



**Queensland Government**  
**Treasury**

**SEVENTH ANNUAL REPORT TO THE  
NATIONAL COMPETITION COUNCIL**

**VOLUME 2: ATTACHMENTS**

**March 2003**

## ATTACHMENT 1: Legislation Review Schedule

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Corrective Services Act 1988</i></p> <p><i>Corrective Services (Administration) Act 1988</i></p> <p>Review of Corrective Services Legislation</p>	Corrective Services	Reformed without Review	<p><i>Corrective Services Legislation Amendment Act 1999</i> 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 <i>Corrective Services (Administration) Act 1988</i> 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 (<i>Corrective Services Act 2000</i>) was subsequently passed by Parliament in November 2000. This legislation replaces the <i>Corrective Services Act 1988</i> and the <i>Corrective Services (Administration) Act 1988</i>. The legislation, in its new form does not restrict competition and, as a result, a formal review has not been undertaken.</p>	1998	<p><i>Corrective Services Act 2000</i> passed by the Parliament on 16 November 2000 and received Royal Assent on 24 November 2000. The Act was proclaimed on 1 July 2001, with the exception of certain sections which commenced on 24 November 2000.</p>
<p><i>Education (Capital Assistance) Act 1993</i></p> <p>Review of Education Capital Assistance Legislation</p>	Education	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>	June 1998	<p>Legislation has been amended to remove the restriction.</p>
<p><i>Education (General Provisions) Act 1989</i></p> <p>Education (General Provisions) Regulation 1989</p> <p>Review of Education General Provisions Legislation</p>	Education	Department Review	<p>This review focuses on the issues of the registration of certain overseas curriculum and the ability to prohibit the sale of certain items from State School tuckshops. The PBT has been finalised and recommended new legislation be developed providing for the establishment, registration and accountability of non-State schools has been completed.</p>	December 2002	<p>The legislation has now been amended.</p>
<p><i>Education (Overseas Students) Act 1996</i></p> <p>Review of Overseas Student Legislation</p>	Education	Reduced NCP Review	<p>Restrictions relating to the registration requirements for providers of education to overseas students and the courses provided were examined. This 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.</p>	January 2000	<p>Existing regulatory regime retained in the public interest.</p>
<p><i>Education (Teacher Registration) Act 1988</i></p> <p>Education (Teacher Registration) Regulation 1989 &amp; Board of Teacher Registration By-laws 1989</p> <p>Review of Teachers Registration Legislation</p>	Education	Department Review	<p>The Department completed the review into teacher registration arrangements in May 2000. Government subsequently endorsed the review recommendations in October 2000.</p>	May 2000	<p>Teacher registration requirements have been retained in the public interest.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<i>Grammar Schools Act 1975</i> Review of Grammar Schools Act	Education	Department Review	The review was re-opened (the original review had been finalised in September 1997) and was undertaken in accordance with the Queensland Government's revised PBT Guidelines. A second PBT was undertaken which recommended minor reforms. New legislation is currently being prepared which also takes into account the Accreditation of Non-State Schools legislation.	2002	New legislation is expected to be introduced into Parliament in May 2003 and become operational in September 2003.
<i>Higher Education (General Provisions) Act 1989</i> Review of Higher Education General Provisions Act	Education	Reduced NCP Review	PBT Plan was expanded into a draft report in recognition of the accreditation provisions being nationally uniform. The PBT examined restrictions in the Act which impose limitations and accreditation procedures on non-university providers and foreign universities which seek to provide higher education courses leading to higher education awards in Queensland.	January 2001	Existing regulatory regime retained in the public interest.
University Legislation Review of Universities Legislation	Education	Reduced NCP Review	Separate and similar Acts modelled on the <i>James Cook University of North Queensland Act 1997</i> 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 identified and examined a "potential" restriction in relation to ability of universities to apply revenue solely for university purposes but it was considered not to significantly impact on competition. Review was completed in August 2001.	August 2001	Existing regulatory regime retained in the public interest
<i>Ambulance Service Act 1991</i> Review of Ambulance Service Act	Emergency Services	Targeted Public	Restricts use of the words 'Ambulance Service' and 'Ambulance', 'collections of money' and 'first aid training'.  PBT review has been finalised and is awaiting consideration by Government.	2002/2003	Subject to decision by Government.
<i>Fire Services Act 1990</i> Review of Fire and Rescue Authority Act	Emergency Services	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 recommended retention of status quo and was endorsed by the Treasurer in September 2000. The Report was made available to the public in July 2001.	August 2000	Provisions subjected to NCP review retained without change.
<i>Vocational Education, Training and Employment Act 1991</i> Vocational Education, Training and Employment Regulation 1991 Review of Vocational Education, Training and Employment Legislation	Employment and Training	Reduced NCP Review	Minor review was carried out in 1997 on the then proposed 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 was subsequently enacted and is less restrictive than the VET&E Act that it replaced. The Act 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. The volume of course accreditation will diminish as providers use more national training packages. The Act will also deliver increased flexibility and ensure specific requirements can be properly negotiated between employers, apprentices/trainees and registered training bodies. Review effectively completed in time for Government approved the new legislation in April 2000.	April 2000	Government approved the new legislation 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.  No outstanding reform issues.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<i>Beach Protection Act 1968</i> Coastal Management Control Districts Regulation 1994 Review of Beach Protection Legislation	Environmental Protection Agency	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 were raised during consultation. NCC provided with report in February 1999.	November 1998	Provisions subjected to NCP review retained without change.
<i>Canals Act 1958</i> Canals Regulation 1992 Review of Canals Legislation	Environmental Protection Agency	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 were raised during consultation. NCC provided with report in February 1999.	November 1998	Provisions subjected to NCP review retained without change.
<i>Coastal Protection &amp; Management Act 1995</i> Review of Coastal Protection Act	Environmental Protection Agency	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 were raised during consultation. NCC provided with report in February 1999.	November 1998	Provisions subjected to NCP review retained without change.
<i>Contaminated Land Act 1991</i> Contaminated Land Regulation 1991 Review of Environmental Protection Legislation (incl. contaminated land)	Environmental Protection Agency	Targeted Public	Act subsumed within the <i>Environmental Protection Act 1994</i> in 1997 without any increase in restrictions on competition. For further details refer to EP Act entry below.	August 2000	Act repealed and relevant provisions transferred to the <i>Environmental Protection Act 1994</i> .
<i>Environmental Protection Act 1994</i> EP (Interim) Regulation 1995 Review of Environmental Protection Legislation	Environmental Protection Agency	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.	August 2000	Provisions subjected to NCP review retained without change.
Harbours (Reclamation of Land) Regulation 1979 Marine Land (Dredging) By-Laws under the <i>Harbours Act 1955</i> (sections 91-93) Review of Harbour Land Reclamation Regulation & Marine Land Dredging Legislation	Environmental Protection Agency	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 was extended until end 2003 pending incorporation of approvals provisions in IDAS and coastal legislation. The amending Act and the <i>Coastal Protection and Other Legislation Amendment Act 2001</i> repealed the remaining provisions of <i>Harbour Act 1955</i> under which <i>Harbour (Reclamation of Land) Regulation 1979</i> was made. It is intended to commence both Acts in October 2003.		No outstanding reform issues.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Nature Conservation Act 1992</i> Nature Conservation Regulation 1995 and Conservation Plans Review of Nature Conservation Legislation</p>	Environmental Protection Agency	Reduced NCP Review	Review supported retention of provisions which are considered to be for natural resource management purposes. Targeted consultation undertaken and review report made public in January 1999.	July 1999	Provisions subjected to NCP review retained without change.
<p><i>Queensland Heritage Act 1992</i> Queensland Heritage Regulation 1992 Review of Heritage Legislation</p>	Environmental Protection Agency	Reduced NCP Review	Review justified retention of provisions on public interest grounds. Review report has been made available to the public. No issues were raised during consultation. NCC provided with report in February 1999.	December 1998	Provisions subjected to NCP review retained without change.
<p><i>Child Care Act 1991</i> Child Care (Child Care Centres) Regulation 1991 &amp; Child Care (Family Day Care) Regulation 1991 Review of Child Care Legislation</p>	Families	Department Review	<p>A major review of child care legislation commenced in Queensland in 1999. The review, as it relates to NCP, examined restrictions in the legislation relating to the existence of licensing requirements and associated costs, and the requirement to employ qualified staff in order to satisfy licensing requirements. The impacts of regulating different service types within the child care sector that have not previously been regulated, were also examined.</p> <p>The restrictions relating to licensing and the provisions for the issuing of regulated standards for child care services, such as staff/child ratios, staff qualifications and group sizes were found to be in the public interest.</p>	2001	New legislation was enacted in November 2002 which reflected the outcomes of the PBT and public consultation process.
<p><i>Cremation Act 1913</i> Cremation Regulation 1987 Review of Cremation Legislation</p>	Health	Reformed without Review	Decision taken by department to repeal the restrictive provisions without a formal NCP review.	December 1998	Anti-competitive provisions were repealed in late 1998 following departmental examination of the legislation.
<p><i>Fluoridation of Public Water Supplies Act 1963</i> Fluoridation of Public Water Supplies Regulation 1964 Review of Fluoridation of Public Water Supply Legislation</p>	Health	Reformed without Review	Decision taken by Department to repeal the restrictive provisions without formal NCP review.	September 1997	Anti-competitive provisions were repealed late in 1997 following departmental examination of the legislation.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Food Act 1981</i> Food Hygiene Regulations 1989, Food Standards Regulation 1994</p> <p>Review of Food Legislation</p>	Health	<p>National Review (Core Provisions)</p> <p>Department Review (Non-core provisions)</p>	<p>In November 2000, CoAG signed an Intergovernmental Agreement (IGA) on Food Regulation in which States and Territories agreed to enact legislation reflecting the 'core' provisions of the National Model Food Bill.</p> <p>The Intergovernmental Agreement also stated that each jurisdiction has the discretion to adopt any of the "non-core" provisions in the National Model Food Bill it considered necessary in its State legislation. Work is being undertaken at State level as a result of national review outcomes).</p>	November 2001	<p>Amendments to the <i>Food Act 1981</i> to adopt the 'core' provisions of the Model Food Bill were made in Queensland under the <i>Health Legislation Amendment Act 2001</i> which was passed on 9 November 2001. The amendments commenced 1 January 2002.</p> <p>The 'non-core' provisions of the Model Food Bill cover matters including the licensing and registration of food businesses and requirements about the adoption of food safety programs. A Discussion Paper on the 'non-core' provisions was released in mid-2002, to assist in informing Government of the 'non-core' provisions that should be adopted into the <i>Queensland Food Act 1981</i>. The policy approach as to what 'non-core' provisions should be adopted, and the existing provisions to be retained, has yet to be finalised. A PBT assessment will be undertaken during 2003 if any provisions are identified as restricting competition.</p>
<p><i>Health Act 1937</i> Health (Private Hospitals) Regulation 1978</p> <p>Review of Private Hospitals Legislation</p>	Health	Targeted Public	Review of relevant provisions in the <i>Health (Private Hospitals) Regulation 1978</i> under Part 3, Division 4 of the <i>Health Act 1937</i> . PBT assessment recommended retention of a licensing regime for private hospitals and day facilities (performing higher risk procedures) in the interests of patient wellbeing. The review rejected the formal adoption of planning controls.	February 1999	The <i>Private Health Facilities Act 1999</i> , which replaces the legislation scheduled for review, was passed in November 1999. The Act and its subordinate legislation commenced on 30 November 2000.
<p><i>Health Act 1937</i> Review of Health (Nursing Homes) Regulation 1982</p>	Health	Department Review	Review of relevant provisions in the <i>Health (Nursing Homes) Regulation 1982</i> under Part 3, Division 5 of the <i>Health Act 1937</i> . Department has examined Commonwealth's <i>Aged Care Act 1997</i> to determine its impact on this legislation. The above Regulation was allowed to expire on 1 July 1998.	March 1997	Restrictive provisions dealing with nursing homes expired on 1 July 1998.
<p><i>Health Act 1937</i> Review of Drugs, Poisons and Therapeutic Goods Legislation</p>	Health	National Review	Review of drugs, poisons and controlled substances provisions in the <i>Health (Drugs and Poisons) Regulation 1996</i> under Part 4 of the <i>Health Act 1937</i> . 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 in early 2001 and forwarded to a working party of the Australian Health Ministers Advisory Council. The report and its recommendations will be forwarded to CoAG.		Cabinet authority to prepare new legislation to adopt, by reference, the Commonwealth <i>Therapeutic Goods Act 1989</i> is expected to be sought before June 2003. The scope and timing of other legislative changes is subject to CoAG endorsement of the national review report.
<p><i>Health Act 1937</i> Review of Hyperbaric Chamber Therapy under Part 6 of Health Regulation 1996</p>	Health	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.	December 2000	The restrictive provisions of the regulation were repealed in June 2001.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Health Act 1937</i></p> <p>Review of Hairdressing, Beauty Therapy and Skin Penetration Legislation</p>	Health	Targeted Public	<p>Review of Sections 33 and 100A of the <i>Health Act 1937</i> and Parts 5 and 15 of the <i>Health Regulation 1996</i>. 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 (i.e. skin penetrating) procedures. Licensing of other activities (eg hairdressing) will be discontinued.</p>	October 1999	<p>Government approved preparation of new legislation in March 2000. The Public Health (Infection Control for Personal Appearance Services) Bill has been drafted and a consultation draft was publicly released in late February 2003. The Bill is expected to be introduced in May 2003, passed during the second half of 2003 and commence on 1 July 2004.</p>
<p><i>Health Act 1937</i></p> <p>Review of Pest Management under Parts 10&amp;12 of the Health Regulation 1996</p>	Health	Targeted Public	<p>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.</p>	October 1999	<p>Pest management provisions of Health Act replaced by <i>Pest Management Act 2001</i> which was passed in December 2001. A Regulatory Impact Statement for proposals for subordinate legislation was released for public comment in November 2002. The Act and subordinate legislation are expected to commence by mid 2003. The NCP implications arising from the proposed subordinate legislation are currently under examination.</p>
<p>Health Practitioner Registration Acts</p> <p>Review of Core Practice Restrictions in Health Practitioner Legislation</p>	Health	Targeted Public	<p>A second-stage Health Practitioner Legislation review, not individually scheduled in Queensland Legislation Review Timetable has been completed. 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, which takes into account of risk to patient and other relevant factors. The PBT assessment recommended that the practice of thrust manipulation of the spine be restricted to chiropractors, physiotherapists, medical practitioners and osteopaths and the practice of prescribing optical appliances for the correction or relief of visual defects be restricted to optometrists and medical practitioners. The PBT report which was endorsed by Treasurer in January 2001 and released for public comment in August 2001.</p>	January 2001	<p>Authority to prepare and introduce new legislation arising from the review recommendations is expected to be sought in May 2003. The legislation is expected to be introduced in May 2003 and commence in the second half of 2003.</p>
<p>Health Practitioner Registration Acts</p> <p>Review of Restrictions on the Practice of Dentistry</p>	Health	Targeted Public	<p>A second-stage Health Practitioner Legislation review, not individually scheduled in the Queensland Legislation Review Timetable has been completed. The review commenced in 1999 and considered restrictions on the practice of dentistry, including whether allied oral health practitioners should be registered and what conditions on practice should apply to certain dental practitioner groups. 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. The PBT report was released for consultation in late 2001.</p>	October 2000	<p>Details of the policy approach are currently being finalised following the consultation process. Authority to prepare and introduce new legislation arising from the review recommendations is expected to be sought in May 2003. The legislation is expected to be introduced in May 2003 and commence in the second half of 2003.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
Health Practitioner Registration Acts Review of Ownership Restrictions under the <i>Pharmacy Act 1976</i> and <i>By-Laws 1984</i>	Health	National Review	A second-stage Health Practitioner Legislation review, not individually scheduled in Queensland Legislation Review Timetable has been completed. Review of relevant provisions under Part 4 of the <i>Pharmacy Act 1976</i> . 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 CoAG working party report (outlining its response to the Review Report) has been forwarded to CoAG Senior Officials.		Cabinet authority to prepare new legislation on the issue of pharmacy ownership is expected to be sought before June 2003. This legislation is expected to be introduced and commenced by the end of 2003.
Health Practitioner Registration Acts Review of Ownership Restrictions under the <i>Optometrists Act 1974</i>	Health	Targeted Public	A second-stage Health Practitioner Legislation review, not individually scheduled in Queensland Legislation Review Timetable has been completed. 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.	July 1999	<i>Optometrists Registration Act 2001</i> was passed in May 2001 and commenced on 1 Feb 2002. The Act does not contain any of the restrictions that were under review.
Health Practitioner Registration Acts Review of Health and Medical Practitioner Registration Acts	Health	Targeted Public	A review of the legislation under which 12 health professions are regulated has been completed. Specific restrictions on pharmacy, optometry and dentistry, and restrictions on core practice across professions, are the subject of separate reviews.	May 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) and all prescriptive advertising controls have been removed. Registration of Medical Radiation Technologists was also proposed. <i>Health Practitioners (Professional Standards) Act 1999</i> and <i>Health Practitioner Registration Boards (Administration) Act 1999</i> were passed in November 1999 and commenced on 7 February 2000. 13 profession-specific registration Acts were passed in May 2001. All of the Acts and their respective subordinate legislation had commenced, by May 2002.
<i>Health Services Act 1991</i> Health Services (Public Hospitals Fees and Charges) Regulation 1992 (now titled Health Services Regulation 1992) Review of Public Hospitals Fees and Charges in Health Services Regulation 1992	Health	Reformed without Review	Department decided that the anti-competitive provisions would be repealed (Current legislation titled Health Services Regulation 2002).	July 1997	Anti-competitive provisions were repealed in 1997 following departmental examination of the legislation.
<i>Mental Health Act 1974</i> Review of Mental Health Act	Health	Reformed without Review	No formal NCP review was undertaken. Health and Justice Departments jointly examined this matter and determined that the restrictions be repealed.	December 1998	The anti-competitive provisions were repealed under the <i>Guardianship and Administration Act 2000</i> , which commenced on 1 July 2000.



Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Nursing Act 1992</i> Nursing By-Law 1993 Review of Nursing Legislation</p>	Health	Targeted Public	<p>Review of provisions of the <i>Nursing Act 1992</i> and <i>Nursing By-Law 1993</i>. 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. Since then, the focus of the PBT has been changed and a discussion paper was prepared and endorsed by the Government for public release. The discussion paper was publicly released on 24 Nov 2001. Consultation occurred until end Jan 2002.</p>	January 2002	<p>The anti-competitive provision in the Nursing By-Law was repealed in 1999 following departmental examination.</p> <p>The PBT report on restrictions on practice in the Nursing Act is expected to be completed and submitted for Treasury endorsement by April 2003. It is expected that the Government will prepare new legislation before June 2003. This legislation is expected to be introduced and commenced by the end of 2003.</p>
<p><i>Queensland Building Services Authority Act 1991</i> Queensland Building Services Authority Regulation 1992 &amp; Queensland Building Services Authority Policy 1995 Review of Queensland Building Services Authority Legislation</p>	Housing	Targeted Public Consultation	<p>Review undertaken by Interdepartmental Review Committee. PBT undertaken by independent consultants. Review advertised and submissions closed 29 October 2001. Targeted stakeholder consultation occurred October – December 2001. The review examined similar or identical restrictions across the various States' building industry legislation.</p> <p>Independent consultant's findings were delivered in late December 2001. Following significant changes and government intervention in the home warranty insurance market in New South Wales and Victoria, the consultant was commissioned to further investigate consult and report on the insurance aspects of the legislation. The final report was received on 16 August 2002.</p> <p>The Government is currently considering the review recommendations.</p>	August 2002	It is expected that any amending legislation will be introduced to Parliament in April/May 2003.
<p><i>Residential Tenancies Act 1994</i> Residential Tenancies Regulation 1995 Review of Residential Tenancies Legislation</p>	Housing	Full Public Review	A public benefit test was undertaken in March 1998. The PBT supported retention of the Residential Tenancy Authority's statutory monopoly over the administration of rental bonds. Government agreed to the review recommendations.	April 1998	Current arrangements preserved in legislation.
<p><i>State Housing Act 1945 and State Housing (Freeholding of Land) Act 1957</i> State Housing Regulation 1986 and Interest Rate Orders Review of the State Housing Legislation</p>	Housing	Department Review	<p>PBT Plan approved by Treasury in December 1999. Review advertised and submissions called, closed 31 January 2000. Targeted stakeholder consultation occurred in February-March 2000. The review was considered in conjunction with a wider review of the Act and review findings endorsed in December 2001.</p> <p>The Review concluded that the exemption from payment of rates by Queensland Housing Commission should be removed where persons purchase an interest in residential property under instalment contracts and where the Commission remains owner.</p>	November 2001	Amending legislation implementing recommendation commenced on 1 July 2002.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Private Employment Agencies Act 1983</i></p> <p>Private Employment Agencies Regulation 1989</p> <p>Review of Private Employment Agency Legislation</p>	Industrial Relations	Department Review	Review examined licensing and fee-charging provisions. Review report has been finalised proposing repeal of the Act, with fee charging provisions being incorporated into the <i>Industrial Relations Act 1999</i> . Cabinet has considered the review recommendations and endorsed the introduction of legislative changes and a transition plan to give effect to the review.	April 2002	The <i>Private Employment Agencies and Other Acts Amendment Bill 2001</i> was introduced to Parliament in December 2001. The new legislation became operative on 26 April 2002.
<p><i>Trading (Allowable Hours) Act 1990</i></p> <p>Trading (Allowable Hours) Regulation 1994</p> <p>Review of Trading Hours Legislation</p>	Industrial Relations		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 and subsequently, 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.	July 2000	<p>Since 2000, the QIRC granted the following extensions of trading hours:</p> <ul style="list-style-type: none"> <li>• Sunday trading for large hardware stores throughout Queensland.</li> <li>• A State-wide extension of trading hours for the period leading up to Christmas each year;</li> <li>• Sunday and public holiday trading in the Inner City of Brisbane (including the City Heart, Spring Hill, Fortitude Valley, Bowen Hills, Newstead and New Farm areas); and</li> <li>• Extended and standardised Sunday and public holiday trading in all tourist areas throughout the State.</li> </ul> <p>In December 2001, the QIRC decided to permit Sunday trading in limited geographic areas in the inner city of Brisbane commencing from 1 July 2002. The Queensland Government has passed legislative amendments to extend this decision in order to create a single 7 day trading hours zone for the South-East Queensland Area (including the Sunshine Coast, Brisbane and surrounding areas and the Gold Coast).</p> <p>This applied from 1 August 2002. 7 day trading applies also in the following areas of Queensland: Cairns Tourist area, Douglas Shire Tourist Area, Townsville CBD and Whitsunday Tourist Area. Accordingly, the majority of Queenslanders now live in areas with 7 days trading (this covers the majority of non-rural areas). The NCC acknowledged Queensland's progress in this regard.</p> <p>The QIRC will continue to determine extended trading in other areas of Queensland on a case by case basis.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>WorkCover Qld Act 1997</i> Review of WorkCover Act</p>	<p>Industrial Relations</p>	<p>Targeted Public</p>	<p>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. The review examined nine restrictions which were identified as potentially anti-competitive including:</p> <ul style="list-style-type: none"> <li>• Employers must maintain compulsory accident insurance for their workers;</li> <li>• Legislated monopoly status of Workcover;</li> <li>• Self-insurance licensing arrangements;</li> <li>• Benefit levels for hospitalisation costs; medical treatment and chiropractic/osteopathic costs; and rehabilitation costs set by Workcover;</li> <li>• Rehabilitation training courses to be approved by Workcover;</li> <li>• Workplaces with 30 or more workers must have a rehabilitation coordinator; and</li> <li>• Price setting mechanism for premiums and associated costs.</li> </ul> <p>Main findings of the review are that:</p> <ul style="list-style-type: none"> <li>• Workcover remain publicly underwritten;</li> <li>• Q-Comp and Workcover become completely separate entities;</li> <li>• Self-insurance criteria be maintained for another 3 years;</li> <li>• Investigation of alternative methods for the delivery of workplace health and safety outcomes in the workplaces of self-insurers;</li> <li>• Cost capping for private hospital, medical and rehabilitation costs be maintained; and</li> <li>• Q-Comp review the conditions that can be imposed on the use of allied health professional and rehabilitation service providers including the matter of mandatory referral by a medical practitioner.</li> </ul> <p>The review findings were endorsed by Cabinet in May 2001.</p>	<p>November 2000</p>	<p>Ministerial Consultative Committee chaired by the Chairman of Workcover and representing stakeholder groups established to develop regulatory options for separation of Workcover and Q-Comp reported to Minister 10 May 2002. The recommendations were accepted and authority to develop enabling legislation obtained 12 August 2002.</p> <p>Recommendations require the development of new workers' compensation legislation and repeal of the <i>WorkCover Queensland Act 1996</i> and Regulations including the establishment of a new stand alone Q-Comp regulatory authority with an independent board of Directors.</p> <p>Initially, implementation of NCP review outcomes was expected by end 2002, however due to the complexity of task, legislation will now be introduced in Parliament in April 2003 to take effect from 1 July 2003.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Workplace Health and Safety Act 1995</i></p> <p>Workplace Health and Safety Regulations 1997</p> <p>Review of Workplace Health and Safety Act 1995 and Regulation 1997</p>	Industrial Relations	Department Review	<p>The only part of this legislation identified as anti-competitive in the endorsed PBT Plan is Part 3 – Prescribed Occupations. The review examines the requirements for a person to hold a certificate or be a trainee in order to perform a prescribed occupation. There are three categories of prescribed occupations – certificates under the National Certification standard, Certificates under the National Certification Guidelines and Prescribed occupations unique to Queensland. Final Review Report has been forwarded to Queensland Treasury for consideration.</p> <p>The Review Report outlines that the continuation of regulatory requirements for certificates issued under the National Certification Standard is justified and that no further reform will be pursued. Regulatory requirements in relation to certificates for demolition and asbestos removal have been reformed – no further reform is considered necessary.</p> <p>Reforms for certificates issued under the National Guidelines are currently underway.</p>		A National Transition Steering Group has been established to oversee the progress of work-related licensing issues across Australia (Stairway to licensing and beyond). Reforms associated with certificates issued under the National Guidelines are being implemented through the work of the Steering Group.
<p><i>Workplace Health and Safety Act 1995</i></p> <p>Workplace Health and Safety (Miscellaneous) Regulations 1995</p> <p>Review of Workplace Health and Safety (Miscellaneous) Regulation 1995</p>	Industrial Relations	Department Review	<p>The <i>Workplace Health and Safety (Miscellaneous) Regulation 1995</i> as a whole has not undergone NCP review. The regulation is being reviewed incrementally as provisions are removed, reformed and incorporated within the <i>Workplace Health and Safety Regulation 1997</i>.</p> <p>The only outstanding parts are Part 8 (Amenities), Part 9 (Miscellaneous) and Part 11 (Access). Part 8 has undergone some reform with the removal of provisions relating to construction workplaces. Work is continuing to reform the remaining parts. The regulation is currently due to expire 30 June 2003.</p>	2002	Parts of the 1995 Regulation are being remade progressively under the 1997 Regulation, following general and NCP examination.
<p><i>Indy Car Grand Prix Act 1990</i></p> <p>Indy Car Grand Prix Regulations 1990</p> <p>Review of Indy Car Grand Prix Legislation</p>	Innovation and Information Economy, Sport and Recreation Queensland	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.	October 1998	Provisions subjected to review retained without change.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p>Legal Practitioners Act 1995</p> <p>Supreme Court of Queensland Act 1991</p> <p>Solicitors' Admission Rules 1968</p> <p>Barristers' Admission Rules 1975</p> <p>Queensland Law Society Act 1952</p> <p>Queensland Law Society Rule 1987, Queensland Law Society (Indemnity) Rule 1987</p> <p>Queensland Law Society (Solicitors Complaints Tribunal) Rule 1997</p> <p>Continuing Legal Education Rule</p> <p>Review of Legal Practice Legislation</p>	<p>Justice and Attorney-General</p>	<p>Full Public Review</p>	<p>This legislation collectively establishes the regulatory framework and regulatory body for the solicitors' stream of the legal profession and the admission requirements for the barristers' stream.</p> <p>The legislation contains a number of restrictions including regulation of entry to the profession, the reservation of work, controls on ownership and structure of practices, and controls on business conduct and trust accounts and use of interest on those accounts.</p> <p>Annual practising certificates for solicitors can only be issued by the Queensland Law Society (QLS). The legislation provides for: professional conduct rules to be made; a practice management course to be completed to obtain a principal's practising certificate; complaints and disciplinary processes; client cost agreement requirements; cost review processes.</p> <p>The legislative scheme also allows for discretion on the approval of insurers providing professional indemnity insurance. The legislation supports a master policy scheme. To insure with other schemes, practitioners require the Law Society's approval (Also see <i>Queensland Law Society Act 1952</i>).</p> <p>NCP review started on 5 November 2001. An advertisement requesting submissions and advising of the release of an Issues Paper was placed in State and national news papers in November 2001. Consultants were appointed by the review committee to assist in developing the PBT Report. The Review Committee and the consultants also consulted with the stakeholder reference group and other key stakeholders, with regional consultation undertaken in February 2002.</p> <p>The PBT Report was expected to be completed in March 2002, with decisions made prior to 30 June 2002, but full reform extended past that time, in view of the need for further urgent review of the regulatory structure (in particular, for complaints against lawyers) and desirability of harmonising aspects of the regulation of the legal profession on a national basis.</p> <p>NCP review began fourth quarter 2001 - Issues Paper released November 2001. The review was completed in the second half of 2002.</p>	<p>2003</p>	<p>It is expected that the Government will announce its decisions arising from the view with its package of legal profession reforms in the first half of 2003. This was expected to happen in the second half of 2002. However, substantial public and media criticism of the Queensland Law Society for its investigation of complaints against Baker Johnson Lawyers resulted in a review of the performance of its complaints and disciplinary functions by former Chief Judge Pat Shanahan and the Legal Ombudsman. The Legal Ombudsman's Report was received in late November leaving insufficient time for the Government to consider its recommendations before the Christmas recess.</p> <p>The Standing-Committee of Attorneys-General (SCAG) has approved the drafting of the national model laws in the areas of legal profession regulation where a national approach is highly desirable, viz: admission and practice, reservation of work, complaints and discipline, cost agreements and review, fidelity fund, trust accounts, incorporated legal practices and multi-disciplinary partnerships and professional indemnity insurance. A draft model laws Bill is expected to be finalised in July 2003 after consultation with stakeholders and settled at the August 2003 SCAG meeting. It is expected that Queensland's Legal Profession Bill will adopt these provisions.</p> <p>It is expected that the Bill will be introduced in mid- 2003 to implement the reforms emanating from the NCP review, and subject to any NCP gate-keeping evaluation, the other proposals arising from the general review of Queensland's legal practice legislation</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Trustee Companies Act 1968</i> Review of Trustee Companies Act</p>	Justice and Attorney-General	National Review	<p>Restricts the provision of certain services in relation to deceased estates and the maintenance of minors and other legally incapable persons, to certain statutory trustee companies (i.e. those cited in a schedule to the Act) and also prescribes a maximum commission chargeable against the estate.</p> <p>Combined review being undertaken by all jurisdictions in conjunction with the development of new uniform trustee company legislation. Discussion Paper released in May 2001. This review is being co-ordinated by New South Wales. A draft Trustee Corporations Bill and NCP report has been prepared on the basis that the Commonwealth, through the Australian Prudential Regulatory Authority (APRA) will undertake prudential supervision of trustee companies in accordance with a previous agreement between the States and the Commonwealth.</p>	2003	<p>Timing of legislative changes is subject to endorsement by SCAG.</p> <p>At the March 2002 Ministerial Council for Corporations (MINCO) meeting, this matter was referred to the Commonwealth for consideration and confirmation that APRA will undertake that supervision. No response has been received from the Commonwealth since that time.</p> <p>At the November 2002 MINCO meeting Senator Campbell advised that the Commonwealth had concluded consultation with the Assistant Treasurer, Prime Minister, Senator Campbell's office, the Attorney-General's Department and trustee companies and that the matter was now with the Prime Minister and a decision is pending.</p> <p>A response from the Commonwealth has not yet been provided.</p>
<p><i>Building Act 1975</i> Standard Building Regulation 1993 &amp; Building Regulation 1991 Review of Building Legislation</p>	Local Government and Planning	Department Review	<p>This legislation sets building regulations (including reference to the Building Code Australia) and specifies approval procedures and accreditation of building certifiers. The review was undertaken by independent consultants under the supervision of an interdepartmental committee. Review was undertaken in conjunction with review of Sewerage and Water Supply Act and was considered by the Government in June 2002.</p> <p>Note: CRR determined that a national review of the Building Code was not required.</p>	June 2002	<p>Amendments to the <i>Building Act 1975</i> as a result of the review were included in the <i>Plumbing and Drainage Act 2002</i> assented to on 13 December 2002.</p> <p>Several further restrictions will be addressed by amendments to the Standard Building Regulation 1993. Following the RIS process the proposed significant subordinate legislation is expected to be considered by the Government in June 2003.</p>
<p>Local Government (Harbour Town Zoning) Act 1990 Review of Local Government (Harbour Town) Legislation</p>	Local Government and Planning	Reformed without Review			Legislation was allowed to expire on 7 December 2000.
<p><i>Local Government (Planning and Environment) Act 1990</i> Review of Integrated Planning Bill</p>	Local Government and Planning	Reduced NCP Review	The legislation scheduled for review was the <i>Local Government (Planning and Environment) Act 1990</i> . NCP-related issues were examined during the preparation and introduction of the <i>Integrated Planning Act 1997</i> (IPA) which replaced this Act. The examination of the proposed IPA established that it does not restrict competition.	October 1997	The new <i>Integrated Planning Act 1997</i> is far less prescriptive than the former legislation and merely sets up a planning framework. Reform process completed.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Local Government Act 1993, City of Brisbane Act 1924</i></p> <p>Local Government Finance Standard 1994</p> <p>Review of Local Government Legislation</p>	Local Government and Planning	Department Review	<p>Major review of provisions restricting the operation of certain types of ferries to local governments was undertaken by an independent Consultant - Review Report recommended retaining restrictions.</p> <p>Another minor review was undertaken on other aspects of the legislation and recommended retaining restrictions in relation to superannuation provisions and the Esk, Gatton, Laidley Water Supply Board in their current form. In relation to the Caloundra-Maroochy Water Board, the review report recommended the Board's jurisdiction be extended to enable it to sell its spare yield to non-urban water customers in its area and to non-urban bulk water customers in adjoining local government areas. Review considered by the Government in July 2002.</p>	July 2002	No amendments required to primary legislation. The necessary amendments to <i>Local Government (Areas) Regulation 1995</i> were made in October 2002.
Local Government Laws Review of Local Government Laws	Local Government and Planning	Department Review	<i>Local Government Act 1993</i> amended (Local Government Amendment Act 1997) to apply NCP legislation review 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.	June 1999	Required reforms have been implemented by each local government.
<p><i>Sewerage and Water Supply Act 1949</i></p> <p>Sewerage and Water Supply Regulation 1987 &amp; Standard Water and Sewerage Laws</p> <p>Review of Sewerage and Water Supply Legislation</p>	Local Government and Planning	Department Review	Act administered jointly with Department of Natural Resources and Mines (DNR&M) and DLGP. Restrictions in provisions administered by DNR&M substantively dealt with in Water Bill 2000. Remaining minor matters within DNR&M's responsibility were considered along with the review of occupational licensing (plumbers and drainers), plumbing and drainage standards and other matters administered by the Department of Local Government and Planning, including proposals to integrate plumbing approvals and appeal processes into the IPA. The review was undertaken by independent consultants under the supervision of an interdepartmental committee. Review was undertaken in conjunction with review of Building Act and was considered by the Government in June 2002.	June 2002	The Plumbing and Drainage Act 2002 assented to on 13 December 2002, repeals the Sewerage and Water Supply Act, and together with its subordinate legislation implements the review's recommendations. Non-legislative recommendations for training and information programs for local governments and industry are being delivered concurrently with training on the new Act. <i>The Plumbing and Drainage Act 2002</i> and subordinate legislation will come into force on 1 July 2003.
<p><i>Transport Infrastructure Act 1994</i></p> <p>Various modal-specific Regulations</p> <p>Review of Main Roads Restrictions in Transport Infrastructure Legislation</p>	Main Roads	Departmental Review	<p>An examination of the relevant sections of the legislation and associated departmental policies did not identify any legislative restrictions requiring review, but did identify three policies requiring further consideration. These policy issues include limitations on services able to be provided at access points to limited-access roads, road-side advertising and delivery of Main Roads work by local government.</p> <p>As policy issues, these matters fall outside of the NCP legislation review requirements. Nevertheless, Main Roads has reviewed these policies internally, in consultation with Queensland Treasury.</p> <p>In addition, the Department has conducted a complete review of the operational aspects of the advertising policy, which has included a TPA assessment.</p>		<p>In relation to the Services Centres Policy, Main Roads has reviewed and amended the Policy, which included consideration of various <i>Trade Practices Act</i> issues. Consultants have been commissioned to finalise the Public Benefits Test of the revised policy, which is expected to be completed by the end of March 2003.</p> <p>Main Roads is currently finalising the reviews of the advertising policy and the delivery of Main Roads' work by local government.</p> <p>Also in relation to the delivery of Main Roads' work by local government the department, together with the Local Government Association of Queensland has over the last 18 months developed and is in the process of implementing an arrangement called the Main</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
					Roads and Local Government Road Management and Investment Alliance. The Alliance involves a shift in attitude by Main Roads and local government away from an ownership model to one where they jointly manage the district/local road network for the benefit of road users, the more efficient use of resources, and joint management of employment issues.
<i>Coal Industry (Control) Act 1948</i> Orders under Coal Industry (Control) Act 1948 Review of Coal Industry Legislation	Natural Resources and Mines	Reformed without Review	Departmental examination of the legislation resulted in its repeal, but without a formal NCP review occurring.	December 1997	The Act has been repealed.
<i>Explosives Act 1952</i> Explosives Regulation 1955 Review of Explosives Legislation	Natural Resources and Mines	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.		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	Natural Resources and Mines	Department Review	Urban Water Board legislation, that was listed jointly with Water Resources legislation, was reviewed separately. Decision taken to repeal GAWB Act as part of development of <i>Water Act 2000</i> .	February 2000	Legislative restrictions removed with commencement of the <i>Water Act 2000</i> . The GAWB Act has been repealed.
<i>Land Act 1994</i> Review of Land Act	Natural Resources and Mines	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).	May 1999	The Government is currently considering this issue.



Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Metropolitan Water Supply and Sewerage Act 1909, and Sewerage and Water Supply Act 1949</i></p> <p>Standard Sewerage and Water Supply Laws</p> <p>Review of Water Supply Legislation</p>	Natural Resources and Mines	Department Review	<p>Those elements of the CoAG water reform agenda which required amendments to the <i>Metropolitan Water Supply and Sewerage Act 1909</i> were incorporated into <i>Water Act 2000</i> and considered in the development of that Act.</p> <p>Other minor provisions potentially of a restrictive nature, relating to on-site sewerage, licensing of personnel working on on-site systems (part of the plumbers licensing process) and water and sewerage infrastructure standards were examined in conjunction with the review of the <i>Sewerage and Water Supply Act 1949</i> for developing the <i>Plumbing and Drainage Act 2002</i> (See the entry on the review of the <i>Sewerage and Water Supply Act 1949</i> under Local Government and Planning). Onsite sewerage has been included in the <i>Plumbing and Drainage Act 2002</i>.</p> <p>Water and sewerage infrastructure standards will be addressed through a regulation under the Water Act to adopt the Waters Services Association of Australia (WSAA) codes as suitable standards for Queensland. Once one outstanding issue relating to powers of entry has been resolved, the Metropolitan Water Supply and Sewerage Act will be repealed.</p>	2000	<p>The <i>Water Act 2000</i>, which gives effect to water reforms, commenced in part on 13 September 2000. Outstanding provisions came into force on 19 April 2002</p> <p>The Plumbing and Drainage Act repeals the Sewerage and Water Supply.</p>
<p><i>South East Queensland Water Board Act 1979, and Townsville/Thuringowa Water Supply Board 1987</i></p> <p>Review of South East and Townsville/Thuringowa Water Board Legislation</p>	Natural Resources and Mines	Targeted Public	Part of broader CoAG water reform agenda. New institutional reforms for each Board led to repeal of existing Acts.	February 2000	<p>SEQWB Act has been repealed (the <i>SEQ Water Board (Reform Facilitation) Act 1999</i>).</p> <p>The TTWSB Act was repealed in June 2001 and a commercialised Townsville/Thuringowa Water Supply Joint Board established under the <i>Local Government Act 1993</i>.</p>
<p><i>Surveyors Act 1977</i></p> <p>Surveyors Regulations 1992</p> <p>Review of Surveyors Legislation</p>	Natural Resources and Mines	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.	November 1997	Legislation is planned for the maintenance of status quo regarding registration of Cadastral Surveyors, with provisions - regarding business name approval and fee setting by the Surveyors Board of Queensland, and qualifications of directors of bodies corporate to be removed. The draft Bill was released for comment in September 2002. Legislation is currently scheduled for June 2003.
<p><i>Valuers Registration Act 1992</i></p> <p>Valuers Registration Regulation 1992</p> <p>Review of Valuers Registration Legislation</p>	Natural Resources and Mines	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, broadening the membership of the Valuers Registration Board to include two business and community representatives in addition to three registered valuers and removal of other geographic and price control restrictions.	October 1999	<p>Reforms complete.</p> <p>Proclamation and implementation of changes to the Act and Regulation all completed by 1 May 2002.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Water Resources Act 1989</i></p> <p>Water Resources (Watercourse Protection) Regulation 1993, Water Resources (Rates and Charges) Regulation 1992</p> <p>Review of Water Resources Legislation</p>	<p>Natural Resources and Mines</p>	<p>Targeted Public</p>	<p>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.</p>	<p>February 2000</p>	<p><i>Water Act 2000</i>, giving effect to water reforms, commenced in part on 13 September 2000. Outstanding provisions came into force on 19 April 2002.</p> <p><i>Water Regulation 2002</i> commenced in part on 19 April 2002 with remaining provisions commencing on 30 June 2002.</p>
<p><i>South Bank Corporation Act 1989</i></p> <p>South Bank Corporation By-law 1992, South Bank Corporation Regulation 1992</p> <p>Review of South Bank Corporation Legislation</p>	<p>Premiers and Cabinet</p>	<p>Department Review</p>	<p>The primary purpose of the legislation is the development and provision of public parkland and facilities within the declared South Bank area. While various provisions in the Act modify or exclude the operation of certain other statutes, they are generally replaced with proxies to ensure competitive neutrality. For example, the South Bank Corporation's exemption from local government rates is replaced by a requirement that the Corporation pay an equivalent amount in lieu of rates. Other provisions could be used to grant special privileges to lessees in the declared area (e.g. the exclusive right to deal in particular products). Arguably, the legislation could confer commercial advantages on businesses located within the South Bank compared to competitors outside the declared area.</p> <p>Departmental review completed in February 2000. Review considered several provisions, including a public benefit assessment of the exemption provided in the legislation from the application of the <i>Residential Tenancies Act 1994</i> and the <i>Retail Shop Leases Act 1994</i>. Review report has been formally signed off by the Premier and was provided to the Treasurer for endorsement in January 2000.</p>	<p>February 2000</p>	<p>Any amendments flowing from the review will be incorporated into the Act by 30 June 2003.</p>
<p><i>Agricultural and Veterinary Chemicals (Queensland) Act 1994</i></p> <p>Review of Agricultural and Veterinary Chemicals Legislation</p>	<p>Primary Industries</p>	<p>National Review</p>	<p>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. The NCC requested that jurisdictions conduct internal reviews of outstanding issues.</p> <p>A state-based review of outstanding issues commenced in September 1999. A discussion paper was released in January 2000, with the review committee report finalised in July 2000.</p> <p>Issues relating to the licensing of chemical assessment services, the regulation of low risk chemicals and compensation for third access to chemical assessment data require amendments to the Commonwealth legislation (Agriculture, Fisheries and Forestry Australia AFFA) and therefore cannot be resolved by Queensland.</p> <p>It is proposed that Queensland will amend its "control and use" legislation to cater for low risk chemicals once the Commonwealth has amended its <i>Agricultural and Veterinary Chemicals Code Act 1994</i> (Cwth) (the Agvet Code Act) to create to new categories of chemical products.</p>	<p>July 2000</p>	<p>Queensland's "control of use" legislation, the <i>Agriculture and Veterinary Chemicals Legislation Amendment Act 2002</i>, was enacted in late 2002, amended the <i>Agriculture Chemicals Distribution Control Act 1966</i> and the <i>Chemical Usage (Agricultural and Veterinary) Control Act 1988</i> to implement all relevant NCP reforms which were within the State's area of responsibility.</p> <p>These amendments ensure that the Queensland legislation is consistent with similar legislation in other jurisdictions.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Agricultural Chemicals Distribution Control Act 1996</i></p> <p>Agricultural Chemicals Distribution Control Regulations 1970</p> <p>Review of Agricultural and Veterinary Chemicals Legislation</p>	Primary Industries	National Review	Refer to entry under <i>Agricultural and Veterinary Chemicals (Queensland) Act 1994</i> .	July 2000	Refer to entry under <i>Agricultural and Veterinary Chemicals (Queensland) Act 1994</i> .
<p><i>Chemical Usage (Agricultural and Veterinary) Control Act 1988</i></p> <p>Chemical Usage (Agricultural and Veterinary) Control Regulation 1989</p> <p>Review of Agricultural and Veterinary Chemicals Legislation</p>	Primary Industries	National Review	Refer to entry under <i>Agricultural and Veterinary Chemicals (Queensland) Act 1994</i> .	July 2000	Refer to entry under <i>Agricultural and Veterinary Chemicals (Queensland) Act 1994</i> .
<p><i>Chicken Meat Industry Committee Act 1976</i></p> <p>Review of Chicken Meat Act</p>	Primary Industries	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.	November 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.
<p><i>City of Brisbane Market Act 1960</i></p> <p>City of Brisbane Market Regulation (formerly By-law) 1982</p> <p>Review of City of Brisbane Market Legislation</p>	Primary Industries	Full Public Review	Joint review covering ownership, competitive neutrality and legislation review.	May 1998	Government has removed BMA's statutory monopoly status as a wholesale market in the Brisbane area, effective from 31 August 1999. The sale of the Brisbane Market Corporation was finalised in 2002.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Dairy Industry Act 1993</i></p> <p>Dairy Industry Regulation 1993, Dairy Industry (Market Milk Prices) Order 1995</p> <p>Review of Dairy Industry Legislation</p>	Primary Industries	Full Public Review	Legislative amendments developed for extending supply management arrangements, etc. in accordance with recommendations of the completed NCP review.	July 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.
<p><i>Egg Industry (Restructuring) Act 1993</i></p> <p>Review of Egg Industry Act</p>	Primary Industries	Reformed without Review	Act allowed to sunset on 31 December 1998 thereby removing all anti-competitive legislative provisions.	December 1998	Vesting and production controls (i.e. quotas) ceased in 1996. All remaining anti-competitive provisions were removed through the sunseting of the Act on 31 December 1998.
<p><i>Farm Produce Marketing Act 1964</i></p> <p>Farm Produce Marketing Regulation 1984</p> <p>Review of Farm Produce Marketing Legislation</p>	Primary Industries	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.	June 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.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Fisheries Act 1994</i> Fisheries Regulation 1995 Review of Fisheries Legislation</p>	Primary Industries	Full Public Review	<p>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. Proposed legislation was developed which endorsed NCP principles for design of fisheries management regimes. Government agreed that the detail of how these principles will be incorporated into existing regimes would be developed and also endorsed principles for granting of access to fisheries resources and noted that consequential amendments of existing access regimes will be submitted for approval by December 2002. Finally, Government endorsed widened principles for cost recovery in Queensland Fish Services (QFS) with an amended fees and charges schedule.</p> <p>In early 2002 a major review of QFS services and service fees was commenced to ascertain the full costs of management, research, monitoring and compliance attributable to all Queensland fisheries. Concurrent to this, a review was also commenced on licensing arrangements that apply to Queensland fisheries with a view to rationalising licensing arrangements in accordance with NCP Review recommendations. Both reviews are due to report in the near future with significant reform of fisheries licensing arrangements and licence fees to be implemented by July 2003.</p>	2003	<p>In late 2002, the objectives of the Fisheries Act 1994 were amended to fully reflect the definition, goals and guiding principles of the National Strategy of ecologically sustainable development. The Act was also amended to make provision for the temporary transfer of fishing authorities.</p> <p>The Government has also released for public consultation (in late 2002) a number of Regulatory Impact Statements incorporating proposed management reforms for the Inshore Finfish Fishery, the Freshwater (recreational) Fishery and the Reef Line Fishery. This has led to some legislative amendments to the commercial take of Tailor and Spotted Mackerel and the Freshwater Fishery Management Plan.</p> <p>The staged implementation of reforms is consistent with the November 2000 changes to the NCP Agreements whereby satisfactory implementation reforms may include, where justified in the public interest assessment, a firm transitional arrangement that may extend beyond the revised legislation review and reform deadline.</p>
<p><i>Forestry Act 1959</i> Forestry Regulation 1987 Review of Forestry Legislation</p>	Primary Industries	Department Review	<p>Review showed 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 could result in quite significant social costs being born 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.</p>	April 1999	<p>Amending legislation was 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 (mid 2000) following Government decision relating to the termination of a number of agricultural levy arrangements.</p>
<p><i>Fruit Marketing Organisation Act 1923</i> Review of Fruit Marketing Act</p>	Primary Industries	Reformed without Review	<p>A general review combined with the review of the <i>Primary Producers' Organisation and Marketing Act 1926</i>. Only NCP issue in the FMO Act was the future status of dormant market intervention mechanisms. Industry recommended repeal of these provisions.</p>	February 1999	<p>Act sunsetted on 21 January 2000, although statutory marketing arrangements under the Act (i.e. "directions") had all terminated in November 1995. Vesting not used since 1946.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Grain Industry (Restructuring) Act 1993</i></p> <p>Review of Grain Industry Act</p>	<p>Primary Industries</p>	<p>Targeted Public</p>	<p>Aspects of NCP review (review panel composition and ToR) were based on Government 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 at that time 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 NSW, South Australia, and Western Australia have all expressed an intention to continue with barley single desk powers, but only for export in the case of SA and WA.</p>	<p>June 1997</p>	<p>Statutory monopoly of Grainco for export barley and "dormant" (or "reserve") powers for wheat both allowed to sunset on 30 June 2002. Act amended in 2002 to allow for a future review of Queensland wheat marketing arrangements following the next Commonwealth review of the national single-desk wheat arrangements in 2004. Regulation of all other grains (including domestic wheat and barley sales) previously removed. Wheat vesting powers could not be re-activated unless a PBT is undertaken which indicates net public benefit.</p> <p>Consultation with industry bodies is mandated for the next review on the future of the State's wheat marketing arrangements.</p>
<p><i>Primary Producers' Organisation and Marketing Act 1926</i></p> <p>Orders in Council for tobacco leaf</p> <p>Review of Orders in Council for Tobacco Leaf</p>	<p>Primary Industries</p>	<p>Reformed without Review</p>	<p>Review found Orders in Council to be totally unnecessary as Tobacco Leaf Marketing Board ceased in September 1996.</p>	<p>October 1998</p>	<p>See entry concerning review of the PPOM legislation. Orders in Council repealed in September 1996.</p>
<p><i>Primary Producers' Organisation and Marketing Act 1926</i></p> <p>Orders in Council for tobacco leaf</p> <p>Review of Primary Producers' Organisation and Marketing Legislation</p>	<p>Primary Industries</p>	<p>Reformed without Review</p>	<p>General review combined with <i>Fruit Marketing Organisation Act 1923</i>. 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.</p>	<p>February 1999</p>	<p>Act sunsetted on 21 January 2000, although the statutory marketing arrangements (i.e. vesting and constitution of marketing boards) had ceased with the termination of the Tobacco Leaf Marketing Board in September 1996.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Sawmills Licensing Act 1936</i></p> <p>Sawmills Licensing Regulation 1965</p> <p>Review of Sawmills Licensing Act</p>	Primary Industries	Department Review	<p>In February 1999 Government considered extending the mandatory review of the Regulation under Queensland's Statutory Instruments Act 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) was 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.</p> <p>In October 2001, Government approved in-principle the repeal of the Act to take effect 30 Sept 2002. The intent was that the Act would be recommended for repeal in PILA Bill early in 2002.</p> <p>The Government has taken the decision not to repeal the Act until the provisions of the proposed Queensland Forest Practices System relating to the taking of native timber from private land has been implemented. The Government is working with key industry and environmental stakeholders, including the Queensland Timber Board and the Australian Rainforest Conservation Society to develop the System.</p>	December 2000	Despite the legislation remaining in force, as it is presently administered, it does not impose a restriction on competition because there are no limits on the issue of mill licenses (either in relation to number or capacity), nor are there any impediments to the transfer of licenses or the entry of new operators. In addition, the annual licence fee is set at a minimal amount.
<p><i>Sugar Industry Act 1991</i></p> <p>Sugar Industry Regulation 1991, Sugar Industry (Assignment Grant) Guideline 1995</p> <p>Review of Sugar Industry Legislation</p>	Primary Industries	Full Public Review	Combined with review of <i>Sugar Milling Rationalisation Act 1991</i> . Review was joint Commonwealth/State review. Both Governments endorsed review recommendations.	November 1996	Compulsory acquisition and single desk selling of raw sugar retained for the export and domestic markets via new <i>Sugar Industry Act 1999</i> . Tariff on raw and refined sugar and related products removed effective from 1 July 1997.
<p><i>Sugar Milling Rationalisation Act 1991</i></p> <p>Review of Sugar Industry Legislation</p>	Primary Industries	Full Public Review	Reviewed at same time as <i>Sugar Industry Act 1991</i> .	November 1996	Act repealed via <i>Sugar Industry Act 1999</i> . Restrictions on mill closure not replicated in new Act.
<p><i>Veterinary Surgeons Act 1936</i></p> <p>Veterinary Surgeons Regulation 1991 and various Orders in Council</p> <p>Review of Veterinary Surgeons Legislation</p>	Primary Industries	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.	April 2000	<p>Government endorsed the review findings in October 2000 and gave authority to prepare amendments to the legislation in line with the review recommendations</p> <p>Amendments to the Act introduced under PILA Bill, October 2001. The Veterinary Surgeons Act and new regulations were proclaimed 21 December 2001.</p>
<p><i>Architects Act 1985</i></p> <p>Architects Regulation 1985</p> <p>Review of Architects Legislation</p>	Public Works	National Review	National review undertaken by Productivity Commission. Final Report released November 2000. Working Group of States and Territories recommended an alternative response to that of the Commission's report.	December 2001	New legislation implementing the recommendations of the Working Group commenced on 1 January 2003.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Professional Engineers Act 1988</i></p> <p>Professional Engineers Regulation 1992</p> <p>Review of Professional Engineers Legislation</p>	Public Works	Full Public Review	<p>Review conducted by an interdepartmental committee supplemented by a consumer representative and an independent member with engineering expertise. Review report was released in November 2000. Review finalised in the first half of 2001. The review consultant recommended that future regulation of the profession be by 'co-regulation', i.e. joint administration by the engineering profession and a statutory body.</p> <p>The proposed amendments to the existing legislation are consistent with the review outcome. New legislation was developed which was consistent with the above review and approved recommendations arising from the review of legislation regulating architecture.</p>	June 2001	New legislation implementing the recommendations commenced on 1 January 2003.
<p><i>Art Unions and Public Amusements Act 1992</i></p> <p>Art Unions and Public Amusements Regulation 1992</p> <p>Review of Charitable and Non-profit Gaming Legislation</p>	Queensland Treasury	Reduced NCP Review	<p>The <i>Charitable and Non-Profit Gaming Act 1999</i> (which replaced the <i>Art Unions and Public Amusements Act 1992</i>) provides for a range of licence, permit and approval requirements in regard to the conduct of art unions and games such as bingo. The review was deferred subject to the outcome of the 1999 Productivity Commission inquiry into gaming in Australia.</p> <p>A review of all Queensland's gambling legislation is underway. A draft PBT Report was released for public consultation in March 2003.</p>	May 2003	<p>Public amusements, which were also regulated under the <i>Art Unions and Public Amusements Regulation 1992</i>, were deregulated in June 1997. The regulation of Charitable Gaming has been reviewed as part of the combined review of Queensland's gambling legislation.</p> <p>The review and reform process is expected to be completed by June/July 2003.</p>
<p><i>Casino Agreement Acts</i></p> <p>Review of Casino Agreements Legislation</p>	Queensland Treasury	Reduced NCP Review	<p>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.</p>	March 1998	Provisions retained without change following reduced review.
<p><i>Casino Control Act 1982</i></p> <p>Casino Control Regulation 1984</p> <p>Review of Casino Control Legislation</p>	Queensland Treasury	Reduced NCP Review	<p>This legislation provides for the granting of casino licences by the Queensland Government to conduct gaming (which would otherwise be illegal) subject to prescribed probity, structural, financial and other qualifications and prescribes subsequent restrictions on the conduct of licensees and casino operations. The review was deferred subject to the outcome of the 1999 Productivity Commission inquiry into gaming in Australia.</p> <p>A review of all Queensland's gambling legislation is underway. A draft PBT Report was released for public consultation in March 2003.</p>	05/03	The review and reform process is expected to be completed by June/July 2003.



Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Electricity Act 1994</i> Electricity Regulation 1994 Review of Electricity Legislation</p>	<p>Innovation and Information Economy, Sport and Recreation Queensland</p>	<p>Targeted Public</p>	<p>Legislation contains extensive provisions relating to the conduct of the electricity industry (other than electrical safety matters which are now dealt with in the <i>Electrical Safety Act 2002</i>) including the issuing of authorities for generation, transmission, distribution and retail entities; powers about electricity pricing; service quality and other customer protection requirements; and restrictions on the trading activities of generation, transmission, distribution and retail entities.</p> <p><b>Note:</b> Electrical safety matters, including the licensing of electrical workers (such as electricians) and electrical contractors, were removed from the <i>Electricity Act 1994</i> and Regulation 1994 in October 2002, as these are now dealt with in the <i>Electrical Safety Act 2002</i>. These safety provisions were the subject of a separate NCP review completed in 2002, and the outcome is reflected in the new <i>Electrical Safety Act 2002</i>.</p> <p>Amendments to the legislation were made in 1997 to give effect to the CoAG reforms associated with the establishment of the National Electricity Market. However, some provisions remaining in the legislation were identified as potentially restricting competition.</p> <p>An NCP review of the legislation, including these provisions, has now been completed.</p> <p>As part of this review, independent consultants conducted a PBT and concluded the legislation is fundamentally pro-competitive, but there were some specific provisions that involved restriction on competition.</p> <p>To address these restrictions, a number of recommendations were made by the consultants.</p>	<p>June 2003</p>	<p>Legislative amendments to implement the review recommendations are expected to made in June 2003.</p>
<p><i>Financial Intermediaries Act 1996</i> Review of Financial Intermediaries Act</p>	<p>Queensland Treasury</p>	<p>Department Review</p>	<p>The Act was established to provide prudentially-based supervision of cooperative housing societies, terminating building societies and other similar entities. It had been expected that the supervision of all such institutions would be transferred to the Commonwealth following the establishment of APRA. However, some cooperative housing societies do not meet the requirements for transfer.</p>		<p>The Act is being retained pending a long term policy solution for the administration of co-operative housing societies.</p>
<p><i>Gaming Machine Act 1991</i> Gaming Machine Regulation 1991 Review of Gaming Machine Legislation</p>	<p>Queensland Treasury</p>	<p>Reduced NCP Review</p>	<p>The legislation licenses the possession and playing of gaming machines, which would otherwise be illegal. The review was deferred subject to the outcome of the 1999 Productivity Commission inquiry into gaming in Australia.</p> <p>A review of all Queensland's gambling legislation is underway. A draft PBT Report was released for public consultation in March 2003. The draft PBT recommends removal of the current market share restrictions facing Licensed Monitoring Operators of gaming machines. The Review also recommends that other restrictions be retained in the public interest.</p>	<p>05/03</p>	<p>The Act was amended in November 1999 to take into consideration community well being in the determinations on gaming machine applications.</p> <p>The review and reform process is expected to be completed by June/July 2003.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Gas Act 1965</i> Gas Regulations 1989 Review of Gas and Petroleum Legislation</p>	<p>Innovation and Information Economy, Sport and Recreation Queensland</p>	<p>Targeted Public</p>	<p>Provisions of the <i>Gas Act 1965</i> relating to granting gas franchises (effectively an exclusive right to lay pipes in an area and thus to supply gas to that area) and requirements for Government approval for large gas contracts establish a virtual statutory monopoly situation. The legislation also enables quantitative restrictions to be placed on the supply of gas in certain (emergency) situations while the Gas Tribunal has the power to recommend price restrictions. A common provision, as per Queensland Gas Regulations, is the licensing of persons engaged in gas installation and servicing which is considered essential for public safety.</p> <p>A combined exposure draft Petroleum and Gas Bill was distributed for comment in 2001. In July 2002 a decision was taken to split the Bill:</p> <ul style="list-style-type: none"> <li>• The proposed Petroleum and Gas (Production and Safety) Bill will deal with exploration, production and processing pipeline and facility licensing, safety and technical standards. It will be administered by the Department of Natural Resources and Mines (DNRM); and</li> <li>• The proposed Gas Supply Bill which deals with distribution pipeline licensing, retail sale of fuel gas and insufficiency of supply was the responsibility of Treasury and is now the responsibility of the Department of Innovation and Information Economy Sport and Recreation Queensland (DIIESRQ).</li> </ul> <p>A review of the Petroleum and Gas (Production and Safety) Bill will be finalised as part of the further development of the legislation.</p> <p>A review of the Gas Supply Bill which is designed to meet the CoAG gas reform requirements, including the franchising and licensing principles of the CoAG Natural Gas Pipelines Access Agreement, is being finalised.</p>	<p>August 2003</p>	<p>DNRM is expecting to introduce the Petroleum and Gas (Production and Safety) Bill to Parliament in August 2003 with commencement in September 2003.</p> <p>DIIESRQ expects to have the Gas Supply Act proclaimed by May 2003.</p>
<p><i>Gas Suppliers (Shareholdings) Act 1972</i> Review of Gas Suppliers Shareholding Act</p>	<p>DIIESRQ</p>	<p>Reformed without Review</p>	<p>Prohibition relates to a statutory limitation on the level of ownership of shares in a nominated gas supplier (i.e. to prevent a corporate takeover) and hence restricts the ownership of a gas utility although it only relates to one company at present. A similar restriction is understood to apply in regard to the same company in New South Wales.</p> <p>In July 1998, the proclamation under the Act expired, removing that company from the protection of the Act.</p>	<p>October 2000</p>	<p>Act repealed in October 2000.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Keno Act 1996</i> Review of Keno Act</p>	Queensland Treasury	Reduced NCP Review	<p>This legislation permits the holder of a keno licence to have the right to conduct the game of keno on a State-wide basis through approved outlets for a defined period. NCP issues were examined prior to the introduction of the Bill and a draft report compiled on outstanding issues. Completion of this exercise was deferred subject to the outcome of the 1999 Productivity Commission inquiry into gambling in Australia.</p> <p>A review of all Queensland's gambling legislation is underway. A draft PBT Report was released for public consultation in March 2003.</p>	05/03	The review and reform process is expected to be completed by June/July 2003.
<p><i>Liquid Fuel Supply Act 1984</i> Review of Liquid Fuel Supply Act</p>	DIIESRQ	Not for Review	<p>Prohibition relates to a statutory limitation on the level of ownership of shares in a nominated gas supplier (i.e. to prevent a corporate takeover) and hence restricts the ownership of a gas utility although it only relates to one company at present. A similar restriction is understood to apply in regard to the same company in New South Wales.</p> <p>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.</p>		Restrictions retained in the public interest.
<p><i>Lotteries Act 1997</i> Review of Lotteries Act</p>	Queensland Treasury	Reduced NCP Review	<p>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 adjust to commercial environment following its corporatisation.</p> <p>The review was deferred subject to the outcome of the 1999 Productivity Commission inquiry into gaming in Australia. A review of all Queensland's gambling legislation is underway. A draft PBT Report was released for public consultation in March 2003.</p>	05/03	<p>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.</p> <p>The review and reform process is expected to be completed by June/July 2003</p>
<p><i>Motor Accident Insurance Act 1994</i> Review of CTP Insurance Legislation</p>	Queensland Treasury	Full Public Review	<p>The NCP review was undertaken in conjunction with a statutory review of Act and an examination of CTP scheme affordability. 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.</p>	November 1999	Legislative amendments to give effect to the review's recommendations were passed by the Parliament in May 2000, with the majority of the changes commencing in October 2000.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<i>Superannuation (Government and Other Employees) Act 1988</i> and other superannuation legislation  Review of Superannuation Legislation	Queensland Treasury		Closer examination of the legislation established that the sole management of investments by the Queensland Investment Corporation is not a restriction on 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 considered to be in the public interest.	2001, Supplementary review February 2003	The restrictions in the legislation have been retained in the public interest.
<i>Tobacco Products (Licensing) Act 1988</i>  Tobacco Products (Licensing) Regulation 1993  Review of Tobacco Products Legislation	Queensland Treasury	Reformed without Review	Restrictive provisions no longer have effect constitutionally following High Court decision in <i>Ha &amp; Lim v NSW</i> . Only transitional provisions remain which have no NCP implications.	October 1998	Provisions that were deemed to restrict competition no longer have effect constitutionally following High Court decision in <i>Ha &amp; Lim v NSW</i> .
<i>Wagering Act 1998</i>  Review of Wagering Bill (that replaces part of Racing and Betting Act 1980)	Queensland Treasury	Reduced NCP Review	The Racing and Betting Legislation has been/is being reviewed in two components:  1. TAB Monopoly -- Following the examination by the Racing Industry Taskforce of the statutory monopoly enjoyed by the QLD TAB, the TAB was granted a 15 year exclusive licence under the new Wagering Act 1998. The Wagering Act is being considered as part of the review of all Queensland's gambling legislation currently underway. A draft PBT Report was released for public consultation in March 2003.; and  2. Bookmakers, conduct of race meetings and other related restrictions concerning the operation of race events -- Undertaken as a separate review (see entry under Tourism, Racing and Fair Trading on the review of the Racing and Betting Act).	05/03	The statutory monopoly arrangements applying to TAB replaced by an exclusive licence of limited duration upon proclamation of the Wagering Act in 1999.  The review and reform of the Wagering Act 1998 is expected to be completed by June/July 2003
<i>Industrial Development Act 1963</i>  Review on Industrial Development Act	State Development	Reformed without Review	Only identified restriction relates to the acquisition and use of land for industrial purposes only, thereby precluding other uses.	09/97	Definition in the Act was amended in 1998 to remove sole restriction that limited Act to development for industrial purposes.
<i>Retail Shop Leases Act 1994</i>  Retail Shop Leases Regulation 1994  Review of Retail Shop Leases Legislation	State Development	Department Review	The legislation provides protection to lessees of premises in defined retail shopping centres -- such protection does not apply to similar premises outside such defined centres. The statutory review undertaken in 1998/99 included consideration of NCP-related issues. The review recommended retention of existing restrictions to ensure that fair and equitable lease arrangements exist for small lease holders in shopping centres. The 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.	November 1999	The Act has been amended, including amendments to provide for the introduction of pre-lease certificates as recommended by the NCP review. The <i>Retail Shop Leases Amendment Act 2000</i> was assented to in June 2000 and commenced on 1 July 2000. Sections dealing with unconscionable conduct commenced on 24 June 2001.
<i>Auctioneers and Agents Act 1971</i>	Tourism, Racing and Fair	Targeted	The legislation scheduled for review has been replaced by the <i>Property Agents and Motor Dealers' Act 2000</i> which was also the subject of legislation	October 2000	The PA&MD Act commenced on 24 November 2000. The main reforms in the new Act are

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p>Auctioneers and Agents Regulation 1986</p> <p>Review of Agents and Motor Dealers Legislation</p>	Trading	Public	<p>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&amp;A Act and the new PA&amp;MD Act:</p> <p><b>Licensing:</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Restricted letting agents may operate in respect of more than one building.</li> <li>• All licensing qualification criteria to be competency based.</li> <li>• Developers and real estate marketeers to be included in the licensing and conduct provisions of the legislation.</li> <li>• Salespersons' entry requirement of an examination was discontinued. Minimum competency based qualifications required.</li> </ul> <p><b>Conduct:</b></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Remove any cap on the level of buyer premium that an auctioneer may charge a buyer at auction.</li> <li>• The review findings support the principle of a real estate agent, motor dealer or commercial agent acting for only one party to a transaction.</li> <li>• The review findings support the introduction of a 60 day limit on sole or exclusive agency agreements.</li> <li>• The review also supported the introduction of legislation allowing del credere sales of livestock.</li> </ul>		<p>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"> <li>• 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</li> <li>• An effective community education and information program should be implemented throughout the State prior to de-regulation of residential real property commissions.</li> </ul> <p>The community education and information program should include the following elements –</p> <ul style="list-style-type: none"> <li>• Negotiation skills, bargaining;</li> <li>• Contracting;</li> <li>• Addressing the power relationships between agent and client, (both vendors and purchasers);</li> <li>• Alternative options for buying and selling real property;</li> <li>• Disclosure requirements and legal advice; and</li> <li>• 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.</li> </ul>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
			<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>		<p>Following the commencement of the new PAMD Act on 1 July 2001, with the attendant mandatory Codes of Conduct for real estate agents and auctioneers effective from 1 September 2001, amendments to the Act were required in late 2001 to more effectively regulate the activities of property marketeers.</p> <p>The Commissions Review process then commenced at the beginning of April 2002 to consider the various options for the regulation of commissions under PAMDA. The Government is currently considering the regulatory options.</p>
<p><i>Business Names Act 1962</i> Business Names Regulation 1986 Review of Business Names Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Reduced NCP Review</p>	<p>The Business Names Act requires that businesses which wish to trade under a name other than their own legal name must register their trading names. The Registrar uses a "subjective names" test to ensure the proposed name will not be confused with existing business names. The review considered moves to discontinue registration or the adoption of an "identical names" test, along with some minor restrictions. Draft PBT Report released for public comment on 15 December 2001 with submissions closing 14 January 2002. Final report submitted and awaiting Treasury approval before being submitted to the Government for approval. Review contemplates retaining the subjective names test.</p>	<p>March 2002</p>	<p>Minor amendments to streamline the operation of the Act proposed in NCP review were enacted in the <i>Tourism, Racing and Fair Trading (National Competition Policy) Amendment Act 2002</i>.</p>
<p><i>Co-operative and Other Societies Act 1967</i> Co-operative and Other Societies Regulation 1968 Review of Co-operatives Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Joint Jurisdictional</p>	<p>A formal review was not undertaken in Queensland. A new Act, the <i>Co-operatives Act 1997</i>, is based on work and NCP justification undertaken by Victoria as a national scheme of regulation. The new Act replaces the existing Cooperatives and Other Societies Act and Primary Producers Co-operative Associations Act.</p>	<p>April 1997</p>	<p>New <i>Co-operatives Act 1997</i> providing for a national scheme of regulation has been enacted.</p>
<p><i>Credit (Rural Finance) Act 1996</i></p>	<p>Tourism, Racing and Fair Trading</p>	<p>Reduced NCP Review</p>	<p>The Credit (Rural Finance) Act provides for the issuing of default notices and relieving orders to protect farmers against the arbitrary enforcement of mortgages over essential farming equipment. Draft PBT Report released for consultation on December 2001. Submissions closed January 2002. Review finalised March 2002.</p>	<p>March 2002</p>	<p>Consequential amendments resulting from the repeal of the Hire Purchase Act were enacted in the <i>Tourism, Racing and Fair Trading (National Competition Policy) Amendment Act 2002</i>.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<i>Credit Act 1987</i> Credit Regulations 1988 Review of Credit Legislation	Tourism, Racing and Fair Trading	Joint Jurisdictional	Uniform Consumer Credit Code -- National review commenced late 1999 with Queensland as the lead agency. The review process has been approved by CRR. SCOCA is currently considering an out of session paper regarding the public release of the PBT report.  <i>Credit Act 1987</i> (Qld) -- This Act was established to regulate the provision of personal loans up to \$40,000. The scope of the Act was limited by the introduction of the Consumer Credit Code in November 1996 and now only regulates a small number of personal loans entered into prior to November 1996. A report proposing repeal without review was endorsed by the Queensland Treasurer in September 2001.	September 2002  2001	Implementation of recommendations made in the final PBT Report underway – Qld as lead agency is scoping the issues with a view of producing a draft Consultation document that will further review certain definitions which fall outside the scope of the Code.  <i>Credit Act 1987</i> (Qld) to be repealed in 2002/2003 following finalisation of outstanding litigation.
<i>Fair Trading Act 1989</i> Fair Trading Regulation 2001 Review of the Fair Trading Legislation	Tourism, Racing and Fair Trading	Targeted Public	PBT was endorsed in August 2002. The PBT recommended that the restrictions identified be retained, except that the prescribed amount in relation to door-to-door sales be increased to \$75.00 and that this amount be regularly reviewed and emergency repair contracts be made subject to some of the door-to-door provisions of the Act.	August 2002	Legislation amended by <i>Fair Trading Act and Another Act Amendment Act 2002</i> in November 2002. Proclaimed February 2002.
<i>Funeral Benefit Business Act 1982</i> Funeral Benefit Business Regulation 1989 Review of Funeral Benefit Business Legislation	Tourism, Racing and Fair Trading	Department Review	The <i>Funeral Benefit Business Act 1982</i> regulates schemes providing for the prepayment of funeral expenses. Potential restrictions include scheme registration, business conduct requirements, record keeping, regular actuarial valuations, advertising controls, benefit limits and approval for the sale or deregistration of schemes. Final NCP report submitted to Treasury and under consideration by the Government.  Advice is being sought from ASIC concerning extent to which its funeral benefit funds are regulated by Commonwealth via the Financial Services Reform Act.	March 2002	Despite recommendations saying that the restrictions in the legislation should be retained in the public interest, there are plans to remake the legislation to simplify its operation. It is expected amending legislation will be introduced to Parliament in June 2003.
<i>Hawkers Act 1984</i> Hawkers Regulation 1994 Review of Hawkets Legislation	Tourism, Racing and Fair Trading	Reduced NCP Review	The Hawkets Act provides for the licensing of hawkets and regulates their business conduct. Restrictions include a fit and proper person test, geographical limits, identification requirements and limits on trading hours. Cabinet endorsed PBT report and recommendation to repeal the Act in October 2001.	October 2001	Act repealed in April 2002 by <i>Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2002</i> .
<i>Hire Purchase Act 1959</i> Review of Hire Purchase Act	Tourism, Racing and Fair Trading	Reduced NCP Review	The Hire Purchase Act has been largely superseded by the Uniform Consumer Credit Code. Two provisions, which continue to be used by the farming sector, provide for a moratorium on repossession of farm machinery at critical times and accounting for surplus monies following repossession. Review completed November 2001. Final report recommending repeal of the Hire Purchase Act endorsed by Treasurer in December 2001. The <i>Credit (Rural Finance) Act 1996</i> will be amended to provide similar protection to that provided under the Hire Purchase Act in relation to farm machinery.	November 2001	Amended by <i>Tourism, Racing and Fair Trading (National Competition Policy) Amendment Act 2002</i> . Amendments commenced 1 January 2003.

