs.

Queensland's reviews have to this point taken, and will continue to take, such distributional effects into account in their examination of the impacts of reform options on affected parties.

1.2.1 Review processes

Legislation review processes are tailored to the particular characteristics (eg scope, scale, significance) of each review, but are based on undertaking an objective, independent and transparent exercise. The revised Public Benefit Test Guidelines released in 1999 commit the government to a legislation review process based on a rigorous assessment of the costs and benefits of options for reform. A Public Benefit Test Plan is developed for each review – along with Terms of Reference – outlining the scope, scale, structure, consultation processes, stakeholders and timing of each review exercise. For the more significant reviews, issues papers are prepared as the basis of community consultation and draft review reports are also released for public consultation.

COAG changes to the NCP arrangements affect the public disclosure requirements in terms of review outcomes. In this respect, governments are obliged to document the public interest reasons for their decisions in relation to each review and to make them available to interested parties and the public. This requirement will apply equally to reviews where the government decides either to adopt all or only some of the review recommendations. In the latter case, where the government departs from the review's recommendations, the government's decisions need to be shown to be within a range of reasonable outcomes, in accordance with the COAG changes to the NCP arrangements.

The Queensland Government may, in particular circumstances, elect to go beyond these minimum reporting requirements and release a full review report. The Queensland Government is presently finalising its approach to such disclosure requirements in order to comply with the revised NCP arrangements.

1.2.2 Scheduled reviews

All jurisdictions were required by June 1996 to develop a timetable for reviewing legislation which restricts competition. In fine-tuning the NCP arrangements, COAG also endorsed an extension of time for reviewing and, where appropriate, reforming this legislation. The deadline has been extended from 31 December 2000 to 30 June 2002.

To satisfy the obligation to report progress annually in relation to each piece of legislation on the review timetable, the *Legislation review schedule: Queensland* is provided in Attachment 1.

In addition, a review has been undertaken by the Department of Primary Industries of legislation which was not previously scheduled for examination under NCP. A general review of the entire *Meat Industry Act 1993* recommended new food safety standards legislation be developed, especially for "high risk" animal protein products (ie meat, dairy products and fish). The Act was replaced in October 2000. Provisions relating to meat safety standards were incorporated into the new *Food Production (Safety) Act 2000* which allow the

adoption of national standards developed by the proposed new Commonwealth statutory body, the Food Standards Australia New Zealand (FSANZ), which is to replace the existing Australian and New Zealand Food Authority. FSANZ standards are to be subject to review by the Australia and New Zealand Food Regulation Ministerial Council.

1.2.3 Priority legislation review areas

The NCC has identified numerous priority legislation review areas – areas where it considers there are potentially significant restrictions on competition in legislation. The NCC has indicated it will focus the third tranche assessment on these particular matters. Accordingly, this annual report addresses each priority area relevant to Queensland. The coverage of each priority area varies according to whether the information provided is limited merely to updating the status of a review or is more fundamental in presenting public benefit rationale in response to particular NCC issues.

Grain – Barley

Queensland's review of the competitive restrictions in its *Grain Industry (Restructuring) Act 1993* was completed in 1997. While the review resulted in various reforms, it found a net public benefit in retaining the statutory monopoly marketing arrangements for export barley. This restriction would remain until 30 June 2002 and be further examined in the mean time should particular market circumstances change, including interstate statutory marketing arrangements for the export of barley.

The need for a re-examination of Queensland's statutory marketing arrangements for export barley has been prompted by action resulting from the joint Victoria – South Australia review recommendation to remove the Australian Barley Board legislative monopoly. The Victorian Government agreed deregulation would occur on 30 June 2000, but the South Australian Government – which unlike Victoria produces barley mainly for export – has announced a five-year extension of the relevant legislative provisions.

The Queensland Government has moved to examine its export barley marketing arrangements in light of these recent developments.

Dairy

In March 2000, jurisdictions accepted a Commonwealth adjustment package for the dairy industry, conditional on the industry deregulating by 30 June 2000. The Queensland dairy industry was deregulated on 1 July 2000. This has caused considerable turmoil in the industry. The Minister for Primary Industries and Rural Communities appointed a Dairy Deregulation Support Advisory Group in mid 2000 to monitor the effects of deregulation. At the end of March 2001, this group is in the process of preparing a report for public release, covering the first six months of deregulation. In addition, the ACCC is currently reviewing the use of collective bargaining in the industry and is assessing the extent to which price falls have been passed on to consumers.

The NCC has sought details concerning any legislatively-based health and safety provisions affecting the dairy industry which are anti-competitive. The NCP dairy review maintained minimum safety and quality standards were not restrictions on competition if administered in

a non-discriminatory manner. This is the case. The review posed the question of whether industry-specific health and food safety legislation should remain, in light of the existence of generic food legislation.

Recent developments include the adoption by the Australia and New Zealand Food Regulation Ministerial Council (ANZFRMC) of a number of Food Safety Standards, Food Safety Practices and General Requirements and Food Standards Code developed by Food Standards Australia New Zealand (FSANZ).

In October 2000, Queensland enacted the *Food Production (Safety) Act 2000* which allows the adoption of national standards for food safety for a range of commodities, including dairy products.

As at March 2001, the Queensland Dairy Authority, which is under the control of an administrator appointed by the Queensland Government, still has responsibility for dairy food safety pending transfer of this role to Food Safety Queensland (SFQ), the body established under the *Food Production (Safety) Act 2000* to administer food safety standards. It is proposed SFQ will adopt the relevant ANZFRMC/FSANZ national code in relation to dairy food safety.

Chicken Meat

The NCC has sought confirmation the *Chicken Meat Industry Committee Act 1976* has been amended to give effect to the reforms recommended in the NCP review. These amendments commenced in October 1999.

Sugar

In its Third Tranche Assessment Framework, the NCC has indicated it will be looking for:

- demonstration the current marketing arrangements – including export parity pricing, reference to the “Far East” premium and the use of single desk selling – are delivering outcomes equivalent to the net benefits full reform of the domestic market would bring; and
- demonstration of a net public benefit supporting the retention of constraints on growers transferring sugar cane between mills, contrary to the review recommendation, as the NCC considers this to be a significant departure from the recommendations contained in the 1996 sugar industry review.

The 1996 sugar industry review resulted in all elements of the industry agreeing to a number of reforms, as a package. This was signed off by industry, the NCC and the Queensland and Federal Governments. The use of export parity pricing, the “Far East” premium and single desk selling were part of the agreed package.

Under the NCP agreements, no further review is required for 10 years, ie. 2006.

The Queensland Government has not significantly departed from the review's recommendations by not allowing full grower transferability between mills. The interdependence of mills and growers is such as to require tight forward programming of cane delivery and processing to ensure the viability of both groups. Movement away from the current arrangements, as a matter of public interest, must be undertaken in such a way as to ensure mills receive the correct quantity of cane at a time to guarantee quality for customers. Ill considered shifts will affect the viability of growers, mills and possibly impact on quality and, as a result, future sales.

The minor changes to the review's recommendations on cane transferability, based on public interest grounds, enable growers to agree to supply cane to other than their current mill, taking account of the impact on a mill and other growers. The amended legislation supports these transfers occurring and there are examples of this happening. The Queensland Government deems such minor changes to be within a range of reasonable outcomes (as per COAG-endorsed amendments to the NCP arrangements on 3 November 2000).

The matter of financial difficulties facing the South Johnstone mill has been raised. These difficulties have their base in local issues and are not related to transferability issues.

The industry has indicated it would be destabilising for it now, at a time of capital formulation for growth and after difficult seasons and earlier reviews, to be subject to a premature NCP review.

In Queensland's previous annual report to the NCC, notice was given relating to amending legislation with respect to the Queensland Sugar Corporation (QCS) and the transfer of the ownership of bulk sugar terminals to industry. Following amendments in 2000 to the *Sugar Industry Act 1999*, sugar marketing will now be managed by Queensland Sugar Limited (CSL), a non-profit (private status) company limited by guarantee. CSL is an industry-owned marketing company, with retention of QCS vesting powers, necessary to maintain single desk selling. Amendments to the Act also transferred ownership of the bulk sugar terminals to an industry-owned company, Sugar Terminals Limited.

Fisheries

Queensland's review of the restrictions on competition in the *Fisheries Act 1994* and regulation, which primarily relate to preserving a valuable natural resource, has effectively been completed. The Department of Primary Industries is presently considering the review report's recommendations and is preparing material for the responsible Minister to present to Cabinet in due course. Any legislative amendments are expected to be made in 2001.

Forestry and Sawmills

The review of the *Forestry Act 1959* and regulation was completed in 1999. The 2000 annual report contained information on completion of the review, the outcomes and nature of the public benefit analysis, along with the associated and subsequent legislative action. Similar details are included in the 2001 annual report. Matters concerning forestry regulation under the *Integrated Planning Act 1997* are addressed below under "Planning."

The review of the *Sawmills Licensing Act 1936* and regulation has effectively been completed. The Public Benefit Test report was finalised in December 2000 and, as at March 2001, a submission to Cabinet on the review is being developed.

Food

On 3 November 2000, intergovernmental agreement was given for a national model Food Bill, which will contain “core” and “non-core” provisions and will form the basis of reforms to the Queensland *Food Act 1981*.

During 2001, amendments are to be made to:

- the *Food Act 1981* to adopt the “core” provisions of the Model Food Bill; and
- the *Food Hygiene Regulation 1989* to adopt the Food Safety Standards gazetted by the Australian and New Zealand Food Authority.

Further consultation is required before the desired “non-core” provisions are adopted. A review of the licensing and registration of food premises under the *Food Hygiene Regulation 1989* will commence in March/April 2001.

Agriculture and Veterinary Chemicals

A national review was undertaken of the registration and control-of-use provisions in agricultural and veterinary chemicals legislation. The control-of-use issues and recommendations were referred to jurisdictions for consideration early in 2000. The state-based examination resulted in a final report being prepared in July 2000. Cabinet is yet to endorse the review report. Cabinet endorsement is expected to be sought by the middle of 2001 for the development of new consolidated legislation incorporating the agreed outcomes of the national review.

Teachers

The review of the *Education (Teacher Registration) Act 1988* and By-Law was completed in May 2000 and recommended existing legislation be retained. The objective of the current legislation is to ensure high quality teaching standards apply in Queensland schools to enhance student learning opportunities and to ensure students are supervised and taught by teachers of appropriate character. The By-Law contains qualification requirements, registration fees and the processes involved in the election of registered teachers to positions on the Board of Teacher Registration.

The NCP review considered the following options: open market (deregulation); voluntary code of conduct; voluntary registration; accreditation scheme; and status quo (no change).

The review found the benefits to the community of the restrictions contained in the current regulatory framework outweighed the costs and teacher registration is the only way to ensure the Government’s objectives in relation to students are achieved. These benefits included the current regulatory environment imposes little cost, market barriers to entry have minimal negative impact and confidence in the emotional and physical safety of students is maintained.

Queensland and South Australia are the only States to have a compulsory registration system in place. In Victoria, non-State schools require teachers to be registered by the Schools Registration Board. It is expected Victoria will require teacher registration in State schools in the near future. Tasmania is currently considering a system of teacher registration similar to Queensland's registration system, while in New South Wales and Western Australia registration is voluntary.

Fair Trading

The fair trading reviews completed to date are: *Property Agents and Motor Dealers Act 2000* (which replaced the *Auctioneers and Agents Act 1971*); *Mercantile Act 1867*; *Profiteering Prevention Act 1948*; *Residential Tenancies Act 1994*; and *Retirement Villages Act 1988*. Administrative responsibility for the first and last of these Acts has been recently transferred to the Department of Public Works under changes to machinery of government arrangements.

Apart from the review of the Auctioneers and Agents Act (Property Agents and Motor Dealers Act), most occupational legislation is yet to be reviewed. Public benefit testing on the restrictive provisions of licensing relating to real estate agents, motor dealers, motor dealer brokers, letting agents, commercial agents and auctioneers and agents has resulted in the demonstration of a public benefit in retaining a level of restriction to entry to those markets and on business conduct.

The review of occupational licensing concerning those occupations has resulted in diminished entry requirements, including relaxation of age restrictions, elimination of some age restrictions and removal of restrictions on business premises. All of these allow more flexible delivery of services and an increased range of applicants to the individual markets. During consultation carried out as part of the review, it was demonstrated the public benefited from these measures taken to protect against incompetent or dishonest service by practitioners.

The review concluded the greatest net benefit to the public which also supported the objectives of the legislation was a hybrid model of the then current legislation and proposed amending legislation. This hybrid model has been substantially implemented with the introduction and passing of the *Property Agents and Motor Dealers Act 2000*.

While not raised directly in the Third Tranche Assessment Framework, the NCC has queried the matter of maximum commissions for real estate agents addressed under the review which culminated in the *Property Agents and Motor Dealers Act 2000*. While the consultants engaged on the review proposed removal of this provision, the review committee opted for a transitional approach to deregulation. The review committee's report recommended ultimate removal of the maximum commission for real estate agents, but acknowledged the restriction should be retained in the near term to allow time to implement an appropriate education program. This program would inform the public and facilitate changes to industry practices.

The NCC noted Hawkers legislation prevents the occupation trading between the hours of 6.00pm and 7.00am. The NCC has requested demonstration of progress toward achieving the CPA objective. In response, the review of the *Hawkers Act 1984* is underway. An option under consideration is the repeal of the legislation.

In relation to the review of the building services industry, initial stages of scoping the review have begun and the review will be transferred to the Department of Public Works for completion during the third quarter of 2001.

Consumer Credit

The report on the national review of the Uniform Consumer Credit Code has been finalised and, as at March 2001, is under consideration by the Standing Committee of Officials for Consumer Affairs. The report will be subsequently referred to the COAG Committee on Regulatory Reform to endorse the NCP processes and requirements have been met.

Trade Measurement

Trade measurement legislation was identified for NCP examination as a national review. Governments decided the review would comprise two stages: the first stage being a scoping study of the type and extent of legislative restrictions on competition; the second stage being a full Public Benefit Test of any restrictions nominated in the scoping stage for further action.

The review committee was finalising the scoping stage report, as at March 2001, with a view to having the matter then considered by the Standing Committee of Officials for Consumer Affairs.

WorkCover

The *Workcover Qld Act 1997* review report was finalised in December 2000 and was scheduled to be considered by Cabinet soon after, but the Queensland State election intervened. Cabinet is expected to consider the report during the first half of 2001.

Compulsory Third Party Insurance

The review of the Compulsory Third Party (CTP) insurance arrangements under the *Motor Accident Insurance Act 1994* was completed late in 1999 and reported in the 2000 annual report. It can be confirmed legislative changes to give effect to the review's recommendations came into effect on 1 July 2000 and 1 October 2000. The changes amounted to competition reforms and changes to the administration and system of CTP insurance.

Superannuation

Refer to section 2.1.5 under Competitive Neutrality for information relating to the Queensland Government review of the administration of the Queensland public sector superannuation legislation in relation to NCP requirements.

Gambling

All jurisdictions and the NCC agreed to defer the review of gambling legislation until the Productivity Commission completed its inquiry into gambling in Australia. As the Productivity Commission has now delivered its report, Queensland has resumed its review of gambling legislation.

As at March 2001, a draft review report on gambling legislation within the Treasury portfolio is presently being finalised.

The approach being adopted for this review is one of examining similar or identical restrictions across the various pieces of gambling legislation within the Treasury portfolio, as part of the one review exercise. This covers all of Queensland's gambling legislation except for the *Racing and Betting Act 1980* (see below for details concerning the review of this particular Act).

By way of explanation, much of the licensing requirements applying to gaming and wagering are modelled on the same provisions to ensure probity and integrity of operators, employees and each form of gambling (eg Keno, Lotteries, Wagering). Consumer protection and harm minimisation measures also apply across the various legislation. It is noted the Productivity Commission inquiry report deemed these provisions to be justifiable in the public interest. Hence, there is some logic in grouping these together in a single analysis. Where restrictions are specific only to particular pieces of legislation (eg exclusivities), these are also being dealt with within a single review framework.

In its Third Tranche Assessment Framework, the NCC has identified the exclusive licence granted to TABQ under the *Wagering Act 1998* as requiring public benefit justification. The NCC also identified concerns with the PBT report prepared in 1999 under "gatekeeping" processes in support of amendments to the *Gaming Machine Act 1991*. These amendments prohibit revenue sharing arrangements between a venue and a licensed monitoring operator providing gaming machines to the venue. The NCC has commented the PBT report applied only to clubs and the costs to hotels of being captured by these amending legislative provisions have not been documented.

It can be confirmed these two particular issues are addressed in the gambling report currently being finalised.

The NCC has sought to have several queries which it raised in correspondence to Queensland Treasury on 19 March 2001 included in the annual report or the gambling report.

It is confirmed the matters concerning Lotteries, Keno and TABQ exclusivities and other legislative restrictions applying to Wagering and the Casino Control Act restrictions are all being dealt with in the gambling report referred to above.

The reference to the Productivity Commission Inquiry into gambling in Australia under review comments for the Casino Agreement Acts in the 2000 annual report was intended merely to provide a context for the inquiry. Similar entries were made for all of Queensland's gambling legislation. The difference between the Agreement Acts and the other gambling legislation is the Queensland Government's public benefit rationale for these

Agreement Acts was provided as part of the 1998 annual report. It is confirmed there is no intention to re-examine these Agreement Acts in terms of NCP.

In relation to an NCC query about review status, the review of the *Racing and Betting Act 1980* has been completed and Cabinet has endorsed the report's recommendations. These included retention of licensing and associated arrangements to ensure probity and integrity of racing operations, and various reforms. These reforms include removing prohibitions on new forms of racing, conduct of proprietary racing and racing bookmakers' advertising.

A new *Racing Bill 2001* is being prepared to give effect to the recommendations of the review, including the associated reforms.

During 2000, and following a separate examination of bookmaking issues preceding the scheduled review, the *Racing and Betting Act 1980* was amended thereby removing non-probity related, competition restrictions on bookmakers (excluding advertising controls). The main restrictions removed related to minimum phone bet, betting type and recording of bets.

The NCC has noted the intention not to review the *Racing Venues Development Act 1982* and has sought reasons for the proposed amendments to the Act.

The provisions which originally prompted inclusion of the Act on the review timetable specify the terms applying to leases granted by trustees of racing venues. As reported in the 2000 annual report, on close examination, it was found the Act does not restrict competition. The proposed amendments will provide consistency with the reforms to the *Racing and Betting Act 1980* (ie by removing barriers to entry, in the form of access to racing venues for any new codes of racing).

As a rule, any advice provided to the NCC on amendments to legislation will be provided in each year's annual report in relation to reform activity and "gatekeeping" processes. Reporting will subsequently be limited to advising on legislative amendments impacting on competition. This way, advice will not include reporting on the potentially considerable amount of amendments which do not restrict competition.

For details, refer to the attached *Legislation review schedule: Queensland*.

Health and Medical Practitioner Registration

Queensland undertook a major Review of Medical and Health Practitioner Registration Acts (HPRA Review) which concluded in 1998. Details of the review have been reported in previous annual reports.

The NCC has raised the matter of registration of particular medical and health professions. The issue is raised here in an overall sense and in subsequent parts of priority area reporting under the specific profession.

The HPRA Review contended registration of itself is not anti-competitive. It is the prohibitions and restrictions associated with registration which are anti-competitive, most notably restrictions imposed on the use of professional titles and restrictions on practice.

Restrictions are imposed on the use of certain professional titles. Only a registrant may use a professional title. Restrictions are not imposed on who may practise. A non-registrant can practise the relevant profession and, as such, compete with the services provided by a registrant. Restricting the use of certain professional titles is designed to protect consumers by enabling them to distinguish between (competent and safe) registrants and other persons who are not registered. For consumers, well known or widely used professional titles are inextricably linked with the concept of registration. It is widely assumed a person using a professional title has been objectively assessed as competent and fit to practise (by meeting specific eligibility criteria for registration). Furthermore, such a person is subject to discipline by an appropriate regulatory body.

Eligibility for registration is based on the applicant possessing appropriate educational qualifications and being fit to practise. The NCP assessment conducted as part of the HPRA Review supported the retention of restrictions on the use of certain professional titles (ie only for those professions which satisfy the following criteria). Titles were retained on the following grounds:

- the protection of certain well accepted professional titles most efficiently enables consumers to identify appropriately qualified health practitioners in a market where there is a substantial degree of information asymmetry;
- consumers would have serious difficulties determining the validity of professional qualifications and/or standards of practice; and
- the right to use a protected title is a powerful incentive for registrants to uphold professional standards.

On a related issue, advertising was also considered as part of the HPRA Review. The review actively encouraged the repeal of unjustifiable advertising restrictions and, consequently, there has been a significant reduction in the number of restrictions imposed on advertising by health practitioners. Nonetheless, it was determined certain advertising provisions should be retained in accordance with the objectives of the legislation to:

- protect the public by ensuring health care is delivered by registered health practitioners in a professional, safe and competent way;
- uphold the standard of practice within each of the registered health professions; and
- maintain public confidence in these professions.

The restriction on the advertising of “harmful” professional services was incorporated into the legislation to specifically deal with those situations where a consumer may be enticed to submit to a practice which has been shown to have adverse health outcomes (eg as a result of research undertaken inter-state or overseas). There is substantial information asymmetry in the health market and, consequently, consumers are not well equipped to identify potentially harmful services. In order to effectively protect the public there is a need for a tightly drawn restriction on the advertising of services which are potentially harmful.

The advertising provisions are in addition to, and not in derogation of, the *Fair Trading Act 1989*. Duplication of the fair trading provisions will ensure the professions continue to have a (albeit limited) role in the regulation of advertising by registrants.

Dentists

The review of legislative restrictions on the practice of dentistry commenced in 1999 and examined prohibitions on who may practice dentistry and restrictions on the use of dental auxiliaries, such as school dental therapists and dental hygienists. In doing so, the review considered important issues including the need to ensure the provision of quality dental care, equitable access to dental care, risks to consumers of dental services and most importantly, the best way to protect consumers against those risks.

Cabinet endorsed the PBT report in October 2000 and decided to release it for further consultation after passage of the profession-specific Health Practitioner Registration Bills. These Bills lapsed in January 2001. The review is expected to be finalised in 2001 with implementation of new legislation by mid 2002.

Speech Pathologists and Occupational Therapists

One of the premises which initially informed the HPR Review was health professions registered in Queensland would continue to be registered in Queensland. Consequently, the review did not initially address the question of which health professions should be registered but rather what constituted an appropriate model of occupational regulation. The government of the day, and subsequent governments, have supported this approach.

The review, which commenced in 1993, pre-dated the NCP agreements. Once Queensland's obligations under these agreements were established, a NCP assessment was undertaken as part of the HPR Review. As outlined above regarding Health and Medical Practitioner Registration (H&MPR), the review took the approach registration per se is not anti-competitive.

In the case of the *Speech Pathologists Registration Bill* and the *Occupational Therapists Registration Bill* restrictions are imposed on the use of certain professional titles but restrictions are not imposed on who may practise speech pathology or occupational therapy. Only a registrant may use the professional title eg. speech pathologist, occupational therapist. A non-registrant can practise the relevant profession and, as such, compete with the services provided by a registrant.

Under the above Bills, eligibility for registration is based on the applicant possessing appropriate educational qualifications and being fit to practise. The matters which may be taken into account in determining fitness to practise include:

- the applicant's mental and physical health;
- whether the applicant has been convicted of an indictable offence or an offence related to the practice of the profession; and
- whether the applicant's registration in another jurisdiction has been cancelled or suspended.

The Health Practitioners' Tribunal (an independent tribunal comprising a District Court judge) has power to cancel a registrant's registration if grounds for disciplinary action (eg. unsatisfactory professional conduct) are established.