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<i>Invasion of Privacy Act 1971</i> Invasion of Privacy Regulations 1986 Review of Invasion of Privacy Act	Tourism, Racing and Fair Trading	Reduced NCP Review	The Invasion of Privacy Act regulates credit reporting agents, entry to dwellings and the use and supply of listening devices. Restrictions relate to the operation of credit reporting agents and include licensing, payment of fees, a suitable person test, and business conduct standards for information collection, storage and disclosure. Final PBT Report recommending repeal of the credit reporting provisions endorsed by Cabinet in February 2002.	February 2002	Reforms implemented in April 2002 by <i>Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2002</i>
<i>Land Sales Act 1984</i> Land Sales Regulation 1989 Review of Land Sales Legislation	Tourism, Racing and Fair Trading	Department Review	The Land Sales Act regulates the sale of lots in land development schemes. Restrictions include requirements for local government development approval, payments to be held in trust accounts, deposit limits, exemptions for small subdivisions, lot descriptions and information disclosure requirements. Final PBT report was endorsed by the Treasurer in November 2001. No changes recommended.	November 2001	No legislative amendments required.
<i>Liquor Act 1992</i> Liquor Regulation 1992 Review of Liquor Act	Tourism, Racing and Fair Trading	Full Public Review	Review completed in February 2000. The Government endorsed the recommendations of the final report, including: continuation of the "specialist provider" model for sale of take-away liquor (i.e. 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.	February 2000	Government endorsed the review recommendations on 28 February 2000. The <i>Liquor Amendment Bill 2000</i> was introduced into Parliament in November 2000. This Bill lapsed in January 2001, but was reintroduced on 22 March 2001, assented to on 7 June 2001, and commenced by proclamation on 1 July 2001.
<i>Loan Fund Companies Act 1982</i> Review of Loan Fund Companies Act	Tourism, Racing and Fair Trading	Reduced NCP Review	The Act provides for the licensing and the regulation of business conduct of "loan fund companies" (LFC) which seek to apply pyramid selling principles to the provision of home loans. There are no existing LFCs. The Act effectively prohibits the formation of new LFCs, but at least one scheme with similar characteristics is currently under examination. Government endorsed the PBT report in February 2002 recommending repeal of the Act and the incorporation of the outright prohibition on LFCs in the Fair Trading Act.	February 2002	Act repealed and prohibition on loan fund companies incorporated into <i>Fair Trading Act 1989</i> in April 2002 by <i>Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2002</i>
<i>Mercantile Act 1867</i> Review of Mercantile Act	Tourism, Racing and Fair Trading	Reformed without Review	Provisions previously identified as restrictions on competition have been repealed or contained within the Partnership (Limited Liability) Act which is also on the review timetable.	December 1998	No further action required.
<i>Mobile Homes Act 1989</i> Mobile Homes Regulation 1994 Review of Mobile Homes Legislation	Tourism, Racing and Fair Trading	Department Review	The legislation covers agreements between mobile home park owners and owners and occupiers of mobile homes. As part of an extensive general policy review of the mobile homes legislation, the Government has decided to repeal the existing Mobile Homes Act and replace it with a new Act. NCP-related issues identified in the proposed new Act are relatively minor and are being addressed as part of the preparation of the new legislation.  Draft PBT will form part of consultation package with new Bill which is expected to be introduced into Parliament in May 2003.	March 2003	Mobile Homes Legislation to be repealed. NCP issues to be considered in the context of new legislation in accordance with gatekeeping requirements.



Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Partnership (Limited Liability) Act 1988</i></p> <p>Partnership (Limited Liability) Regulation 1993</p> <p>Review of Partnership Legislation</p>	Tourism, Racing and Fair Trading	Reduced NCP Review	Both the Partnership Act and Partnership (Limited Liability) Act reviewed together. Restrictions in the Partnership (Limited Liability) Act include registration, information disclosure requirements and a prohibition on limited partners participating in the management of the firm. Final report recommends retaining the restrictions but with minor changes to clarify the definition of taking part in the management of the firm. Government endorsed the PBT report in October 2001.	October 2001	Reforms implemented in April 2002 by <i>Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2002</i>
<p><i>Partnership Act 1891</i></p> <p>Review of Partnership Act</p>	Tourism, Racing and Fair Trading	Reduced NCP Review	Both the Partnership Act and Partnership (Limited Liability) Act reviewed together. The Partnership Act includes restrictions on the activities of partners by providing that they must account to the firm for private profits from transactions concerning the firm and not compete directly with the firm. Final report recommends no changes to the Partnership Act. Government endorsed the PBT report in October 2001.	October 2001	Amendment to the Partnership (Limited Liability) Act implemented by the <i>Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2002</i> .
<p><i>Pawnbrokers Act 1984</i></p> <p>Pawnbrokers Regulation 1984</p> <p>Review of Pawnbrokers and Secondhand Dealers Legislation</p>	Tourism, Racing and Fair Trading	Targeted Public	Legislation provides for licensing of pawnbrokers along with entry requirements, disciplinary processes and business conduct requirements. This review is being undertaken as a combined review with the Second-hand Dealers legislation. A discussion paper was released in October 2001. A final PBT Report has been completed and has been endorsed by the Minister and the Treasury.	May 2002	New legislation to implement the review recommendations, including consolidation of the two Acts, is expected to be introduced to Parliament in June 2003.
<p><i>Primary Producers Co-operative Associations Act 1923</i></p> <p>Primary Producers Co-operative Association Regulation</p> <p>Review of Cooperatives Legislation</p>	Tourism, Racing and Fair Trading	Joint Jurisdictional	A formal review was not undertaken in Queensland. A new Act, the <i>Co-operatives Act 1997</i> , is based on work and NCP justification undertaken by Victoria as a national scheme of regulation. The new Act replaces the existing <i>Cooperatives and Other Societies Act</i> and <i>Primary Producers Co-operative Associations Act</i> .	April 1997	New Cooperatives Act 1997 providing for a national scheme of regulation has been enacted.
<p><i>Profiteering Prevention Act 1948</i></p> <p>Review of Profiteering Prevention Act</p>	Tourism, Racing and Fair Trading	Reduced NCP Review	The <i>Profiteering Prevention Act 1948</i> introduced powers to control prices in the context of severe shortages of goods and services in the period following World War II. PBT Report being considered by the Government.	June 2002	Act repealed September 2002 by the <i>Tourism, Racing and Fair Trading (National Competition Policy) Amendment Act 2002</i> .

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Racing and Betting Act 1980</i> Racing and Betting Act Regulation 1981  Review of Racing and Betting Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Department Review</p>	<p>The Racing and Betting Legislation has been reviewed in two components, namely provisions relating to:</p> <ol style="list-style-type: none"> <li>1. TAB Monopoly -- See entry under Queensland Treasury on the review of the Wagering Act; and</li> <li>2. Bookmakers, conduct of race meetings and other related restrictions concerning the operation of race events -- The review on these provisions 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.</li> </ol> <p>During 2001 and 2002, a new Racing Act was developed. An additional PBT examined restrictions on competition contained in the Bill which:</p> <ul style="list-style-type: none"> <li>• were not covered in the 2000 PBT; or</li> <li>• were inconsistent with recommendations contained in the 2000 PBT.</li> </ul> <p>All identified restrictions were assessed as being in the public benefit.</p>	<p>November 2000</p>	<p>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.</p> <p>The <i>Racing Act 2002</i> was assented to in November 2003. Proclamation and implementation is scheduled for April/May 2003.</p>
<p><i>Racing Venues Development Act 1982</i>  Review of Racing Venues Development Act</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Not for review</p>	<p>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.</p>		<p>Act contained no restrictions on competition.</p>
<p><i>Retirement Villages Act 1988</i> Retirement Villages Regulation 1989  Review of Retirement Villages Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Reduced NCP Review</p>	<p>Draft Bill had been released for public consultation, but results indicated the need for further consideration of various issues. The revised Bill considered by Government 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.</p>	<p>July 1999</p>	<p>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.</p>
<p><i>Sale of Goods Act 1896</i> Sale of Goods (Vienna Convention) Act 1986  Review of Sale of Goods Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Department Review</p>	<p>Final PBT Report endorsed by the Treasurer on 27 November 2001. No restrictions identified.</p>	<p>November 2001</p>	<p>Not required -- no restrictions identified.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Second-hand Dealers and Collectors Act 1984</i></p> <p>Second-hand Dealers and Collectors Regulation 1994</p> <p>Review of Pawnbrokers and Second-hand Dealers Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Targeted Public</p>	<p>This legislation provides for the licensing of second-hand dealers as well as registration, entry requirements, the reservation of practice, disciplinary processes and business conduct requirements.</p> <p>This review is being undertaken as a combined review with the Pawnbrokers legislation. A discussion paper was released in October 2001. A PBT Report is has been completed and has been endorsed by the Minister and Treasurer.</p>	<p>May 2002</p>	<p>New legislation to implement the review recommendations, including consolidation of the two Acts, is expected to be introduced to Parliament in June 2003.</p>
<p><i>Security Providers Act 1992</i></p> <p>Security Providers Regulation 1995</p> <p>Review of Security Providers Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>Targeted Public</p>	<p>This legislation provides for the licensing of security officers (except in-house officers), private investigators and crowd controllers, entry requirements and reservation of practice.</p> <p>The PBT did not recommend any legislative changes.</p>	<p>June 2002</p>	<p>No legislative changes required.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Trade Measurement Act 1990</i> <i>Trade Measurement (Administration) Act 1990</i> Review of Trade Measurement Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>National Review</p>	<p>National review by inter-jurisdictional committee with Qld as the lead agency. In 1998, SCOCA endorsed the review being undertaken in two stages.</p> <p>Stage 1, which was carried out by an independent Consultant, has been completed. The consultant concluded that most restrictions were justified, but that further investigation was warranted on the restriction on the sale of non-prepacked meat.</p> <p>Stage 2 which involves a PBT undertaken by the review committee on non-prepacked meat has been presented to CRR. CRR raised some concerns with openness of process, which have now been addressed by the Review Committee, to the satisfaction of the CRR. Some delays occurred due to additional information being given by Review Committee and added to the draft PBT.</p> <p>MCCA endorsed public release of NCP documents on 29 January 2003.</p> <p>Anticipated timeframes: Advertisement of availability of reports for consultation purposes: 8 February 2003. Standard six weeks for stakeholders to comment: submissions should be received by Qld OFT as lead agency by 21 March 2003. Consideration of submissions to follow (by 4 April 2003), with Review Committee given time to comment (by 18 April 2003) before SCOCA (between 25 April 2003 and 23 May 2003 - 4 weeks to respond) and MCCA (30 May 2003 to 27 June 2003 - 5 weeks to respond) are asked to endorse the final NCP documents.</p> <p>Due to national protocols and approval processes, MCCA may not have considered and endorsed the final NCP reports by 30 June 2003.</p> <p>After final MCCA endorsement of the NCP documents, the review of the definition of 'meat' can be commenced by the OFT (Qld). This process will also be subject to national protocols and approval processes.</p> <p>Review of <i>Trade Measurement Administration Act 1990</i> (Qld) completed. Restrictions not anti-competitive. Draft PBT report released for comment on 24 November 2001 (submissions closed 10 December 2001). Final PBT Report endorsed by the Treasurer February 2002.</p>	<p><i>Trade Measurement Administration Act 1990</i> - February 2002</p>	<p>Review of the definition of "meat" will occur after final SCOCA and MCCA endorsement of the NCP documents. This process will also be subject to national protocols and approval processes.</p>
<p><i>Travel Agents Act 1988</i> Travel Agents Regulations 1988 National Review of Travel Agents Legislation</p>	<p>Tourism, Racing and Fair Trading</p>	<p>National Review</p>	<p>National Review undertaken under the co-ordination of Western Australia. CRR advised that PBT report did not satisfy NCP requirements and that a more rigorous assessment had to be provided in a supplementary report. A supplementary report has been endorsed by MCCA who has approved SCOCA's overseeing the implementation of the recommendations of the supplementary report and the establishment and composition of a working party</p>		<p>Awaiting outcomes of national review.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Wine Industry Act 1994</i> Wine Industry Regulation 1995 Review of Wine Industry Legislation</p>	Tourism, Racing and Fair Trading	Department Review	A statutory review that included consideration of NCP issues was completed late in July 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.	July 1999	The <i>Wine Industry Amendment Bill 2000</i> was introduced into Parliament in August 2000. This Bill lapsed in January 2001, but was reintroduced on 22 March 2001, assented to on 7 June 2001, and commenced by proclamation on 1 July 2001.
<p><i>State Transport (People-movers) Act 1989</i> Review of People Movers Act</p>	Transport	Department Review	A Short Form Public Benefit Test (PBT) was completed in March 2003. The PBT found that the licences associated with the legislation are not anti-competitive given the extent of competition for carriage of passengers in each of the two locations that are licensed by the Act (the Skyrail rainforest cableway from Cairns to Kuranda and Broadbeach Gold Coast Monorail). There is no restriction on investment in other transport projects designed to meet the same or similar segments of the "people mover" market -- in parallel with or by a different route to the existing operators. In response to concerns raised by the existing licensees during consultation and subsequent legal advice, the PBT recommends preserving the legal rights of existing licensees under the Act.	March 2003	Rather than repeal the Act as originally foreshadowed, the Government is proposing to amend the Act to retain only those provisions essential to the operations of the two existing licensees. All applications for new projects of a similar nature will be assessed under the <i>Integrated Planning Act 1997</i> framework. The amendment is scheduled to be included in the Transport Legislation Amendment Bill (No. 1) 2003 which currently scheduled for introduction in early 2003.
<p><i>State Transport Act 1960</i> State Transport Regulation 1987 Review of Restricted Goods Legislation</p>	Transport	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.	September 1998	The Act has been repealed.
<p><i>Tow-Truck Act 1973</i> Tow-Truck Regulation 1988 Review of Tow Truck Legislation</p>	Transport	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.	January 1999	Legislative amendments introduced in 1999 strengthen consumer protection provisions and retain industry regulatory provisions. The new legislation commenced 1 July 1999.
<p>Transport Infrastructure - Ports Legislation Transport Infrastructure (Ports) Regulation 1994 under the Transport Infrastructure Act 1994 Review of Harbour Towage Restrictions</p>	Transport	Department Review	This review examines harbour towage restrictions in the <i>Transport Infrastructure (Ports) Regulation 1994</i> under the <i>Transport Infrastructure Act 1994</i> . The Public Benefit Test was finalised in December 2001. The review recommends allowing individual ports flexibility and discretion to establish exclusive towage licensing arrangements if local conditions warrant.	December 2001	Section 44 of the Act was amended on 21 November 2002

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p>Transport Infrastructure - Ports Legislation</p> <p>Transport Infrastructure (Ports) Regulation 1994 under the Transport Infrastructure Act 1994</p> <p>Review of Restrictions on Port Activities Outside Prescribed Port Limits</p>	Transport	Department Review	<p>The review examines restrictions on port activities outside of port limits contained in the <i>Transport Infrastructure Act 1994</i>. The review has been completed. There has been Ministerial and Treasury signoff. There is public benefit justification for retaining the current regulatory regime. Therefore, no legislative amendments are proposed. Public notification of findings occurred in Dec 2001. Review of the provisions is proposed in 10 years.</p>	June 2001	No reforms proposed.
<p>Transport Infrastructure (Rail) Regulation 1996 under the TIA 1994</p>	Transport	Departmental Review	<p>The rail safety provisions in the Act were not identified in the initial NCP audit as requiring review. Subsequently, the accreditation requirements for rail managers and operators were identified as potentially restrictive and a short form Departmental review was undertaken.</p> <p>Consultation regarding the proposed legislative amendments has occurred with the QCA, QR, other government agencies and the rail industry. The period for receipt of comments closed on 12 February 2003.</p> <p>In addition to implementing the outcomes of the NCP review, proposed amendments aim to:</p> <ul style="list-style-type: none"> <li>· address the recommendations made in the NSW Inquiry into the Glenbrook rail accident; and</li> <li>· clarify and strengthen roles and responsibilities for the regulation of rail safety in Queensland in response to the QCA recommendations regarding the Access Undertaking.</li> </ul>	March 2003	The Bill to amend the Act is expected to be introduced to Parliament in May 2003.
<p><i>Transport Operations (Marine Safety) Act 1994</i></p> <p>Transport Operations (Marine Safety) Regulation 1995</p> <p>Review of Marine Pilotage Provisions</p>	Transport	Department Review	<p>The review recommended some pro-competitive legislative changes to take effect at the end of the three-year transition period for the transfer of responsibility for pilotage services from Queensland Transport to the port authorities.</p>	May 1999	<p>Legislative amendments took effect on 1 July 2001, which gave each port authority the power to determine service delivery arrangements and pilotage fees within its port.</p> <p>To ensure continued access to essential port pilotage services, port pilotage has become the responsibility of the newly established Maritime Safety Queensland (MSQ) division within Queensland Transport. The Queensland Government will continue in its role of licensing marine pilots and sets port pilotage fees under the Transport Operation Marine Safety Regulation 1995.</p>

Name of Legislation Review Name	Agency	Review Model	Comments on Review	Date Review Completed	Reform Progress
<p><i>Transport Operations (Passenger Transport) Act 1994</i></p> <p>Transport Operations (Passenger Transport) Regulation 1994</p> <p>Review of Passenger Transport Legislation</p>	Transport	Full Public Review	<p>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 report found that the legislation's competitive restrictions were largely justified, but noted some areas where improvements could be made. The report recommended that market entry restrictions be retained for those parts of the limousine industry that compete directly with the taxi industry, but that the remainder of the limousine industry be deregulated. In September 2000, the Government considered the review committee report and directed it be released for further consultation.</p> <p>Since the issue of review report, Queensland Transport has prepared a submission to the Government outlining options for taxis and limousines. A decision on this submission is expected in April 2003.</p>		A decision on a submission to government outlining policy options is expected in April 2003.

## ATTACHMENT 2: Priority Review Areas

Legislation	<b><i>Petroleum Act 1923 (Petroleum and Gas (Production and Safety) Bill)</i></b>
Administering agency	Bureau of Mining and Petroleum, Department of Natural Resources and Mines
Reviewer	Legislation reviewed as part of the CoAG gas reform process
Consultation	Consultation during the development of the legislation to replace the <i>Petroleum Act 1923</i> has included the release of a Discussion Paper followed by two Exposure Drafts of proposed Bills
Transparency	<p>An initial Public Benefit Test (PBT) Report on the review process and outcomes was completed in May 2000. However, the Report was produced on the basis that both the <i>Petroleum Act 1923</i> and the <i>Gas Act 1965</i> were to be replaced by a combined Petroleum and Gas Bill. The key areas in these Acts identified for reform in the new bill were acreage management, joint marketing of gas, access to upstream facilities, gas retailing, third party access, distribution pipeline licensing and sufficiency of supply.</p> <p>The original Petroleum and Gas Bill was split during 2002 into the Petroleum and Gas (Production and Safety) Bill (to be administered by the Department of Natural Resources and Mines (DNR&amp;M) and the Gas Supply Bill (Office of Energy). Also it became apparent that the <i>Petroleum Act 1923</i> might need to be retained to preserve the rights of holders of petroleum tenures granted before 23 December 1996. A definitive position on retention of the 1923 Act has yet to be determined. The 1923 Act will have limited application because all exploration and production tenures granted after 23 December 1996 and in the future, and pipeline licences, will be administered under the new legislation. The new legislation deals specifically with NCP Matters of possible concern i.e. acreage management, tendering process for tenures.</p> <p>For those tenures that are to continue under the <i>Petroleum Act 1923</i>, exploration tenures will have a maximum life of 16 years after the commencement of the new legislation while production tenures will be able to be renewed and are likely to continue until commercial production is no longer viable. At this stage it is proposed to amend the 1923 Act to incorporate as many of the reforms as possible, provided such alignment does not have implications for the pre-existing rights of tenure holders. Crown Law advice is being sought on this issue as part of determining a definitive position on retention. Those provisions of the 1923 Act to be retained will provide a residual legislative framework for a decreasing number of tenures.</p> <p>The new Petroleum and Gas (Production and Safety) legislation is expected to be finalised in September 2003. Sections of the <i>Petroleum Act 1923</i> and <i>Gas Act 1965</i> will be progressively repealed as the Gas Supply Bill and Petroleum and Gas (Production and Safety) Bill are enacted.</p>
Date review reported	Initial Review - December 1998; Subsequent Review - underway.
Date response released	January 1999; May 2001; and September 2002
Date reform completed	September 2003 (expected).



**Petroleum Act 1923 (Petroleum and Gas (Production and Safety) Bill)**

No.	Review Recommendation	Government Response	Reform Implementation
1	Transparent and competitive acreage management	Accepted	The Petroleum and Gas (Production and Safety) Bill will incorporate all identified reforms identified by the Upstream Industry Working Group (UIWG) relating to acreage management. The Bill provides for a public tender for the award of exploration acreage, public notification of results of tenders, smaller sizes for exploration and production tenures and strong adherence to work programs. The concept of a Retention Lease has been addressed through the provision of Potential Commercial Areas within an Authority to Prospect.
2	Joint Marketing of Gas	Accepted	Joint marketing is not covered in the Petroleum and Gas (Production and Safety) Bill. Any joint marketing approval will now need to be considered by the ACCC under the <i>Trade Practices Act 1974</i> .
3	Access to upstream facilities	Accepted	Access to upstream facilities is also not provided in the Petroleum and Gas (Production and Safety) Bill. This is a matter for further consideration by a CoAG Working Group. Best practice principles have been developed and continue to be used.
4	Third-party access to pipelines, gas retailing, distribution pipeline licensing and sufficiency of supply.	Accepted	Third-party access to pipelines, gas retailing, distribution pipeline licensing and sufficiency of supply were administered under various sections of the <i>Petroleum Act 1923</i> and <i>Gas Act 1965</i> . These issues, with the exception of third party access, are to be administered under the proposed Gas Supply legislation. The <i>Gas Pipelines Access (Queensland) Act 1998</i> provide for third party access for natural gas pipelines. The Gas Supply Bill will amend the <i>Queensland Competition Authority Act 1997</i> to enable third party access to non-natural gas pipelines (eg oil and raw gas pipelines).

**Petroleum Act 1923 (Petroleum and Gas (Production and Safety) Bill)**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	To be determined following finalisation of the new Petroleum and Gas (Production and Safety) legislation.			