Radiographers

The registration of medical radiation technologists (MRTs) implements a decision of the Australian Health Ministers' Conference in relation to mutual recognition arrangements.

While the HPRA Review was being undertaken in Queensland, the Vocational Education, Employment and Training Committee Working Party on Mutual Recognition (VEETAC Working Party) was undertaking a national review of partially registered occupations. The review of the partially registered health professions was conducted by the Australian Health Ministers' Advisory Council's (AHMAC) Mutual Recognition Working Party, which reported to the Australian Health Ministers' Conference (AHMC).

Before the Heads of Government finalised their Inter-governmental Agreement on Mutual Recognition in May 1992, Health Ministers had agreed "radiographers", and several other occupations should be fully registered and, subsequently, were not required to undergo the test applied to other partially registered occupations. This position was subsequently endorsed by the VEETAC Working Party and recommended in its report.

In 1993, AHMAC established a Conference of Regulating Authorities for Medical Radiation Technology for the purpose of providing advice on measures necessary to implement a consistent national approach to registration issues in the context of mutual recognition. The recommendations of this Conference were subsequently endorsed by AHMC.

As the HPRA review had already begun in Queensland when AHMC made this decision, the review initially continued under the existing terms of reference (ie the review of the currently registered professions) with a view to considering the registration of MRTs once the legislative model had been finalised. In 1998, the Queensland Government decided the AHMC decision should be implemented under the model legislation developed for other health practitioners.

A short form minor public benefit test was undertaken on the *Medical Radiation Technologists Registration Bill 2000* (which is now an Act) and concluded registering MRTs was in the public interest. One of the key objectives of this legislation is to address information asymmetry in the health market by facilitating consumer identification of qualified health providers who are accountable to an appropriate regulatory body. This objective is to be achieved under the legislation by prescribing the eligibility criteria for registration (qualifications and fitness to practise requirements¹) and by reserving the use of certain professional titles for registrants. The legislation does not prohibit non-registrants from undertaking practices or providing services which are provided by registrants. In this way it achieves protection of the public whilst allowing competition in the provision of services.

Additionally, registration of MRTs in Queensland will enhance the operation of mutual recognition arrangements and thereby facilitate greater mobility in the workforce between Queensland and the three other Australian jurisdictions which currently register MRTs, as follows:

¹ See above criteria for speech pathologists and occupational therapists.

- Victoria under the *Health (Medical Radiation Technologists) Regulation 1997*
- Tasmania under the *Radiographers Registration Act 1971*²; and
- Northern Territory under the *Radiographers Act 1978*.

The eligibility criteria for the registration of MRTs in terms of qualifications and fitness to practise requirements, while containing some minor differences, are largely the same in Queensland as in these three other Australian jurisdictions.

Radiation control legislation in New South Wales and South Australia includes mandatory licensing of individual MRTs who use radioactive substances or irradiating apparatus. Western Australia and the Australian Capital Territory do not have mandatory individual licensing or occupational registration for MRTs.

NCP reviews relating to the regulation of MRTs have been completed in Victoria and Tasmania. The Victorian review identified serious risks to the public from an unregulated MRT market. A cost-benefit analysis found the benefits to the public in terms of minimising exposure to radiation in terms of reduced medical expenditure on radiation illnesses and reduced loss of output significantly outweighed the increased costs of employing MRTs. Self-regulation was considered as an alternative, but deemed to be inadequate in terms of guaranteeing public protection. The Tasmanian review compared the restrictions within their proposed MRT Bill to those of the existing *Radiographers Registration Act 1971*. The level of impact from the new legislation was regarded as minor.

An examination of radiation protection legislation has been carried out as a national review. Queensland was not a party to the review as it had undertaken its own review of the then proposed new *Medical Radiation Technologists Registration Bill 200* (as referred to above).

Nurses

As at March 2001, the review of the *Nursing Act 1992* is approaching completion. The document will form the basis of further consultation.

Optometrists

Review of the restrictions on ownership in the *Optometrists Act 1974* was completed in 1999. (Other competition issues were examined earlier under the HPRA Review.) The review recommended removal of the restrictions on the ownership of optometry practices and the supply and fitting of optical appliances. The new *Optometrists Registration Bill* was introduced into Parliament late in 2000 but lapsed in January 2001. The Bill did not contain ownership restrictions. It is planned to reintroduce the Bill in the first half of 2001.

² On 3 October 2000, the *Medical Radiation Science Professionals Registration Bill 2000* was introduced into Tasmania's House of Assembly. It is intended for this Bill to replace the *Radiographers Registration Act* and, in doing so, provides for the registration of medical radiation technologists in the professional streams of diagnostic radiography, radiation therapy and nuclear medicine technology.

Pharmacists

A national review of restrictions in pharmacy legislation examined pharmacist-related registration and ownership provisions, and matters dealing with the pharmaceutical benefits scheme. Queensland was not a party to the review of registration provisions as it had examined this matter under the HPRA Review.

A national review report has been finalised and referred to a working group of officials under COAG to develop a response to the review report. As at March 2001, the response was being finalised.

Legal Profession

A discussion paper covering contemporary issues in the legal profession was released in December 1998 as part of a broad-ranging review. A Discussion Paper was released in June 1999 for public consultation. In December 2000, the Government considered a range of major reforms to the legal profession to assist consumers of legal services. Competition-related issues in the legal profession legislation will be examined as the next stage of the review exercise.

Mining

The NCC has queried the exclusion of the *Mineral Resources Act 1989* (MRA) and the *Coal Mining Act 1925* from the review timetable.

The key objectives of the Act include:

- encouraging and facilitating exploration and mining;
- ensuring an appropriate financial return to the State; and
- encouraging responsible land care management.

The overall legislative and administrative framework is to ensure licences are only issued to “suitable” person(s) who are able to justify their proposed work program and technical and financial resources are adequate and will provide an appropriate economic return to the state and broader community.

The MRA does not prohibit any person from applying for a mining tenure under the provisions of the Act. All applications are considered on their merits. Applications are examined to ensure the benefits to the State are maximised. For mining leases and mining claims there is an open appeals process, including access to the courts, for parties aggrieved by any decision.

There is an extensive objection process dealt with by the Land and Resources Tribunal which ensures all legislative requirements are complied with.

Consequently, the Act is considered to be an effective resource management mechanism which does not warrant a specific NCP review. By way of background, a number of mining-related Agreement Acts were also excluded from the review timetable. In response to the NCC’s queries in this regard, details of these and other Agreement Acts were provided to the

NCC as part of its consideration of the review timetable during 1996/97. As a consequence, the NCC made no request for the Queensland Government to examine the mining-related Agreement Acts.

It should be noted as a result of consultation with stakeholders there have been numerous amendments, both major and minor, to the Act since it came into being in 1989. Two major parts of the Act have been subject to extensive review over the last three years.

First, the Act was amended to transfer all environmental regulation of the mining industry, effective from 1 January 2001, to the Environmental Protection Agency. This required a full examination of all the relevant provisions of the Act.

Second, the then Department of Mines and Energy and the Department of the Premier and Cabinet developed alternative State provisions (ASPs) under Subdivision P of the Native Title Act 1993 in consultation with the Commonwealth Attorney-General's Native Title Task Force. These ASPs were enacted in Queensland legislation amending the MRA. The Commonwealth Attorney-General determined they complied with s43 of the Native Title Act. Following scrutiny of the Queensland legislation by the Commonwealth Parliament and amendments made by the Native Title Resolution Act 2000 (Qld), the new provisions commenced on 18 September 2000. These provisions, which are now encompassed in new parts 12 to 19 of the MRA, replace the right to negotiate requirements of the Commonwealth Native Title Act 1993.

The Land and Resources Tribunal was established under *the Land and Resources Tribunal Act 1999* to meet the requirements of the *Commonwealth Native Title Act 1993* as an independent body to deal with native title issues in the grant of exploration and mining tenures under the ASPs, and to implement key recommendations of the Warden's Court review. Its general jurisdiction commenced on 20 April 2000, for cultural heritage on 6 July 2000, and for native title on 30 July 2000. Its jurisdiction was extended to mining tenures under the MRA on 18 September 2000, on the proclamation of the ASPs for native title and mining. As such, it replaces the former Warden's Court. The Tribunal hears applications and objections to mining lease applications on environmental issues, landholder issues, cultural heritage issues and native title issues. A range of experts (referees) contribute to the decision making processes.

The *Coal Mining Act 1925* and associated regulation have been replaced by the *Coal Mining Safety and Health Act 1999* and the *Coal Mining Safety and Health Regulation 2001*. Both new Acts were examined under "gatekeeping" arrangements. While the legislation may, in some way, technically restrict the business conduct of mining companies, the proposals are less restrictive than the former legislation. The new legislation requires similar health and safety standards of operation across the entire Queensland coal mining, metalliferous mining and quarrying industries and are clearly in the public interest.

Building Professions

Work is at the scoping stage for the review of legislation dealing with electrical, plumbing and building services.

Planning

The NCC has queried whether the *Integrated Planning Act 1997* (IPA) should be reviewed under NCP. The IPA replaced the *Local Government (Planning and Environment) Act 1990*. The restrictions in the latter Act were not carried over into the IPA. The IPA was examined in terms of NCP under “gatekeeping” arrangements prior to Cabinet consideration and found not to restrict competition. The IPA provides a planning framework and means by which development approvals aimed at environmental protection take place. The situation in respect of the IPA has been reported in previous annual reports.

The changes to the Integrated Development Approval System make the State subject to local government planning schemes. This has the effect of establishing competitive neutrality, particularly in areas such as infrastructure charging. The IPA binds all persons, including the State when its agencies are operating in a commercial way. For example, private quarry operators, which have always been subject to such planning schemes, are now on a level playing field with the State, thereby increasing competition. The IPA does not provide any competition impediments in terms of forestry regulation.

Architects

A national review of architects legislation was undertaken by the Productivity Commission. Its final report was released in November 2000. A working group of State and Territory officials has been formed to report to COAG on an appropriate response to the review report. This is expected to occur by May 2001.

Engineers

The review of the *Professional Engineers Act 1988* and regulation is nearing completion. The review report was finalised early in 2000 recommending co-regulation of the profession. Cabinet considered the report and decided it should be released for further consultation which occurred in November 2000. The review is anticipated to be finalised in the first half of 2001.

Trading Hours

The *Trading (Allowable Hours) Act 1990* was scheduled for review under NCP. Upon close examination of the legislation, it was determined the Act does not directly restrict trading hours, but gives powers to the Queensland Industrial Relations Commission to make determinations on applications for extended trading hours. The Queensland Government is of the view – and the NCC has concurred – the Commission’s consideration of such applications is a public, transparent and independent process.

On the matter of whether the Commission’s deliberations are consistent with NCP’s public benefit test requirements, the Queensland Government has made a submission to the Commission in relation to an application it was hearing regarding the Commission’s obligations to consider NCP requirements in making its trading hours decisions. The Queensland Government is monitoring the situation.

Liquor

The NCC has raised two issues regarding the review of the *Liquor Act 1992* and regulation, namely:

- Applicants for new licences or extended trading first have to demonstrate a “public need” for the licence or longer hours. In considering the public need, section 116 of the Act requires licensing authorities to have regard to the number, condition and distribution of licensed premises already existing in the locality and whether they could provide the proposed services; and
- Queensland’s “specialist provider” model, apparently restricts the sale of takeaway liquor to general licensees (hoteliers).

Amendments to the Act which were introduced in Parliament will need to be reintroduced. These are likely to be debated in the first half of 2001. One of the proposed amendments will specifically replace the concept of “public need” with one of “public interest”. A particular section to be deleted from the Act in this process is 116 (3) (d) which relates to the public needs test. This test requires the applicant to give the Chief Executive information about licensed premises already existing in the locality, including “whether the services proposed to be provided could be adequately provided by licensed premises already existing in the locality...” The proposed public interest test has no such requirement and will, amongst other things, identify for the locality in question population and demographic information, and the likely associated social, health, community, and regional development impacts of the licensing proposal.

The Queensland Government does not intend to use the new public interest test in the Act to restrict competition and thereby protect the interests of existing licensees. The purpose of this new test, as evident from the proposed changes outlined above, is to facilitate a comprehensive consideration of the impacts a proposal for a new licence or extending trading hours will have on the community. In this respect, the proposed test is consistent with clause 1(3) of the CPA.

These amendments will address any concern the existing test acts to cap the number of liquor outlets in Queensland. Complementing this change is the abolition of premiums payable for general and special facility licences which have also been seen as a barrier to market entry. By implementing these changes, Queensland will be taking significant steps to remove restrictions on the sale of takeaway liquor.

Moving to the second issue, the Queensland Government contends the specialist provider model does not restrict the sale of takeaway liquor to the public to general licence holders. Changes flowing from the review and incorporated in the amendments to the Act provide for further relaxation of the sale of take-away liquor from the many clubs and restaurants in Queensland. The new measures include allowing clubs to sell unlimited takeaway liquor to members and allowing restaurants to sell wine to diners for consumption off the premises.

Furthermore, the existing Act provides for the entry of new entities wishing to engage in the sale of packaged liquor by way of the current general licensing arrangements. In fact,

particular retailers have been recently moving to enter the market by acquiring general licences.

The Queensland Government is aware of the need to consider any benefits flowing from liberalisation of liquor regulation while, at the same time, minimising the social costs on high-risk groups in the community. The NCC acknowledges there is a public benefit in regulating to increase incentives for responsible behaviour by sellers of alcohol. In adopting a specialist provider model, the Queensland Government has chosen a legislative regime which will achieve this result without increasing the potential for adverse social outcomes. The Queensland Government is of the strong view such a legislative regime is within the range of outcomes which could reasonably be reached to achieve the public interest.

Any assessment of outcomes of Queensland's review of the Act should consider:

- the significant changes embodied in the proposed legislative amendments;
- the fact Queenslanders are not disadvantaged with respect to product prices or access to takeaway liquor which presumably underlies the concerns the NCC have raised about the apparent restrictions attaching to licences; and
- consistent with the recent amendments to the NCP arrangements, the Government's properly-based decision to continue with the remaining protective community provisions, reflecting special geographic and social circumstances relative to other jurisdictions.

The recent amendments to the CPA provide for the NCC's assessment of whether jurisdictions have met their commitments under Clause 5 (1) to take account of whether the outcomes are within a range which could be reasonably reached. The amended NCP arrangements also specifically provide within the range of reasonable outcomes it is a matter for Government to determine what is in the public interest.

It is the Queensland Government's firm view the outcomes of the review of the Act as outlined above are reasonable, including the public interest balance achieved by adoption of the specialist provider model combined with the proposed changes to the licensing provisions.

Child Care

A review of the competition issues in the *Child Care Act 1991* commenced in 1998, but was overtaken by a broad-ranging examination of all aspects of child-care legislation. The terms for the NCP component of this general review have been approved and the review is progressing. As at March 2001, a draft review report is being finalised.

Public Transport – Taxis, etc

The NCC has indicated most jurisdictions need to make significant further progress in order to meet NCP obligations in regard to the taxi industry. It also suggests non-compliance by jurisdictions on taxi deregulation would be likely to be regarded as a substantial failure of compliance with overall NCP legislative review requirements.

In essence, the NCC will be looking for careful justification of the public benefit test results where continued regulation of entry (number of taxis) and of fares is proposed. The

Queensland NCP review of the taxi industry concluded the costs to the community of completely deregulating the industry exceeded the potential savings, with existing regulations providing several benefits including:

- reducing the cost of many taxis trips, particularly those to outlying areas and airports; and
- preventing a significant reduction in the number and availability of wheelchair accessible taxis.

The findings of the review, including a number of recommendations to the Government, are currently the subject of public consultation and comment. After comments are received and analysed, the Department of Transport will prepare specific policy proposals for consideration by Government. The main focus of the consultation and policy development will be on measures to enable booking companies more flexibility and responsibility in controlling the resources they need to provide taxi services, while at the same time ensuring minimum standards are maintained.

The review findings generally support providing increased flexibility for the taxi industry meeting its clients' requirements, based on a needs and performance approach rather than a formula of linking taxi and population numbers.

Experience elsewhere of fully deregulating entry and fares has resulted in:

- a decline in patronage;
- difficulties obtaining drivers for work after midnight on weeknights;
- increased fares (Note: Increased numbers of taxis lead to pressures to increase fares as taxi drivers, faced with fewer passengers seek to maximise the return from each passenger, particularly as part-time operators can "cherry pick" peak periods);
- overcrowding of ranks leading to illegal parking;
- additional taxis which cannot be accommodated on ranks "cruising" the streets, thereby leading to traffic congestion;
- smaller towns losing taxi services completely;
- lower levels of return leading to a lowering of maintenance standards of vehicles; and
- wheelchair customers having to book a week ahead, compared with Queensland's figure of responding to around half of such calls within 10 minutes, and 88 percent within 20 minutes.

Ports

The NCC has sought advice on a number of ports-related legislation. The *Sea Carriage of Goods (State) Act 1930* was not listed for review. This Act has been repealed by the *Transport Legislation Amendment Act 2000*. Reviews into harbour towage and port activities outside of port limits under the *Transport Infrastructure (Ports) Regulation 1994* are nearing completion. For details refer to the attached *Legislation review schedule: Queensland*.

Rail

The NCC has identified rail safety legislation as possibly requiring review. Although parts of the *Transport Infrastructure Act 1994* were listed for review, rail safety provisions were not. A recent and brief examination of these provisions support the position which was taken when compiling the review schedule of no inappropriate restrictive elements to the provisions which essentially focus on accreditation of rail operators for safety purposes. The provisions will be assessed in more detail in the near future to determine whether there is a need to conduct a public benefit test.

1.2.4 “Gatekeeping” arrangements for new legislation

Also under clause 5 of the CPA, all new (including amending) legislation which restricts competition must, prior to consideration by Cabinet, have been subjected to a public benefit test. The following table lists legislation restricting competition which has been enacted during 2000.

Legislation Title	Priority Area?	Public Interest Rationale
<i>Child Care Amendment Act 2000</i>	Yes	The amendments regulate informal (or “back yard”) care. They provide minimum standards which now apply across the whole child care sector, yet reflect the different nature of back yard care to centre-based and family day care. The amendments provide the only means of ensuring children in back yard care are cared for in a safe environment. The PBT analysis indicates the restriction imposes minimal costs yet provides a substantial benefit to parents and the well being of their children in such care situations. The amendments are an interim measure until the new Child Care Act comes into effect late in 2001.
<i>Domestic Building Contracts Act 2000</i>	Yes	The PBT examined <u>changes</u> to legislative licensing requirements and certain other provisions regulating the building industry introduced under this new Act. The Act amends current provisions under the <i>Queensland Building Services Authority Act 1991</i> and, together with other new legislation, implements major reforms to the building industry. A fundamental analysis of licensing <i>per se</i> will be examined under the proposed scheduled review of the Queensland Building Services Authority Act, which has yet to occur. The Domestic Building Contracts Act provides for the regulation of domestic building contracts, establishes progress payment terms, cooling-off

Legislation Title	Priority Area?	Public Interest Rationale
		<p>periods, contracts to be in writing, and contract information statements to be provided to consumers, among other things. The aim is to achieve a reasonable balance between the interests of consumers and building contractors. It, along with the <i>Queensland Building Tribunal Act 2000</i>, was part of “wave 2” of the Better Building Industry Reforms. The <i>Queensland Building Services Authority Amendment Act 1999</i> was “wave 1”.</p> <p>[Note: This paragraph was added to the annual report on 1 May 2001 to clarify the objectives of the Domestic Building Contracts Act.]</p> <p>The Domestic Building Contracts Act introduces a “restricted” licence. This license category enables applicants who demonstrate the necessary competencies to undertake only a portion of the whole trade. This has the effect of promoting consumer choice and increased competition in those areas of the industry to which the restricted licence applies. The PBT examined more rigorous financial assessments of licensees and additional licensing requirements applying to the fire protection industry and inspection services in relation to building works. The PBT also included an examination of changes to the regulation of contracts and the statutory insurance scheme for the building industry.</p> <p>These changes were shown to satisfy the two-part public benefit test.</p>
<i>Environmental Protection Amendment Regulation (No. 1) 2000</i>	No	This regulation gives effect to the National Environment Protection (Used Packaging Materials) Measure. The Commonwealth’s Office of Regulatory Review signed off on RIS documents for the NEPM and Covenant, which satisfied NCP requirements.
<i>Environmental Protection and Other Legislation Amendment Act 2000</i>	No	The relevant amendment extends the operation of the approvals regime under the <i>Harbours (Reclamation of Land) Regulation 1979</i> applying to dredging associated with the Barrier Reef and boat ramps, until 31 December 2002. The Regulation will remain in force until the Coastal Regulation is integrated with the Integrated Development Approval System, which is due to occur in September 2001.

Legislation Title	Priority Area?	Public Interest Rationale
<i>Property Agents and Motor Dealers Act 2000</i>	Yes	The Act replaces the Auctioneers and Agents Act. A full PBT was undertaken on the restrictions in the then PA&MD Bill. The licensing of Motor Dealer Brokers has been added to the licensing regime under the new Property Agents and Motor Dealers Act. The PBT carried out prior to Cabinet consideration. See <i>Legislation review schedule: Queensland</i> for details.
<i>Retail Shop Leases Amendment Act 2000</i>	No	The key NCP-related amendment requires prospective lessees to obtain a pre-lease certificate indicating they are aware of financial, legal and such requirements, obtainable from a limited range of providers, including accountants and lawyers. The then proposed amendment was addressed in the PBT report on the scheduled review of the Retail Shop Leases Act.
<i>Training and Employment Act 2000</i>	Yes	Provisions in the then Bill, which eventually replaced legislation set down for review, were examined as part of the NCP review of the Bill. See <i>Legislation review schedule: Queensland</i> for details.
<i>Water Act 2000</i>	No	New Act gives effect to COAG water reforms and replaces various legislation on the review timetable. See <i>Legislation review schedule: Queensland</i> for details.

1.3 Assessing compliance with the Conduct Code obligations: legislation reliant on section 51(1) of the Trade Practices Act

Clause 2(1) of the Conduct Code obliges jurisdictions to advise the Australian Competition and Consumer Commission (ACCC) in writing of legislation which relies on section 51(1) of the *Trade Practices Act 1974* within 30 days of the legislation being enacted. Section 51(1) specifies conduct which would normally be an offence under the restrictive trade practice provisions of the Act may be permitted if it is specifically authorised under Commonwealth, State and Territory Acts.

In the 2001 annual report, Queensland is required to identify new legislation or provisions in legislation which rely on section 51(1) and to confirm the ACCC has been notified accordingly.

There has been only one such instance during 2000. This was the *Competition Policy Reform (Queensland) Public Passenger Service Authorisation Regulation 2000*. This regulation was made on 20 July 2000. The regulation authorises coordination and integration of public passenger services for the competition legislation (i.e. the Trade Practices Act (section 51(1)(B)) or the Competition Code (section 51). The regulation authorises the operators of

public passenger services to work together for the purpose of integrating transport services, ticketing, fares, etc. A Public Benefit Test was undertaken and Queensland Treasury has formally notified the ACCC in relation to this regulation. It is intended the Regulation will be repealed with the pending proclamation of identical provisions under the *Transport Operations (Passenger Transport) Act 1994*.

1.4 Assessing compliance with the national standards setting obligation

For the first time and in accordance with the NCP agreements, governments are required to report on compliance with the COAG-endorsed *Principles and Guidelines for National Standard Setting and Regulatory Action*. This obligation relates to the actions of Ministerial Councils and inter-governmental standards setting bodies in developing national standards, including voluntary codes and other advisory instruments requiring compliance.

The following table outlines national standards made during the period July 2000 and May 2001 to which Queensland is a participating party.