Legislation	<b><i>Agricultural Chemicals Distribution Control Act 1966 (ACDC Act)</i></b> <b><i>Chemical Usage (Agricultural and Veterinary) Control Act 1988 (Chem Use Act)</i></b>
Administering agency	Department of Primary Industries
Reviewer	A National Review of Agricultural and Veterinary Chemicals legislation was conducted by consultants PricewaterhouseCoopers and Francis Abourizk Lightowlers under the supervision of an inter-jurisdictional Project Team.
Consultation	An Issues Paper was released in August 1998 and advertised in major capital city newspapers as well as major rural weekly newspapers. Copies were mailed directly to 67 key stakeholder organisations. Discussions were also held with many of these and other organisations.
Transparency	Review Report was publicly released in July 2000.
Date review reported	13 January 1999
Date response released	Legislation passed December 2002
Date reform completed	Proclamation of amendments to Chem Use Act fixes the commencement date as 4 April 2003. Proclamation of amendments to ACDC Act pending development of the Regulations.

<b><i>Agricultural Chemicals Distribution Control Act 1966 (ACDC Act)</i></b> <b><i>Chemical Usage (Agricultural and Veterinary) Control Act 1988 (Chem Use Act)</i></b>			
No.	Review Recommendation	Government Response	Reform Implementation
1	The Review Team recommends that ARMCANZ establish a control of use task force to develop a nationally consistent approach to off-label use. Note: While off-label use would be the highest priority for this task force there are a number of other control-of-use matters to address.	Accepted	<i>Agricultural and Veterinary Chemicals Legislation Amendment Act 2002</i>
2	The Review Team recommends the retention of the veterinary surgeon exemption in the Agvet Code. This is Commonwealth legislation – s. 73 exempts veterinary surgeons from compliance with the legislation if allowed under laws of other jurisdictions.	Accepted	No change required.
3	The Review Team recommends that Victoria and Queensland’s control of use legislation be amended to remove the exemption afforded to veterinary surgeons in respect of agricultural chemicals.	Accepted	<i>Agricultural and Veterinary Chemicals Legislation Amendment Act 2002</i>
4	The Review Team recommends that the ARMCANZ control of use task force address the veterinary exemption.	Accepted	<i>Agricultural and Veterinary Chemicals Legislation Amendment Act 2002</i>
5	The Review Team recommends that an appropriate business licensing system for agvet chemical spraying businesses (ground or aerial) would entail no more than: <ul style="list-style-type: none"> <li>the relevant State agvet authority issuing a licence; subject to</li> <li>maintenance of detailed records of chemical use;</li> <li>using only appropriately licensed persons to perform application activities (as below); and</li> <li>the provision of infrastructure to enable persons to operate at the appropriate competency level.</li> </ul>	Accepted	<i>Agricultural and Veterinary Chemicals Legislation Amendment Act 2002</i>
6	The Review Team recommends that an appropriate occupational licensing system for persons	Accepted	<i>Agricultural and Veterinary Chemicals</i>

**Agricultural Chemicals Distribution Control Act 1966 (ACDC Act)**  
**Chemical Usage (Agricultural and Veterinary) Control Act 1988 (Chem Use Act)**

No.	Review Recommendation	Government Response	Reform Implementation
	undertaking agvet chemical spraying (ground or aerial) for fee or reward would entail no more than: <ul style="list-style-type: none"> <li>the relevant State agvet authority issuing a licence; subject to</li> <li>holding an accreditation of appropriate competencies (including scope for provisional accreditation of new employees)</li> <li>operating at that competency level; and</li> <li>working only for a licensed business (as above).</li> </ul>		<i>Legislation Amendment Act 2002</i>
7	The Review Team recommends that the States and Territories examine the scope to coordinate their business and occupational licensing requirements, specifically the scope to standardise accreditations and the scope to recognise interstate licences. This would be an appropriate matter for the ARMCANZ control of use task force.	Accepted	<i>Agricultural and Veterinary Chemicals Legislation Amendment Act 2002</i>
8	The Review Team recommends the retention of the exemption from business and occupational licences (but not generic controls) for persons spraying agvet chemicals on their own land (this exemption is mainly aimed at primary producers).	Accepted	No change required.

**Agricultural Chemicals Distribution Control Act 1966 (ACDC Act)**  
**Chemical Usage (Agricultural and Veterinary) Control Act 1988 (Chem Use Act)**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	See National Review Report.			

Legislation	<b>Food Production (Safety) Act 2000 – Meat and Dairy Food Safety Schemes included in Food Production (Safety) Regulation 2002</b>
Administering agency	Department of Primary Industries
Reviewer	Subcommittees for meat and dairy under the <i>Food Production (Safety) Act 2000</i> including industry and state and federal government representatives.
Consultation	Regulatory Impact Statements (RIS) issued 12 September 2002, call for submissions in media, consultations across Queensland from 19 September 2002 to 1 October 2002.
Transparency	Public and industry consultation and meetings.
Date review reported	Regulations introduced 1 January 2003
Date response released	Regulations introduced 1 January 2003
Date reform completed	Regulations introduced 1 January 2003

No.	Review Recommendation	Government Response	Reform Implementation
1	No NCP issues identified – certificate of compliance issued. There are no restrictions on competition in the new Meat and Dairy FSS as these schemes merely implement food safety standards in Queensland in a manner consistent with the COAG Inter-Governmental Food Regulation Agreement of November 2000 which requires each jurisdiction to implement food safety standards consistent with national standards developed by Food Standards Australia New Zealand (formerly the Australia New Zealand Food Authority). This was verified during the RIS process.	Accepted	Regulations implemented.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Nil			

Legislation	<b><i>Veterinary Surgeons Act 1936</i></b>
Administering agency	Department of Primary Industries (DPI)
Reviewer	The review of the <i>Veterinary Surgeons Act 1936</i> was undertaken in accordance with the terms for legislation reviews set out in the Competition Principles Agreement. The Veterinary Surgeons Act Review Committee comprised an independent Chair (veterinary surgeon from Victoria), and representatives of DPI, Treasury, Department of State Development and the Registrar of the Veterinary Surgeons Board (all non-vets).
Consultation	A Stakeholder Reference Panel was established to assist with the review of the Act. Recommendations of the Panel were made to the Review Committee. The Panel comprised representatives of the RSPCA, Qld Dairyfarmers Organisation, Agforce Qld, Qld Health, Canine Control Council, AQIS, Australian Veterinary Association (Qld Division), Univ. Of Qld Veterinary School and the Veterinary Surgeons Board. A PBT was undertaken by independent consultants, Economic Insights Pty Ltd and their report was submitted to the Review Committee. An Issues Paper was released in April 1999 seeking public comment. The release of the Issues Paper for comment was advertised in National and regional newspapers and copies were sent to all veterinarians and relevant organisations. A draft Final Review Report was issued to those individuals and organisations that made submissions to the Issues Paper for further comment.
Transparency	See section on "Consultation"
Date review reported	February 2000
Date response released	Legislation passed December 2001
Date reform completed	December 2001

### ***Veterinary Surgeons Act 1936***

No.	Review Recommendation	Government Response	Reform Implementation
1	That provision for registration of vet surgeons with acceptable qualifications be retained in the legislation	Cabinet agreed to maintain legislative restrictions and regulation on registration with an extended list of exempted procedures.	<i>Primary industries Legislation Amendment Act 2001</i> and amendment of Veterinary Surgeons Regulation 1991 – 21 December 2001
2	That the restriction on ownership of vet practices be removed from legislation.	Endorsed by Cabinet	See above.
3	That an amended list of prohibited practices be maintained and that the list of exempted procedures be reviewed.	Cabinet agreed to maintain legislative restrictions and regulation on registration with an extended list of exempted procedures	See above.
4	That the restriction on advertising be removed from legislation.	Endorsed by Cabinet	See above.
5	That the controls on vet premises be maintained in the legislation, but that the control on use of business names be relinquished.	Endorsed by Cabinet	See above.

## Veterinary Surgeons Act 1936

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	That provision for registration of vet surgeons with acceptable qualifications be retained in the legislation	<ol style="list-style-type: none"> <li>1. Regulation restricted to registration and conduct of vet surgeons only.</li> <li>2. No registration restrictions.</li> <li>3. Maintain status quo.</li> </ol>	<p>The reservation of practice restriction in the Queensland legislation is clearly justified in the public interest. The restriction refers to the prescribed "acts of veterinary science that require specific veterinary education to perform", and these most notably include acts that require diagnosis, surgery and the use of scheduled drugs.</p> <p>Animal welfare and the wider public interest justify the restriction on the practice of veterinary science to persons who have undertaken relevant, comprehensive and structured tertiary training and as a result have gained professional expertise in the science.</p> <p>There is no restriction on non-registered veterinary surgeons providing veterinary treatments that are not prescribed as "acts of veterinary science" and which do not require specific veterinary education to perform.</p> <p>In addition, a number of acts of animal husbandry and animal dentistry have been given exemption as acts of veterinary science that allows non-veterinarians to perform them.</p> <p>The exemptions effectively allow the practices that are commonly performed by non-veterinarians throughout Australia. These procedures do not require the administration of scheduled drugs to ensure the welfare of the animals.</p> <p>The administration of scheduled drugs is an essential component of the practice of veterinary science to ensure the required standard of animal welfare is delivered. For public health and safety reasons, the use of restricted and controlled drugs is restricted to authorised persons under the respective Australian State and Territory Health Acts. Registered veterinarians are authorised persons under these Acts, thereby ensuring only appropriately qualified and experienced persons can legally administer scheduled drugs.</p> <p>Extensive public and industry consultation</p>	<p>Costs include: a limit on consumer choice to registered vets for acts of vet science that are not exempted, potentially raising price of vet services and influencing nature of treatment. May reduce extent of treatment provided to animals. Note- due to removal of ownership restrictions, animal welfare groups can now employ vet surgeons and can offer vet services at reduced rates for low income earners.</p> <p>Administration charge imposes a small financial cost on vets (\$110 pa) which would not have an appreciable impact on consumer charges.</p>

**Veterinary Surgeons Act 1936**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
			<p>during the Queensland review revealed wide community support for maintaining a restriction on who may perform acts of veterinary science. Queensland accepts the protection of welfare of an animal as a prime responsibility of Government, and believes the restrictions on veterinary practice reflect community expectations.</p> <p>Queensland's Departments of Health and Primary Industries, as the regulating authorities for scheduled drug regulation and animal welfare protection respectively, support the continuation of the current Queensland restrictions on practice. Resources of those agencies are not available to monitor the practice of veterinary science by non-registered persons.</p>	
2	That the controls on vet premises be maintained in the legislation	No controls	Benefits include maintaining animal welfare standards and minimising instances of vets performing low standard vet procedures in unhygienic surroundings.	Minimal community costs. Costs include a one-off application fee for each premises of \$100.00. There is no recurring renewal of approval fee. Standards are the minimum standards consistent with good professional and business practices. Standards are focussed on equipment, fittings and good practice procedures rather than construction. Local governments regulate construction standards. Vets do not have to gain approval if they choose not to designate premises as veterinary premises.

Legislation	<b><i>Forestry Act 1959</i></b>
Administering agency	Department of Primary Industries (DPI)
Reviewer	The Review of the <i>Forestry Act 1959</i> was undertaken in accordance with the Queensland Government's Public Benefit Test Guidelines by an Interdepartmental review team comprising representatives from each of the following: <ul style="list-style-type: none"> <li>• Department of Primary Industries (Policy and Legal Services, Forest Industry Development and DPI Forestry);</li> <li>• Department of Natural Resources; and</li> <li>• Queensland Treasury.</li> </ul>
Consultation	At the beginning of the review process, industry and the wider community were invited, via public advertisements, to provide formal submissions. No formal submissions on the review were received at the initial stage. However both the Queensland Timber Board (QTB) and the Timber Research and Development Advisory Council (TRADAC) provided information to assist in the completion of the Review.  The Review was a standing agenda item for Australian Timber Industry Stabilisation Conference (AUSTIS) meetings since October 1997. AUSTIS membership is available to all Queensland sawmillers and senior representatives from DNRM and DPI Forestry and provides a forum for industry and government to discuss forest industry issues.  A draft PBT report was provided to the QTB and AUSTIS in September 1998 and released for public consultation. Ten formal submissions were received; including several from organisations representing a number of individual sawmill operators and regional communities.
Transparency	The draft PBT Report was released in September 1998. Copies of the final Report are available from DPI on request.
Date review reported	May 1999
Date response released	Legislation passed November 1999.
Date reform completed	The Crown Native Forest Sawlog Allocation system has been retained in the public interest. However, the restriction which provided for the compulsory funding of TRADAC was removed from the legislation in 2000.

No.	Review Recommendation	Government Response	Reform Implementation
1	The Review of the <i>Forestry Act 1959</i> concluded that some non-competitive access to native forest sawlogs through the crown native sawlog allocation system, and the TRADAC stumpage payment provided a net benefit to the community. It therefore recommended that both the legislative authorisation for the allocation system and the TRADAC stumpage payment be retained in legislation.	Accepted	No changes necessary [Note: The statutory levy scheme to fund TRADAC was subsequently abandoned in 2000 and replaced by a voluntary contribution scheme]

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Crown Native Forest Sawlog Allocation System	Periodic competitive tendering	The maintenance of the restriction supports and sustains rural communities through higher employment levels and secure incomes for people living in those areas. The allocation system also provides a mechanism that distributes sustainable yield. Given the Government's commitment to ensuring the continued economic survival of rural and regional communities, the benefits of the restrictions outweigh the costs.	The existing allocation system may hamper the economic gains of mill owners and the State (in the form of higher royalty payments).



Legislation	<b><i>Transport Operations (Passenger Transport) Act 1994 - Taxis</i></b>
Administering agency	Department of Transport
Reviewer	The review was undertaken by an interdepartmental review committee comprising senior officers from Queensland Transport, Queensland Treasury and the Department of the Premier and the Cabinet.
Consultation	720 issue papers inviting comments were distributed to key stakeholders and users of public passenger transport in December 1998. Advertisements were placed in newspapers throughout the state and the issues paper was made available on the Department's web-site. Both public and confidential meetings were arranged and where necessary, regional participants were provided with airfares or addressed the review committee by phone. The review report was issued in September 2000 and has been used as the basis for consultation during the development of possible reforms to be considered by the government.
Transparency	The report of the review committee's investigations is publicly available and has been distributed to industry stakeholders and to identified interested parties. The further development of recommendations to the Government is being undertaken in light of industry consultation.
Date review reported	September 2000
Date response released	The government is expected to consider a submission outlining options for taxis and limousines (hire-cars) in April 2003.
Date reform completed	Any reforms, including a timetable for their introduction, will depend on the outcome of the Government's consideration of policy proposals in April 2003.

No.	Review Recommendation	Government Response	Reform Implementation
1	See September 2000 Interdepartmental Review Report of the <i>Transport Operations (Passenger Transport) Act 1994</i>	The government is expected to consider a submission outlining options for taxis and limousines (hire-cars) in April 2003.	The Government will determine the specific reforms to be progressed following its consideration of policy proposals.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Dependent on the Government's decision following its consideration of policy options.			

Legislation	<b>Transport Infrastructure Act and Transport Infrastructure (Rail) Regulation 1996 – Rail Safety</b>
Administering agency	Queensland Transport
Reviewer	The Transport Economics and Aviation Branch of the Rail Ports and Freight Division of QT undertook a Short Form PBT. The rail safety provisions in the Act were not identified in the initial NCP audit as requiring review. However, the accreditation requirements for rail managers and operators were identified as potentially restrictive and it was later considered appropriate that a review be undertaken.
Consultation	Consultation regarding the proposed legislative amendments has occurred with the QCA, QR, other government agencies and the rail industry. The closing date for receipt of comments was 12 February 2003.
Transparency	The Final PBT Report will be available on request.
Date review reported	March 2003
Date response released	Expected May 2003.
Date reform completed	Amending legislation is expected to be introduced to Parliament in May 2003.

No.	Review Recommendation	Government Response	Reform Implementation
1	<p>In the 2002 report to the NCC, it was reported that a short form PBT was being undertaken to address rail safety related provisions in the Act. However, it was decided to delay the PBT due to proposed amendments to the legislation. The proposed amendments aim to:</p> <ul style="list-style-type: none"> <li>• address the recommendations made in the NSW Inquiry into the Glenbrook rail accident; and</li> <li>• clarify and strengthen roles and responsibilities for the regulation of rail safety in Queensland in response to the QCA recommendations regarding the Access Undertaking.</li> </ul>	To be announced	QT is finalising amendments to the legislation in relation to safety and it is proposed to submit the Bill to Parliament in May 2003.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	<p>Accreditation for managers and/or operators of a railway involves payment of annual accreditation fees. Accreditation applicants are required to develop rail safety management systems that are consistent with the prescribed Australian standard.</p> <p>The existing accreditation process and safety management system and regulations are not restrictions on entry to the rail industry but act as a standard for minimum rail safety. Rail efficiency and competitiveness are not compromised.</p>	<p>Removal of rail safety regulation.</p> <p>Self regulation.</p>	<p>The rail safety accreditation system ensures the users of rail services receive high levels of safety at a reasonable cost.</p> <p>Reduced risk of personal injury, death, property damage.</p> <p>The Act ensures that there are high levels of incident and accident reporting and investigation to lessen the likelihood of future incidents.</p> <p>Increased insurance costs avoided by limiting the likelihood of future incidents.</p>	<p>The cost to the government in administering the safety accreditation system (approx. \$500,000 p.a.) is small relative to the cost of rail incidents as compared to the accreditation fees for 2000/01 of \$450,000. However, this cost would be offset by the benefits to the community.</p>

Legislation	<b>Transport Infrastructure (Ports) Regulation 1996 - Harbour Towage</b>
Administering agency	Queensland Transport
Reviewer	Economic Associates (EA) was commissioned by Queensland Transport to start the review.
Consultation	Following distribution of an issues paper and terms of reference to 102 key stakeholders in September 2000, EA contacted all recipients via personal visits and telephone calls. The 25 respondents to the issues paper received a copy of the draft Final Report in December 2001.
Transparency	Submissions and transcripts were available: on the enquiry website; at the Productivity Commission's library ; and State Reference Libraries
Date review reported	30 January 2002
Date response released	July 2002
Date reform completed	21 November 2002

No.	Review Recommendation	Government Response	Reform Implementation
1	Regulation 44 be retained and extended to all ports	Accepted	Legislation amended
2	Port authorities be free to take up the regulation at their discretion	Accepted	Legislation amended
3	Port authorities be accorded the discretion to require authorisation of tug operations within their port limits	Accepted	Legislation amended
4	Port authorities be accorded the discretion to require towage operators to be exclusively or non-exclusively licensed and to apply conditions to licences	Accepted	Legislation amended
5	Port authorities should be required when determining licensing arrangements: <ul style="list-style-type: none"> <li>to consider the impacts on port users and other relevant stakeholders,</li> <li>demonstrate the net benefits of the proposed arrangements (a requirement which is consistent with State Purchasing Policy), including consideration of longer term issues such as continuity of towage services, efficiency of the tug fleet, and operating arrangements consistent with the ongoing safety of towage and port operations, and</li> <li>make publicly available the conditions attached to such licences.</li> </ul>	Accepted	Legislation amended
6	Exclusive licences where they are to be issued, be subject to publicly advertised competitive tender	Accepted	Legislation amended
7	Port authorities be required to consult formally, and in a transparent manner, with their stakeholders prior to changing any current arrangements for the regulation of towage services within their ports	Accepted	Legislation amended
8	The regulation be reviewed in five years	Accepted	Legislation amended

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	None - other than those found to be in the public interest.			

Legislation	<b><i>State Transport (People Movers) Act 1989</i></b>
Administering agency	Queensland Transport (QT)
Reviewer	A Short Form Public Benefit Test was undertaken by the Transport Economics and Aviation Branch of Rail Ports and Freight Division of QT.  The PBT found that the licences associated with the legislation are not anti-competitive given the extent of competition for carriage of passengers in each of the two locations that are licensed by the Act (the Skyrail rainforest cableway from Cairns to Kuranda and Broadbeach Gold Coast Monorail). There is an opportunity to invest in other people movers in the same market, in parallel with or by a different route to the existing operators. However, in the consultation phase, one of the two licensees voiced concerns regarding the proposed changes. In response, the PBT recommended amending rather than repealing the legislation as originally proposed. The relevant stakeholders supported this outcome.
Consultation	Consultation with existing license holders raised objections to the proposed changes.
Transparency	Report will be available on request.
Date review reported	March 2003
Date response released	To be determined.
Date reform completed	Amendment scheduled for early 2003.

No.	Review Recommendation	Government Response	Reform Implementation
1	The PBT concluded the licences under the Act are not anti-competitive given the extent of competition for carriage of passengers in each location (Cairns and Gold Coast).		The amendment is scheduled to be included in the Transport Legislation Amendment Bill (No. 1) 2003 (currently scheduled for introduction in early 2003).
2	That the licensees' existing legal rights be preserved		New people mover developments will be made under the <i>Integrated Planning Act Framework 1997</i> .

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Nil			

Legislation	<b>Health Practitioner Legislation (thrust manipulation, optical appliances &amp; foot surgery)</b>
Administering agency	Department of Health
Reviewer	The Department of Health engaged independent consultants to undertake a targeted public review of a possible set of core restricted practices to replace current broad statutory definitions of practice which are restricted to registrants.
Consultation	The review report was released for public comment in August 2001.
Transparency	Review findings are available on request.
Date review reported	Endorsed by the Treasurer in January 2001.
Date response released	Released for public comment in August 2001.
Date reform completed	Authority to prepare and introduce new legislation arising from the review recommendations is expected to be sought in May 2003. The legislation is expected to be introduced in May 2003 and commence in the second half of 2003.

No.	Review Recommendation	Government Response	Reform Implementation
1	The practice of thrust manipulation of the spine be restricted to chiropractors, physiotherapists, medical practitioners and osteopaths.	Authority to prepare and introduce new legislation arising from the review recommendations is expected to be sought in May 2003.	Legislation is expected to be introduced in May 2003 and commenced by the end of 2003
2	The practice of prescribing optical appliances for the correction or relief of visual defects be restricted to optometrists and medical practitioners.	See above.	See above.
3	No core practice restrictions apply in relation to surgery of the muscles, tendons, ligaments and bones of the foot and ankle.	See above.	No reform required.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Dependent on the Government's response.			

Legislation	<b>Health Practitioner Legislation (dental technicians &amp; therapists)</b>
Administering agency	Department of Health
Reviewer	Independent consultants
Consultation	The review was undertaken as a targeted public review. The review report was released for public comment in June 2001.
Transparency	Review findings are available on request.
Date review reported	Endorsed by the Treasurer in October 2000.
Date response released	Released for public comment in June 2001.
Date reform completed	Authority to prepare and introduce new legislation arising from the review recommendations is expected to be sought in May 2003. The legislation is expected to be introduced in May 2003 and commence in the second half of 2003.

No.	Review Recommendation	Government Response	Reform Implementation
1	Removal of requirement that dental technicians work to the written prescription of a dentist, dental specialist or dental prosthetist.	Authority to prepare and introduce new legislation arising from the review recommendations is expected to be sought in May 2003.	Legislation is expected to be introduced in May 2003 and commenced by the end of 2003
2	Removal of requirement that dental therapists work only in the public sector	See above	See above.
3	Removal of prohibition on dental therapists treating adults	See above	See above.
4	Removal of prohibition on dentists employing more than one dental hygienist at a time without first obtaining the approval of the Dental Board of Queensland	See above	See above.
5	Registration of operative dental auxiliaries (dental therapists, dental hygienists and oral health therapists) by the Dental Board of Queensland;	See above	See above.
6	Provision be made for operative dental auxiliary representation on the Dental Board of Queensland;	See above	See above.
7	Establishment of a statutory operative dental auxiliary sub-committee.	See above	See above.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Dependent on the Government's response.			

Legislation	<b><i>Nursing Act 1992</i></b>
Administering agency	Department of Health
Reviewer	Intradepartmental Review Committee
Consultation	A Discussion Paper in the form of draft PBT Report outlining various options was prepared and released for public consultation in November 2001. The consultation period on the Discussion Paper closed in January 2002. The final PBT Report is nearing completion and is expected to be released for public information before June 2003.
Transparency	The final PBT report will be released for public information.
Date review reported	Expected April 2003.
Date response released	Expected by June 2003.
Date reform completed	Authority to prepare any new legislation arising from the PBT is expected to be sought before June 2003. The legislation is expected to be introduced and commenced by the end of 2003.

No.	Review Recommendation	Government Response	Reform Implementation
1	The PBT recommendations are yet to be finalised	Authority to prepare any new legislation arising from the PBT is expected to be sought before June 2003.	The legislation is expected to be introduced and commenced by the end of 2003.
2	Repeal the anti-competitive provision in the Nursing By-Law 1993.	Endorsed by Government.	These restrictions were repealed following departmental examination.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Dependent on the Government's response.	.		