Title of National Standard	Details	RIS Prepared?
Building Code of Australia	The Government contributes funding to and has representation on the Australian Building Codes Board (ABCB), which maintains the <i>Building Code of Australia</i> . Since July 2000, ABCB has adopted two amendments to the Building Code of Australia, with Regulatory Impact Statements (RIS) having been prepared for certain codes and standards associated with each amendment. In this regard, a RIS have been prepared on a Bushfire Code, a Window Code and standards relating to female toilets in public auditoria.	Yes
Food Standards	On 28 July 2000, the Australia New Zealand Food Standards Council (ANZFSC), on which Queensland is represented by the Minister for Health, agreed to the adoption of Food Safety Standard 3.1.1 - Interpretation and Application; Food Safety Standard 3.2.2 - Food Safety Practices and General Requirements; and Food Safety Standard 3.2.3 - Food Premises and Equipment. The ANZFA document <i>Food Safety Standards Costs and Benefits: An analysis of the regulatory impact of the proposed national food safety reforms</i> was submitted and approved by ANZFSC together with the standards.	Yes

Title of National Standard	Details	RIS Prepared?
	<p>On 24th November 2000, ANZFSC agreed to the adoption of the new Joint Australia New Zealand Food Standards Code. The ANZFA document <i>New Draft Joint Food Standards Code Regulation Impact Statement</i> was submitted and approved by ANZFSC together with the new Code. ANZFSC also considered the Allen Consulting Group's evaluation of the RIS titled <i>Costs and Benefits Study: Evaluating Proposed Percentage Labelling and Nutrition Information Panel Requirements before giving approval.</i></p>	
<p>Product/Consumer Safety</p> <ul style="list-style-type: none"> . Sunglasses and fashion spectacles . Children's nightwear having reduced fire hazard . Paper patterns for children's nightwear . Pedal bicycles . Protective helmets for pedal cyclists . Elastic luggage straps . Portable fire extinguishers . Child restraint systems for use in motor vehicle. . Cosmetic labelling (amendment) 	<p>During the reporting period, numerous Commonwealth product/consumer safety standards and one international laboratory trade weights and measurement standard were adopted. All these standards were adopted from the Commonwealth.</p> <p>*It is therefore the Commonwealth's responsibility to ensure the COAG-endorsed Principles and Guidelines for National Standard Setting and Regulatory Action have been followed. Further, in each of these cases, adoption of all these standards resulted from membership of the MCCA or SCOCA. In every case, a RIS was not required as Commonwealth had provided previous impetus for consideration of the standards and under section 46(1)(g) of the <i>Statutory Instruments Act 1992</i>, Queensland is exempt from carrying out a RIS on "matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State".</p>	<p>No See *</p>

2.0 COMPETITIVE NEUTRALITY

2.1 Status of competitive neutrality policy implementation

2.1.1 Public Trust Office

Following the Public Trust Office's (PTO) listing as a candidate significant business activity in 1996, a Steering Committee was formed in 1999 to oversee a review. The Consultancy Bureau was engaged to conduct a Public Benefit Test (PBT), which involved consultation with a wide range of stakeholders, including clients, the public, employees and current and potential competitors.

The PBT report recommended the PTO should implement changes in order to ensure compliance with competitive neutrality requirements, while strengthening its self-funding capability without compromising its social justice objectives. It was recognised reform would need to be implemented progressively, and the following plan was proposed:

<i>Stage 1</i>	<i>Fairer and Simpler Fee Structure</i>
<i>Stage 2</i>	<i>Productivity and Commercial Enhancements</i>
<i>Stage 3</i>	<i>Commercial/Corporate Considerations</i>

The Government has directed the PTO to continue to address within a three year staged implementation period issues related to:

- a fairer and simpler fee structure;
- transparent Community Service Obligation funding;
- the elimination of cross subsidisation; and
- establishment of an appropriate capital structure.

The PTO is to report back to the Government on progress prior to the 2001-2002 State budget.

In order to comply with the requirements relating to a fairer and simpler fee structure, the PTO engaged consultants Cap Gemini Ernst & Young (CGE&Y) to review its fees and charges. A final draft report from CGE&Y was received in December 2000 and is under consideration by Government. The fees and charges reform proposed by CGE&Y is expected to serve as a basis for the subsequent stages in the reform process.

2.1.2 TAFE

The Public Benefit Test (PBT) for the Review was completed by the independent consultant on 31 May 2000 but has not yet been considered by the Queensland Government due to further work being required on data collection, competitive neutrality and Full Cost Pricing models.

It is expected the Review Committee Report will be considered by Government shortly.

2.1.3 Universities

The Ministerial Council for Employment, Education and Youth Affairs agreed in 1999 jurisdictions should consider a common approach to the implementation of the Competition Principles Agreement within higher education. The issue was subsequently referred to the COAG Committee on Regulatory Reform (CRR). The CRR considered the area of competitive neutrality as applied to Universities' business activities was the main area of potential cross jurisdictional impact. The CRR formed a sub group to examine whether a cross jurisdictional approach would be appropriate for competitive neutrality issues in the higher education sector, and in particular, universities.

The CRR considered, given the majority of university business activities are local and regional in nature of their operation and impact on private sector businesses, there would be very few occasions when issues would have a cross jurisdictional impact. The CRR considered, where competitive neutrality issues arise in a cross jurisdictional context, these occurrences could be dealt with on a case by case basis. The CRR referred the matter to the Australian Vice Chancellors' Committee (AVCC) in 2000 for their consideration as to how competitive neutrality could be handled.

The AVCC advised the CRR universities have continued to work individually to ensure they comply with the principles of competitive neutrality. The AVCC further advised this has been done by drawing on available material such as State based guidelines.

Queensland's *Competitive Neutrality and Queensland Government Business Activities* policy statement dated July 1996 and *Full Cost Pricing Guidelines* provide a clear statement of the application of the principle of competitive neutrality to government business activities. This material is publicly available to universities through the Queensland Treasury web site. Queensland will continue to deal with competitive neutrality complaints in relation to universities on a case by case basis should any arise.

2.1.4 Workcover

The Public Benefit Test (PBT) for the Workcover Review was completed by the independent consultant on 8 November 2000 and was followed by three weeks of stakeholder consultation.

The PBT has key recommendations including the retention of the public monopoly on workers' compensation insurance, the separation of regulatory functions, the relaxation of self insurance licensing criteria and the consideration of outsourcing of claims management functions.

Factors identified as significant in the maintenance of a low cost workers' compensation scheme include a strong link between employer risk and premium levels, and stable premiums. Evidence has shown scheme costs are determined largely through benefit levels and risk incentives rather than through ownership structures.

The Review Committee Report will be based on the findings of the PBT, stakeholder consultation and other relevant considerations and is expected to be considered by Government within the next few months.

2.1.5 Superannuation

The Queensland Government has completed a review of the administration of the Queensland public sector superannuation legislation in relation to NCP requirements. Whilst three issues of possible interest to the NCC were identified in the review, it was concluded Queensland's public sector superannuation arrangements conform with NCP requirements.

A desktop competitive neutrality review concluded there is insufficient reason to alter the sole provision of superannuation for Queensland public sector agencies via QSuper. Queensland superannuation arrangements as they are currently structured would comply with the proposed Commonwealth legislation on "choice of funds". QSuper offers employees a range of alternatives (including a defined benefit).

The administration of Queensland's public sector superannuation schemes by the Government Superannuation Office is a purchasing decision of the Government.

Queensland superannuation arrangements allow for the appointment of alternative providers to manage all or part of the investments should the Government chose to make this component contestable. (Currently, the Queensland Investment Corporation is the sole manager of the Queensland Government's superannuation funds.)

2.1.6 Housing products and services

A competitive neutrality public benefit test of the Department of Housing's products and services was concluded in August 2000. The desktop analysis concluded the products and services of the Department did not exhibit any significant breaches of the principles of competition and if minor breaches did exist, they were far outweighed by the social benefits resulting from this service provision. Queensland Treasury undertook an independent assessment of the review and concluded it satisfied NCP requirements.

2.1.7 Queensland Abattoir Corporation

The Queensland Abattoir Corporation (QAC) will cease existence in June 2001 when it is wound up as an entity under legislation. Any remaining assets will be put to a public auction before then.

All the sites - Bundaberg, Toowoomba, Townsville, Ipswich and Cannon Hill - have ceased operation under the auspices of the QAC. The Bundaberg site is currently being assessed for redevelopment as a food industrial park. The Toowoomba site was sold in June 2000. The Townsville site is currently leased to the private sector and is being assessed for remedial and environmental action. The Ipswich and Cannon Hill sites have been sold following a call for public expressions of interest in 1997.

2.1.8 Gladstone Area Water Board

The business activities of the Gladstone Area Water Board (GAWB) have been commercialised. Accordingly, the GAWB has been declared a significant business activity under s.39 of the QCA Act with effect from 1 October 2000. This means GAWB is subject to competitive neutrality as defined under the provisions of s.38 of the QCA Act.

2.1.9 Mt Isa Water Board

The business activities of the Mt Isa Water Board (MIWB) have been commercialised. Accordingly, the MIWB has been declared a significant business activity under s.39 of the QCA Act with effect from 1 October 2000. This means MIWB is subject to competitive neutrality as defined under the provisions of s.38 of the QCA Act.

2.1.10 State Water Projects – SunWater

SunWater was corporatised as of 1 October 2000 and took over the business activities of State Water Projects. SunWater was also declared a significant business activity under s.39 of the QCA Act with effect from 1 October 2000. This means SunWater is subject to competitive neutrality as defined under the provisions of s.38 of the QCA Act.

2.2 Complaints handling and implementation of recommendations of the Queensland Competition Authority (QCA)

2.2.1 Competitive neutrality complaints currently under investigation by the QCA

The QCA has a number of competitive neutrality complaints still in the process of investigation and /or reporting.

2.2.2 Competitive neutrality complaints finalised by the QCA

The QCA has provided reports to Government on two competitive neutrality complaints as follows.

2.2.2.1 The first complaint relates to a complaint by an unnamed private electrical contractor alleging ENERGEX's internal service provider, Contract Services Group (CSG) enjoys regulatory and procedural advantages not available on the same terms to private electrical service providers competing to provide services to ENERGEX.

The QCA found the complaint was not substantiated.

The Premier and Treasurer, as the Ministers responsible for the QCA Act, accepted the QCA's report and findings in the matter.

2.2.2.2 The second complaint was lodged with the QCA by Quality Electrical Services Pty Ltd (QES). QES alleged ENERGEX had breached the principle of competitive neutrality because CSG receives preferential treatment in the assessment of work undertaken by ENERGEX.

The QCA found the complaint was not substantiated.

The Premier and Treasurer, as the Ministers responsible for the QCA Act, accepted the QCA's report and findings in the matter.

3.0 STRUCTURAL REFORM

Rail

The assessment framework requires Queensland to demonstrate all issues relevant to Clause 4 of the CPA have been addressed in the corporatisation process and subsequent considerations by the QCA, and the recommendations from those assessments have been implemented appropriately.

The corporatisation of Queensland Rail (QR) involved a consideration of Clause 4 issues. Some of the Clause 4 issues have also been addressed via related reform processes, eg. the establishment of a competitive neutrality complaints process which applies to QR, and the declaration, for third party access purposes, of the service provided by QR's intrastate track infrastructure. Below is a description of the situation for each Clause 4 issue.

(i) Appropriate commercial objectives

QR's commercial objectives were set out in its corporatisation charter.

(ii) The merits of separating any natural monopoly elements from potentially competitive elements

A comprehensive review of QR's business resulted in the establishment in 1998 of a separate business unit, Network Access, within QR to have responsibility for the management of the natural monopoly element of QR's business, namely the track infrastructure. The review also recommended the service provided by QR's track infrastructure be declared for third party access under the Queensland Competition Authority (QCA) Act 1997. This recommendation was implemented in 1998. The QCA has recently delivered a draft determination on QR's access undertaking. This draft determination sets out strict ringfencing requirements between those elements of QR which are responsible for access to the declared service and other elements of QR.

The review recommended QR remain vertically integrated unless and until there was a demonstrable net public benefit associated with separation. The review considered, at this stage, the benefits of full separation were ambiguous and the costs of separation (eg. costs of establishing a separate legal entity and transaction costs) outweighed the benefits. It recommended the third party access regime should be given the opportunity to demonstrate its effectiveness. The review concluded the question of whether integration remains in the public benefit would need to be monitored. Two thresholds for review include, for example:

- the number of entrants into the above rail market and their combined market share reaching a level where it was clearly more efficient to manage access within an organisation completely separate from QR; and
- the Government, based on independent advice, was of the view QR was hindering access.

(iii) The merits of separating potentially competitive elements

QR's main business groups have been separated into separate business units within QR.

- (iv) The most effective means of separating regulatory functions from commercial functions

QR has no regulatory responsibilities in relation to the rail industry. The Rail Safety Accreditation Unit within the Queensland Transport department is responsible for safety regulation and accreditation of all rail operators (including QR) and railway managers (including QR). Environmental regulation is the responsibility of the Environment Protection Agency and pricing and access regulation is the responsibility of the QCA.

- (v) The most effective means of implementing the competitive neutrality principles

QR is subject to the competitive neutrality complaints process.

- (vi) The merits of any community service obligations undertaken by QR

The *Government Owned Corporations Act* defines 'community service obligation'. QR's community service obligations are separately identified within its statement of corporate intent and are formalised in contracts between Queensland Transport and QR. The CSO contracts clearly identify the level and quality of service to be provided by QR. The negotiated price has been benchmarked to determine an efficient price including a return on assets payment.

- (vii) The price and service regulations to be applied to the industry

The QCA regulates pricing and quality of service for the natural monopoly element of QR.

- (viii) The appropriate financial relationships between the owner of QR and QR, including the rate of return targets, dividends and capital structure.

QR's corporatisation charter, Statement of Corporate Intent (SCI) and the Government Owned Corporation Act specify the relationships between QR and its shareholding Ministers. The SCI sets out financial and non-financial performance targets, including its target rate of return, dividend target and capital structure.

4.0 PRICES OVERSIGHT

The Queensland Competition Authority (QCA) is responsible for administering the Queensland monopoly prices oversight regime.

The regime applies to government business activities, which are monopolies or near monopolies, and which the Premier and the Treasurer declare to be Government Monopoly Business Activities (GMBAs). The QCA published criteria for identifying GMBAs in December 1997.

The Premier and the Treasurer have declared, for the purposes of prices oversight, the major water businesses, including SunWater (formerly State Water Projects), the Gladstone Area Water Board and the Mt Isa Water Board. The South East Queensland Water Board has been converted into a jointly owned State/Local government company (SEQWater) and is considered as a private water supplier under the prices oversight regime for private water suppliers.

The QCA Act was amended in May 2000 to introduce a prices oversight regime for private sector water suppliers and to extend coverage of the existing regime to local government. Section 5 outlines the application of prices oversight to local government.

5.0 LOCAL GOVERNMENT

5.1 Introduction

5.1.1 Approach to Local Government NCP Implementation

As outlined in previous reports to the NCC, the Government's strategy for applying NCP reforms to Queensland local government has focussed on the largest business activities through the application of competitive neutrality reforms to the significant business activities (SBAs) of the 18 largest local governments. This represents over 80% of local government business activity in Queensland.

The largest 18 local governments have not only demonstrated excellent progress in applying competitive neutrality reforms to their significant business activities but have also demonstrated substantial progress in applying competitive neutrality reforms to their smaller business activities.

This result is due to a combination of a number of factors including:

- the financial incentives available to local governments which implement such reforms under the \$150 million Local Government Financial Incentive Package;
- the benefits achieved by local governments as a result of undertaking the reforms; and
- the initiatives in training and advice provided by the Department of Local Government Planning (DLGP), the Queensland Competition Authority (QCA) and the Local Government Association of Queensland (LGAQ). It is expected the continuing efforts in training and advice to targeted local governments will continue to achieve the desired reform outcomes over the remaining life of the Financial Incentive Package.

The Financial Incentive Package also provides incentives to encourage other important elements of the NCP reforms such as the review of anti-competitive provisions for all the local laws of Queensland local governments.

5.1.2 The Legislative Framework

The State Government has put in place a comprehensive legislative framework to support its local government NCP reform program. This framework is currently being enhanced by amendments to the *Local Government Act 1993* to provide for the establishment of Local Government Owned Corporations (LGOs) under the *Corporations Law*. Currently, the legislation only allows for statutory LGOs. Due to changes to the legislative timetable and the need to accommodate changes in the Commonwealth *Corporations Law* and the proposed Commonwealth changes to the tax liabilities of LGOs have meant the Bill is now scheduled for 2001. This delay in amending the *Local Government Act* is unlikely to have a material affect on the timing of decisions by local governments to corporatise, as councils can utilise the existing statutory LGO provisions.

5.1.3 Training Initiatives

As outlined above and in previous reports, the State Government has worked closely with the LGAQ and the QCA to provide appropriate training and resource material to enable local

governments to make informed NCP implementation decisions. The approach has been to provide practical focussed information directed at identifying knowledge gaps of local governments, to provide useful assistance and advice and to clarify issues of concern to local governments.

This approach is proving effective and will be continued in 2001.

Specific training initiatives in 2000 were targeted at the small to medium local governments, to provide practical assistance for these local governments in considering and applying full cost pricing and water pricing reforms, specifically two-part tariffs.

Practical guides have been produced on full cost pricing, conducting two-part tariff assessments and implementing two-part tariffs. Associated training has also been conducted.

The QCA's work to improve local government knowledge of the assessment framework used by the QCA to recommend payments from the Financial Incentive Package has also assisted in improving local government's grasp of the elements of NCP and COAG water reforms.

In addition, the LGAQ has surveyed local governments with a view to identifying where barriers to reform exist and what assistance is needed for local governments.

Specific training initiatives on NCP and COAG water reforms provided by the various agencies are outlined in the following table.

Date:	Agency:	Training / assistance provided:
March 2000	LGAQ	LGAQ sponsored forum with input from DLGP, Queensland Treasury, QCA, Dept of Natural Resources, and several local governments – titled <i>NCP in 2000 – The Questions You Need To Ask And The Answers You Need To Know</i> . This forum dealt with <i>Water Bill 2000</i> and changes to <i>Local Government Act 1993</i> , NCP and COAG water reforms, the Financial Incentive Package, and case studies of a corporatised business activity and a commercialised Water Board).
April 2000	DLGP	Release of <i>Full Cost Pricing in Queensland Local Government: A Practical Guide</i> .
April 2000	DLGP	Release of <i>Full Cost Pricing in Queensland Local Government: Technical Appendices</i> .
July 2000	DLGP & QCA	NCP pricing reforms for local government (application of full cost pricing, application of pricing reforms to water and sewerage services including applying two-part tariffs).
Sept 2000	DLGP	Issue of <i>Simplified Guidelines: Evaluation of Introducing and Improving Two-Part Water Tariffs for Local Governments in Queensland</i> .
Sept-Dec 2000	LGAQ	Training on implementation of Water Bill 2000 addressing service provider legislation, Water Allocation Management Plans (WAMPs) as well as water pricing (two-part tariffs).
Feb-May 2001	DLGP	NCP issues are also being addressed in the training on local government accounting and auditing throughout the State.

5.2 Competitive Neutrality

5.2.1 Overall Approach

As outlined in Queensland's 1996 local government NCP application statement, the *Local Government Act 1993* provides for local governments which operate with significant business activities³ to conduct Public Benefit Assessments (PBAs) to assess the net public benefit of applying one of three identified competitive neutrality reforms - namely, corporatisation, commercialisation or full cost pricing. So far, 30 SBAs have been identified by the 18 largest local governments.

The number of SBAs has increased gradually over time as other business activities of these and other local governments have expanded in size above the relevant expenditure threshold provided in the Act.

In addition there are 11 cases where local governments have elected to apply higher level reforms to their smaller business activities as if they were SBAs.

Also in accordance with the 1996 application statement, local governments are required by the Act to identify those of their smaller business activities (above a nominated threshold) which compete directly with the private sector – these are commonly referred to as Type 3 business activities. So far 170 Type 3 activities have been identified. In addition to identifying Type 3 activities, the Act requires local governments to make a decision on whether to apply the Code of Competitive Conduct.

As with SBAs, funding has been allocated under the Financial Incentive Package to encourage reform of Type 3 and other smaller business activities, with payment to be dependent on satisfactory implementation of reforms. To date, 34 local governments have commenced reforming their Type 3 business activities and 34 have commenced reforming their other smaller business activities. In addition, 4 local governments have moved to apply higher levels of reform to 11 of these smaller business activities. These are discussed under the separate heading below.

The task of assessing whether local governments have achieved a satisfactory level of reform has been delegated by the State Government to the QCA. The QCA has been given the responsibility for undertaking an independent and objective annual assessment of local government performance in implementing all NCP reforms and recommending payments from the incentive package based on its assessment.

5.2.2 Reform Progress

Type 1 and 2 Business Activities

Of the 30 Type 1 and Type 2 business activities identified to date, 21 have been subject to commercialisation and 9 have had full cost pricing applied.

³ Type 1 and 2 business activities

Looking at the extent to which these reforms have been implemented by local governments, there has been significant progress particularly with implementing commercialisation, but also with the implementation of full cost pricing.

The QCA has reviewed the Public Benefit Assessments together with the outcomes of the level of competitive neutrality reform actually implemented for the five SBAs of the local governments which chose full cost pricing for their SBA rather than commercialisation. The QCA found the implementation of full cost pricing for three SBAs reflected a level of reform of 10 to 25% above full cost pricing. For Brisbane City and Maroochy Shire Councils' waste management services, the reforms applied were held to achieve outcomes comparable with commercialisation.

For corporatisation, local governments continue generally to be deterred from corporatising larger business activities by the uncertainty over the tax status of LGOCs and other, mainly governance related, issues. Although the Commonwealth Treasurer announced in mid 2000 this issue would be resolved by legislation with retrospective application, the lack of available detail on the proposal has continued to slow local government progress in this regard. Several local governments have previously indicated they will consider corporatisation of SBAs when this issue is fully resolved. Indeed some have already commenced preparation for corporatisation.

For some local governments the tax issue has not been a strong enough deterrent to consider the incorporation of their business activities. Of the 3 instances where local governments have elected to treat smaller activities as SBAs – 2 of these business activities have become fully council owned corporations under the *Corporations Law*. Details are provided in Attachment 2.

Other Business Activities treated as SBAs

Four local governments have chosen to apply higher level reforms to 11 of their smaller business activities, ie. to treat these activities as if they were Type 2 business activities. Of these 11, 9 have been commercialised. Also, Ipswich and Toowoomba City Councils have chosen to transform their respective Information Technology Services and Entertainment Services into wholly council owned corporations under the *Corporations Law* (as mentioned above). Details are provided in Attachment 2.

Type 3 Business Activities

Reform of Type 3 business activities is continuous with 34 local governments implementing or committing to applying the Code of Competitive Conduct to 108 business activities (up from 100 at the time of the last report). The largest 18 local governments have made most of the progress in this regard with 80 of their Type 3 business activities adopting the Code of Competitive Conduct. Note some Type 3 business activities identified in the last report are now listed as new Type 2 business activities, or as Type 3 business activities treated as Type 2s. Details are provided in Attachment 2.

Other Business Activities

In addition to operating Type 3 business activities, many local governments also operate other small business activities which do not qualify as Type 3 businesses because they do not compete directly with the private sector. Although the potential reform of these other business activities was not foreshadowed in the 1996 application statement, to date, 34 local governments have implemented or committed themselves to reform 72 such business activities. 19 of these 72 business activities are activities of the big 18 local governments – but the bulk are of smaller local governments.

Four local governments have also nominated four new business activities for potential reform, and these have been approved by the Government for inclusion in the Financial Incentive Package. Reform has commenced for three of these business activities, and significant implementation of reform has occurred for two of these business activities.

To date, a further 12 applications for addition of new business activities to the Financial Incentive Package have been received and are being considered. Details are provided in Attachment 2.

Pace of Reform

Reasons suggested by the QCA for the slower rate of progress by smaller local governments include the impact of other reforms on the capacity of local governments to focus on NCP reforms – notably the impact of the introduction of the Goods and Services Tax and the implications of the Y2K computer issue. These issues have now been addressed.

Other issues suggested by the QCA as impacting on the progress of reform include a lack of appreciation of the nexus between competition reforms and improved governance, corporate management and operations performance – although many local governments are making effective progress in these areas. Specifically, although a considerable amount of assistance has been provided to local governments, many smaller local governments continue to require further technical support and assistance. This is being addressed. Nonetheless, in many instances it is likely the major deterrent to reform of local government business activities is simply the small size of the business involved.

5.3 Legislation Review

5.3.1 Review of Local Laws and Local Law Policies

As previously reported, local governments have carried out a major review of all existing local laws and local law policies to identify and remove “anti-competitive provisions”. This was carried out in conjunction with a review to repeal redundant local laws and local law policies mandated by the *Local Government Act 1993*.

For any proposed new local laws, there is a statutory requirement for local governments to identify possible anti-competitive provisions and carry out a Public Interest Test (PIT) on those provisions before making the law. The PIT process provides for both minor or major reviews depending on the extent of the restriction on competition, the number of

stakeholders, the size of the impact, the complexity of the issues and the level of community concern.

Of the 2387 local laws (including subordinate local laws) made by local governments in Queensland in 1999, 1320 (or over 55%) retained some anti-competitive provisions after the PIT process. In 2000, the volume of local laws made in the State dropped significantly to 80, with 39 (or 49%) retaining some anti-competitive provisions after the PIT process.

In addition to law-making by local governments in 1999, 4 joint local governments made 6 local laws without any anti-competitive provisions. In 2000, joint local governments made 5 local laws, 4 of which retained some anti-competitive provisions after completing the PIT process.

The impact on competition from possible anti-competitive provisions in local laws or local law policies is not considered to be significant. Most of the anti-competitive provisions prohibit a particular business activity unless authorised by a permit issued by local government. The issue of such permits may be subject to conditions about the operation of the business activity. While this is technically anti-competitive, creating a barrier to entry to a particular market and restricting conduct within a market, local governments do not generally use their discretionary power to limit the number of participants in the market. In most cases, a permit is issued as a matter of course taking into consideration a range of fairly generic conditions which relate to health, safety and amenity issues.

Business activities regulated in this manner include:

- entertainment venues;
- pet shops, catteries and kennels;
- itinerant vending;
- extractive industries and blasting operations;
- caravan parks, camping grounds and rental accommodation;
- cemeteries;
- advertising;
- domestic water carrying; and
- public swimming pools.

5.4 Competitive Neutrality Complaint Process

5.4.1 Framework for Complaint Processes

The amendment to the *Local Government Act* in December 1997 which created the framework for the complaint and accreditation processes for local government business activities to which competitive neutrality reforms are applied, was modelled on the processes applying at the State Government level, including the role of the QCA. In essence, once a competitive neutrality reform has been applied to any local government business activity, the local government must establish a process to deal with complaints about breaches of competitive neutrality. Details of the processes required were outlined in Queensland's 1998 annual report to the NCC.

5.4.2 Establishment of Competitive Neutrality Complaint Processes

Of the 218 businesses subjected or committed to competitive neutrality reform to date:

- 19 local government business activities are subject to a complaints process which includes the QCA as the referee;
- 150 local government business activities are subject to in-house complaint processes; and
- no evidence has been provided of a valid complaints process for the remaining business activities. The Department of Local Government and Planning is following up this issue with local governments without complaints processes.

5.4.3 Complaints Lodged

No complaints have been lodged.

5.5 COAG Water Reforms

Local Governments in Queensland are required to comply with clauses 3(a) and (b) of the 1994 COAG Water Resource Policy. Implementation of COAG water reforms by local governments is outlined in Section 8 with more detailed information provided in Volume 2 of this annual report.

5.6 Prices Oversight

In May 2000, the Queensland Government introduced amendments to the *Queensland Competition Authority Act 1997* to bring the "significant business activities" of local governments within the scope of the Government's prices oversight regime. Under section 19, the Premier and the Treasurer ("the Ministers") may declare a local government significant business activity to be a government monopoly business activity (GMBA) and then refer it to the QCA for a pricing investigation. While the Ministers may act on their own, it is open for the QCA to request (but not require) a declaration or referral.

In making a decision about declaration, the Ministers must have regard to the Criteria for the Identification of Government Monopoly Business Activities and information or advice given to them by the QCA. Section 19 of the Act also requires the Ministers to notify the relevant local government and entity and allow them 90 days within which to make submissions about the intended declaration. The Ministers must take into consideration any submissions made by local governments prior to making a decision about whether or not to declare.

There is a further step of referral to the QCA by the Ministers before a declared local government GMBA is actually subject to a pricing investigation. As with the declaration process, the Ministers must individually consult with the relevant local government prior to making a decision about referring its GMBA to the QCA for a pricing investigation. Under the *Queensland Competition Authority Act 1997*, individual councils have the ability to accept or reject the findings of any pricing investigation completed by the QCA. The results of the QCA investigation are made public.

In October 2000, the Ministers wrote to the relevant 18 local governments, notifying the Government's intention to declare their water and sewerage businesses. Subject to the resolution of one or two issues, it is intended these businesses will be declared by April 2000.

5.7 Third Party Access

The State based third party access regime currently applies to local government owned infrastructure services. Under section 84 of the *Queensland Competition Authority Act 1997*, the Ministers may declare a local government service if they are satisfied the candidate service meets the access criteria set down in section 76 of the Act.

In May 2000, amendments were made to the Act to confirm the definition of local government infrastructure as private infrastructure for the purposes of the Act and to clarify the process for declaring the local government services which meet the access criteria. Under section 84(2) and (3) of the Act, the Ministers must consult with the relevant local government entity providing the service, and the responsible local government for the entity, and allow them 90 days within which to make a submission about the intended declaration. The Ministers must take into consideration any submissions made by a local government entity and local government prior to making a decision about the declaration of the service.

5.8. Local Government NCP Financial Incentive Package

5.8.1 Framework for NCP Financial Incentive Package

The NCP local government Financial Incentive Package provides for approximately one-fifth of the Queensland Government's competition payments from the Commonwealth to be earmarked for local governments who implement NCP reforms. The commitment is to share up to \$150 million (in 1994-95 prices) with local governments over the 5 year period commencing 1 July 1997.

As outlined in previous reports, the Financial Incentive Package is divided into three pools, and the distribution of funds across the pools shows the emphasis in the package on rewarding outcomes as follows:

- \$1 million to provide training and assistance to local governments;
- \$7.5 million to assist local governments with undertaking NCP-related public benefit reviews (Review Pool); and
- \$141.5 million to local governments implementing NCP reforms (Implementation Pool).

All but a small part of the training and review allocations have been distributed to local governments.

5.8.2 Role of the QCA

As indicated previously, the QCA is the body responsible for recommendations to the Queensland Government on payments to local governments from the implementation pool. The QCA produced reports in November 1998 and 1999 covering progress up to 31 July in those years. These reports contained recommendations on the share of each local government's allocation to be paid for this year.

In view of the need for the QCA to access audited council financial results, it requested and was granted an additional three months (from November to the following February) to complete their report for reforms completed on 31 July of the previous year. The report covering progress up to 31 July 2000 was received on 28 February 2001 and is under consideration by the Government.

This report identifies significant benefits being achieved by local governments as a result of the NCP reform program, including the increased diversification and geographical coverage of local government business activities, leading to improved customer service, greater scale of efficiency of operations and the generation of new commercially based regional employment.

To date, a total of \$63.5 million has been paid to local governments from the Implementation Pool, based on QCA assessment of reforms implemented up to 31 July 1999. These payments are as follows:

Reforms to 31/7/98 \$32.4 million based on QCA's 1998 report recommendations.

Reforms to 31/7/99 \$31.1 million based on QCA's 1999 report recommendations.

In addition, the QCA has recommended payment of \$27.1 million to local governments for reforms completed in the year ending 31/7/2000.

5.9 Conclusion

Significant progress is being made in the application of NCP-related reforms to local governments in Queensland in line with the State's 1996 NCP application statement.

The QCA has rigorously assessed progress of reform by local governments and has recommended a total of \$90.6 million of incentive payments for reforms achieved by local governments up to 31 July 2000.

In May 2000, amendments were made to the *Queensland Competition Authority Act 1997*, to bring the "significant business activities" of local governments within the scope of the Government's prices oversight regime, and in October 2000 the "big 18" local governments were formally notified of the Government's intention to declare their water and sewerage businesses. It is expected these businesses will be declared by April 2001.

Changes to the *Local Government Act 1993* are scheduled for 2001 to complete the legislative framework governing the various reforms. The Queensland Government is continuing to work with the LGAQ in a cooperative manner to assist and encourage councils in the implementation of the various reforms.

Local governments have commenced or made a binding commitment to the competitive neutrality reform of around 218 business activities, including all 30 significant business activities, 11 of the "Type 3" business activities treated as "Type 2", 108 of the "Type 3" business activities and 72 other smaller business activities. Most councils have established valid competitive neutrality complaint mechanisms for these activities as required under the *Local Government Act*. To date, there have only been two informal complaints.

Of the 5200 local laws in place prior to the various reviews, local governments identified 1922 local laws as at 31 December 1997 with potential anti-competitive provisions, which are generally minor in nature and are related to meeting health, safety and amenity outcomes. All such provisions were subjected to public interest tests before the nominated deadline of 1 July 1999. Of the 1922 local laws with such provisions, councils have decided, following review, the retention of potentially anti-competitive provisions is warranted in the public interest in 1715 cases as the best way of ensuring the desired regulatory outcome.

The combination of the various reviews has meant the Queensland local government now has a suite of modern legislation based, in large part, on model local laws promulgated by the Government.

The QCA, in reviewing reforms achieved by local governments up to 31 July 2000, concluded there has been a culture change in the attitude of local governments to the NCP reforms with councils achieving a wide range of benefits from these reforms including improved customer service, greater scale of efficiency of operations and the generation of new commercially based regional employment.

PART 2

AGREEMENT TO IMPLEMENT THE NATIONAL COMPETITION POLICY AND RELATED REFORMS

INFRASTRUCTURE REFORM

6.0 ELECTRICITY

In a letter of 3 January 2001, Queensland Treasury advised the NCC it had concerns with certain aspects of the NCC's third tranche assessment framework for electricity. The Queensland Government will continue to pursue these issues in discussions with the NCC and other jurisdictions.

6.1 Vesting Contracts

Vesting contracts in Queensland are due to cease on 31 December 2001.

Vesting contracts were put in place to curb the significant market power of some Queensland generators. Further, there may be a case for the retention of vesting contracts to reduce the risks faced by retailers in being obliged to sell to franchise customers at a fixed price. The use of vesting contracts is a valid tool for the protection of retailers in such extreme circumstances.

Queensland is currently considering what arrangements would be appropriate post December 2001. Any decisions about future arrangements would be taken against the background of public interest considerations.

It should be noted the existence of vesting contracts has not acted as an impediment to the location of new generation capacity in Queensland, with some 2,515 mw of new capacity currently being constructed.

6.2 Retail Competition

The introduction of retail competition in Queensland was planned to occur over four tranches as follows:

Tranche	1	> 40 gwh p.a
Tranche	2	> 4 gwh p.a
Tranche	3	> 200 mwh p.a
Tranche	4	< 200 mwh p.a

Competition has already been introduced for tranches 1 to 3, with the following results:

	<u>Number of Customers</u>	<u>Customers on Contestable Terms</u>	<u>Customers on Contestable Terms</u> %
Tranche 1	69	68	99
Tranche 2	471	280	59
Tranche 3	7043	1437	20

The Queensland Government has decided to conduct a cost benefit review before it commits to the introduction of competition to tranche 4 customers (ie full retail competition), to ensure there are net benefits to tranche 4 customers arising from the introduction of competition.

The cost benefit review is nearing completion and the Queensland Government will make its final decision on the introduction of competition to tranche 4 customers based on the results of this review. The decision is likely to be made in the second quarter of this year.

An implementation plan, with a target implementation date will be announced in conjunction with the Queensland Government's decision on this matter.

The Queensland Government is committed to the introduction of competition to tranche 4 customers so long as there is a net public benefit.

7.0 GAS

Queensland is endeavouring to achieve contestability for consumers with demand greater than or equal to 100TJ per annum as close as practicable to 1 July 2001. Further, Queensland is proceeding with a cost/benefit analysis to determine the point at which the costs of introducing full retail contestability may exceed the benefits given the characteristics of the natural gas market in Queensland. This will have implications for the 1 September 2001 indicative date for full retail contestability, both in terms of altered timing and thresholds. Further advice will be forthcoming.

The NCC considers Queensland has met its obligations in relation to the implementation and certification of the national access regime for natural gas pipelines, namely to enact the Gas Pipelines Access Law (with derogations agreed in the Gas Agreement) and to seek certification of its regime under Part IIIA of the *Trade Practices Act 1974*.

8.0 WATER – COAG WATER REFORMS

The Queensland Government has approached the implementation of the COAG Water Resource Policy in a manner reflecting the characteristics of the natural resource in Queensland and the wide range of water industry providers (including State Government, local government and private providers). Water reforms in Queensland are intended to maximise the benefits from existing infrastructure while ensuring future water resource use and development occurs in an economically and ecologically sustainable manner.

The Queensland Government is actively encouraging greater private sector involvement in the Queensland water industry. The new regulatory framework in Queensland has been designed to allow industry participation by both public and private sector water providers. The Queensland Government is also encouraging innovation in the provision of new water supplies, including recycling of wastewater.

The Queensland Government continued the implementation of water reforms in 2000. During the year, a number of milestones were achieved in the water industry. The Queensland water industry is now well positioned to move into the twenty first century. Detailed information regarding water reform implementation is provided in Volume 2 of this Annual Report.

9.0 ROAD TRANSPORT

The road reform framework for the third tranche assessment was developed by the Australian Transport Council (ATC) for endorsement by COAG. The third assessment framework for road transport reform has also been endorsed by Queensland. During the second tranche, Queensland introduced fee-free interstate licence conversions for people converting interstate licenses.

The only outstanding reform for Queensland is the implementation of a graduated suspension scheme for demerit point offenders. The graduated suspension scheme only affects a small percentage of demerit point offenders. Queensland's current non-conformance in this regard does not have any significant effect on the national uniform administration of driver licensing. Significant progress has been made to define the business requirements of this relatively minor component. System development analysis has commenced.

Agency Details

<i>Abbreviation</i>	<i>Full Department Name</i>
CS	Corrective Services
E	Education
EPA	Environmental Protection Agency
ES	Emergency Services
ET	Employment and Training
F	Families
H	Health
HO	Housing
IIESR	Innovation and Information Economy, Sport and Recreation Queensland
IR	Industrial Relations
JAG	Justice and Attorney-General
LGP	Local Government and Planning
MR	Main Roads
NR&M	Natural Resources and Mines
P&C	Premiers and Cabinet
PI	Primary Industries
PW	Public Works
SD	State Development
T	Transport
TR	Queensland Treasury
TR&FT	Tourism, Racing and Fair Trading

Legislation review schedule: Queensland

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
Corrective Services Act 1988	CS						
<i>Corrective Services (Administration) Act 1988</i>							
Review of Corrective Services Legislation		Not for review	Reformed without Review	<p>Corrective Services Legislation Amendment Act 1999 abolished the Queensland Corrective Services Commission and the Government Owned Corporation - Queensland Corrections. The amending legislation also established the Corrective Services Advisory Council and provided for a new head of power for the new Department of Corrective Services. The Corrective Services (Administration) Act 1988 was also amended. The legislation gives the department responsibility for corrective services in Queensland. Where the Government opts for service delivery by private contractor, there will be a competitive tendering process. New legislation (Corrective Services Act 2000) was subsequently passed by Parliament in November 2000. This legislation replaces the Corrective Services Act 1988 and the Corrective Services Administration Act 1988. The legislation, in its new form is not likely to restrict competition and, as a result, a formal review has not been undertaken.</p>	1996/1997		Corrective Services Act 2000 passed by the Parliament on 16 November 2000 and received Royal Assent on 24 November 2000. The Act will be proclaimed on 2 April 2001, with the exception of certain sections which commenced on 24 November 2000.
Education (Capital Assistance) Act 1993	E						
Review of Education Capital Assistance Legislation		Completed	Reduced NCP Review	<p>A formal review was not undertaken. The restriction related to affiliation and has been resolved through legislative amendment which requires schools to be listed (but not affiliated) with a group. Remaining issue of the type of financial institution that can receive deposits/investments was subjected to further analysis and was determined not to be restrictive.</p>	1998/1999	06/1998	Legislation has been amended accordingly.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Education (General Provisions) Act 1989</i> <i>Education (General Provisions) Regulation 1989</i>	<i>E</i>						
Review of Education General Provisions Legislation		Underway	Department Review	This review is focusing on the issues of the registration of overseas curriculum and the ability to prohibit the sale of certain items from state school tuckshops. Review of proposed new legislation pertaining to the establishment, registration and accountability of non-State schools will be completed as a separate exercise. The final PBT report is currently being developed, with the review expected to be finalised first quarter 2001.	1998/1999		
<i>Education (Overseas Students) Act 1996</i>	<i>E</i>						
Review of Overseas Student Legislation		Completed	Reduced NCP Review	NCP justification provided for the 1999 amendments and this provided input to review of the Act. That review has been completed and the final report and competition impact statement were submitted to Treasury for formal endorsement on 27 April 2000. The Treasurer subsequently endorsed the review recommendations in June 2000.	1998/1999	01/2000	Existing regulatory regime retained in the public interest.
<i>Education (Teacher Registration) Act 1988</i> <i>Education (Teacher Registration) Regulation 1989 & Board of Teacher Registration By-laws 1989</i>	<i>E</i>						
Review of Teachers Registration Legislation		Completed	Department Review	The Department completed the review in May 2000. Cabinet subsequently endorsed the review recommendations in October 2000.	1998/1999	05/2000	Teacher registration requirements have been retained in the public interest.
<i>Grammar Schools Act 1975</i>	<i>E</i>						
Review of Grammar Schools Act		Underway	Department Review	The review has been re-opened (original report completed in September 1997) and is being undertaken in accordance with revised PBT Guidelines. Draft PBT has been prepared. Review is close to completion and should be submitted for Treasurer's approval first quarter 2001.	1997/1998		

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
Higher Education (General Provisions) Act 1989	<i>E</i>						
Review of Higher Education General Provisions Act		Underway	Reduced NCP Review	PBT Plan has been expanded into a draft report in recognition of the accreditation provisions being nationally uniform. The final report is expected to be finalised first quarter 2001.	1999/2000		
University Legislation	<i>E</i>						
Review of Universities Legislation		Underway	Reduced NCP Review	Separate and similar Acts modelled on the James Cook University of North Queensland Act 1997 were passed under gatekeeping arrangements in 1997/98 for each university, namely Central Queensland University, University of Queensland, Griffith University, University of Southern Queensland, University of Sunshine Coast and Queensland University of Technology. Review is expected to be completed first quarter 2001.	1999/2000		
Beach Protection Act 1968	<i>EPA</i>						
<i>Coastal Management Control Districts Regulation 1994</i>							
Review of Beach Protection Legislation		Completed	Reduced NCP Review	Review supported retention of provisions which do not materially restrict competition and are in the public interest. Review report made available to the public. No issues raised in response. NCC provided with report in February 1999.	1998/1999	11/1998	Provisions subjected to NCP review retained without change.
Canals Act 1958	<i>EPA</i>						
<i>Canals Regulation 1992</i>							
Review of Canals Legislation		Completed	Reduced NCP Review	Review supported retention of provisions which do not materially restrict competition and are in the public interest. Review report made available to the public. No issues raised in response. NCC provided with report in February 1999.	1998/1999	11/1998	Provisions subjected to NCP review retained without change.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
Coastal Protection & Management Act 1995	EPA						
Review of Coastal Protection Act		Completed	Reduced NCP Review	Review supported retention of provisions which do not materially restrict competition and are in the public interest. Review report made available to the public. No issues raised in response. NCC provided with report in February 1999.	1998/1999	11/1998	Provisions subjected to NCP review retained without change.
Contaminated Land Act 1991	EPA						
<i>Contaminated Land Regulation 1991</i>							
Review of Environmental Protection Legislation (incl. contaminated land)		Completed	Targeted Public	Act subsumed within the Environmental Protection Act 1994 in 1997 without any increase in restrictions on competition. For further details refer to EP Act entry below.	1996/1997	08/2000	
Environmental Protection Act 1994	EPA						
<i>EP (Interim) Regulation 1995</i>							
Review of Environmental Protection Legislation		Completed	Targeted Public	Review incorporated Environmental Protection Policies and Regulations passed under gatekeeping arrangements in 1997/98, as well as contaminated land provisions which were subsumed within this Act. The restrictions related primarily to licensing and approval requirements. Review began in January 2000. Review report completed August 2000 and subsequently endorsed by the Treasurer.	1998/1999	08/2000	Provisions subjected to NCP review retained without change.
Harbours (Reclamation of Land) Regulation 1979	EPA						
<i>Marine Land (Dredging) By-Laws under the Harbours Act 1955 (sections 91-93)</i>							
Review of Harbour Land Reclamation Regulation & Marine Land Dredging Legislation		Not for review		Provides for approval procedures for activities in tidal waters (eg land reclamation and harbour works). The regulation was to be removed by 30 December 2000 but has been extended until end 2002. This amendment action keeps the regulation in force until the Coastal Regulation is integrated with the Integrated Development Approval System, which is now expected to occur in September 2001.	1997/1998		

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Nature Conservation Act 1992</i> <i>Nature Conservation Regulation 1995 and Conservation Plans</i> Review of Nature Conservation Legislation	EPA	Completed	Reduced NCP Review	Review supported retention of provisions which are considered to be for natural resource management purposes. Targeted consultation and review report made public in January 1999.	1998/1999	07/1999	Provisions subjected to NCP review retained without change.
<i>Queensland Heritage Act 1992</i> <i>Queensland Heritage Regulation 1992</i> Review of Heritage Legislation	EPA	Completed	Reduced NCP Review	Review justified retention of provisions on public interest grounds. Review report has been made available to the public. No issues raised in response. NCC provided with report in February 1999.	1998/1999	12/1998	Provisions subjected to NCP review retained without change.
<i>Ambulance Service Act 1991</i> Review of Ambulance Service Act	ES	Underway	Targeted Public	PBT Plan approved. An independent consultant is currently undertaking the review, which is expected to be finalised by mid-2001.	2000/2001		
<i>Fire Services Act 1990</i> Review of Fire and Rescue Authority Act	ES	Completed	Reduced NCP Review	Restrictions were identified in relation to the powers of officers which are not available to other providers under the legislation and the imposition of compulsory fire levies. Final report recommending retention of status quo was endorsed by the Treasurer in September 2000. The Report will be made available to the public in March 2001.	1998/1999	08/2000	Provisions subjected to NCP review retained without change.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Review Name</i>							
<i>Vocational Education, Training and Employment Act 1991</i>	<i>ET</i>						
<i>Vocational Education, Training and Employment Regulation 1991</i>		Completed	Reduced NCP Review	Minor review was carried out in 1997 on the then proposed new Bills (a VET Bill and an Institute Bill) to replace the VET&E Act. These Bills were never introduced. A minor review was undertaken of proposed new legislation, the Training and Employment (T&E) Bill, which replaced the two Bills referred to above. The T&E Act is less restrictive than the VET&E Act that it replaced. The Act formally implements a national training framework and training package in lieu of a centrally controlled system, thus reducing State-based regulation. Providers will be required to be registered only when they wish to deliver nationally recognised training. Volume of course accreditation will diminish as providers use more national training packages. The Act will also deliver increased flexibility and will ensure specific requirements can be properly negotiated between employers, apprentices/trainees and registered training bodies. Review effectively completed in time for Cabinet consideration of an authority to introduce the Bill, in April 2000.	1998/1999	04/2000	Cabinet authority to introduce the T&E Bill (which implements a national scheme and replaced the more restrictive VET&E Act) was given in April 2000. The T&E Act was assented to on 27 June 2000, with some provisions commencing immediately and the remainder commencing on 28 September 2000.
<i>Child Care Act 1991</i>	<i>F</i>						
<i>Child Care (Child Care Centres) Regulation 1991 & Child Care (Family Day Care) Regulation 1991</i>		Underway	Department Review	Draft report was under consideration in February 1999. Department advised at the time that the incoming Minister responsible for the legislation had established a forum to examine all aspects of child care legislation in consultation with a wide cross section of stakeholders. NCP requirements are being addressed as part of the forum's deliberations in developing new legislative proposals. Major themes being considered include the level of prescription of the current legislation and possible tiering of regulatory requirements. PBT Plan and terms of reference approved by the Treasurer in November 2000. The Department is currently working on the draft PBT report. The review will be finalised during 2001. Cabinet and parliamentary processes for new legislation expected to be completed by mid 2002.	1997/1998		