Legislation	<b>Health Act 1937 (Hairdressing, Beauty Therapy and Skin Penetration)</b>
Administering agency	Department of Health
Reviewer	Independent consultants conducted a targeted public review of the licensing requirements for hairdressing, beauty therapy and skin penetration services.
Consultation	A Discussion Paper was publicly released in 1998 inviting feedback on regulatory options. The PBT report was released for public information in June 2000.
Transparency	The PBT report was publicly released in June 2000.
Date review reported	November/December 1999.
Date response released	June 2000.
Date reform completed	The Government authorised preparation of the Public Health (Infection Control for Personal Appearances) Bill in June 2000. A draft Bill was released for public consultation in late February 2003. The Bill is expected to be introduced in May 2003 and passed in the second half of 2003. The legislation is expected to commence 1 July 2004.

No.	Review Recommendation	Government Response	Reform Implementation
1	Replace licensing of premises with the licensing of businesses providing higher risk (i.e. skin penetrating) services.	Endorsed	The Public Health (Infection Control for Personal Appearances) Bill is expected to be introduced in May 2003, passed in the second half of 2003 and commence 1 July 2004.
2	Licensing of lower risk services (eg hairdressing) be discontinued but operators of these services be required to meet prescribed infection control standards.	Endorsed	See above.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Licensing requirements of businesses undertaking higher risk (eg skin penetration) services. Lower risk services (eg. hairdressing) required to meet prescribed infection control standards.	No regulation of hairdressing, beauty therapy or skin penetration services. Licensing (premises only) of hairdressing, beauty therapy and skin penetration services. Licensing (premises and individuals) of hairdressing, beauty therapy and skin penetration services.	Provides an effective level of protection to the public from blood-borne diseases and other infections and significantly reduces public health costs. Removes licensing costs for operators of lower risk services.	Unlicensed businesses providing higher risk services are prevented from operating.



Legislation	<b>Pharmacy Act 1976</b>
Administering agency	Department of Health
Reviewer	A National Review of pharmacy regulation was undertaken. In Queensland, only the ownership provisions of pharmacy legislation were subject to the Review, as the rest of Queensland's pharmacy legislation was reviewed as part of the Health Practitioner Registration Acts review.
Consultation	The Report of the National Review was presented to CoAG in February 2000. Preparation of the national review involved widespread consultation. CoAG established a Senior Officials' Working Group (SOWG) to develop a response to the national review. The SOWG's response to the Report was publicly released in August 2002.
Transparency	The National Review Report and the SOWG's response were publicly released.
Date review reported	February 2000
Date response released	Unclear if COAG will make a formal response to the National Review Report.
Date reform completed	Authority to prepare new legislation is expected to be sought before June 2003. The legislation is expected to be introduced and commenced by the end of 2003.

No.	Review Recommendation	Government Response	Reform Implementation
1	See National Review Report.	Government decision on the recommendation is expected to be sought before June 2003	Legislation is expected to be introduced and commenced by the end of 2003.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Dependent on the Government's response			

Legislation	<b>Health Act 1937 (Drugs, Poisons and Therapeutic Goods)</b>
Administering agency	Department of Health
Reviewer	National Review
Consultation	The CRR agreed to a National reform process to review drugs, poisons and controlled substances. In Queensland the relevant legislative provisions were contained in the Health (Drugs and Poisons) Regulation 1996 as provided by Part 4 of the Health Act 1937. Terms of reference for the review were finalised in March 1999 and an options paper was released for public consultation in February 2000.
Transparency	The recommendations are expected to be made publicly available once endorsed by CoAG.
Date review reported	A final review report was given to the Australian Health Ministers Conference in early 2001 and forwarded to a working party of the Australian Health Ministers Advisory Council. The working party will forward a final report and recommendations on reform to CoAG.
Date response released	
Date reform completed	The Government's authority to prepare new legislation to adopt the Commonwealth <i>Therapeutic Goods Act 1989</i> by reference is expected to be sought before June 2003. The legislation is expected to be introduced and commenced by the end of 2003. Other reforms will be implemented once endorsed by CoAG.

No.	Review Recommendation	Government Response	Reform Implementation
1	See National Review Report	Government endorsement on the recommendation relating to the adoption of the Commonwealth <i>Therapeutic Goods Act 1989</i> is expected to be sought before June 2003. The Government's response to other review recommendations will be sought after CoAG has given its response to the National Review.	The legislation to adopt the Commonwealth <i>Therapeutic Goods Act 1989</i> is expected to be introduced and commenced by the end of 2003. The other reforms will not be implemented until CoAG has given its response to the National Review.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	The Government has not yet endorsed the review recommendations			

Legislation	<b>Security Providers Act 1993</b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	A minor targeted public review as conducted by the NCP Unit of the Office of Fair Trading of the Department of Tourism, Racing and Fair Trading.
Consultation	Public release of Issues Paper with targeted stakeholder consultation: December 2001 Inter-governmental Reference Group meetings: December 2001 and April 2002 Police and Security Industry Liaison Group meeting: December 2001 Public release of draft PBT with targeted stakeholder consultation: May 2002
Transparency	Correspondence and documents sent to targeted stakeholders. Public release in <i>Courier Mail</i> , DTRFT Website and Security Industry Journal.
Date review reported	30 July 2002
Date response released	Issues Paper: 1/12/01; Draft PBT Report: 14/5/02; Final PBT Report: 26/8/02
Date reform completed	Recommendation: no reform; Final PBT advertised 26/8/02

No.	Review Recommendation	Government Response	Reform Implementation
1	Licensing restriction – benefits to community outweigh costs and should be retained	Accepted	No reform
2	Business conduct restrictions – benefits to community outweigh costs and should be retained	Accepted	No reform

### **Security Providers Act 1993**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Licensing/barrier to entry restriction applying to private investigators, crowd controllers, security officers and firms.	<ul style="list-style-type: none"> <li>• Mandatory Code of Conduct</li> <li>• Voluntary Code of Conduct</li> <li>• Negative Licensing</li> <li>• Deregulation</li> </ul>	<p>Age restriction on entry – limits under-age persons from working in an often hostile and violent environment</p> <p>Protects community and ensures industry meet community expectations and are trained appropriately.</p> <p>Promotes confidence in industry to appropriately carry out duties i.e.: crowd control, security and private investigations.</p> <p>Appropriate person checks to ensure inappropriate persons are not able to operate in the industry.</p> <p>Training to ensure licensees have relevant experience and knowledge of the industry, ethical and do not contribute toward criminal behaviour in industry.</p> <p>Level playing field for licensees.</p> <p>Safer, more supportive communities.</p> <p>Exempts some groups i.e.: legal practitioners, accountants, insurance agents, loss adjusters and in-house security officers.</p>	<p>Limits age of entry to industry</p> <p>Restricts inappropriate persons from entering industry.</p> <p>Training time and costs and application costs to industry.</p>

**Security Providers Act 1993**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
2	Business conduct – keeping of registers and wearing of Identification	<ul style="list-style-type: none"><li>• Mandatory Code of Conduct</li><li>• Voluntary Code of Conduct</li><li>• Negative Licensing</li><li>• Deregulation</li></ul>	Registers ensure crowd controllers are held accountable for incidents. Identification ensures crowd controllers are easily identified in the event of an incident.	Very small cost to industry.

Legislation	<b><i>Pawnbrokers Act 1984 (PB Act) and Second-hand Dealers and Collectors Act 1984 (SD&amp;C Act)</i></b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	A minor review was conducted within the NCP Unit of the Office of Fair Trading of the Department of Tourism, Racing and Fair Trading.
Consultation	An Issues Paper was released in October 2001 and its availability and call for submissions advertised in the <i>Courier Mail</i> . It was also placed on the Office of Fair Trading website. Copies were also forwarded directly to key stakeholders. Fifteen submissions were received. Based on submissions received from stakeholders, a draft PBT Report was prepared for further consultation. The draft PBT Report was released to stakeholders on 14 April 2002 with submissions closing on 10 May 2002.
Transparency	Final PBT placed on OFT website.
Date review reported	June 2002
Date response released	February 2003
Date reform completed	June 2003 expected date for introduction into Parliament.

No.	Review Recommendation	Government Response	Reform Implementation
1	The licensing of second-hand dealers and pawnbrokers be retained	Accepted	N/A
2	All provisions relating to collectors be repealed from the SD&C Act	Accepted	Implementation of reform expected to be introduced into Parliament by June 2003.
3	The SD&C and PB Acts be consolidated into a single Act	Accepted	See above
4	a single licence type be introduced endorsed with the applicant's primary activity thereby removing the need to hold separate licences for each activity such as second-hand dealer, pawnbroker, entrepreneur; and multi-site licences endorsed with premises, principal place of business, or locations regularly used by the applicant be introduced thereby removing the restrictions on the issuing of a licence to one premises only and permitting licensees to operate without fixed premises.	Accepted	See above
5	the licensing of "entrepreneurs" be retained.	Accepted	N/A
6	the "fit and proper" test for applicants for licences be replaced with a "suitability" test similar to that contained in the <i>Property Agents and Motor Dealers Act 2000</i>	Accepted	See above
7	provisions relating to the recording of transactions be retained in the public interest but provision be made for optional use of computerised recording	Accepted	See above
8	disposal of unredeemed pledges by auction be made optional with the alternative of disposal by sale through the premises where the pledge was made being introduced	Accepted	See above
9	optional extension of licensing periods to one, two or three years be introduced.	Accepted	See above

## **Pawnbrokers Act 1984 and Second-hand Dealers and Collectors Act 1984**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Modified Licensing Restrictions	<ul style="list-style-type: none"> <li>Deregulation/ Voluntary Code of Conduct</li> <li>Mandatory Code of Conduct</li> <li>Status quo</li> <li>Negative licensing option</li> </ul>	<p><u>Current Licence Holders</u></p> <ul style="list-style-type: none"> <li>Will reduce costs associated with licences for additional premises.</li> <li>Will reduce costs to trade as both a pawnbroker and a second-hand dealer.</li> <li>Will remove category of collectors</li> <li>Will allow current collectors who apply for the new form of licence to dispose of property to parties other than second-hand dealers and auctioneers</li> <li>Will clarify the roles of second-hand dealers and pawnbrokers operating away from specified premises.</li> <li>Will reduce administrative burden through optional 1 or 3 years licences.</li> <li>Revision of the role of "entrepreneur" should provide a more level "playing field".</li> </ul> <p><u>Potential New Entrants</u></p> <ul style="list-style-type: none"> <li>May benefit from a more transparent "suitability" test rather than the subjective "fitness" test.</li> </ul> <p><u>Private sellers of second-hand goods</u></p> <ul style="list-style-type: none"> <li>May increase flexibility in possible selling arrangements (eg. the model will potentially expand competition and the ability to sell through a wider choice of dealers).</li> </ul> <p><u>Purchasers of second-hand goods</u></p> <ul style="list-style-type: none"> <li>May benefit from any reduction in compliance costs.</li> <li>May benefit from ability to clearly identify dealer and have confidence in the dealer's integrity and title to property.</li> </ul> <p><u>Victims / potential victims of theft and their insurers</u></p> <ul style="list-style-type: none"> <li>Retention of licensing restrictions should assist in the tracing of stolen property and identifying offenders.</li> </ul> <p><u>Government</u></p> <ul style="list-style-type: none"> <li>Optional 1 or 3 year licences should reduce administrative costs.</li> </ul>	<p><u>Current Licence Holders</u></p> <ul style="list-style-type: none"> <li>Will continue existing licensing restrictions.</li> <li>Will remove current category of collectors, requiring existing collectors who wish to continue operations to apply for a new licence as a second-hand dealer/pawnbroker.</li> </ul> <p><u>Potential New Entrants</u></p> <ul style="list-style-type: none"> <li>Licensing fees and business conduct restrictions will apply.</li> </ul>
2	Conduct Restrictions	<ul style="list-style-type: none"> <li>Deregulation/Voluntary Code of Conduct</li> <li>Mandatory Code of Conduct</li> <li>Status quo</li> <li>Negative licensing option</li> </ul>	<p><u>Potential New Entrants</u></p> <ul style="list-style-type: none"> <li>May benefit from a more transparent "suitability" test rather than the subjective "fitness" test.</li> </ul> <p><u>Purchasers of second-hand goods</u></p> <ul style="list-style-type: none"> <li>May benefit from ability to clearly identify dealer and have confidence in the dealer's integrity and title to property.</li> </ul> <p><u>Persons seeking credit from pawnbrokers</u></p> <ul style="list-style-type: none"> <li>Removal of mandatory auctions of unredeemed pledges should ensure a better return on goods sold.</li> <li>Confidence in the integrity of the pawnbroker should be maintained.</li> </ul> <p><u>Victims / potential victims of theft and their insurers</u></p> <ul style="list-style-type: none"> <li>Retention of business conduct restrictions should assist in the tracing of stolen property and identifying offenders.</li> </ul> <p><u>Government</u></p> <ul style="list-style-type: none"> <li>Computerisation of records should enhance enforcement and detection of stolen property.</li> </ul>	<p><u>Current Licence Holders</u></p> <ul style="list-style-type: none"> <li>Will continue existing conduct restrictions.</li> </ul> <p><u>Potential New Entrants</u></p> <ul style="list-style-type: none"> <li>Business conduct restrictions will apply.</li> </ul>

Legislation	<p><b>Queensland Law Society Act 1952</b></p> <ul style="list-style-type: none"> <li>Queensland Law Society Rule 1987; Queensland Law Society Indemnity Rule 1987; Continuing Legal Education Rule; Queensland Law Society (Solicitors Complaints Tribunal) Rule 1997.</li> </ul> <p><b>Legal Practitioners Act 1995</b></p> <p><b>Supreme Court of Queensland Act 1991</b></p> <ul style="list-style-type: none"> <li>Solicitors' Admission Rules 1968; Barristers' Admission Rules 1975.</li> </ul>
Administering agency	Department of Justice and Attorney-General (JAG)
Reviewer	The review was managed by a Committee with an independent Chair, Mr Henry Smerdon, a former Queensland Under Treasurer, and included departmental representatives of the Directors-General of the Department of the Premier and Cabinet and JAG and of the Under Treasurer. A firm of economic consultants with proven experience in National Competition Policy (NCP) issues was engaged to undertake the Public Benefit Test and to assist the Committee in developing its Review Report.
Consultation	The wider community was given the opportunity to take part in the review through the public release of a comprehensive Issues Paper, which was advertised nationally in November 2001 together with an invitation to forward written submissions to the review committee. A copy of the Issues Paper and invitation to provide a submission to the review was forwarded to each of more than 300 stakeholders ranging from representatives of professional organisations (legal and non-legal), relevant national and interstate organisations, including the Australian Competition and Consumer Commission, and others with an interest in reform of the legal system.. Consultation was arranged with a range of persons considered to have an interest in the legal profession and the outcome of the review. Where possible, face-to-face consultation took place with key stakeholders, including regional lawyers. The Review Committee was assisted, as needed, by a reference group of key stakeholders.
Transparency	Outcome of review yet to be announced
Date review reported	Outcome of review yet to be announced
Date response released	Outcome of review yet to be announced.
Date reform completed	It is expected that the Government will announce its decisions arising from the review and its package of legal profession reforms in the first half of 2003 with a Bill ready for introduction mid-year. It had been expected that the reforms would be announced in the second half of 2002. However, substantial public and media criticism of the Queensland Law Society for its investigation of complaints against Baker Johnson Lawyers resulted in a review of the performance of its complaints and disciplinary functions by former Chief Judge Pat Shanahan and the Legal Ombudsman. The Legal Ombudsman's Report was received in late November leaving insufficient time for the Government to consider its recommendations before the Christmas recess. It is also expected that the Bill will also incorporate national model laws being developed through the Standing Committee of Attorneys-General (SCAG) which are expected to be finalised in July 2003 after consultation with stakeholders and settled at the August 2003 SCAG meeting.

**Queensland Law Society Act 1952; Legal Practitioners Act 1995; and Supreme Court of Queensland Act 1991**

No.	Review recommendation	Government response	Reform implementation
1	<p><b><u>Admission</u></b></p> <p><b>December 2000 proposals:</b> Separate admission as solicitors or barristers would be replaced by a system for the common admission of legal practitioners.</p> <p><b>SCAG national model laws:</b> Common admission nationally. The current academic requirements for admission would be maintained and practical legal training would be assessed against national competency standards. The period for articles of clerkship (where applicable) would be 1 year.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003
2	<p><b><u>Reservation of Work and Titles</u></b></p> <p><b>SCAG National model laws:</b> The current prohibition on engaging in legal practice without a practising certificate would be maintained, with individual jurisdictions to decide whether to allow for licensing in niche areas such as conveyancing.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003
3	<p><b><u>Practising Certificates</u></b></p> <p><b>December 2000 proposals:</b> The practising certificate requirement would be maintained and extended to barristers.</p> <p><b>SCAG national model laws:</b> Whether continuing legal education is voluntary or mandatory as a condition for a practising certificate and whether a practice management course is required for a solicitor's principal's practising certificate would be a matter for individual jurisdictions.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003
4	<p><b><u>Incorporation and Multi-disciplinary practices (MDPs)</u></b></p> <p><b>SCAG national model laws:</b> The incorporation of legal practices and MDPs would be permitted based on the New South Wales model.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003
5	<p><b><u>Professional Conduct Rules</u></b></p> <p>If status quo for solicitors is maintained and extended to barristers, the conduct rules would be made by the professional bodies and approved as subordinate legislation. Individual current solicitors' conduct rules which restrict competition have been considered as part of the PBT.</p> <p><b>SCAG national model laws:</b> Looking for rules to be enforceable and for greater public scrutiny and consultation on any proposed rules as part of any reforms.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003



**Queensland Law Society Act 1952; Legal Practitioners Act 1995; and Supreme Court of Queensland Act 1991**

No.	Review recommendation	Government response	Reform implementation
6	<p><b><u>Complaints and Discipline</u></b></p> <p><b>December 2000 proposals:</b> Enhancements to the complaints and disciplinary processes including:</p> <ul style="list-style-type: none"> <li>• a statutory complaints and disciplinary regime for barristers;</li> <li>• strengthening the powers and resources of the Legal Ombudsman to give the Legal Ombudsman the power to investigate complaints and adopt a more strategic role in relation to the complaints and disciplinary system;</li> <li>• a disciplinary tribunal headed by a Supreme Court Judge for greater independence and accountability</li> </ul> <p><b>SCAG national model laws:</b> Greater uniformity in terms of chargeable conduct and recognition of disciplinary action of other jurisdictions.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003
7	<p><b><u>Trust Account Requirements</u></b></p> <p><b>SCAG national model laws:</b> Uniform national requirements and any change to statutory deposit arrangements to depend on maintaining same revenue stream.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003
8	<p><b><u>Professional Indemnity Insurance</u></b></p> <p><b>December 2000 proposals:</b> It was proposed subject to minimum standards to free up the professional bodies in their selection of professional indemnity cover but to allow their current arrangements to continue for a further 3 years.</p> <p><b>SCAG national model laws:</b> Standard minimum cover for national firms. Profession looking at feasibility of a national scheme. With contraction in the insurance market post HIH and September 11, jurisdictions to maintain current arrangements under which local schemes negotiate on a competitive basis with insurers.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003
9	<p><b><u>Cost related issues</u></b></p> <p><b>December 2000 and SCAG national model laws proposals</b> Include enhancements to make client agreements more user-friendly for both solicitors and clients and maximise their benefits and minimise their costs.</p> <p><b>December 2000 proposals:</b> There would be greater independence, competency and consistency with cost assessors under the supervision of the Supreme Court.</p> <p><b>SCAG national model laws:</b> National guidelines about matters that may be taken into account in cost assessments.</p> <p><b>SCAG national model laws:</b> The prohibition on contingency fees be maintained. Whether to allow for uplift fees would be a matter for each jurisdiction.</p> <p><b>Current status:</b> Modernisation of scales of costs that apply to party costs is under review by a Rules Committee.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003

**Queensland Law Society Act 1952; Legal Practitioners Act 1995; and Supreme Court of Queensland Act 1991**

No.	Review recommendation	Government response	Reform implementation
10	<p><b><u>Fidelity Fund</u></b></p> <p><b>December 2000 proposal:</b> Remove the cap on the Fund and increase the cap on claims</p> <p><b>SCAG national model laws:</b> Maintain local funds, practitioners liable in one jurisdiction only where they have their principal place of practice and uniform provisions relating to claims and exclusions.</p>	Outcome of review yet to be announced	Outcome of review expected to be announced first half 2003 with legislation for introduction mid-year 2003

**Queensland Law Society Act 1952; Legal Practitioners Act 1995; and Supreme Court of Queensland Act 1991**

No.	Restriction on competition remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	<p><b>Advertising</b></p> <p>The <i>Personal Injuries Proceedings Act 2002</i> places restrictions on advertising by solicitors of personal injuries legal services. Such advertising can now only state the name of the solicitor or firm and contact details with information about any area of practice or specialty of the solicitor or firm. It must also be by an approved publication method. Advertising of such services on a no win no fee or other speculative basis is prohibited.</p> <p>The Act also prevents solicitors from attracting business through intermediaries such as hospital staff.</p>	<ol style="list-style-type: none"> <li>1 Maintain status quo: A practitioner who advertises or promotes the practitioner’s expertise in a way that: <ul style="list-style-type: none"> <li>• is false misleading or deceptive;</li> <li>• would contravene the Fair Trading Act 1989 or</li> <li>• if done by a corporation would contravene the <i>Trade Practices Act 1974</i> (Cwth), commits professional misconduct.</li> </ul> </li> <li>2 Rely on legal advice that “no-win, no-fee advertising” is misleading and deceptive and will constitute a breach of the conduct rules in the absence of a full costs indemnity being given by the solicitor to the client. (Despite practitioners being notified of this advice, there is no evidence that they restricted their ‘no win no fee’ advertng)</li> <li>3 Rely on the Australian Plaintiff Lawyers Association voluntary code of conduct which specifically addresses soliciting at times of trauma or distress or in a manner which is likely to offend or distress and the visiting of accident scenes for solicitation. (The Code applies to Association members and, not all plaintiff legal firms are members).</li> <li>4 Rely on the existing provisions in the <i>Criminal Code Act 1899</i> prohibiting the payment of secret commissions. (The offence provision would not apply where the claimant discloses the payment of a commission.)</li> <li>5 Allow solicitor advertising and touting to continue and accept further increases in insurance premiums as necessary to accommodate increasing numbers of claims.</li> </ol>	<p><i>Insured:</i> Maintains affordability of the insurance and diminishes the risk of insurers pricing on over estimating claims liabilities.</p> <p><i>Injured Parties:</i> Promotes environment where unfettered common law scheme can continue.</p> <p><i>Insurers:</i> Greater level of certainty in premium pricing which decreases the risk in underwriting the product and hence less capital exposure.</p> <p><i>Lawyer:</i> Lawyers can continue to advertise the fact that they provide personal injury services.</p>	<p><i>Injured parties:</i> Any restrictions on marketing could result in injured parties not being apprised of their rights to compensation. (However, solicitors will still be able to advertise that they offer personal injury services).</p> <p><i>Lawyers:</i> May have a reduction in business as a result.</p>

Legislation	<b>Liquor Act 1992</b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	The Review was undertaken by an Independent Panel, with assistance from KPMG in carrying out the Public Benefit Test.
Consultation	Issues paper advertised for submissions in metropolitan and provincial newspapers in December 1998 and January 1999. 180 submissions received. Direct public consultation was advertised and held in Brisbane, Rockhampton, Cairns, Townsville, Toowoomba, Mackay and Mt Isa, to enable people who had not made a formal submission to have the opportunity to make a verbal submission. Report from Review Panel released in September 1999 for submissions closing after one month. Thirteen submissions received.
Transparency	When the Report was released for comment in September 1999, copies were mailed to individuals and groups who had made a submission and to others upon request. A copy of the report was placed on Department's Web site for at least 6 months. A bulletin to liquor licensees in March 2000 advised that Cabinet had approved the recommendations of the NCP review committee. The bulletin has a distribution of approximately 6,000. The June 2000 bulletin advised the proposed legislative timetable.
Date review reported	February 2000
Date response released	March 2000
Date reform completed	July 2001

### **Liquor Act 1992**

No.	Review Recommendation	Government Response	Reform Implementation
1	That in terms of take-away liquor sales to the general public, that the status quo be maintained	Accepted, except that diners at a licensed restaurant be able to purchase a bottle of wine for consumption off the premises	The Liquor Amendment Bill 2001 commenced by proclamation on 1 July 2001.
2	That premiums for General and Special Facility Licences be abolished	Accepted, with 50% immediately and full abolition to be effected 12 months after enactment of enabling legislation. Premiums were abolished from 1 July 2002.	As above
3	That the maximum floor space restriction for Detached Bottle Shops (DBS) be increased to 150 square metres	Accepted	Liquor Amendment Regulation (No. 2) 2000 – December 2000
4	That the maximum allowable distance between main premises facility and the DBS be increased to 15 kilometres	Increased to 10 kilometres subject to a three-year review	Liquor Amendment Regulation (No.2) 2000 – December 2000
5	That in relation to club licences: <ul style="list-style-type: none"> <li>the 18 litre limit on take-away liquor sales to members be abolished; and</li> <li>the 40 kilometre visitor restriction be reduced to 15 kilometres</li> </ul>	Accepted	Liquor Amendment Bill 2001 commenced by proclamation on 1 July 2001

<b>Liquor Act 1992</b>			
No.	Review Recommendation	Government Response	Reform Implementation
6	<p>On-Premises Licences:</p> <ul style="list-style-type: none"> <li>That in respect of restaurants and cabarets, restrictions be removed in favour of allowing casual drinking</li> <li>On-Premises Licences be governed only be their primary purpose and that the categorisation of same be simplified within the legislation;</li> <li>That there be a three year sunset to allow examination of the effects of the recommendation</li> </ul>	Accepted without provision for a statutory three-year review clause	As above
7	Exemption for Bed and Breakfast and Host Farm Accommodation catering for up to six persons from the provisions of the Act	Accepted	As above
8	That Regulation 19AB, which requires licensees to act in a responsible manner in the service, supply and promotion of liquor, be retained.	Accepted	As above
9	<p>That public need provisions be retained and that enforcement action of the Liquor Licensing Division also remain as a vital part of its operations if not in a strengthened role; and</p> <p>That the objects of the Act continue to contain economic considerations as well as harm minimisation issues.</p> <p>The NCC expressed concerns regarding this recommendation and it was subsequently changed to an examination of public interest</p>	To strengthen Public Interest considerations	As above
10	That industry use of the voluntary Responsible Service of Alcohol training continue to be encouraged.	Accepted	Not applicable.