Name of Legislation	Agency	Status	Review Model	Review Comments	Date of Review	Date Review Completed	Reform Progress
Review Name							
Cremation Act 1913	<i>H</i>						
<i>Cremation Regulation 1987</i>							
Review of Cremation Legislation		Repealed	Reformed without Review	Decision taken by department to repeal the restrictive provisions without a formal NCP review.	1996/1997	12/1998	Anti-competitive provisions were repealed in late 1998 following departmental examination of the legislation.
Fluoridation of Public Water Supplies Act 1963	<i>H</i>						
<i>Fluoridation of Public Water Supplies Regulation 1964</i>							
Review of Fluoridation of Public Water Supply Legislation		Repealed	Reformed without Review	Decision taken by Department to repeal the restrictive provisions without formal NCP review.	1996/1997	09/1997	Anti-competitive provisions were repealed late in 1997 following departmental examination of the legislation.
Food Act 1981	<i>H</i>						
<i>Food Hygiene Regulations 1989, Food Standards Regulation 1994</i>							
Review of Food Legislation		Underway	National Review	On 3 November 2000, intergovernmental agreement was given for a national model Food Bill, which will contain 'core' and 'non-core' provisions and will form the basis of reforms to the Queensland Food Act. On 3 November 2000, intergovernmental agreement was given for a national model Food Bill, which will contain 'core' and 'non-core' provisions and will form the basis of reforms to the Queensland Food Act 1981 During 2001 amendments are to be made to: the Food Act to adopt the 'core' provisions of the Model Food Bill ; and the Food Hygiene Regulation 1989 to adopt the Food Safety Standards gazetted by the Australian New Zealand Food Authority. Further consultation is required before the desired 'non-core' provisions are adopted. A review of the licensing and registration of food premises under the Food Hygiene Regulation 1989 will commence in March/April 2001.	1999/2000		

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Health Act 1937</i>	<i>H</i>						
Review of Hairdressing, Beauty Therapy and Skin Penetration Legislation		Completed	Targeted Public	Review of Sections 33 and 100A of the Health Act 1937 and Parts 5 and 15 of the Health Regulation 1996. PBT report completed late in 1999 and subsequently endorsed by Treasurer and Cabinet. The main recommendation was to replace licensing of premises with the licensing of businesses undertaking higher risk (ie skin penetrating) procedures. Licensing of other activities (eg hairdressing) will be discontinued. On-going consultation is occurring with stakeholders to outline the proposed legislative framework, including implementation and enforcement issues.	1997/1998	10/1999	Cabinet gave authority to prepare new legislation in May 2000. Implementation of this legislation is expected to be finalised by mid-2002.
<i>Health Act 1937</i>	<i>H</i>						
Review of Health (Drugs and Poisons) Regulation 1996		Underway	National Review	Review of drugs, poisons and controlled substances provisions in the Health (Drugs and Poisons) Regulation 1996 under Part 4 of the Health Act 1937. CRR agreed to a national review process. Terms of review finalised March 1999 and options paper released Feb 2000. Final review report was given to Australian Health Ministers Conference (AHMC) in early 2001 and forwarded to Australian Health Ministers Advisory Council (AHMAC). After analysis by an AHMAC working party and consultation with CRR, AHMC will forward the report and its recommendations to CoAG.	1998/1999		
<i>Health Act 1937</i>	<i>H</i>						
Review of Health (Nursing Homes) Regulation 1982		Completed	Department Review	Review of relevant provisions in the Health (Nursing Homes) Regulation 1982 under Part 3, Division 5 of the Health Act 1937. Department has examined Commonwealth's Aged Care Act 1997 to determine its impact on this legislation. The above Regulation was allowed to expire on 1 July 1998.	1996/1997	03/1997	Restrictive provisions dealing with nursing homes expired on 1 July 1998.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Health Act 1937</i>	<i>H</i>						
Review of Health (Private Hospitals) Regulation 1978		Completed	Targeted Public	Review of relevant provisions in the Health (Private Hospitals) Regulation 1978 under Part 3, Division 4 of the Health Act 1937. PBT assessment recommended retention of a licensing regime for private hospital and day facilities (performing higher risk procedures) in the interests of patient wellbeing. The review rejected the formal adoption of planning controls.	1996/1997	02/1999	The Private Health Facilities Act 1999, which replaces the legislation scheduled for review, was passed in November 1999. The Act and its subordinate legislation commenced on 30 November 2000.
<i>Health Act 1937</i>	<i>H</i>						
Review of Hyperbaric Chamber Therapy under Part 6 of Health Regulation 1996		Completed	Reduced NCP Review	The review examined restrictions on the provision of hyperbaric chamber therapy. Consultation has occurred with interested parties. Final PBT report (recommending the repeal of the restrictive provisions) was endorsed by the Treasurer in March 2001. The restrictive provisions are expected to be repealed by mid 2001.	1997/1998	12/2000	
<i>Health Act 1937</i>	<i>H</i>						
Review of Pest Management under Parts 10&12 of the Health Regulation 1996		Completed	Targeted Public	The review examined licensing of fumigators and pest control operators. PBT report completed late in 1999. The review recommended that licensing be retained but licensing criteria include new training requirements based on National Competency Standards to minimise the health risks to the public from pesticides and fumigants.	1997/1998	10/1999	Cabinet gave Authority to Prepare new legislation in April 2000. Drafting of Pest Management Bill 2001 is progressing and is to be followed by consultation on the draft Bill. Implementation of new legislation is expected to be finalised by mid 2002.
<i>Health Act 1937</i>	<i>H</i>						
Review of Therapeutic Goods Legislation		Not for review		Review of Therapeutic Goods legislation under Part 4 of the Health Act 1937 and Part 16 of the Health Regulation 1996. No formal NCP review was undertaken. Queensland Health Minister has approved, in principle, the proposal to adopt the Commonwealth legislation. Consultation with the Therapeutic Goods Administration and other States is scheduled to develop a uniform approach and to address any legal obstacles.	1997/1998		Subject to resolution of legal issues, implementation of new legislation adopting the Commonwealth Therapeutic Goods Act 1989 is expected by mid 2002.

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Health Practitioner Registration Acts	<i>H</i>						
Review of Core Practice Restrictions in Health Practitioner Legislation		Completed	Targeted Public	A second-stage Health Practitioner Legislation review, not individually scheduled in Queensland Legislation Review Timetable. Review addresses restrictions on practice of chiropractic, osteopathy, medicine, occupational therapy, pharmacy, physiotherapy, podiatry, psychology and speech pathology. Review examined the feasibility and public benefit of moving from a broad definition of practices reserved for prescribed practitioners to a narrower definition of core practices, that takes account of risk to patient and other relevant factors. Such an approach limits the range of reserved practices, thus providing the potential for greater consumer choice in selecting a practitioner to perform practices that are not deemed to be core practices. PBT report endorsed by Treasurer in January 2001.	1998/1999	12/2000	Cabinet and parliamentary processes for new legislation expected to be completed by mid 2002.
Health Practitioner Registration Acts	<i>H</i>						
Review of Health and Medical Practitioner Registration Acts		Completed	Targeted Public	A review of the legislation under which 12 health professions are regulated. That review is complete. Specific restrictions on pharmacy, optometry and dentistry, and restrictions on core practice across professions, are the subject of separate reviews.	1996/1997	05/1998	For the 12 Acts and associated subordinate legislation reviewed: registration provisions have been retained; some titles continue to be reserved; commercial controls removed apart from Pharmacy as this has been the subject of a separate review; removal of all prescriptive advertising controls. Registration of Medical Radiation Technologists also proposed. Health Practitioners (Professional Standards) Act 1999 and Health Practitioner Registration Boards (Administration) Act 1999 were passed in November 1999 and commenced on 7 February 2000. Profession-specific Bills were introduced into Parliament in late 2000, but lapsed in January 2001. These Bills are expected to be passed by mid 2001 and commence in early 2002.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
Health Practitioner Registration Acts	<i>H</i>						
Review of Ownership Restrictions under the Optometrists Act 1974		Completed	Targeted Public	A second-stage Health Practitioner Legislation review, not individually scheduled in Queensland Legislation Review Timetable. Review limited to examination of ownership and related restrictions. PBT report (recommending the removal of restrictions on the ownership of optometry practices and the supply and fitting of optical appliances) endorsed by Treasurer in January 2000 and by Cabinet in March 2000.	1998/1999	07/1999	New Optometrists Registration Bill introduced into Parliament late in 2000 did not contain any of the restrictions under review. However, this Bill lapsed in January 2001 and is expected to be reintroduced and passed by mid 2001 and commence in early 2002.
Health Practitioner Registration Acts	<i>H</i>						
Review of Ownership Restrictions under the Pharmacy Act 1976 and By-Laws 1984		Underway	National Review	A second-stage Health Practitioner Legislation review, not individually scheduled in Queensland Legislation Review Timetable. Review of relevant provisions under Part 4 of the Pharmacy Act 1976. National review undertaken looking at ownership and other restrictions. Queensland was not a party to the examination of restrictions covering registration of pharmacists as it had completed its own review (HPRA review). National review has delivered its report. A national working group is assessing review recommendations and is currently preparing a report responding to the review findings, as at February 2001.	1998/1999		
Health Practitioner Registration Acts	<i>H</i>						
Review of Restrictions on the Practice of Dentistry		Underway	Targeted Public	The review commenced in 1999. The PBT assessment recommended that certain restrictions be removed while others be retained. In October 2000, Cabinet endorsed the PBT Report and decided to release the Report for comment after passage of the profession specific Health Practitioner Registration Bills. These Bills lapsed in January 2001, but are expected to be passed by mid 2001. The review is expected to be finalised in 2001 with implementation of new legislation by mid 2002.	1998/1999		

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Health Services Act 1991 <i>Health Services (Public Hospitals Fees and Charges) Regulation 1992</i> Review of Public Hospitals Fees and Charges in Health Services Regulation 1992	H	Repealed	Reformed without Review	Department decided that the anti-competitive provisions would be repealed (Current legislation titled Health Services Regulation 1992).	1996/1997	07/1997	Anti-competitive provisions were repealed in 1997 following departmental examination of the legislation.
Mental Health Act 1974 Review of Mental Health Act	H	Completed	Reformed without Review	No formal NCP review was undertaken. Health and Justice Departments jointly examined this matter and determined that the restrictions be repealed.	1997/1998	12/1998	The anti-competitive provisions were repealed under the Guardianship and Administration Act 2000, which commenced on 1 July 2000.
Nursing Act 1992 <i>Nursing By-Law 1993</i> Review of Nursing Legislation	H	Underway	Targeted Public	Review of provisions of the Nursing Act 1992 and Nursing By-Law 1993. Department decided that the single anti-competitive provision in the Nursing By-Law should be repealed. In relation to the review of the restriction on practice in the Nursing Act, terms of reference and a PBT Plan have been developed. Public consultation was undertaken in first quarter of 2000. It is expected that a draft PBT report will be completed in March 2001, with further consultation on the draft report to occur shortly after that. Treasury endorsement, followed by Cabinet and parliamentary processes for new legislation arising from the review, are expected to be completed by mid 2002.	1998/1999		The anti-competitive provision in the Nursing By-Law was repealed in 1999 following departmental examination.

Name of Legislation	Agency	Status	Review Model	Review Comments	Date of Review	Date Review Completed	Reform Progress
Queensland Building Services Authority Act 1991 <i>Queensland Building Services Authority Regulation 1992 & Queensland Building Services Authority Policy 1995</i> Review of Queensland Building Services Authority Legislation	HO	Yet to begin	To be Determined	Consultation with Builders Licensing Australia indicates that a national review of builders and trade contractor licensing provisions is not feasible. Proposed amendments to give effect to general industry reforms were the subject of an Authority to Introduce Cabinet Submission and NCP justification under "gatekeeping" arrangements in July 1999 in parallel with consultation on the proposed Bills. The scheduled review of the legislation is yet to begin. Draft PBT plan compiled, as at March 2001.	1997/1998		
Residential Tenancies Act 1994 <i>Residential Tenancies Regulation 1995</i> Review of Residential Tenancies Legislation	HO	Completed	Full Public Review	A public benefit test was undertaken in March 1998. The PBT supported retention of the RTA's statutory monopoly over the administration of rental bonds. Cabinet agreed to the review recommendations.	1996/1997	04/1998	Current arrangements preserved in legislation.
State Housing Act 1945 and State Housing (Freeholding of Land) Act 1957 <i>State Housing Regulation 1986 and Interest Rate Orders</i> Review of the State Housing Legislation	HO	Underway	Department Review	PBT Plan approved by Treasury in December 1999. Review advertised and submissions called, closing 31 January 2000. Targeted stakeholder consultation occurred in February-March 2000. The review is being considered in conjunction with a wider review of the Act and is anticipated to be completed by mid 2001.	1996/1997		

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<i>Indy Car Grand Prix Act 1990</i> <i>Indy Car Grand Prix Regulations 1990</i> Review of Indy Car Grand Prix Legislation	IIESR	Completed	Reduced NCP Review	Short-form justification, that included RIS process, supported retention of all legislative provisions under review. Legislation gives effect to conditions for staging the race, including sole promoter role, that are contained in agreements with international owner of the rights to stage the race worldwide. All services and products associated with the Gold Coast event (eg catering) are competitively tendered.	1996/1997	10/1998	Provisions subjected to review retained without change.
<i>Private Employment Agencies 1983</i> <i>Private Employment Agencies Regulation 1989</i> Review of Private Employment Agency Legislation	IR	Completed	Department Review	Review report has been finalised and canvasses repeal of the Act with fee charging restrictions being incorporated into the Industrial Relations Act 1999. The report is expected to be considered by the Government first half 2001.	1998/1999		
<i>Trading (Allowable Hours) Act 1990</i> <i>Trading (Allowable Hours) Regulation 1994</i> Review of Trading Hours Legislation	IR	Not for review		Queensland's approach to examination of trading hours regulation is by way of the Queensland Industrial Relations Commission's independent process for the determination of applications for extended trading hours. In July 2000, the Queensland Government made a submission to the QIRC regarding its obligation to consider NCP in making its trading hours decisions. The NCC has indicated that it is satisfied that the approach adopted by the QIRC is sufficiently public, independent and transparent. The NCC has also stated that it will be monitoring outcomes of future trading hours applications to the QIRC.	1998/1999		

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<i>WorkCover Qld Act 1997</i>	<i>IR</i>						
Review of WorkCover Act		Completed	Targeted Public	Review committee undertook targeted consultation with key stakeholders using draft PBT report between July - September 2000. Consultant's report finalised November 2000 and Review Committee report finalised December 2000. Review report expected to be considered by the Government first half 2001.	1999/2000	11/2000	
<i>Workplace Health and Safety Act 1995</i>	<i>IR</i>						
<i>Workplace Health and Safety Regulations 1995 and 1997</i>							
Review of Workplace Health and Safety Act 1995 and Regulation 1997		Underway	Department Review	The only part of the 1997 Regulation which has been identified as anti-competitive in the endorsed PBT Plan is Part 3 - Prescribed Occupations. Review expected to be finalised second quarter 2001, in conjunction with a review of certification conducted nationally.	1998/1999		
<i>Workplace Health and Safety Act 1995</i>	<i>IR</i>						
<i>Workplace Health and Safety Regulations 1995 and 1997</i>							
Review of Workplace Health and Safety Regulation 1995		Underway	Department Review	The review of the 1995 Regulation is being done progressively as parts are considered for remaking and transfer to the 1997 Regulation. Only outstanding parts are Part 8 (Amenities), Part 9 (Miscellaneous) and Part 11 (Access). These parts are currently under review and are expected to be completed by mid 2002.	1996/1997		Parts of the legislation are being remade progressively under the 1997 Regulation, following general and NCP examination.
<i>Legal Practitioners Act 1995</i>	<i>JAG</i>						
Review of Legal Practitioners Act		Underway	Department Review	Broad review of contemporary issues in legal profession commenced in December 1998 with release of discussion paper. Green Paper released in June 1999. NCP issues such as conveyancing will be addressed in review and taken into account in development of legislative proposals flowing from the review. NCP review expected to be completed in 2001.	1998/1999		

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Queensland Law Society Act 1952	JAG						
Queensland Law Society Rule 1987, Queensland Law Society (Indemnity) Rule 1987 & Continuing Legal Education Rule		Underway	Department Review	Indemnity Rule proposed by NCC for national review. Now being reviewed by State in conjunction with broad review of legal profession in Qld. Refer to entry under Legal Practitioners Act for further details.	1998/1999		
Trustee Companies Act 1968	JAG						
Review of Trustee Companies Act		Underway	National Review	While not strictly a "national review", a draft uniform trustee companies Bill has been developed by the Standing Committee of Attorneys-General. Qld Cabinet gave approval to prepare the Uniform Trustee Corporations (name of State/Territory) Bill on 15 February 2000. The Bill and an NCP issues paper addressing restrictions on competition will be released to industry and the general public. The review is expected to be completed by mid 2001.	1997/1998		
Building Act 1975	LGP						
Standard Building Law & Building Regulation 1991		Draft Scope	Department Review	Following consideration by CRR, Building Code not to be examined as a national review. Draft PBT Plan is being prepared by Department. Review to be finalised during 2001.	2000/2001		
Local Government (Harbour Town Zoning) Act 1990	LGP						
Review of Local Government (Harbour Town) Legislation		Not for review	Reformed without Review		1998/1999		Legislation was allowed to expire on 7 December 2000.

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Review Name							
Local Government (Planning and Environment) Act 1990	LGP						
Review of Integrated Planning Bill		Completed	Reduced NCP Review	The legislation scheduled for review was the Local Government (Planning and Environment) Act 1990. The department addressed NCP issues in the ATI Cabinet Submission for the proposed Integrated Planning Bill and has shown that it does not restrict competition.	1996/1997	10/1997	The new Integrated Planning Act 1997 is far less prescriptive than the Act it replaced and merely sets up a planning framework.
Local Government Act 1993, City of Brisbane Act 1924	LGP						
<i>Local Government Finance Standard 1994</i> Review of Local Government Legislation		Underway	Department Review	Major review of provisions relating to ferries. Minor review for remaining matters.	1997/1999		Draft Review reports yet to be considered by Government.
Local Government Laws	LGP						
Review of Local Government Laws		Completed	Department Review	Process and program for review of local laws are in place. Local Government Amendment Act 1997 received assent in May 1997. This Act applied NCP requirements to local governments. Individual local governments reviewed potentially anti-competitive provisions in their local laws and local policies with oversight by the responsible department.	1997/1999	06/1999	Any reforms implemented by each local government.
Sewerage and Water Supply Act 1949	LGP						
<i>Sewerage and Water Supply Regulation 1987 & Standard Water and Sewerage Laws</i> Review of Sewerage and Water Supply Legislation		Draft Scope	Department Review	Act administered jointly with Department of Natural Resources. DNR's NCP issues substantively dealt with in Water Bill 2000. NCP matters relating to that part of the Act administered by the Department of Local Government and Planning are being reviewed as part of current proposals to integrate plumbing approvals and appeal processes into the IPA. Expected to be completed by the end of 2001.	2000/2001		

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Transport Infrastructure Act 1994</i> <i>Various modal-specific Regulations</i> Review of Main Roads Restrictions in Transport Infrastructure Legislation	MR	Not for review		An initial scoping assessment of various Main Roads related NCP issues in this legislation concluded that there should be a full review of limitations on services able to be provided at access points to limited-access main roads, and reduced reviews of matters underlying road-side advertising restrictions and delivery of Main Roads work by local government. On closer examination, it became apparent that these matters did not amount to a legislative restriction on competition and therefore do not warrant review under Clause 5 of the Competition Principles Agreement. These matters are primarily of a policy nature which the department is continuing to address, including any NCP implications that fall outside of the legislation review process.	1998/1999		
<i>Coal Industry (Control) Act 1948</i> <i>Orders under Coal Industry (Control) Act 1948</i> Review of Coal Industry Legislation	NR&M	Repealed	Reformed without Review	Departmental examination of the legislation resulted in its repeal, but without a formal NCP review occurring.	1996/1997	12/1997	The Act has been repealed.
<i>Explosives Act 1952</i> <i>Explosives Regulation 1955</i> Review of Explosives Legislation	NR&M	Not for review		NCC supported removal of legislation from review timetable on the basis that the provisions are in the public interest and are not for the purpose of restricting competition.	1998/1999		Legislation is moving in the direction of national standards and has been modernised.
<i>Gladstone Area Water Board Act 1984</i> Review of Gladstone Area Water Board Act	NR&M	Completed	Department Review	Urban Water Board legislation, that was listed jointly with Water Resources legislation, reviewed separately. Decision taken to repeal GAWB Act as part of development of Water Act 2000.	1997/1999	02/2000	Legislative restrictions removed with commencement of the Water Act 2000.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
Land Act 1994	NR&M						
Review of Land Act		Underway	Targeted Public	Review examined two restrictions: prohibiting corporations from holding perpetual leases for grazing or agricultural purposes; and limiting the number of living units that non-freehold land owners may aggregate. Review committee completed its report (May 1999). However, Cabinet decided that further consultation is required and this is occurring as at March 2001.	1996/1997	05/1999	
Metropolitan Water Supply and Sewerage Act 1909, and Sewerage and Water Supply Act 1949	NR&M						
<i>Standard Sewerage and Water Supply Laws</i> Review of Water Supply Legislation		Completed	Targeted Public	Review is part of broader CoAG water reform agenda. Discussion paper on regulation of provision of water services was released for consultation in 1999. An exposure draft of new water legislation was released early in 2000, with the Water Act 2000 largely commencing on 1 October 2000. The Metropolitan Water Supply and Sewerage Act is planned for repeal in the second half of 2001.	1997/1999	02/2000	Water Act 2000, giving effect to water reforms, commenced in part on 13 September 2000.
South East Queensland Water Board Act 1979, and Townsville/Thuringowa Water Supply Board 1987	NR&M						
Review of SouthEast and Townsville/Thuringowa Water Board Legislation		Completed	Targeted Public	Part of broader CoAG water reform agenda. New institutional reforms for each Board led to repeal of existing Acts.	1997/1999	02/2000	SEQWB Act has been repealed. In November 2000, Cabinet gave authority to introduce legislation to repeal the TTWSB Act.
Surveyors Act 1977	NR&M						
<i>Surveyors Regulations 1992</i> Review of Surveyors Legislation		Completed	Targeted Public	Review concluded in November 1997. Policy issues relating to the scope and form of future regulatory arrangements were negotiated for some time prior to consideration by government. In October 2000, Cabinet endorsed the review recommendations to retain registration of cadastral surveyors and remove certain other anti-competitive provisions, with scope to move to a co-regulatory model in the future.	1996/1997	11/1997	Maintainance of status quo regarding registration of Cadastral Surveyors, with the following anti-competitive provisions to be removed - regarding business name approval and fee setting by the Surveyors Board of Queensland, and qualifications of directors of bodies corporate.

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Review Name							
Valuers Registration Act 1992	NR&M						
<i>Valuers Registration Regulation 1992</i> Review of Valuers Registration Legislation		Completed	Department Review	Review has been completed. Review found that in medium to long term deregulation is likely to deliver net public benefit but in the short term there would be a risk to infrequent users of valuers. Consequently, the review recommends retention of registration with a further review in three years, and removal of other geographic and price control restrictions.	1996/1997	10/1999	Cabinet endorsed the review recommendations on 28 February 2000. Amending legislation was introduced on 4 October 2000, but Parliament rose prior to passage of the Bill. It is proposed to introduce the Bill again at the first opportunity in 2001.
Water Resources Act 1989	NR&M						
<i>Water Resources (Watercourse Protection) Regulation 1993, Water Resources (Rates and Charges) Regulation 1992</i> Review of Water Resources Legislation		Completed	Targeted Public	Part of broader CoAG water reform agenda. Discussion paper on modules for new legislation were progressively released for discussion during 1999. Draft revised legislation was released for consultation early in 2000, with the Water Act 2000 largely commencing by October 2000. The remainder of the Water Act will commence in the second half of 2001.	1997/1999	02/2000	Water Act 2000, giving effect to water reforms, commenced in part on 13 September 2000.
South Bank Corporation Act 1989	P&C						
<i>South Bank Corporation By-law 1992, South Bank Corporation Regulation 1992</i> Review of South Bank Corporation Legislation		Completed	Department Review	Review considered several provisions, including a public benefit assessment of the exemption provided in the legislation from the application of the Residential Tenancies Act 1994 and the Retail Shop Leases Act 1994. Review report has been formally signed off by the Premier and was provided to the Treasurer for endorsement in January 2000.	1998/1999	02/2000	Any amendments flowing from the review will be included in the Bill resulting from a general review of the Act which is in progress. It is anticipated that an Authority to Prepare the Bill will be sought from Cabinet by June 2001.

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<i>Agricultural and Veterinary Chemicals (Queensland) Act 1994</i>	<i>PI</i>						
Review of Agricultural and Veterinary Chemicals Legislation		Completed	National Review	Three pieces of related legislation reviewed covering registration and control of use provisions. Review undertaken by Commonwealth Department of Primary Industries and Energy. Report was completed in 1999. SCARM working group is preparing a response to review report. Control-of-use issues and recommendations from national review have been referred to jurisdictions for examination early in 2000. Queensland is considering recommendations and implementation issues as part of a general review of chemical distribution and chemical use legislation. This state-based review commenced in September 1999. A discussion paper was released in January 2000, with the review committee report finalised in July 2000.	1997/1998		The review report is yet to be endorsed by Cabinet. It is proposed to seek Cabinet endorsement before 30 June 2001 for development of new consolidated agricultural and veterinary legislation that will incorporate the agreed outcomes from the national review.
<i>Agricultural Chemicals Distribution Control Act 1996</i>	<i>PI</i>						
<i>Agricultural Chemicals Distribution Control Regulations 1970</i> Review of Agricultural and Veterinary Chemicals Legislation		Completed	National Review	Refer to entry under Agricultural and Veterinary Chemicals (Queensland) Act 1994.	1997/1998		
<i>Chemical Usage (Agricultural and Veterinary) Control Act 1988</i>	<i>PI</i>						
<i>Chemical Usage (Agricultural and Veterinary) Control Regulation 1989</i> Review of Agricultural and Veterinary Chemicals Legislation		Completed	National Review	Refer to entry under Agricultural and Veterinary Chemicals (Queensland) Act 1994.	1997/1998		

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Review Name							
Chicken Meat Industry Committee Act	<i>PI</i>						
Review of Chicken Meat Act		Completed	Targeted Public	Committee signed off on review report in November 1997. Grower representative submitted dissenting report. Treasury engaged independent consultant to examine both reports. As a result, additional recommendations were added to the committee's recommendations that are consistent with potential outcome of NSW review. These do not jeopardise the net public benefit nor impose further restrictions (they simply clarify dispute resolution process). Grower and processor representatives agreed to expanded proposal. Temporary TPA exemption for collective bargaining arrangements expired on 30 June 1999. Review has shown there to be a public benefit in continuing this legislative exemption in the CMIC Act.	1996/1997	11/1997	Amending legislation commenced in October 1999 which provides: a less deterministic role for industry committee; legislative authorisation for collective bargaining arrangements with option for individual growers to negotiate directly with processor; minimum contract conditions; maximum period for mediation; and arbitration on contract conditions, excluding initial growing fee.
City of Brisbane Market Act 1960	<i>PI</i>						
<i>City of Brisbane Market Regulation (formerly By-law) 1982</i>							
Review of City of Brisbane Market Legislation		Completed	Full Public Review	Joint review covering ownership, competitive neutrality and legislation review.	1997/1998	05/1998	Government has removed BMA's statutory monopoly status as a wholesale market in the Brisbane area, effective from 31 August 1999 and has corporatised the BMA as of 13 December 1999.
Dairy Industry Act 1993	<i>PI</i>						
<i>Dairy Industry Regulation 1993, Dairy Industry (Market Milk Prices) Order 1995</i>							
Review of Dairy Industry Legislation		Completed	Full Public Review	Legislative amendments developed for extending supply management arrangements, etc. in accordance with recommendations of the completed NCP review.	1997/1998	07/1998	Restrictive farm-gate arrangements (including broadening scope of supply management arrangements to cover Central Qld and North Qld) were to be extended until 31 December 2003 based on findings of NCP review. Review recommended further review to occur prior to 1 January 2003 to determine extent of government involvement in dairy industry. However, in early March 2000, jurisdictions accepted the Commonwealth adjustment package for the dairy industry, which included complete deregulation of marketing arrangements by 30 June 2000. The Queensland dairy industry was deregulated on 1 July 2000.

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<i>Egg Industry (Restructuring) Act 1993</i>	<i>PI</i>						
Review of Egg Industry Act		Completed	Reformed without Review	Act allowed to sunset on 31 December 1998 thereby removing all anti-competitive legislative provisions.	1997/1998	12/1998	Vesting and production controls (ie quotas) ceased in 1996. All remaining anti-competitive provisions were removed through the sunseting of the Act on 31 December 1998.
<i>Farm Produce Marketing Act 1964</i>	<i>PI</i>						
<i>Farm Produce Marketing Regulation 1984</i>							
Review of Farm Produce Marketing Legislation		Completed	Full Public Review	Final report produced in June 1999. Findings: act largely ineffective as most transactions occur outside scope; no public benefit in retaining legislation; non-statutory scheme proposed; extension of sunset provisions to June 2000 to allow development of new model.	1997/1998	06/1999	Legislative provisions allowed to sunset on 31 July 2000. Voluntary non-statutory "code of conduct" scheme to be introduced and negotiated between grower and wholesale representative bodies.
<i>Fisheries Act 1994</i>	<i>PI</i>						
<i>Fisheries Regulation 1995</i>							
Review of Fisheries Legislation		Underway	Full Public Review	Discussion paper released in July 1999. Interim report released in November 1999 followed by a series of public consultations. Consultant completed PBT report in January 2000 and final report completed shortly thereafter. Material is being prepared for the Minister to take to Cabinet, including an Authority to Prepare legislation. Any legislative amendments resulting from the review are anticipated in 2001.	1998/1999		
<i>Forestry Act 1959</i>	<i>PI</i>						
<i>Forestry Regulation 1987</i>							
Review of Forestry Legislation		Completed	Department Review	Review shows net public benefit in retaining funding of the Timber Research and Development Advisory Council (TRADAC) by way of a compulsory stumpage charge. In relation to the Crown native forest sawlog allocation system, small economic gains would be achieved through industry restructure. However, deregulation would result in quite significant social costs being borne by small rural communities. There would be no material effect on the environment. While the current allocation system will be retained for now, it will need to adjust flexibly to changes in the industry and environment. Allocation system has already been adjusted in SE Qld as part of Regional Forest Agreement (RFA) outcome.	1996/1997	04/1999	Legislation passed in November 1999. This implemented long-term wood supply agreements arising from RFA and extended exemption from the Trade Practices Act for non-competitive allocation system for 10 years. Compulsory funding of TRADAC via statutory stumpage payment has been removed (January 2000) following Qld Government decision relating to a number of agricultural levy arrangements.

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<i>Fruit Marketing Organisation Act 1923</i>	<i>PI</i>						
Review of Fruit Marketing Act		Completed	Reformed without Review	A general review commenced but was never reported. This review was combined with a review of the Primary Producers' Organisation and Marketing Act 1926. Only NCP issue in the FMO Act was the future status of dormant market intervention mechanisms. Industry recommended repeal of these provisions.	1997/1998	02/1999	Act sunsetted on 21 January 2000, although statutory marketing arrangements under the Act (ie "directions") had all terminated in November 1995. Vesting not used since 1946.
<i>Grain Industry (Restructuring) Act 1993</i>	<i>PI</i>						
Review of Grain Industry Act		Completed	Targeted Public	Aspects of NCP review (review panel composition and ToR) were based on Cabinet decision following previous non-NCP review of Act that failed to conclude issues under review at that time. NCP review supported retention of statutory marketing arrangements through Grainco (Australia) Ltd for export barley. Outcome influenced by Japan Food Authority policies on sourcing barley from statutory marketing authorities (SMAs) and status of interstate SMA arrangements. Subsequent joint Victoria-South Australia review recommended removal of Australian Barley Board's statutory monopoly. Victorian Government agreed to deregulate on 30 June 2000 but South Australian Government has announced 5 year extension. The situation in Qld is presently under further examination given these changes.	1996/1997	06/1997	Statutory monopoly of Grainco for export barley retained to 30 June 2002. Wheat regulation also extended to 30 June 2002 but "parked" (ie on statute book but dormant or not active) while Commonwealth provisions still apply. Regulation of all other grains (including domestic barley sales) removed. Wheat vesting powers could only be activated if a PBT indicated net public benefit. A Review Committee is being activated to consider the export barley marketing arrangements in the light of recent changes.
<i>Primary Producers' Organisation and Marketing Act 1926</i>	<i>PI</i>						
<i>Orders in Council for tobacco leaf</i> Review of Orders in Council for Tobacco Leaf		Completed	Reformed without Review	Review found Orders in Council to be totally unnecessary as Tobacco Leaf Marketing Board ceased in September 1996.	1996/1997	10/1998	See entry concerning review of the PPOM legislation. Orders in Council repealed in September 1996.

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Primary Producers' Organisation and Marketing Act 1926	<i>PI</i>						
<i>Orders in Council for tobacco leaf</i> Review of Primary Producers' Organisation and Marketing Legislation		Completed	Reformed without Review	General review combined with Fruit Marketing Organisation Act 1923. The only restrictive provision relates to establishing marketing boards. It is intended that the creation of such boards in future (none exist at present) will be via industry-specific legislation on each occasion, subject to a prior public benefit test as required under NCP.	1996/1997	02/1999	Act sunsetted on 21 January 2000, although the statutory marketing arrangements (ie vesting and constitution of marketing boards) had ceased with the termination of the Tobacco Leaf Marketing Board in September 1996.
Sawmills Licensing Act 1936	<i>PI</i>						
<i>Sawmills Licensing Regulation 1965</i> Review of Sawmills Licensing Act		Underway	Department Review	Nearing completion. In February 1999 Cabinet considered an Authority to Prepare submission recommending extending temporary Trade Practices Act exemption by regulation for one year until 30 June 2000 to permit completion of the current NCP review. This exemption was subsequently extended to 30 June 2001 and a further one-year extension (to 30 June 2002) is currently being sought through the Department of the Premier and Cabinet. The draft PBT was released for consultation in September 2000. The PBT was finalised in December 2000 and a submission for Cabinet consideration of this issue is currently in the formal consultation phase.	1996/1997		
Sugar Industry Act 1991	<i>PI</i>						
<i>Sugar Industry Regulation 1991, Sugar Industry (Assignment Grant) Guideline 1995</i> Review of Sugar Industry Legislation		Completed	Full Public Review	Combined with review of Sugar Milling Rationalisation Act 1991. Review was joint Commonwealth/State review. Both Governments endorsed review recommendations.	1996/1997	11/1996	Compulsory acquisition and single desk selling of raw sugar retained for the export and domestic markets via new Sugar Industry Act 1999. Tariff on raw and refined sugar and related products removed effective from 1 July 1997.
Sugar Milling Rationalisation Act 1991	<i>PI</i>						
Review of Sugar Industry Legislation		Completed	Full Public Review	Reviewed at same time as Sugar Industry Act 1991.	1996/1997	11/1996	Act repealed via Sugar Industry Act 1999. Restrictions on mill closure not replicated in new Act.

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<i>Veterinary Surgeons Act 1936</i> <i>Veterinary Surgeons Regulation 1991 and various Orders in Council</i> Review of Veterinary Surgeons Legislation	<i>PI</i>	Completed	Full Public Review	Review has been completed. Key legislative changes will include retention of registration for appropriately qualified veterinary surgeons; retention of an amended list of prohibited practices; removal of ownership restrictions; removal of advertising restrictions; and removal of controls on the use of business names.	1998/1999	04/2000	Cabinet endorsed the review findings in October 2000 and gave authority to prepare amendments to the legislation in line with the review recommendations. Legislative amendments resulting from the review are scheduled for 2001.
<i>Architects Act 1985</i> <i>Architects Regulation 1985</i> Review of Architects Legislation	<i>PW</i>	Underway	National Review	National review undertaken by Productivity Commission. Draft PC report released May 2000. Final Report released November 2000. Working group of States and Territories formed to recommend a respond by CoAG - met February 2001. As at March 2001, a draft response is still being formulated. Anticipated response to CoAG by May 2001.	1998/1999		
<i>Professional Engineers Act 1988</i> <i>Professional Engineers Regulation 1992</i> Review of Professional Engineers Legislation	<i>PW</i>	Underway	Full Public Review	Review conducted by an interdepartmental committee supplemented by a consumer representative and an independent member with engineering expertise. Review report was completed in March 2000. After Cabinet consideration, the report was released in November 2000 for further consultation. Review expected to be finalised in the first half of 2001. The timing of any legislative amendments may be coordinated with amending legislation regulating the practice of architecture.	1998/1999		
<i>Industrial Development Act 1963</i> Review on Industrial Development Act	<i>SD</i>	Completed	Reformed without Review	As the intention of the Act is not to limit use to industrial purposes, the definition section of the Act has been amended to remove this limitation. Submissions to Cabinet -ATP March 1998 and ATI October 1998.	1996/1997	09/1997	Definition in the Act was amended in 1998 to remove sole restriction that limited Act to development for industrial purposes.

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<i>Retail Shop Leases Act 1994</i> <i>Retail Shop Leases Regulation 1994</i> Review of Retail Shop Leases Legislation	SD	Completed	Department Review	This statutory review included consideration of NCP issues. Review recommended retention of existing restrictions to ensure fair and equitable lease arrangements exist for small lease holders in shopping centres. Review also justified amendments requiring prospective lessees to obtain a pre-lease certificate relating to the nature of, and consequences of entering, a lease agreement.	1998/1999	11/1999	The Act has been amended. Included in the amendments was the introduction of pre-lease certificates which was justified through the NCP review. The Retail Shop Leases Amendment Act 2000 was assented to in June 2000 and commenced on 1 July 2000, with the exception of those sections dealing with unconscionable conduct. These sections cannot be proclaimed until amendments to the Trade Practices Act 1974 are effected.
<i>State Transport (People-movers) Act 1989</i>	T	Underway	Department Review	<p>The Act is to be repealed. Provisions which are required to ensure compliance with the principles of natural justice (as it relates to existing licence holders) are proposed to be saved. Initially it was proposed that these be saved in the Transport Infrastructure Act and the Transport Operations (Passenger Transport) Act, however it is now intended to retain them in a new act the State Transport (Skyrail and Gold Coast Monorail) People Movers Act. The provisions transferred to this Act are to be examined as a separate exercise to determine if any of the transferred provisions actually restrict competition</p> <p>The review of the People Movers' legislation was originally set down to occur in 1996/97. The review commenced on time and a course of action was determined. Delays in undertaking necessary legislative changes have occurred as a result of changing circumstances. In view of recent developments in respect of the provisions of People Movers Infrastructure (post-31 December 1999) there had been some doubt in respect of the appropriateness of repeal. It has now been decided, however, (post-31 December 1999) that repeal is appropriate and this will occur as soon as possible.</p> <p>Legal advice has been obtained regarding the need to retain certain provisions as they relate to existing licences and operational requirements. These provisions are likely to be incorporated within the new Act described above, following an assessment of the restrictive impacts.</p>	1998/1999		Current approach for handling issue has been determined. In the future, existing legislation is to be repealed in the Transport Legislation Amendment Bill 2001 (currently scheduled for mid 2001). Public benefit test of retained provisions to be assessed prior to repeal of existing Act.

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State Transport Act 1960	T						
<i>State Transport Regulation 1987</i> Review of Restricted Goods Legislation		Completed	Reduced NCP Review	The Act has been repealed by proclamation of certain provisions of the Transport Operations (Road Use Management) Act. Any future legislative control of restricted goods will be via regulation and subject to public benefit test requirements.	1996/1997	09/1998	The Act has been repealed.
Tow-Truck Act 1973	T						
<i>Tow-Truck Regulation 1988</i> Review of Tow Truck Legislation		Completed	Reduced NCP Review	Public benefit justification has been provided in short-form for: the consumer protection and industry regulation provisions in the Act (which actually facilitate a competitive industry); and proposed amendments to strengthen consumer protection giving effect to Criminal Justice Commission recommendations. Public notification has occurred. Sections of industry have since raised concerns. As a result, Queensland Transport has revised some proposals. The proposed changes do not affect the public benefit justification.	1997/1998	01/1999	Legislative amendments introduced in 1999 strengthen consumer protection provisions and retain industry regulatory provisions. The new legislation commenced 1 July 1999.
Transport Infrastructure - Ports	T						
<i>Transport Infrastructure (Ports) Regulation 1994 under the Transport Infrastructure Act 1994</i> Review of Harbour Towing Restrictions		Underway	Department Review	This review examines harbour towing restrictions in the Transport Infrastructure (Ports) Regulation 1994 under the Transport Infrastructure Act 1994. A draft Public Benefit Test report is nearing finalisation. The review includes consideration of industrial issues related to crewing of tug vessels. Final round of public consultation is proposed for March/April 2001. It is anticipated that the review will be completed by mid-2001.	1998/1999		

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<i>Transport Infrastructure - Ports</i>	<i>T</i>						
<i>Transport Infrastructure (Ports) Regulation 1994 under the Transport Infrastructure Act 1994</i>							
Review of Restrictions on Port Activities Outside Prescribed Port Limits		Underway	Department Review	The review examines restrictions on port activities outside of port limits contained in the Transport Infrastructure Act 1994. The review is essentially complete. Full stakeholder consultation has been undertaken and a position determined. There has been Ministerial and Treasury signoff. There is public benefit justification for retaining the current regulatory regime. Therefore, no legislative amendments are proposed. The only action remaining is a final round of consultation with key stakeholders (March 2001) and then public notification of findings. Review of the provisions is proposed in ten years.	1998/1999		
<i>Transport Operations (Marine Safety) Act 1994</i>	<i>T</i>						
<i>Transport Operations (Marine Safety) Regulation 1995</i>							
Review of Marine Pilotage Provisions		Completed	Department Review	Review recommends some pro-competitive legislative changes to take effect at end of three-year transition period for transfer of responsibility for pilotage services from Transport Dept to port authorities. Final review recommendations comprise licensing of marine pilots by Queensland Govt to be retained, each port authority to determine service delivery arrangements for its port (including "in-house" provision and competitive tendering) and removal of price controls with prices determined by each port authority subject to QCA oversight arrangements. Licensing of marine pilots ensures safety of vessels/crews and avoids port closures and environmental damage caused by maritime accidents.	1996/1997	05/1999	Final report recommended retention of marine pilot licensing arrangements, giving each port authority the power to determine service delivery arrangements and pilotage fees within its port. An Authority to Prepare Cabinet submission was considered in August 1999. Legislative amendments are currently being developed. It is expected that the amendments to the legislation will take effect on 1 July 2001.

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<i>Transport Operations (Passenger Transport) Act 1994</i> <i>Transport Operations (Passenger Transport) Regulation 1994</i> Review of Passenger Transport Legislation	T	Completed	Full Public Review	In accordance with Terms of Reference and a PBT Plan approved by Cabinet, a review was undertaken by a steering committee comprising senior officers from Queensland Transport, Queensland Treasury and the Department of the Premier and Cabinet. The review committee published a report in September 2000 setting out its finding and recommendations. The report noted that service contracts and the existing system of market entry restrictions for taxis, buses and air services are largely justified, but there are some areas where improvements could be made. The report also recommends that market entry restrictions be retained for those areas of the limousine industry that compete directly with the taxi industry, but that the remainder of the limousine industry be deregulated. Queensland Transport has invited and is presently awaiting industry comment on the report prior to further progress on the matter.	1998/1999		
<i>Art Unions and Public Amusements Act 1992</i> <i>Art Unions and Public Amusements Regulation 1992</i> Review of Charitable and Non-profit Gaming Legislation	TR	Underway	Reduced NCP Review	The Charitable and Non-profit Gaming Act 1999 has replaced the Art Unions and Public Amusements Act 1992. Review was deferred subject to outcome of Productivity Commission inquiry into gaming in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by mid 2001.	1998/1999		

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Casino Agreement Acts	TR						
Review of Casino Agreements Legislation		Completed	Reduced NCP Review	These four Agreement Acts covering casinos at the Gold Coast, Brisbane, Townsville and Cairns were not originally scheduled for review on the basis that they underpin commercial arrangements entered into prior to NCP for the provision of major casino/tourism facilities provided by the private sector. A confidential summary report on the review of the four Agreement Acts was provided to the NCC as part of 1998 Annual Report.	1997/1998	03/1998	Provisions retained without change following reduced review.
Casino Control Act 1982	TR						
<i>Casino Control Regulation 1984</i> Review of Casino Control Legislation		Underway	Reduced NCP Review	Review deferred subject to outcome of Productivity Commission inquiry into gaming in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by mid 2001.	1998/1999		
Electricity Act 1994	TR						
<i>Electricity Regulation 1994</i> Review of Electricity Legislation		Draft Scope	Department Review	Review timing: Act 1996/97; Regulations 1998/99. Part of the broader CoAG electricity reform process (eg to give effect to market restructuring.). A separate legislation review exercise was not undertaken. Following amendments to the legislation to give effect to the CoAG reforms in 1997, some provisions remaining in the legislation have been identified as potentially restricting competition. These aspects are currently being examined under NCP. Review to be completed by late 2001.	1996/1997		Three tranches of significant amendments to the Act were passed and changes made to the Regulation as part of the reforms. These legislative amendments during 1997 gave effect to CoAG reforms including the establishment of a National Electricity Market.
Financial Intermediaries Act 1996	TR						
Review of Financial Intermediaries Act		Completed	Reformed without Review	The Act has become redundant and may possibly be repealed (Update status). This is the result of the proposed reforms to the financial services sector resulting from the Wallis Inquiry and the establishment of the Australian Prudential Regulation Authority, in line with the recommendations of the Wallis Inquiry.	1998/1999	10/1998	

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<i>Gaming Machine Act 1991</i> <i>Gaming Machine Regulation 1991</i> Review of Gaming Machine Legislation	TR	Underway	Reduced NCP Review	Review deferred subject to outcome of Productivity Commission inquiry into gaming in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by mid 2001.	1997/1998		Act amended in November 1999 to take into consideration community well being in the determinations on gaming machine applications.
<i>Gas Act 1965</i> <i>Gas Regulations 1989</i> Review of Gas and Petroleum Legislation	TR	Completed	Targeted Public	Part of the broader CoAG gas reforms and includes a fundamental review of Gas and Petroleum legislation. The overall outcome will be one Act (replacing the Petroleum Act 1923 and the Gas Act 1965) addressing the full spectrum of the petroleum and gas industry - ie exploration, development, production, transmission, distribution and, in the case of gas, utilisation. This will comprehensively fulfil CoAG gas reform and NCP legislation review commitments. A Discussion Paper outlining the department's position on key policy issues was released in February 1999. Following analysis of submissions, final policy position papers were developed. Drafting of the proposed legislative provisions is close to finalisation. A PBT has been undertaken to analyse proposed legislative reforms, in particular those not directly linked to CoAG gas reforms. PBT report has been completed and was verbally endorsed by Treasury in mid 2000. Awaiting written endorsement from Treasury.	1996/1997		New legislation expected to be introduced in 4th quarter 2001.
<i>Gas Suppliers (Shareholdings) Act 1972</i> Review of Gas Suppliers Shareholding Act	TR	Completed	Reformed without Review	The restriction limits the level of ownership of shares in a nominated gas supplier and has only ever related to one company. In July 1998, the proclamation under the Act expired, removing that company from the protection of the Act.	1997/1998		Act repealed in October 2000.