<b>Liquor Act 1992</b>				
No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	<p><u>Take away Liquor Restrictions</u></p> <p>Take-away liquor only allowed by:</p> <ul style="list-style-type: none"> <li>General Licences, Special Facility Licences, and Licensed Clubs</li> <li>3 detached bottle shop licences per general licence</li> <li>diners at a licensed restaurant be able to purchase a bottle of wine for consumption off the premises</li> </ul>	<p>Deregulation through the creation of a packaged liquor licence.</p> <p>Partial deregulation through :</p> <ul style="list-style-type: none"> <li>removing or amending restrictions on size of detached bottle shops</li> <li>removing restrictions on number of detached bottle shops</li> <li>removing or amending restrictions on locations of detached bottle shops</li> </ul>	<p>The remaining restrictions in the Queensland legislation are the minimum justified to achieve the objectives of the legislation and there is no evidence to suggest that Queenslanders have lower access to or higher prices for alcohol than other jurisdictions.</p> <p>On the contrary, the evidence of licence applications data indicates that Queensland has an open and competitive market for take-away alcohol.</p> <p>The Act contains no minimum specifications in terms of what dimensions a general licence facility</p>	<p>Less convenient access to take away liquor for consumers.</p> <p>Retailers unable to enter liquor market except through purchase of General Licence</p>

## Liquor Act 1992

No.	Restriction(s) remaining after reform	Alternatives to competition	to restricting	Community benefits	Community costs
	<p>Detached Bottle Shops:</p> <ul style="list-style-type: none"> <li>• maximum allowable distance of 10 kilometres between main premises facility and the DBS</li> <li>• maximum floor space for DBS of 150 square metres</li> </ul> <p>Club Licences:</p> <ul style="list-style-type: none"> <li>• take-away sales limited to club members; reciprocal members and to persons playing sport at a sporting club on that day. No drive through facilities are allowed. Visitors must reside at least 15 kilometres from the club</li> </ul>			<p>must contain. The chief executive cannot grant a general licence unless it has the primary purpose of a business conducted under a general licence is the sale of liquor for consumption on the premises, or on and off the premises, together with the provision of meals and accommodation as required under the licence."</p> <p>The change from "Public Need" considerations to "Public Interest" has meant that the chief executive must consider the impact of a new licence in terms of its general impact on the community, rather than whether the public 'needed' an additional facility in the area.</p> <p>The abolition of the premium for licences has made general licences more readily accessible.</p> <p>Modelling undertaken as part of the NCP Review showed that full deregulation would have caused considerable economic and social dislocation in rural and regional Queensland, primarily in relation to employment.</p> <p>Supermarket interests entered the liquor market in Qld a number of years prior to the review and since this time have continued to extend their investment through the purchase of existing general licences, confirming the competitiveness of the marketplace. Each licence has the potential to operate up to 3 detached bottle shops.</p>	
2	Promotion and Advertising	Remove/Amend restrictions		Minimisation of social harm associated with hazardous drinking patterns and to "at-risk" groups in the community, which have significant health and social welfare costs	<p>Possible reduced choice for consumers</p> <p>Possible reduced profitability for licensees</p>
3	Different Trading Rules for different categories of on-premises licences	Creation of one category of on-premises licence with conditions tapered to suit individual trading patterns based on administrative discretion.		NIL	Confusion as to the trading purpose of venues and the social activities permitted.

Legislation	<b>Fair Trading Act 1989 and Fair Trading Regulation 2001</b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	A targeted public review was conducted by the NCP Unit of the Office of Fair Trading (OFT) in consultation with Queensland Treasury and with the assistance of input from key stakeholders.
Consultation	<ul style="list-style-type: none"> <li>An Issues Paper was released in December 2001 seeking input from key stakeholders and the general community. The Issues Paper was posted on OFT's website and its availability was advertised in <i>The Courier Mail</i>. Copies of the Issues Paper were also provided directly to the key stakeholders. 82 Issues Papers were distributed, and 34 submissions were received from individuals and organisations.</li> <li>Submissions to the Issues Paper were used to inform the preparation of a consultation draft report. In May 2002 40 stakeholders from Government, industry and the wider community were invited to comment on the consultation draft report. Eight submissions were received.</li> </ul>
Transparency	Notice of availability and invitation for submissions to Issues Paper placed in <i>The Courier Mail</i> , and on website of Office of Fair Trading. Notice of availability and invitation for submissions to draft PBT placed on OFT website and stakeholders sent letters inviting comment. Final PBT Report advertised on OFT website on 26 August 2002.
Date review reported	August 2002
Date response released	August 2002
Date reform completed	December 2002

### **Fair Trading Act 1989 and Fair Trading Regulation 2001**

No.	Review Recommendation	Government Response	Reform Implementation
1	That the prohibition in the Act on the conduct of mock auctions be retained	Accepted	N/A
2	That the prohibition on the use of obscene material in relation to unsolicited goods be retained	Accepted	N/A
3	That the regulation of door-to-door trading through the Act be retained and that: <ul style="list-style-type: none"> <li>a. the Act be amended to: <ul style="list-style-type: none"> <li>• change the prescribed amount to \$75; and</li> <li>• subject the prescribed amount to a regular review</li> </ul> </li> <li>b. the current door-to-door cooling-off period in the Act be retained at ten days</li> <li>c. the prohibition in the Act on dealers accepting payment or supplying goods or services during the cooling-off period for prescribed door-to-door contracts be retained</li> <li>d. the restriction in the Act on door-to-door trading hours be retained</li> <li>e. the requirement for dealers to state the purpose of their call and produce an identity card be retained</li> <li>f. the provision in the Act allowing dealers to apply for exemptions from door-to-door provisions be retained; and</li> <li>g. contracts for emergency repairs that satisfy the requirements of a door-to-door contract, and are not regulated by the Domestic Building Contracts Act 2000, be subject to sections 61 (with the exclusion of section 61(1)(f)), 64 and 65 of the Act only</li> </ul>	Accepted	Where applicable, the <i>Fair Trading and Another Act Amendment Act 2002</i>

**Fair Trading Act 1989 and Fair Trading Regulation 2001**

No.	Review Recommendation	Government Response	Reform Implementation
4	<p>Regarding Standards:</p> <ul style="list-style-type: none"> <li>a. the restriction in the Act requiring Information Standards to be met where prescribed be retained;</li> <li>b. the restriction in the Act requiring Safety Standards to be met where prescribed be retained;</li> <li>c. the provision in the Act that empowers the Minister to restrict or prohibit the sale of unsafe goods be retained; and</li> <li>d. the restriction in the Regulation that requires specific Standards to be met for folding laundry trolleys, leather goods, shoes, furniture, fibre content and projectile toys be retained.</li> </ul>	Accepted	N/A

**Fair Trading Act 1989 and Fair Trading Regulation 2001**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Prohibition of <u>mock auctions</u>	Deregulation	<p>The prohibition of mock auctions helps protect consumers from conduct intended to be deceptive and misleading, meeting the objective of the Act of a safe and equitable marketplace.</p> <p>There are significant consumer, industry and government benefits. Removal of the prohibition could lead to the re-emergence of mock auctions, with the potential to cause financial detriment to consumers.</p> <p>Additional cost could be incurred in bringing enforcement proceedings under the general provisions of the Act or the Criminal Code (if applicable) resulting in a less efficient means of achieving the objective of an equitable market place.</p> <p>In addition, licensed auctioneers who act scrupulously and abide by the conduct provisions of the PAMD Act could suffer negative consumer perceptions if mock auctions were to start up again.</p> <p>The information problem posed by mock auctions, whereby operators have a fly-by-night operation designed to mislead consumers, is best overcome by specific government intervention.</p>	Based on the likely impacts on stakeholders of moving to deregulation, there are likely to be very minor costs in retaining the prohibition.



## Fair Trading Act 1989 and Fair Trading Regulation 2001

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
2	Prohibition on the use of <u>obscene material</u> in relation to unsolicited goods	Deregulation	<p>The restriction on obscene material in the Act has a two-fold role in meeting the objectives of the Act.</p> <p>The restriction restricts the supply of obscene material that could have a detrimental affect on the psychological wellbeing of persons who are exposed to it, particularly minors. This meets the safety objective of the Act, particularly in terms of psychological safety.</p> <p>The restriction prevents consumers being misled by obscene images that mask the real nature of the product or service being offered for sale and that are not designed to inform the market. This meets the informed marketplace objective of the Act.</p>	<p>Fewer advertising options for traders who are able to use obscene images to promote goods – “sex sells”.</p> <p>Businesses are restricted in their ability to advertise their products and services.</p> <p>Less freedom for consumers to make choices about seeing or receiving obscene material.</p>
3	<p>Regulation of <u>door-to-door trading</u>, including:</p> <ul style="list-style-type: none"> <li>changing the prescribed amount to \$75;</li> <li>subjecting the prescribed amount to a regular review;</li> <li>cooling-off period of ten days;</li> <li>prohibition on dealers accepting payment or supplying goods or services during the cooling-off period for prescribed door-to-door contracts;</li> <li>the restriction in the Act on door-to-door trading hours be retained</li> <li>the requirement in the Act for dealers to state the purpose of their call and produce an identity card be retained</li> <li>The provision in the Act allowing dealers to apply for exemptions from door-to-door provisions be retained; and</li> <li>Contracts for emergency repairs that satisfy the requirements of a door-to-door contract, and are</li> </ul>	<ul style="list-style-type: none"> <li>Deregulation</li> <li>Voluntary Code of Conduct</li> <li>Mandatory Code of Conduct</li> <li>Modification of prescribed amount</li> <li>Modification of cooling-off period</li> <li>Modification of trading hours</li> <li>Repeal of Exemption Provisions</li> <li>Extension of some door-to-door provisions to contracts for emergency repairs</li> </ul>	<p>The restrictions ensure an informed and safe market by regulating dealers and suppliers’ business conduct to protect consumers from coercion and harassment.</p> <p>There is benefit in having emergency repair contracts subject to the prescribed contract, identification and anti-harassment and coercion provisions of the Act. Such provisions do not impose significant obligations on industry, but do provide consumer protection. It is an alternative consistent with the objectives of the Act, as the market will continue to be safe due to the provision of emergency repairs, but will also be fairer and more equitable.</p>	<p>Less choice because of less exposure to door-to-door products and services</p> <p>Potential for higher prices due to fewer competitors in the market</p> <p>Compliance costs for industry</p> <p>Disincentive for new dealers to enter the market</p> <p>Restricted trading hours means fewer consumers have access to door-to-door products and services</p> <p>Losses and costs to traders when contracts are rescinded under cooling-off period</p> <p>Decreased competition may result in fewer jobs</p> <p>Government administrative costs associated with regulation</p>

## Fair Trading Act 1989 and Fair Trading Regulation 2001

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
	not regulated by the Domestic Building Contracts Act 2000, be subject to sections 61 (with the exclusion of section 61(1)(f)), 64 and 65 of the Act only			
4	<p><u>Standards:</u></p> <ul style="list-style-type: none"> <li>• Information Standards to be met where prescribed;</li> <li>• Safety Standards to be met where prescribed;</li> <li>• provision that empowers the Minister to restrict or prohibit the sale of unsafe goods;</li> <li>• specific Standards to be met for folding laundry trolleys, leather goods, shoes, furniture, fibre content and projectile toys</li> </ul>	<ul style="list-style-type: none"> <li>• Repeal</li> <li>• Voluntary Code of Conduct</li> </ul>	<p>The role of Information Standards is to inform and educate the market about products and services and their use. This helps to minimise consumer confusion and assists in consumers making informed decisions about purchases, allowing like-with-like comparisons to be made.</p> <p>Information standards are a key element in addressing information asymmetries, particularly for irregular or first time buyers of products covered by such Standards.</p> <p>The importance of Safety Standards is highlighted by figures suggesting that up to 1 in 8 Australians suffer an injury each year in which a consumer product is implicated, and that the estimated direct medical cost of these injuries is estimated at in excess of \$1.3 billion per year. This figure does not include intangibles such as the social cost to the community of the effects of these injuries, for example, loss of livelihood and quality of life suffered by victims of product injuries, as well as their families and carers.</p> <p>Since 1996, the Office of Fair Trading has received on average approximately 138 safety complaints per annum. The profile of Safety Standards generally is high in the contemporary marketplace. Government and media consistently highlight cases of significant safety risk. Safety failures of products and services are also taking on more significance as contemporary society becomes generally more litigious. Breaches of, or non-compliance with, Safety Standards by</p>	Compliance costs.

**Fair Trading Act 1989 and Fair Trading Regulation 2001**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
			<p>industry can form the basis of litigation while proper compliance with a Standard can be a defence for industry in such litigation.</p> <p>Decreased risk of injury and death to consumers.</p> <p>Ministerial prohibition is an effective reserve power, without which the safety of consumers would be at risk.</p>	

Legislation	<b><i>Funeral Benefit Business Act 1982</i></b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	A targeted review of the Act was undertaken within the NCP Unit of the Office of Fair Trading. The Funeral Benefit Business Review Committee was formed to conduct the Review comprising representatives from government and the community. Uniquet Pty Limited was engaged to prepare a PBT Report which was considered and commented on by the Committee.
Consultation	<ul style="list-style-type: none"> <li>During the Review stakeholder consultation was undertaken via meetings and tele-conferencing with 40 organisations including all funeral benefit business operators in QLD and relevant consumer/community organisations.</li> <li>An Issues Paper was prepared for consultation. An advertisement was placed in the Public Notices section of <i>The Courier Mail</i> and regional newspapers on 13 May 2000 inviting submissions by 5.00pm on 13 June 2000. Copies of the Issues Paper were also forwarded directly to key stakeholders on 15 May 2000. Six submissions were received.</li> </ul>
Transparency	Issues paper sent to all registered funeral benefit businesses and advertisements placed in <i>The Courier Mail</i> and regional newspapers.
Date review reported	October 2000
Date response released	April 2003
Date reform completed	June 2003 expected date for introduction into Parliament.

<b><i>Funeral Benefit Business Act 1982</i></b>			
No.	Review Recommendation	Government Response	Reform Implementation
1	The PBT Report recommends that the rights and responsibilities of the various parties under existing contracts should not be changed.	Accepted	Bill anticipated to be introduced into Parliament in June 2003
With respect to any new contracts entered or business conducted, the following amendments should be made:			
2	A cooling off period should be introduced for all new contracts	Accepted	See above
3	A short "client care" statement containing details in plain English of the parties rights and responsibilities be given before entering into the contract.	Accepted	See above
4	Consumers should have the choice of deposit of pre-payment monies with a funeral director, or with an authorised investment manager.	Accepted	See above
5	The restriction that only companies may operate funeral benefit businesses should be removed.	Accepted	See above
6	The Act should be extended to apply to any person that sells a funeral benefit to a consumer in Queensland.	Accepted	See above
7	The current \$5,000 cap on the value of funeral benefits should be removed.	Accepted	See above
8	The requirement that the public officer/company secretary reside, or the registered office be located, in Queensland should be removed.	Accepted	See above

**Funeral Benefit Business Act 1982**

No.	Review Recommendation	Government Response	Reform Implementation
9	The provisions regarding false and misleading statements duplicating the <i>Trade Practices Act 1974</i> and the <i>Fair Trading Act 1989</i> and the Corporations Law should be removed.	Accepted	See above
10	The provisions requiring OFT approval of all advertising should be removed.	Accepted	See above
11	The limits on how pre-payment monies can be invested should be replaced with amendments deeming each funeral benefit business to be a trustee for the purposes of the <i>Trusts Act 1973</i> .	Accepted	See above
12	The registration requirement should be removed from the Act.	Accepted	See above
13	The requirement to notify the Department of a change of company name should be removed.	Accepted	See above
14	Substantial penalties should be introduced for non-compliance with the Act	Accepted	See above

**Funeral Benefit Business Act 1982**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Existing Act to remain in place in relation to existing contracts – Parts 3 and 4 “grandfathered”.  Most stakeholders consider that the policy objectives of the Act remain valid today – the main issue was whether those objectives can be achieved in a more cost-effective and appropriate way.	<ul style="list-style-type: none"> <li>• Repeal</li> <li>• Mandatory Code of Conduct</li> <li>• Performance based regulation</li> <li>• Tradable permits,</li> <li>• Third party certification</li> <li>• Government based insurance cover</li> </ul>	“Grandfathering” Parts 3 & 4 will provide “equity” or “fairness” to current parties to contracts as opposed to replacing the existing Act with the proposed new regulation.	In economic terms there would be considerable gain in dismantling the existing Act

Legislation	<b><i>Credit (Rural Finance) Act 1996</i></b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	A minor review was conducted by the NCP Unit of the Office of Fair Trading
Consultation	Availability of draft PBT Report advertised in <i>The Courier Mail</i> and placed on OFT website on 8 December 2001.
Transparency	OFT Web site and targeted consultation with key stakeholders. Correspondence sent to stakeholders advising of amendments 25 September 2002.
Date review reported	22 February 2002
Date response released	March 2002
Date reform completed	N/A as no reforms recommended NB: Amendment to Act as a result of recommendations made in the NCP Assessment of the <i>Hire-purchase Act 1959</i>

No.	Review Recommendation	Government Response	Reform Implementation
1	No reforms recommended	Accepted	N/A

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Based on similar provisions examined as part of the national NCP Review of the Consumer Credit Code review, it was concluded that the provisions related to default notices were <u>minor</u> restrictions only which were justified in the public interest.	N/A	Benefit to farming industry.	Nil

Legislation	<b><i>Hire Purchase Act 1959</i></b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	Repeal without review – submission prepared by the NCP Unit of the Office of Fair Trading
Consultation	Issues Paper to key stakeholders early 2000. A proposal was prepared to repeal Act and amend <i>Credit (Rural Finance) Act 1996</i> (CRF Act) to extend its scope to include hire purchase agreements. A PBT on the proposed legislative amendment was released for consultation in late 2001 (see CRF Act notations).
Transparency	OFT Web Site and consultation with and advice to key stakeholders.
Date review reported	N/A
Date response released	N/A
Date reform completed	January 2003

No.	Review Recommendation	Government Response	Reform Implementation
1	Submission prepared which recommended Hire-purchase Act be repealed in its entirety and that the C(RF) Act be amended, at the same time, to apply to hire purchase agreements and to make provision for the accounting of surplus monies upon repossession, in a manner similar to that adopted under the Credit Code.	Accepted	HP Act limited to apply to existing contracts and sunset clause inserted Amendments made to <i>Credit (Rural Finance) Act 1996</i> to transfer effect of certain protections for farmers.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Nil - key protections for farmers transferred to CRF Act	N/A	Farmers benefit from continued protections; Financiers' burden lessened.	Nil

Legislation	<b><i>Racing and Betting Act 1980 - bookmakers and Queensland racing industry</i></b>
Administering agency	Department of Tourism, Racing and Fair Trading
Reviewer	<ol style="list-style-type: none"> <li>1. In 2000, a minor Review, in terms of the PBT guidelines, was conducted on the <i>Racing and Betting Act 1980</i>. A working group comprising representatives of the Department of Tourism and Racing and Queensland Treasury was responsible for undertaking the review in accordance with Queensland Government Public Benefit Test Guidelines.</li> <li>2. In 2002, an additional PBT was prepared by an Interdepartmental Committee, from Queensland Treasury and the Department of Tourism Racing and Fair Trading, with research input from an independent consultant, on restrictions upon competition contained in the Racing Bill 2002 that: <ul style="list-style-type: none"> <li>• were not addressed in the 2000 PBT; or</li> <li>• were inconsistent with recommendations contained in the 2000 PBT.</li> </ul> </li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. For the 2000 PBT, consultation comprised: <ul style="list-style-type: none"> <li>• distribution of an Issues Paper by mail to all control bodies, race clubs and licensee associations, inviting written submissions;</li> <li>• making the Issues Paper available to the industry at large via the then Department of Tourism Sport and Racing's website;</li> <li>• advertising in metropolitan and regional newspapers that the review was being conducted and how to gain access to the Issues Paper;</li> <li>• consideration of 29 written submissions received from race clubs, control bodies, industry organisations and individuals; and</li> <li>• further oral consultation with key racing industry organisations and members of the public during the preparation of the 2000 PBT.</li> </ul> </li> <li>2. For the 2002 PBT, consultation comprised direct consultation with key stakeholders.</li> </ol> <p>In addition, extensive consultation with key stakeholders was undertaken during the following reform processes:</p> <ul style="list-style-type: none"> <li>• creation of the Queensland Principal Club in 1990;</li> <li>• corporatisation and privatisation of TABQ Limited in 1998/1999;</li> <li>• Racing Industry Strategic Planning Exercise in 1999;</li> <li>• Review of Bookmaking Operations in 1999/2000;</li> <li>• Governance Reviews of control bodies of racing in 2001; and</li> <li>• Racing Appeals Authority Review undertaken in 2001/2002.</li> </ul>
Transparency	The 2000 PBT was distributed to control bodies and individual race clubs and also placed on the Department's web site.
Date review reported	<ol style="list-style-type: none"> <li>1. December 2000</li> <li>2. September 2002</li> </ol>
Date response released	<ol style="list-style-type: none"> <li>1. April 2000</li> <li>2. September 2002</li> </ol>
Date reform completed	Legislation passed by Parliament in November 2002. Expected commencement June 2003