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<i>Keno Act 1996</i>	<i>TR</i>						
Review of Keno Act		Underway	Reduced NCP Review	Completion of this exercise was deferred subject to outcome of Productivity Commission inquiry into gaming in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by mid 2001.	1996/1997		
<i>Liquid Fuel Supply Act 1984</i>	<i>TR</i>						
Review of Liquid Fuel Supply Act		Not for review		NCC supported removal of Act from review timetable on the grounds that the legislation is in place to serve the public interest in terms of controlling liquid fuel usage in times of shortage or emergencies. Provisions have never been used.	1997/1998		
<i>Lotteries Act 1997</i>	<i>TR</i>						
Review of Lotteries Act		Underway	Reduced NCP Review	The 1997 Act amounts to a winding-back of anti-competitive provisions by replacing the statutory monopoly provisions with a limited period of exclusivity to enable the Golden Casket Corporation time to mature in a commercial environment following its corporatisation. Completion of the review exercise deferred subject to outcome of Productivity Commission inquiry into gaming in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by mid 2001.	1998/1999		The introduction of the Lotteries Act 1997 has resulted in the statutory monopoly provisions applying to the Golden Casket Corporation being replaced with a limited duration exclusive licence.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Motor Accident Insurance Act 1994</i>	TR						
Review of CTP Insurance Legislation		Completed	Full Public Review	The NCP review was undertaken in conjunction with a statutory review of Act and an examination of CTP scheme affordability. Cabinet approved the terms of the review in April 1999. The review recommended retention of fundamental CTP scheme aspects, including mandatory insurance requirement, licensing of insurers, community rating and Nominal Defendant. The review also recommended removing specific entry barriers (in terms of minimum market share and re-entry requirements) and premium setting by government to be replaced by its setting a premium range within which private insurers can determine their own premiums subject to approval by government. On 31 January 2000, Cabinet authorised the preparation of an amendment Bill to give effect to the review recommendations.	1998/1999	11/1999	Legislative amendments were passed by the Parliament in May 2000, with the majority of the changes commencing in October 2000.
<i>Superannuation (Government and Other Employees) Act 1988 and other superannuation legislation</i>	TR						
Review of Superannuation Legislation		Not for review		Initially, the provisions dealing with fund manager were listed for review on the basis they amounted to a statutory monopoly. On close examination, the sole management of investments by the Queensland Investment Corporation is not considered to restrict competition as the legislation allows for the appointment of alternative providers to manage all or part of the investments. Two other matters regarding the administration of the Queensland public sector superannuation scheme - sole provision by QSuper and administration by the Government Superannuation Office - were also examined and not considered to be in breach of NCP.	2000/2001		
<i>Tobacco Products (Licensing) Act 1988</i>	TR						
<i>Tobacco Products (Licensing) Regulation 1993</i>							
Review of Tobacco Products Legislation		Completed	Reformed without Review	Restrictive provisions no longer have effect constitutionally following High Court decision in Ha & Lim v NSW. Only transitional provisions remain which have no NCP implications.	1998/1999	10/1998	Provisions that were deemed to restrict competition no longer have effect constitutionally following High Court decision in Ha & Lim v NSW.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Wagering Act 1998</i>	TR						
Review of Wagering Bill (that replaces part of Racing and Betting Act 1980)		Underway	Reduced NCP Review	Two components in reviewing racing and betting legislation: firstly the Racing Industry Taskforce examined the statutory monopoly of the QLD TAB. This was addressed in developing the Wagering Bill. Second aspect is the review of the provisions of the Racing and Betting Act relating to bookmakers, conduct of race meetings and other related restrictions concerning the operation of race events. That review will be undertaken as a separate review. This exercise deferred subject to outcome of Productivity Commission inquiry into gaming in Australia. That inquiry released its report in December 1999. A single NCP report on all gambling legislation in the Treasury portfolio is currently being developed and is due for completion by mid 2001.	1997/1998		The statutory monopoly arrangements applying to TAB replaced by an exclusive licence of limited duration upon proclamation of the Wagering Act in 1999.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Auctioneers and Agents Act 1971</i> <i>Auctioneers and Agents Regulation 1986</i>	<i>TR&FT</i>						

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
Review of Agents and Motor Dealers Legislation		Completed	Targeted Public	<p>The legislation scheduled for review has been replaced by the Property Agents and Motor Dealers' Act 2000 which was also the subject of legislation review. An issues paper prepared on the legislation was released in February 2000 and was finalised prior to the introduction and passage of the new legislation through Parliament. Following are main competition-related differences between the A&A Act and the new PA&MD Act:</p> <p>Licensing -----</p> <p>Continuation of licensing with reduced entry restrictions such as removal of residency requirement, lowering of age restrictions, relaxation of business premises standards, continued requirement for licence holders to operate at principal office. Replacement of "fit and proper" with suitability test for persons seeking licences.</p> <p>Managers' licences and restricted auctioneers' licences rationalised into general licensing category and all licences to be reduced to a single licence class with occupational conditions.</p> <p>Restricted letting agents may operate in respect of more than one building.</p> <p>All licensing qualification criteria to be competency based.</p> <p>Developers and real estate marketeers to be included in the licensing and conduct provisions of the legislation.</p> <p>Accountants who sell businesses to be required to be licensed (no exemption, other than the exclusion of receivers, liquidators, and executors).</p> <p>Salespersons' entry requirement of an examination to continue.</p> <p>Conduct -----</p> <p>De-regulation of fees and commissions across all occupations. Transitional arrangements with community education and information campaign implemented to avoid or minimise the negative effects of unequal bargaining positioning of consumers and agents.</p> <p>Remove any cap on the level of buyer premium that an auctioneer may charge a buyer at auction.</p>	1996/1997	10/2000	<p>The PA&MD Act was assented to on 24 November 2000 and is expected to be proclaimed and effective from 1 July 2001. The main reforms in the new Act are given in the previous column. Additionally, in endorsing the Report, the Review Committee provided the following recommendations, several of which address transitional issues concerning reform of the existing legislation.</p> <p>Review Committee Recommendations -----</p> <ul style="list-style-type: none"> . Within five years the Department carry out a review of pastoral house licensing against requirements for real estate and auctioneering licensing and assess whether there is a continuing need or justification for different licensing criteria for pastoral houses, pastoral house directors and employees; and . An effective community education and information program should be implemented throughout the State prior to de-regulation of residential real property commissions. This education and information campaign is intended to assist in removing or diminishing the existing culture of refusing to negotiate fees and charging the maximum fee regardless of the level of service offered or provided. <p>The community education and information program should include the following elements –</p> <ul style="list-style-type: none"> . Negotiation skills, bargaining; . Contracting; . Addressing the power relationships between agent and client, (both vendors and purchasers); . Alternative options for buying and selling real property; . Disclosure requirements and legal advice; and <p>The Department implement appropriate monitoring and information gathering processes and maintain and store statistical and other information relevant to the real estate, motor dealing, auctioneering and commercial agency industries and markets to allow quantitative analysis of issues and problems as they emerge or develop.</p>

<i>Name of Legislation Review Name</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
				<p>The review findings support the principle of a real estate agent, motor dealer or commercial agent acting for only one party to a transaction.</p> <p>The review findings support the introduction of a 60 day limit on sole or exclusive agency agreements.</p> <p>The review also supported the introduction of legislation allowing del credere sales of livestock.</p> <p>Cooling off periods and statutory warranties for used motor vehicles were recommended as a net benefit had been identified during the PBT from these additional regulatory requirements.</p> <p>A separate PBT review was undertaken on the proposal to licence and regulate motor dealer brokers. This recommended that such regulation would be appropriate in the public interest. These provisions form part of the new legislation.</p>			
<i>Business Names Act 1962</i> <i>Business Names Regulation 1986</i> Review of Business Names Legislation	<i>TR&FT</i>	Underway	Reduced NCP Review	Although the legislation is common to all states, a national review has not been undertaken. Queensland's review will take account of interstate legislation review exercises. Preparation of the final report is underway and due for completion first quarter 2001.	1998/1999		
<i>Co-operative and Other Societies Act 1967</i> <i>Co-operative and Other Societies Regulation 1968</i> Review of Co-operatives Legislation	<i>TR&FT</i>	Completed	Joint Jurisdictional	A formal review was not undertaken in Queensland. New Co-operatives Act is based on work and NCP justification undertaken by Victoria as a national scheme of regulation. New legislation enacted 1 September 1997. Act replaces existing Cooperatives and Other Societies Act and Primary Producers Co-operative Associations Act.	1996/1997	04/1997	New Cooperatives Act 1997 providing for a national scheme of regulation has been enacted.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Credit Act 1987</i> <i>Credit Regulations 1988</i> Review of Credit Legislation	<i>TR&FT</i>	Underway	Joint Jurisdictional	National review of the Uniform Consumer Credit Code commenced late in 1999. Final report has been submitted for consideration by review committee and is expected to be endorsed first half 2001. Review of Qld's Credit Act 1987 and regulation will be carried out at the same time, but as a separate review process due for completion third quarter 2001 to coincide with implementation of Credit review outcomes.	1997/1998		
<i>Fair Trading Act 1989</i> <i>Fair Trading Regulation 1989</i> Review of the Fair Trading Legislation	<i>TR&FT</i>	Yet to begin	To be Determined	It is intended to commence the review of the Act and regulation at the end of the legislation review period, so as to audit any reliance of other reformed legislation on common law safeguards housed within the FTA.	1997/1998		
<i>Funeral Benefit Business Act 1982</i> <i>Funeral Benefit Business Regulation 1989</i> Review of Funeral Benefit Business Legislation	<i>TR&FT</i>	Underway	Department Review	Draft NCP report under consideration by DEFT and Treasury. Final report expected to be endorsed by Treasurer first quarter 2001.	1997/1998		
<i>Hawkers Act 1984</i> <i>Hawkers Regulation 1994</i> Review of Hawkets Legislation	<i>TR&FT</i>	Underway	Reduced NCP Review	Short form report has been developed to assess alternative reform options available, including repeal of the restrictive provisions. Draft Report under consideration. Final report expected to be endorsed by Treasurer first quarter 2001.	1997/1998		
<i>Hire Purchase Act 1959</i> Review of Hire Purchase Act	<i>TR&FT</i>	Underway	Reduced NCP Review	The option to repeal the HP Act is currently being explored and has been subject to consultation on an issues paper. Results of consultation being collated as at February 2001 with the review expected to be completed by third quarter 2001.	1998/1999		Legislation expected to be repealed, effective October 2001.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Review Name</i>							
<i>Invasion of Privacy Act 1971</i>	<i>TR&FT</i>						
<i>Invasion of Privacy Regulations 1986</i> Review of Invasion of Privacy Act		Underway	Reduced NCP Review	Final draft of PBT Report under development within DEFT. Expected completion during second quarter 2001.	1998/1999		
<i>Land Sale Act 1984</i>	<i>TR&FT</i>						
<i>Land Sale Regulation 1989</i> Review of Land Sale Legislation		Underway	Department Review	Draft PBT report currently being prepared. This will form the basis of targeted consultation first quarter 2001. Review expected to be completed third quarter 2001.	2000/2001		
<i>Liquor Act 1992</i>	<i>TR&FT</i>						
<i>Liquor Regulation 1992</i> Review of Liquor Act		Completed	Full Public Review	Review report signed off by review panel early in August 1999. In September 1999, the Government decided that there would be public consultation on the draft report and, following consideration by an interdepartmental committee of issues raised through that process, the government would deliberate on a final report. Cabinet has endorsed the recommendations of the NCP review. These include: continuation of the "specialist provider" model for sale of take-away liquor (ie restricted to hoteliers); abolition of payment of premiums for General and Special Facility Licences; increase in allowable distance between detached bottle shops and increase in allowable retail floor space for these shops; abolition of daily limit on volume of take away liquor per member from clubs; reduction in distance for casual visitors to clubs; permitting casual drinking in On Premises Licences pertaining to Meals and Cabaret, conditional on the business operation meeting its primary purpose of providing meals; and strengthening current provisions to ensure new licence proposals are fully considered in terms of the interests of the community. Queensland Government engaging in continuing dialogue with the NCC concerning this review and NCP compliance requirements.	1998/1999	02/2000	Cabinet endorsed the review recommendations on 28 February 2000 and endorsed an authority to prepare related amendments to the Act on 8 May 2000. The Liquor Amendment Bill 2000 was introduced into Parliament in November 2000. However, this Bill lapsed in January 2001 and is due to be reintroduced in 2001.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Loan Fund Companies Act 1982</i>	<i>TR&FT</i>						
Review of Loan Fund Companies Act		Underway	Reduced NCP Review	A reduced NCP review is occurring as no loan fund companies are currently operating under the Act. Issues paper finalised May 2000. PBT report being drafted for further consultation. Completion due fourth quarter 2001.	1998/1999		
<i>Mercantile Act 1867</i>	<i>TR&FT</i>						
Review of Mercantile Act		Completed	Reformed without Review	Completion of review requirements confirmed on 10 December 1998 by Treasury letter to Department of Equity and Fair Trading.	1998/1999	08/1998	Provisions previously identified as restrictions on competition have been repealed or contained within the Partnership (Limited Liability) Act which is timetabled for review.
<i>Mobile Homes Act 1989</i>	<i>TR&FT</i>						
<i>Mobile Homes Regulation 1994</i> Review of Mobile Homes Legislation		Underway	Department Review	NCP issues are relatively minor and are being addressed as part of a general review of the Act. Draft Report being prepared as at March 2001. Completion due fourth quarter 2001.	1997/1998		
<i>Partnership (Limited Liability) Act 1988</i>	<i>TR&FT</i>						
<i>Partnership (Limited Liability) Regulation 1993</i> Review of Partnership Legislation		Underway	Reduced NCP Review	Both the Partnership Act and Partnership (Limited Liability) Act reviewed together. Final report is expected to be endorsed by the Treasurer first quarter 2001.	1998/1999		
<i>Partnership Act 1891</i>	<i>TR&FT</i>						
Review of Partnership Act		Underway	Reduced NCP Review	Both the Partnership Act and Partnership (Limited Liability) Act reviewed together. Final report is expected to be endorsed by the Treasurer first quarter 2001.	1998/1999		
<i>Pawnbrokers Act 1984</i>	<i>TR&FT</i>						
<i>Pawnbrokers Regulation 1984</i> Review of Pawnbrokers and Secondhand Dealers Legislation		Draft Scope	Targeted Public	Combined with review of Second-hand Dealers legislation. PBT Plan being finalised as at March 2001. Completion due fourth quarter 2001.	1997/1998		

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Primary Producers Co-operative Associations Act 1923</i> <i>Primary Producers Co-operative Association Regulation</i> Review of Cooperatives Legislation	TR&FT	Completed	Joint Jurisdictional	A formal review was not undertaken in Queensland. New Co-operatives Act is based on legislative work and NCP justification undertaken by Victoria as a national scheme of regulation. Act contains only minor NCP issues. New legislation enacted 1 September 1997. Act replaces existing Cooperatives and Other Societies Act and Primary Producers Co-operative Associations Act.	1996/1997	04/1997	New Cooperatives Act 1997 providing for a national scheme of regulation has been enacted.
<i>Profiteering Prevention Act 1948</i>	TR&FT	Completed	Reduced NCP Review	PBT Plan was formally approved by Treasury. However, during the course of the review, repeal of the legislation was recommended due to the legislation lacking contemporary relevance.	1998/1999		Legislation expected to be repealed, effective July 2001.

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Racing and Betting Act 1980</i> <i>Racing and Betting Act Regulation 1981</i> Review of Racing and Betting Legislation	TR&FT	Completed	Department Review	Two components in reviewing racing and betting legislation: firstly the Racing Industry Taskforce examined the statutory monopoly of the TABQ. This was addressed in developing the Wagering Act 1998. Second aspect is the review of the provisions of the Racing and Betting Act relating to bookmakers, conduct of race meetings and other related restrictions concerning the operation of race events. That review was undertaken as a separate exercise. A questionnaire concerning the regulation of bookmakers was distributed in October 1999. In April 2000, Cabinet endorsed the terms of the NCP review, and an issues paper covering both NCP and wider racing industry issues was released for comment. Review recommended that regulations that maintain and enhance probity, integrity and public confidence in the industry (eg licensing) be retained, and the prohibitions on entry of new codes of racing, conduct of proprietary racing and racing bookmakers' advertising be removed. Recommendations of the NCP review were endorsed by Cabinet in November 2000. Cabinet also approved preparation of the proposed Racing Bill 2001 as a consultation draft. During 2000, the Act was amended to remove the majority of non-probity based, competition restrictions on bookmakers, in particular those relating to minimum phone bet, betting type and recording of bets.	1997/1998	11/2000	Amendments were made to the R&B Act in July 2000 removing the non-probity, bookmaking restrictions (other than advertising controls). The Racing Bill 2001 will also implement the recommendations of the NCP review. Consultation on a draft Racing Bill 2001 is expected to take place during 2001.
<i>Racing Venues Development Act 1982</i> Review of Racing Venues Development Act	TR&FT	Not for review		The Act applies only to Albion Park. On close examination, it became apparent that the Act does not contain any provisions that restrict competition. In particular, it was determined that the provisions that specify the terms of a lease by trustees of a racing venue are not anti-competitive.	1998/1999		

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Retirement Villages Act 1988</i> <i>Retirement Villages Regulation 1989</i> Review of Retirement Villages Legislation	TR&FT	Completed	Reduced NCP Review	Draft Bill had been released for public consultation, but results indicated the need for further consideration of various issues. The revised Bill was presented to Cabinet in July 1999 and was supported by NCP justification. Certain changes were made to the Bill in Parliament. These changes were also reviewed under NCP.	1996/1997	07/1999	Bill was passed on 30 November 1999. Competition-related aspects of the new legislation comprise: retention of entry requirements for village operators; business conduct requirements more stringent but provide greater clarity for operators and residents; statutory charge requirements less stringent than current legislation.
<i>Sale of Goods Act 1896</i> <i>Sale of Goods (Vienna Convention) Act 1986</i> Review of Sale of Goods Legislation	TR&FT	Yet to begin	To be Determined	It is intended to commence the review of the legislation at the end of the legislation review process, so as to audit any reliance of other reformed legislation on common law safeguards housed within the SGA.	1998/1999		
<i>Second-hand Dealers and Collectors Act 1984</i> <i>Second-hand Dealers and Collectors Regulation 1994</i> Review of Pawnbrokers and Second-hand Dealers Legislation	TR&FT	Draft Scope	Targeted Public	Combined with review of Pawnbrokers legislation. PBT Plan being finalised as at March 2001. Completion due fourth quarter 2001.	1997/1998		
<i>Security Providers Act 1992</i> <i>Security Providers Regulation 1995</i> Review of Security Providers Legislation	TR&FT	Draft Scope	Targeted Public	Working group formed to consider broader policy issues. NCP review to form part of this process and will be conducted as a staged review. Draft PBT Plan being finalised as at March 2001. Completion due fourth quarter 2001.	1997/1998		

<i>Name of Legislation</i>	<i>Agency</i>	<i>Status</i>	<i>Review Model</i>	<i>Review Comments</i>	<i>Date of Review</i>	<i>Date Review Completed</i>	<i>Reform Progress</i>
<i>Trade Measurement Act 1990</i> <i>Trade Measurement (Administration) Act 1990</i> Review of Trade Measurement Legislation	TR&FT	Underway	National Review	National review agreed by CRR, SCOCA and the sub-committee for Trade Measurement. Queensland lead jurisdiction. Consultation began in February 2000 and the consultant's report has been considered by the Review Committee. A supplementary report is being finalised by the Review Committee as at February 2001 and will be considered by CRR, TMAC, SCOCA and MCCA second quarter 2001.	1998/1999		
<i>Travel Agents Act 1988</i> <i>Travel Agents Regulations 1988</i> National Review of Travel Agents Legislation	TR&FT	Underway	National Review	National Review undertaken under the co-ordination of Western Australia. Final report presented to MCCA for consideration and response. MCCA decided that supplementary consultation was required before it could accept outcomes. WA is co-ordinating State and Territory responses. Queensland is preparing response to WA's supplementary report, as at March 2001. Review expected to be completed by third quarter 2001.	1997/1998	03/2000	
<i>Wine Industry Act 1994</i> <i>Wine Industry Regulation 1995</i> Review of Wine Industry Legislation	TR&FT	Completed	Department Review	A statutory review that included consideration of NCP issues was completed late in July 1999.	1998/1999	07/1999	A single "producer" licence system will be replaced with a two-tier licensing system that provides for licensing under the Wine Industry Act of both "producers" and "merchants". The blending restrictions will be removed, thereby relying on Commonwealth standards. The Wine Industry Amendment Bill 2000 was introduced into Parliament in August 2000. However, this Bill lapsed in January 2001 and is due to be reintroduced in 2001.

COMPETITIVE NEUTRALITY REFORMS APPLIED TO 31 DECEMBER 2000

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 1 Business Activities				
Brisbane	Brisbane Transport	Commercialised July 1998	Commercialised Business Unit established & operating Most parts of FCP being applied. CSOs identified, costed and funded. Extensive monitoring processes are in place. Review for possible corporatisation in future.	In-house. No complaints have been received.
	Cleansing (Refuse)	Full Cost Pricing July 1998	Full cost pricing is being applied. CSOs have been identified, costed and funded. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	Water & Sewerage	Commercialised July 1998	Review for possible corporatisation in future Commercialised business unit established with management autonomy. CSOs have been identified, costed and funded. Extensive monitoring processes are in place.	In-house. No complaints have been received.
Gold Coast	Cleansing (Refuse)	Commercialised July 1999	Commercialised Business Unit has been established with management autonomy Most parts of FCP are being applied. Council provided evidence that CSOs have been identified.	In-house. No complaints have been received.
	Water & Sewerage	Commercialised July 1990	Commercialised Business Unit has been established with management autonomy Most parts of FCP are being applied CSOs identified, costed and funded. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
Ipswich	Water & Sewerage	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded. Process established for ongoing compliance monitoring	In-house. No complaints have been received.

<i>Council</i>	<i>Activity</i>	Reform applied (to July 2000)	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 1 Business Activities				
Logan	Water & Sewerage	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded Process established for ongoing implementation of FCP.	QCA appointed as Referee. No complaints have been received.
Maroochy	Water & Sewerage	Commercialised July 1999	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
Townsville	Water & Sewerage	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded	QCA as referee No complaints have been received
Type 2 Business Activities				
Brisbane	City Parking	Commercialised December 2000	Previously Type 3 business activity to which full cost pricing had been applied. No CSOs were identified for this business activity. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	Building Certification	Commercialised December 2000	Previously Type 3 business activity to which full cost pricing had been applied. No CSOs were identified for this business activity Extensive monitoring processes are in place.	In-house. No complaints have been received
Bundaberg	Water & Sewerage	Full Cost Pricing		In-house No complaints have been received
Caboolture	Water & Sewerage	Commercialised July 1998	Commercialised Business Unit established with management autonomy – has policy to fully implement FCP within a certain time frame. CSOs identified, costed and funded. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
Cairns	Cleansing (Refuse)	Full cost pricing July 1998	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.
	Water & Sewerage	Full cost pricing July 1998	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.

<i>Council</i>	<i>Activity</i>	Reform applied (to July 2000)	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 1 Business Activities				
Caloundra	Water & Sewerage	Commercialised July 1998	Commercialised Business Unit established with management autonomy. Prices have been set on the basis of recovering the full cost of goods and services. Council has planned to earn a full return on capital over a ten year period. CSOs identified, costed and funded.	QCA appointed as Referee. No complaints have been received.

<i>Council</i>	<i>Activity</i>	Reform applied (to July 2000)	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 2 Business Activities				
Hervey Bay	Water & Sewerage	Commercialised July 1998	Commercialised Business Unit has been established. CSOs identified, costed and funded	QCA appointed as Referee. No complaints have been received.
Ipswich	Cleansing (Refuse)	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded. Process established for ongoing implementation of FCP.	In-house. Council indicated that it had not received any complaints.
Logan	Cleansing (Refuse)	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded Process established for ongoing implementation of full cost pricing	QCA appointed as Referee. No complaints have been received.
Mackay	Water & Sewerage	Commercialised July 1998	Commercial Business Unit established with management autonomy – policy to establish FCP by 2003. CSOs identified, costed and funded Process established for ongoing implementation of FCP	QCA appointed as Referee. No complaints have been received.’
Maroochy	Cleansing (Refuse)	Full cost pricing July 1998	Review for commercialisation when current contract expires in Dec 2000 CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
Noosa	Water & Sewerage	Full cost pricing July 1998	Most parts of full cost pricing are being applied No CSOs were identified for this business activity	QCA appointed as Referee. No complaints have been received.
Pine Rivers	Refuse Management	Full Cost Pricing July 1998	Full cost pricing is being applied.	In-house. No complaints have been received.
	Water & Sewerage	Full Cost Pricing July 1998	Most parts of full cost pricing are being applied	QCA appointed as Referee. No complaints have been received.
Redland	Cleaning (Refuse)	Commercialised	Commercialised Business Unit established CSOs identified, costed and funded Process established for ongoing compliance monitoring	QCA appointed as Referee. No complaints have been received.
	Water & Sewerage	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified. Process established for ongoing compliance monitoring	QCA appointed as Referee. No complaints have been received.

<i>Council</i>	<i>Activity</i>	Reform applied (to July 2000)	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 2 Business Activities				
Rockhampton	Water & Sewerage	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified, Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Thuringowa	Water & Sewerage	Commercialised July 1999	Commercial Business Unit established with management autonomy. CSOs identified.	In-house. No complaints have been received.
Toowoomba	Water & Sewerage	Full cost pricing July 1998	Many parts of full cost pricing are being applied No CSOs identified. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Townsville	Cleansing (Refuse)	Commercialised July 1998	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded Process established for ongoing implementation of FCP.	QCA appointed as Referee. No complaints have been received.

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3	Business Activities	Treated as Type 2		
Ipswich	Information Technology (Global Info-Links)	Corporatised under <i>Corporations Law</i> rather than under <i>Local Government Act 1993</i>	Council owned corporation established with prices determined by relevant commercial considerations No CSOs identified. Process established for ongoing compliance monitoring.	In-house No complaints have been received.
Maroochy	Certification	Commercialisation	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.'
	Aerodromes	Commercialisation	Commercial Business Unit established with management autonomy. CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Redland	Building Services	Commercialisation		In-house. No complaints have been received.
	Caravan Parks	Commercialisation		In-house. No complaints have been received.
	Cemeteries	Commercialisation		In-house. No complaints have been received.
	Child Care	Commercialised		In-house. No complaints have been received.
	Entertainment Centre/Hall	Commercialisation		In-house. No complaints have been received.
	Outside School Hours Care	Commercialisation		In-house. No complaints have been received.
	Plant and Equipment	Commercialisation		In-house. No complaints have been received.
Toowoomba	Entertainment	Corporatised under <i>Corporations Law</i> rather than under <i>Local Government Act 1993</i>	Council owned corporation established Most parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house. No complaints have been received.

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3 Business Activities				
Banana	Road activities	Code of Competitive Conduct	Some parts of full cost pricing are being applied.	QCA.
Beaudesert	Building Services	Code of Competitive Conduct	Changes to financial reporting and management arrangements to apply Code	
	Road	Code of Competitive Conduct	Many parts of full cost pricing are being applied.	
Boonah	Private Works	Code of Competitive Conduct	Changes to financial reporting and management arrangements.	
Brisbane	Brisbane Entertainment Centre	Code of Competitive Conduct	Most parts of full cost pricing are being applied.	In-house. No complaints have been received.
	Cemeteries & Crematoria	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	City Design	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	City Fleet	Code of Competitive Conduct	FCP is being applied No CSOs were identified for this business activity. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	City Pools	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs have been identified. Extensive monitoring processes are in process.	In-house. No complaints have been received.
	External road work	Code of Competitive Conduct	Resolved to apply the Code to its CityWorks activity of which external road activities form a part. Most parts of full cost pricing are being applied. No CSOs were identified for this business activity. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	Golf Courses	Code of Competitive Conduct	Full cost pricing is being applied. Many CSOs have been identified. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	QEII Sports Complex	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs were identified for this business activity. Extensive monitoring processes are in place.	In-house. No complaints have been received.
	Sleeman Sports Complex	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded. Extensive monitoring processes are in place.	In-house. No complaints have been received.
Burnett	Caravan Parks	Code of Competitive Conduct	Changes to financial reporting and management arrangements to apply the Code.	In-house No complaints have been received

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3 Business Activities				
Caboolture	Building Services	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs were identified. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
	Caravan Parks	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs were identified. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
Cairns	Building Services	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded	In-house. No complaints have been received.
	Car Parking	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified.	In-house. No complaints were received during the year.
	Cemeteries	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.
	Childcare	Code of Competitive Conduct	Most parts of full cost pricing were applied prior to Council selling the business.	In-house. No complaints have been received.
	Commercial Properties	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Cultural - City Place,	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.
	Cultural – Civic Theatre	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.
	Cultural – Ticketlink	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified.	In-house. No complaints were received during the year.
	Entertainment (Tanks Arts Centre)	Code of Competitive Conduct	Many parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.
	Laboratory	Code of Competitive Conduct	Many parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.
Sport & recreation (Swimming Pools)	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints were received during the year.	

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3 Business Activities				
Cairns	Tourism	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints have been received.
Calliope	Fleet Management	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
Caloundra	Building Services	Code of Competitive Conduct	Council's return indicates that full cost pricing is being applied. CSOs identified, costed and funded.	In-house. No complaints have been received.
	Cultural (Civic Cultural Centre)	Code of Competitive Conduct	Most parts of full cost pricing are being applied. CSOs identified, costed and funded.	In-house. No complaints have been received.
	Caravan Parks	Code of Competitive Conduct	Many parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Childcare	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Sport & recreation (Caloundra City Pools)	Code of Competitive Conduct	Many parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
Coolooloa	Building Services	Code of Competitive Conduct	Some parts of full cost pricing are being applied.	In-house. No complaints have been received.
	Recoverable Works	Code of Competitive Conduct	Some parts of full cost pricing are being applied.	In-house. No complaints have been received.
Crow's Nest	Highfields Cultural Centre	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Most CSOs have been identified, costed and funded.	In-house. No complaints have been received.
	Road	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Most CSOs have been identified, costed and funded. Process established for ongoing implementation of FCP.	QCA appointed as Referee. No complaints have been received.
Dalby	Natural Gas	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Road	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
Gatton	Child Care	Code of Competitive Conduct	Some parts of full cost pricing are being applied.	
	Road	Code of Competitive Conduct	Some parts of full cost pricing are being applied.	
Gold Coast	Building Services	Code of Competitive Conduct	Many parts of full cost pricing are being applied. CSOs have been identified, costed and funded.	In-house. No complaints have been received.
	Quarry	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Tourism	Code of Competitive Conduct	Many parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3 Business Activities				
Hervey Bay	Building Services	Code of Competitive Conduct	Many parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Caravan parks	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Road	Code of Competitive Conduct	Not yet resolved to apply the Code although it is mandatory for Type 3 Roads.	In-house. No complaints have been received.
Ipswich	Asphalt Plant	Code of Competitive Conduct	Council is divesting itself of this activity	Not applicable
	Cultural (Civic Hall)	Code of Competitive Conduct	Many parts of full cost pricing are being applied. No CSOs were identified for this business activity	In-house. No complaints have been received.
	Sport & recreation	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs were identified for this business activity.	In-house. No complaints have been received.
Logan	Building Services	Code of Competitive Conduct	Full cost pricing being applied. CSOs identified, costed & funded. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Mackay	Building Services	Code of Competitive Conduct	Many parts of full cost pricing are being applied CSOs have been identified. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Entertainment	Code of Competitive Conduct	Many parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Road	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs were identified for this business activity Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Sports & recreation	Code of Competitive Conduct	Evidence of changes to financial reporting. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Mareeba	Design	Code of Competitive Conduct	Some parts of full cost pricing are being applied	
	Laboratory	Code of Competitive Conduct	Some parts of full cost pricing are being applied	
Maroochy	Building Services	Code of Competitive Conduct	Many parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
Maroochy	Caravan Parks	Code of Competitive Conduct	Full cost pricing is being applied. CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
	Cemeteries	Code of Competitive Conduct	Many parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3 Business Activities				
Maroochy	Childcare	Code of Competitive Conduct	Some parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
	Cultural (Civic Centre)	Code of Competitive Conduct	Evidence of changes to financial reporting. CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
	Design	Code of Competitive Conduct	Full cost pricing is being applied. CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
	Quarry	Code of Competitive Conduct	Full cost pricing is being applied. CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
	Road	Code of Competitive Conduct	Not yet resolved to apply the Code although mandatory for Type 3 roads business activity Some parts of full cost pricing are being applied Process established for ongoing compliance monitoring	QCA appointed as referee. No complaints have been received.
	Sport & recreation (swimming pools)	Code of Competitive Conduct	Some parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house -- Seeking Accreditation. No complaints have been received.
Mount Isa	Building Services	Code of Competitive Conduct	Will apply FCP in 200/2001	
	Entertainment	Code of Competitive Conduct	FCP will be applied in 2001/2002	
	Tourism	Code of Competitive Conduct	Many parts of full cost pricing are being applied	
Murgon	Tourism	Code of Competitive Conduct		
Murilla	Road	Code of Competitive Conduct	Most parts of full cost pricing are being applied	QCA. No complaints have been received.
Noosa	Building Services (building certification unit)	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs identified.	In-house. No complaints have been received.
	Caravan Parks	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified.	In-house. No complaints have been received.
	Childcare	Code of Competitive Conduct	Many parts of full cost pricing are being applied CSOs identified	In-house. No complaints have been received.
	Quarry	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs were identified for this business activity	In-house. No complaints have been received.
	Sports & Recreation	Code of Competitive Conduct	Some parts of full cost pricing are being applied CSOs identified	In-house. No complaints have been received.

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3 Business Activities				
Peak Downs	Quarry (Shepton Pit Gravel Crusher)	Code of Competitive Conduct	Many parts of full cost pricing are being applied Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Pine Rivers	Building Services	Code of Competitive Conduct	Most parts of FCP being applied.	In-house. No complaints have been received.
	Child Care	Code of Competitive Conduct	Most parts of FCP being applied.	In-house. No complaints have been received.
	Commercial Properties	Code of Competitive Conduct		In-house. No complaints have been received.
	Sports & Recreation	Code of Competitive Conduct		In-house. No complaints have been received.
Redland	Cultural	Code of Competitive Conduct	Changes to financial reporting and management arrangements.	In-house. No complaints have been received.
	Family Day Care	Code of Competitive Conduct	Changes to financial reporting and management arrangements.	In-house. No complaints have been received.
	Land Development	Code of Competitive Conduct	Changes to financial reporting and management arrangements.	In-house. No complaints have been received.
	Private Works	Code of Competitive Conduct	Changes to financial reporting and management arrangements.	In-house. No complaints have been received.
	Respite Care	Code of Competitive Conduct	Changes to financial reporting and management arrangements.	In-house. No complaints have been received.
Rockhampton	Aerodromes	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Building Services	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified.	In-house. No complaints have been received.
	Entertainment (Performing Arts Complex)	Code of Competitive Conduct	Some parts of full cost pricing are being applied	In-house. No complaints have been received.
Rockhampton	Private Works	Code of Competitive Conduct	Evidence of changes to financial reporting	In-house. No complaints have been received.
	Tourism (Heritage Village)	Code of Competitive Conduct	Council previously advised its decision to apply the Code Some parts of full cost pricing are being applied	In-house. No complaints have been received.
Thuringowa	Building Services	Code of Competitive Conduct	Evidence of changes to financial reporting Many CSOs have been identified.	In-house. No complaints have been received.
Tiaro	Road	Code of Competitive Conduct	Evidence of changes to financial reporting and management arrangements, valuation and depreciation of assets	

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Type 3 Business Activities				
Toowoomba	Cemeteries	Code of Competitive Conduct	Many parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Competitive Development Assessment	Code of Competitive Conduct	Some parts of full cost pricing are being applied CSOs identified, costed and funded	In-house. No complaints have been received.
	Road	Code of Competitive Conduct	Some parts of full cost pricing are being applied No CSOs identified. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Sports & Recreation	Code of Competitive Conduct	Some parts of full cost pricing are being applied CSOs identified, costed and funded Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Townsville	Building Services	Code of Competitive Conduct	Full cost pricing is being applied. CSOs identified, costed and funded	In-house. No complaints have been received.
	Childcare (Amaroo Early Childhood Development Centre)	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Commercial Properties (Victoria Bridge Learning Centre)s	Code of Competitive Conduct	Some parts of full cost pricing are being applied No CSOs identified.	In-house. No complaints have been received.
	Land Development	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified.	In-house. No complaints have been received.
	Nurseries	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified.	In-house. No complaints have been received.
	Plant & Equipment	Code of Competitive Conduct	Full cost pricing is being applied. CSOs identified, costed and funded	In-house. No complaints have been received.
Wambo	Quarry	Code of Competitive Conduct	Return indicates that full cost pricing is being applied. CSOs identified, costed and funded	
	Road	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs identified.	
Whitsunday	Aerodromes	Code of Competitive Conduct	Changes to financial reporting and management arrangements.	
	Jetty	Code of Competitive Conduct	Some changes to financial reporting and management arrangements	
	Quarry	Code of Competitive Conduct	Some changes to financial reporting and management arrangements.	

<i>Council</i>	<i>Activity</i>	Reform applied (to July 2000)	<i>Comment</i>	<i>Complaints/Accreditation</i>
Other Business Activities				
Beauesert	Water & Sewerage	Code of Competitive Conduct	Many parts of full cost pricing applied.	
Biggenden	Other roads	Code of Competitive Conduct	Changes to financial reporting and management arrangements, valuation and depreciation of assets.	
Booringa	Other roads	Code of Competitive Conduct	Some parts of FCP applied.	
	Water & Sewerage	Code of Competitive Conduct	Some parts of full cost pricing are being applied.	
Boulia	Other roads	Code of Competitive Conduct	Prices have been set on the basis of recovering the full cost of goods and services. No CSOs were identified	In-house. No complaints have been received.
	Plant & Equipment Hire	Code of Competitive Conduct	Prices have been set on the basis of recovering the full cost of goods and services.	In-house. No complaints have been received.
Burnett	Other Roads	Code of Competitive Conduct	Changes to financial reporting and management arrangements to apply the Code.	In-house. No complaints have been received.
	Water & Sewerage	Code of Competitive Conduct	Some parts of FCP being applied	In-house No complaints have been received.
Calliope	Other Roads	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs were identified for this business activity. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
	Park Maintenance	Code of Competitive Conduct	Full cost pricing is being applied. CSOs identified, costed and funded. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
	Private Works	Code of Competitive Conduct	Full cost pricing is being applied. CSOs identified, costed and funded. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
	Refuse Management	Code of Competitive Conduct	Some parts of full cost pricing are being applied. CSOs are being identified, costed and funded. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
	Water & Sewerage	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
Caloundra	Cleansing Services (Refuse Management)	Code of Competitive Conduct	Full cost pricing is being applied. CSOs have been identified, costed and funded.	In-house. No complaints have been received.
Cambooya	Other Roads	Code of Competitive Conduct	Some elements of full cost pricing are being applied.	QCA. No complaints were received.
Charters Towers	Other Road	Code of Competitive Conduct	Some changes to financial reporting.	
	Refuse Management	Code of Competitive Conduct	Some changes to financial reporting.	
	Water & Sewerage	Code of Competitive Conduct	Some changes to financial reporting.	

<i>Council</i>	<i>Activity</i>	<i>Reform applied (to July 2000)</i>	<i>Comment</i>	<i>Complaints/Accreditation</i>
Other Business Activities				
Clifton	Other Roads	Code of Competitive Conduct	Some changes to financial reporting.	In-house. No complaints have been received.
Crows Nest	Commercial Properties	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Most CSOs have been identified, costed and funded.	In-house. No complaints have been received.
	Other Roads	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Most CSOs have been identified, costed and funded.	In-house. No complaints have been received.
	Plant & Equipment	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Most CSOs have been identified, costed and funded.	In-house. No complaints have been received.
	Water & Sewerage	Code of Competitive Conduct	Many parts of full cost pricing are being applied. Most CSOs have been identified, costed and funded.	In-house. No complaints have been received.
Dalby	Refuse Management	Code of Competitive Conduct	Many partes of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
	Water & Sewerage	Code of Competitive Conduct	Many parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.
Duaranga	Other Roads	Code of Competitive Conduct		QCA. Complaints process No complaints have been received.
Esk	Engineering Management	Code of Competitive Conduct	Previously provided evidence of many changes to financial reporting. Some CSOs have been funded	In-house – Interim No complaints have been received.
	Other roads	Code of Competitive Conduct	Previously provided evidence of many changes to financial reporting.	In-house – Interim No complaints have been received.
	Refuse Management	Code of Competitive Conduct	Previously provided evidence of many changes to financial reporting. Some CSOs have been funded	In-house – Interim No complaints have been received.
	Water & Sewerage	Code of Competitive Conduct	Previously provided evidence of many changes to financial reporting. Some CSOs have been funded.	In-house – Interim No complaints have been received.
Gatton	Other roads	Code of Competitive Conduct	Resolved to apply Code from 2001/2002 financial year	
	Refuse Management	Code of Competitive Conduct	Some parts of full cost pricing are being applied.	
	Water & Sewerage	Code of Competitive Conduct	Resolved to apply Code from 2001/2002 financial year. Some parts of full cost pricing are being applied.	
Hervey Bay	Aerodromes (Hervey Bay Airport)	Code of Competitive Conduct	Many parts of full cost pricing are being applied. CSOs have been identified.	In-house. No complaints have been received.
Hervey Bay	Refuse Management (solid waste management)	Code of Competitive Conduct	Most parts of full cost pricing are being applied. No CSOs were identified for this business activity.	In-house. No complaints have been received.

<i>Council</i>	<i>Activity</i>	Reform applied (to July 2000)	<i>Comment</i>	<i>Complaints/Accreditation</i>
Other Business Activities				
Ipswich	Other Roads	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs were identified for this business activity Process established for ongoing compliance monitoring.	In-house. No complaints have been received.
Jericho	Other roads	Code of Competitive Conduct	Some evidence of changes to financial reporting and management arrangements.	
	Water & Sewerage	Code of Competitive Conduct	Some evidence of changes to financial reporting and management arrangements.	
Livingstone	Water & Sewerage	Code of Competitive Conduct	Some parts of full cost pricing are being applied	In-house
Mackay	Cemeteries	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs have been identified for this business activity. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Design	Code of Competitive Conduct	Evidence of changes to financial reporting and management arrangements apply to FCP. No CSOs have been identified for this business activity.	In-house. No complaints have been received.
	Land Development	Code of Competitive Conduct	Some parts of full cost pricing are being applied No CSOs were identified for this business activity Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Other Roads	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs have been identified for this business activity. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Plant & Equipment	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs have been identified for this business activity. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Plumbing Permits & Inspections	Code of Competitive Conduct	Many parts of full cost pricing are being applied CSOs have been identified. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Public Toilets	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs were identified for this business activity Process established for ongoing compliance monitoring	In-house. No complaints have been received.
	Refuse Management	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs were identified for this business activity Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Mackay	Workshop	Code of Competitive Conduct	Some parts of full cost pricing are being applied No CSOs were identified for this business activity Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Mareeba	Other Roads	Code of Competitive Conduct	Some parts of full cost pricing are being applied	QCA.

<i>Council</i>	<i>Activity</i>	Reform applied (to July 2000)	<i>Comment</i>	<i>Complaints/Accreditation</i>
Other Business Activities				
	Workshop	Code of Competitive Conduct	Some parts of full cost pricing are being applied	
Miriam Vale	Other roads	Code of Competitive Conduct		
	Water & Sewerage	Code of Competitive Conduct		
Mount Isa	Other road activities	Code of Competitive Conduct	Many parts of full cost pricing are being applied	
	Refuse management	Code of Competitive Conduct	Many parts of full cost pricing are being applied	
	Water & sewerage	Code of Competitive Conduct	Many parts of full cost pricing are being applied	
Murgon	Other roads	Code of Competitive Conduct		
	Water & Sewerage	Code of Competitive Conduct		
Noosa	Refuse Management	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified.	In-house. No complaints have been received.
Peak Downs	Other road activities	Code of Competitive Conduct	Evidence of changes to financial reporting	In-house.
	Water & sewerage	Code of Competitive Conduct	Evidence of changes to financial reporting Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Redland	Other Roads	Code of Competitive Conduct	Changes to financial reporting. and management arrangements.	QCA appointed as referee No complaints have been received.
	Quarry	Code of Competitive Conduct	Evidence of changes to financial reporting	In-house. No complaints have been received
Toowoomba	Laboratory	Code of Competitive Conduct	Many parts of full cost pricing are being applied No CSOs identified. Process established for ongoing compliance monitoring	In-house. No complaints have been received.
Townsville	Other road	Code of Competitive Conduct	Evidence of changes to financial reporting. No CSOs identified.	In house. No complaints have been received.
Wambo	Other roads	Code of Competitive Conduct	Full cost pricing is being applied. No CSOs identified.	
Warwick	Other Road Activities	Code of Competitive Conduct	Many parts of full cost pricing are being applied	In-house. No complaints have been received.
	Refuse Management	Code of Competitive Conduct	Many parts of full cost pricing are being applied	In-house. No complaints have been received.
	Water & Sewerage	Code of Competitive Conduct	Many parts of full cost pricing are being applied	In-house. No complaints have been received.