## ***Racing and Betting Act 1980 - -bookmakers and Queensland racing industry***

No.	Review Recommendation	Government Response	Reform Implementation
1	<p><u>Licensing Regime</u></p> <ul style="list-style-type: none"> <li>Licensing requirements remain in the legislation;</li> <li>Licensing of participants and venues within the regulated racing industry remain a control body responsibility;</li> <li>Control bodies develop, maintain, publish and make publicly available licensing criteria for all classes of licences issued by the control body.</li> </ul>	Accepted	<i>Racing Act 2002</i>
2	<p><u>Drug Control Regime</u></p> <ul style="list-style-type: none"> <li>Existing drug control and associated integrity control processes be maintained;</li> <li>Existing Queensland racing industry control bodies and any new codes of racing that may be approved be required to purchase drug and associated integrity control services from the Racing Science Centre, or another facility recommended by the Racing Codes Advisory Board to the Governor in Council;</li> <li>Existing Queensland racing industry control bodies and any new codes of racing that may be approved be required, as part of their legislative responsibility, to allocate sufficient funds to ensure that appropriate drug/integrity control systems are maintained.</li> </ul> <p><u>2002 Review</u></p> <ul style="list-style-type: none"> <li>Racing Bill 2002 proposed a process by which an entity may seek accreditation as a facility for the provision of drug and integrity services. Section 40 imposes a mandatory obligation on all control bodies to enter into an agreement with an accredited facility for the provision of integrity services</li> <li>The 2002 NCP Review recommended that the accreditation regime for integrity service facilities proposed the Bill be adopted because it provided an objective, transparent and accountable procedure for the accreditation of such facilities while exposing the Racing Science Centre to competitive forces.</li> </ul>	2002 Review recommendations accepted	As above
3	<p><u>Code Rule Enforcement Regime</u></p> <ul style="list-style-type: none"> <li>The rule making powers of control bodies that flow from the establishment of a regulatory regime be maintained in the public interest and interests of animal welfare;</li> <li>Formal criteria be developed for appointment to a steward position within Queensland racing industry control bodies and such criteria be made publicly available;</li> <li>Stewards receive on-going training and professional development opportunities;</li> <li>Appropriate probity and integrity checks are established to ensure that persons appointed as Queensland racing industry stewards are fit to hold such appointments.</li> </ul>	Accepted	As above
4	<p><u>Appeal Mechanisms</u></p> <ul style="list-style-type: none"> <li>The Racing Appeals Authority (RAA) be maintained as an independent appeals body;</li> <li>The current rights of appeal to the RAA be maintained and the jurisdiction of the RAA be widened to include appeals from any decision of a control body subject to the RAA giving leave to appeal;</li> <li>All codes of racing establish first stage appeals committees;</li> <li>Committees to hear first level appeals be established by all codes of racing;</li> <li>Members of the committees to hear first level appeals are not to be members of the relevant control body;</li> </ul>	2002 Review recommendations accepted	As above

<b>Racing and Betting Act 1980 - -bookmakers and Queensland racing industry</b>			
No.	Review Recommendation	Government Response	Reform Implementation
	<ul style="list-style-type: none"> <li>Appointments to committees to hear first level appeals be made against specific qualifications and/or experience necessary for the discharge of quasi judicial functions.</li> </ul> <p><u>2002 Review</u></p> <ul style="list-style-type: none"> <li>Further consultation in 2002 with control bodies, stewards of control bodies and the chairman of the Racing Appeals Authority revealed that provision of appeals from every control body decision to the Racing Appeals Tribunal (subject to leave being granted) was neither appropriate nor workable.</li> <li>Under the Bill, the establishment of a first level appeals committee for a code of racing is not a mandatory obligation imposed upon a control body. The cost savings to control bodies derived from the proposed departure from the 2000 PBT recommendation outweigh the potential loss of a further avenue of appeal for racing industry participants.</li> </ul>		
5	<p><u>Racing Associations</u></p> <ul style="list-style-type: none"> <li>Provisions related to the establishment of racing associations be removed from the legislation.</li> </ul> <p><u>2002 Review</u></p> <ul style="list-style-type: none"> <li>Following further consultation in 2002, it was recommended that the Bill contain provisions that formally establish racing associations as these racing associations will have no effect upon competition</li> </ul>	2002 Review recommendations accepted	As above
6	<p><u>Prohibition on Entry of New Codes of Racing</u></p> <ul style="list-style-type: none"> <li>Restrictions on the entry/recognition of other racing codes to the regulated racing industry be removed;</li> <li>Any new codes of racing must be able to demonstrate to the Minister responsible for racing that they are able to operate within the regulated racing industry with due regard to probity, integrity and public interest prior to being recognised as a code of racing under legislation.</li> </ul>	Accepted	As above
7	<p><u>Prohibition on Proprietary Racing</u></p> <ul style="list-style-type: none"> <li>Blanket restrictions on the conduct of proprietary racing be removed from the legislation;</li> <li>Queensland racing industry control bodies be allowed to conduct and/or manage proprietary racing activities;</li> <li>Entities other than Queensland racing industry control bodies be allowed to conduct/manage proprietary racing activities/events only with approval of the Minister responsible for racing.</li> </ul> <p><u>2002 Review</u></p> <ul style="list-style-type: none"> <li>the 2002 Review recommended that proprietary racing be regulated by a single control body pursuant to the same regulatory structure which applies to all codes of racing in Queensland.</li> </ul>	2002 Review recommendations accepted	As above
8	<p><u>Restrictions on the Operations of Racing Bookmakers</u></p> <ul style="list-style-type: none"> <li>Current restrictions related to ensuring the probity and integrity of racing bookmakers be maintained;</li> <li>Control bodies maintain responsibility for the licensing and operation of racing bookmakers;</li> <li>Advertising restrictions on racing bookmakers licensed in Queensland be removed from the legislation.</li> </ul>	Accepted	As above

## Racing and Betting Act 1980 - bookmakers and Queensland racing industry

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Licensing requirements – control bodies, venues, participants	Removal of the legislative framework and regulatory regime governing the operation of the QRI	<ul style="list-style-type: none"> <li>Maintenance of established industry safety standards.</li> <li>Maintenance of professional reputation of Queensland racing industry.</li> <li>Maintenance of public confidence in the development of the racing product and consequently, in wagering.</li> </ul>	-
2	Drug Control Regime	Removal of established drug control regime	<ul style="list-style-type: none"> <li>drug control processes under legislative powers are free from bias, transparent and are supported by the QRI</li> <li>the Stewards and the industry can have complete confidence in the accuracy and reliability of the certificates of analysis provided by the RSC</li> <li>No public perception of possibility of conflict of interest between the drug control regime and QRI disciplinary processes.</li> <li>Maintenance of public confidence in the independence of drug control procedures.</li> <li>Fewer opportunities for corruption of the drug control regime and manipulation of drug testing outcomes.</li> </ul>	-
3	Code Rule Enforcement Regime	Removal of Code Rule Enforcement Systems	<ul style="list-style-type: none"> <li>Maintenance of public confidence in the integrity of the racing product.</li> <li>Maintenance of controls and safety standards involved in producing the racing product.</li> <li>Reduced possibilities for the disregard of relevant workplace health and safety, and animal welfare issues.</li> </ul>	<ul style="list-style-type: none"> <li>Less scope for simplified Code rules and associated application systems</li> </ul>
4	Appeal Mechanisms	Removing established appeals mechanism	<ul style="list-style-type: none"> <li>Independence of the current system is recognised by all stakeholders.</li> <li>A low cost process for parties aggrieved by decisions, who would otherwise have to resort to costly Supreme Court actions</li> </ul>	-
5	Restrictions on Operations of Licensed Bookmakers	Removing restrictions related to bookmakers	<ul style="list-style-type: none"> <li>Maintenance of integrity control over participants licensed as racing bookmakers</li> <li>Maintenance of public confidence in the operation of racing bookmakers and consequent flow-on effect to the wider racing industry...</li> <li>Lower level of criminal activity associated with betting.</li> </ul>	<ul style="list-style-type: none"> <li>More complex operating framework for both existing and potential bookmakers.</li> <li>No increase in commercial opportunities of racing bookmakers.</li> </ul>

Legislation	<b>Omnibus Review of Queensland's Gambling Legislation</b>
Administering agency	Queensland Treasury
Reviewer	The review of Queensland's gambling legislation is being undertaken as a desktop review in accordance with the Queensland Government's Public Benefit Test Guidelines. It is being undertaken by an intradepartmental committee including the Queensland Office of Gaming Regulation.
Consultation	The Queensland Government consulted widely with industry and community groups, in relation to specific issues, during the preparation of each piece of legislation. This included the release of issues papers, such as the review of gaming machines titled the <i>Queensland Review of Gaming Machine Regulatory Arrangements</i> and the <i>Art Unions Review Discussion Paper</i> , both of which outlined the proposals for regulating specific gambling activities. Extensive industry and community feedback was obtained during the preparation of each piece of legislation. The Draft Review Report is expected to be released for consultation in April 2003.
Transparency	It is expected that the Final Review Report will be released in May 2003.
Date review reported	Expected May 2003
Date response released	Expected May 2003
Date reform completed	Expected June/July 2003

### Omnibus Review of Queensland's Gambling Legislation

No.	Review Recommendation	Government Response	Reform Implementation
1	The draft Report recommends the retention of all licensing requirements in Queensland's gambling legislation. It was concluded that the licensing requirements were essential to maintaining the high levels of probity and integrity currently held by the industry. The retention of the existing licensing requirements was seen to provide a net benefit to all groups in the community.	Expected May 2003	Depends on Government response
2	The draft Report recommends retaining controls on the access to gaming machines as fundamental to controlling the proliferation of gambling in the community and reducing the negative impacts of gambling on the community. The correlation between the expansion of gaming machines into hotels and the increases in problem gambling cannot be ignored by the Government and the controls on access to gaming machines, including a State-wide cap on gaming machine numbers, are considered important harm minimisation provisions. The review also recommends that the different maximum gaming machine numbers for clubs and hotels be retained in recognition of the important community service role fulfilled by the club industry of Queensland.	Expected May 2003	Depends on Government response
3	The draft Report recommends removing the market share restrictions on Licence Monitoring Operators (LMOs). The market share restriction placed on LMOs was originally intended to ensure that at least three LMOs continued to operate in the market. The draft Report concludes the costs to LMOs, in terms of their ability to compete, and to small gaming machines sites, which were often over-looked by the LMOs as potential clients, outweighed the intended benefits.	Expected May 2003	Depends on Government response

## Omnibus Review of Queensland's Gambling Legislation

No.	Review Recommendation	Government Response	Reform Implementation
4	The draft Report recommends the retention of the various harm minimisation provisions in the legislation. Queensland's gambling legislation contains a number of initiatives designed to implement the concept of responsible gambling. These are intended to assist individuals who may be susceptible to the negative impacts of gambling and their families. These are considered to be purely harm minimisation provisions and their benefits clearly outweigh any costs. Similarly, the legislation contains provisions which are intended to ensure that only adults participate in gambling activities. These provisions are also considered to be clearly in the public interest.	Expected May 2003	Depends on Government response
5	A number of gambling providers were issued exclusive licences to conduct certain gambling activities for an initial period. It is considered that the costs to Government for breaching such commercial agreements and the ultimate proliferation of gambling that the granting of additional gambling licences would pose an appreciable cost on the community as a whole. The benefits of retaining the current exclusivities until they expire is considered the most appropriate outcome and ultimately in the public interest.	Expected May 2003	Depends on Government response
6	Revenue sharing is considered a means by which unlicensed persons or corporations can have input on the operations of a licensed gambling provider. The prohibition of revenue sharing is seen essential to maintain probity and integrity and clearly is in the public interest. This restriction does not preclude licensed gaming machine operators from obtaining finance through normal means, such as loans from financial institutions.	Expected May 2003	Depends on Government response
7	There are certain conditions placed on where gambling products may be made available for sale. This is considered to be a means of preventing the further proliferation of gambling throughout the community. It also helps ensure the security and, therefore, integrity of gambling operations.	Expected May 2003	Depends on Government response
8	There are a number of other provisions in the legislation which impose minor restrictions on competition. These relate to the prohibition of sale of unlicensed gambling products and the prohibition of advertising by unlicensed gambling providers. These are important probity and integrity provisions which ensure that only those licensed to do so can market and sell gambling products in Queensland. Another minor restriction relates to the requirement to prepare community impact statements by certain large clubs and hotels. This restriction is seen to ensure that gambling providers continue to operate with high levels of probity and integrity.	Expected May 2003	Depends on Government response

## Omnibus Review of Queensland's Gambling Legislation

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
<b>NOTE:</b> The restrictions remaining after the review and reform will depend on the Government's response to the final review recommendations. The information provided below is based on that provided in the draft Review Report.				
1	Licensing requirements.	No alternatives considered	Maintain probity and integrity of gambling operations.	May prevent potential gaming providers from establishing gambling operations unless first obtaining a license.

## Omnibus Review of Queensland's Gambling Legislation

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
2	Limits on maximum number of gaming machines a site may operate.	Removal of Limits	The maintenance of the restrictions will ensure that there is a limit placed on the proliferation of gambling. The restriction also ensures that there is continued viability of clubs which provide a valuable community service.	The restriction limits the profitability of some hotels and clubs and reduces the community's access to gaming machines.
3	State-wide cap on gaming machines that can be operated in hotels in Queensland.	Removal of cap	The maintenance of the restrictions will ensure that there is a limit placed on the proliferation of gambling. The restriction also ensures that there is continued viability of clubs which provide a valuable community service.	Reduce access by the community to gaming machines in hotels. The provision may also limit the profitability of some hotels.
4	Responsible gambling requirements in relation to advertising, hours of operation, exclusion provisions, placement of ATMs, wager controls, and the protection of minors.	No alternatives considered	Puts in place important harm minimisation provisions which limit the negative impacts of gambling.	The restrictions may limit access to gambling activities, limit the profitability of some gambling providers.
5	Exclusive licences	Removal of exclusive arrangements	Ensure public confidence in the gambling products available to consumers. Prevents the proliferation of gambling products available in the community which if removed, could lead to increases in problem gambling.	Limits the potential for choice by consumers.
6	Prohibition on revenue sharing by clubs and hotels.	Removal of the prohibition on revenue sharing	Prevents unlicensed entities from having influence over some gaming machines operations. This maintains probity and integrity of the industry. Profits from clubs are prevented from being directed to commercial operators rather than back into the community as part of their non-profit focus.	May limit financing alternative available to licensed gaming machine venues.
7	Limits on where gambling products may be made available for sale.	Removal of restrictions on where gambling products may be sold.	Ensure that the harm from gambling is limited.	Limits convenience is accessing gambling products. May also limit sales in gambling products thereby reducing revenue for gambling providers and the Government.
8	Restrictions on the advertising and sale of non-licensed gambling products.	Removal of restrictions on the advertising and sale of unlicensed gambling products.	Prevents access to unlicensed gambling products which, if available, would increase the level of harm associated with gambling. The restriction also assists in maintaining the level of public confidence in gambling activities.	Restricts consumer choice.
9	The requirement for some large clubs and hotels to complete community benefit statements.	Removal of the need for large gaming machine venues to undertake community benefit statements.	Ensure continued probity and integrity of industry.	Compliance costs by large clubs and hotels.

Legislation	<b><i>Education (General Provisions) Act 1989</i></b>
Administering agency	Department of Education
Reviewer	Departmental Review
Consultation	Issues paper and call for submissions, targeted interviews, , release of draft report and final report for comment on recommendations
Transparency	The report is available for public viewing at Central Office Mary Street Brisbane
Date review reported	June 2002
Date response released	June 2002
Date reform completed	13 December 2002

No.	Review Recommendation	Government Response	Reform Implementation
1	That criteria upon which the approval for the establishment and conduct of International Education Institutions be specified.	Accepted.	Legislation amendments effective from 13 December 2002.

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Nil - other than justified by the Review			

Legislation	<b><i>Grammar Schools Act 1975</i></b>
Administering agency	Department of Education
Reviewer	Departmental Review
Consultation	Issues paper and call for submissions, targeted interviews, , release of draft report and final report for comment on recommendations.
Transparency	The report is available for public viewing at Central Office 30 Mary Street Brisbane
Date review reported	June 2002
Date response released	To be determined
Date reform completed	Authority to prepare – March 2002; Authority to Introduce expected May 2003; Reform implementation expected September 2003

No.	Review Recommendation	Government Response	Reform Implementation
1	That financial restrictions on the establishment of a Grammar Schools be removed	To be announced.	Expected September 2003

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Nil			



Legislation	<b>Child Care Act 1991 [Child Care (Child Care Centres) Regulation 1991 &amp; Child Care (Family Day Care) Regulation 1991]</b>
Administering agency	Department of Families
Reviewer	The NCP review was undertaken as a Departmental review in conjunction with a major review of child care legislation which began in 1999. The project team was assisted by a reference group consisting of departmental officers and industry representatives with legal, financial and child care backgrounds.
Consultation	A Public Benefit Test Consultation Paper and Draft Report in December 2001 with feedback closing on 31 January 2002. Notice of this review was advertised in <i>The Courier Mail</i> and major regional newspapers on 15 December 2001 and the documents were placed on the Department's website for access by child care services and interested stakeholders. In addition, copies of the reports were circulated to government agencies and child care peak bodies for their feedback. Consultation on the exposure draft legislation continued until the end of March 2002.
Transparency	Copies of the final PBT are available on request from the Department.
Date review reported	May 2002
Date response released	The Government endorsed the PBT on 17 June 2002.
Date reform completed	The Child Care Bill 2002 was passed by Parliament on 24 October 2002 and assented to on 1 November 2002 as the <i>Child Care Act 2002</i> . The Child Care Regulation 2003 is being finalised and it is anticipated that the Act and Regulation will commence operation on 1 September 2003.

**Child Care Act 1991 [Child Care (Child Care Centres) Regulation 1991 & Child Care (Family Day Care) Regulation 1991]**

No.	Review Recommendation	Government Response	Reform Implementation
1	It is recommended that the regulatory tiering framework proposed for the regulation of child care in Queensland be adopted.	Accepted	<i>Child Care Act 2002</i> assented on 1 November 2002. It is anticipated the Act and accompanying regulation (now being finalised) will commence on 1 September 2003.

**Child Care Act 1991 [Child Care (Child Care Centres) Regulation 1991 & Child Care (Family Day Care) Regulation 1991]**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Provisions for licensing of child care services by way of regulatory tiering.	Alternatives considered included: <ul style="list-style-type: none"> <li>• Co-regulation;</li> <li>• Deregulation and/or the use of a non-regulatory framework; and</li> <li>• Uniform licensing</li> </ul>	Public inquiries, research and other reports have all found that child care legislation benefits not only the child but also society by providing a baseline for quality care  By imposing restrictions on child care facilities, staff:child ratios, group sizes and staff qualifications, the legislation will help to ensure that a positive and safe learning environment is created for children.  Regulatory tiering provides a framework that	In the short term, there will be little impact on services that are currently licensed or regulated under the current legislation, as the only increase in standards will be the introduction of minimum qualifications for staff working in centre based services that care for children under school age.  In the long term services may gain from the reduction in red tape procedures, greater flexibility (due to the introduction of performance based standards), and reduction in duplication as the building standards are transferred to the

**Child Care Act 1991 [Child Care (Child Care Centres) Regulation 1991 & Child Care (Family Day Care) Regulation 1991]**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
			<p>attempts to balance, or contain, the costs of restrictive legislation to small businesses while maintaining protection for consumers. The use of this model will result in enhanced flexibility, promote service innovation and reduce costs.</p> <p>Regulatory tiering provides for an increase in consumer protection while minimising the impact on operators. It allows the various industry segments to be treated differently, thereby maintaining a balance in the costs and benefits associated with the legislation. The anticipated changes to the market structure will be limited to improved consumer protection through the extended coverage of the legislation and an overall increase in costs.</p>	<p>building legislation.</p> <p>For centre-based services that currently do not require a licence, such as School Aged Care (SAC), there will be a significant impact relating to increased capital costs and increase in staff wages. In the short term there will be: an increase in red tape due to:</p> <ul style="list-style-type: none"> <li>• Licence required to operate;</li> <li>• Licence to be renewed every 3 years</li> <li>• Building and facilities compliance documentation required for initial licence;</li> <li>• An increase in fees as a result of one-off costs for capital improvements and the increase in wages; and</li> <li>• A decrease in flexibility as maximum attendance level to be determined by space available and number of qualified staff.</li> </ul> <p>In the medium to long term there will be improvement in the quality of care provided and an improved status for SAC services within the child care industry.</p> <p>For consumers of child care (eg. Parents/Guardians and children using child care services), in the short-term child care fees may increase as higher costs associated with capital and staff wages flows onto consumers.</p> <p>In the medium and long term there will be:</p> <ul style="list-style-type: none"> <li>• an improvement in the quality of care provided through the introduction of standards for SAC services and minimum qualification requirements for other centre based services; and</li> <li>• greater consumer choice in the range of regulated child care services that they can access for their school age children.</li> </ul>

**Child Care Act 1991 [Child Care (Child Care Centres) Regulation 1991 & Child Care (Family Day Care) Regulation 1991]**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
2	Provisions that allow for the issuing of regulated standards for child care services (known as “stand alone care”) by way of regulatory tiering.	Alternatives considered included: <ul style="list-style-type: none"> <li>• Co-regulation;</li> <li>• Deregulation and/or the use of a non-regulatory framework; and</li> <li>• Uniform licensing.</li> </ul>	<p>Public inquiries, research and other reports have all found that child care legislation benefits not only the child but also society by providing a baseline for quality care</p> <p>By imposing restrictions on the age of the carer, criminal history of the carer, number of children able to be cared for and public liability insurance, the legislation will help to ensure that a positive and safe learning environment is created for children.</p> <p>Regulatory tiering provides a framework that attempts to balance, or contain, the costs of restrictive legislation to small businesses while maintaining protection for consumers. The use of this model will result in enhanced flexibility, promote service innovation and reduce costs.</p> <p>Regulatory tiering provides for an increase in consumer protection while minimising the impact on operators. It allows the various industry segments to be treated differently, thereby maintaining a balance in the costs and benefits associated with the legislation. The anticipated changes to the market structure will be limited to improved consumer protection through the extended coverage of the legislation and an overall increase in costs.</p>	<p>In the long term, for “stand alone care” operated in a centre based setting, there will be a reduction in flexibility as services will be required to meet set standards in relation to the age of the carer, criminal history of the carer, number of children able to be cared for and public liability insurance. However, there are no known centre based services in this category currently operating in Queensland.</p>

Legislation	<b>Building Act 1975, Standard Building Regulation 1993 and Building Regulation 1991</b>
Administering agency	Department of Local Government and Planning
Reviewer	<p>A minor review of the Building Act and its subordinate legislation was undertaken in accordance with the Queensland Government's Public Benefit Test Guidelines.</p> <p>An Interdepartmental Review Committee undertook the Review with the assistance of an independent Consultant. The Committee comprised a representative from each of the following:</p> <ul style="list-style-type: none"> <li>• Local Government Services, Department of Local Government and Planning – Chair;</li> <li>• Building Codes Queensland, Department of Local Government and Planning;</li> <li>• Queensland Building Services Authority; and</li> <li>• Treasury Department.</li> </ul>
Consultation	A draft PBT Report was prepared by the Consultant and released for comment on 28 March 2002. Following consideration of submissions, the Consultant prepared a final PBT Report for the Interdepartmental Review Committee. The Interdepartmental Review Committee prepared a report, which comments on, and makes recommendations in response to the Consultant's PBT Report.
Transparency	The Interdepartmental Review Committee Report and the Public Benefit Test Report were released to the public on 3 July 2002
Date review reported	June 2002
Date response released	July 2002
Date reform completed	December 2002 ( <i>Plumbing and Drainage Act 2002</i> passed)

### **Building Act 1975, Standard Building Regulation 1993 and Building Regulation 1991**

No.	Review Recommendation	Government Response	Reform Implementation
1	The Department of Local Government and Planning amend or enhance existing competitive neutrality guidelines to meet the specific needs of local government building certification activities. The guidelines should address suitable arrangements for the range of size and operational arrangements of Local Governments in Queensland.	Accepted	Existing competitive neutrality guidelines are being revised as per the review recommendation.
2	<p>The <i>Local Government Act 1993</i> be amended to allow competitive neutrality complaints concerning local government building certification businesses and the performance of statutory building functions to be provided for in the same manner as complaints concerning the roads business activities of local governments.</p> <p>However, there should be a staged implementation to enable the Government to develop the enhanced competitive neutrality guidelines recommended above and for Local Governments to put in place competitively neutral arrangements. In addition, consideration should be given as to what would be an appropriate threshold for the complaints mechanism to be applicable.</p>	Accepted	The <i>Plumbing and Drainage Act 2002</i> (assented to on 13 December 2002) amends the <i>Local Government Act 1993</i> as per the recommendation of the review.

## **Building Act 1975, Standard Building Regulation 1993 and Building Regulation 1991**

No.	Review Recommendation	Government Response	Reform Implementation
3	The establishment of an independent reviewer or similar means to ensure the competitive neutrality issues are effectively resolved is <b>not</b> supported. There is no precedent for such a body in terms of enforcing the outcome of competitive neutrality complaints, nor is such a requirement included in the relevant provisions of the Competition Principles Agreement.	Accepted	Not applicable
4	The Building Act should require the chief executive of the Department of Local Government and Planning to approve appropriate continuing professional development schemes that address the inadequacies in the competencies of the building certifier profession. The Review Committee does not agree that the accreditation system alone would provide adequate and effective means of compelling building certifiers to undertake continuing professional development.	Accepted	The <i>Plumbing and Drainage Act 2002</i> amends the <i>Building Act 1975</i> as per the recommendation of the review.
5	The Building Act should require the Building Surveyors and Allied Professions Accreditation Board (BSAP), in determining accreditation requirements for building certifiers, to comply with the national accreditation framework produced by the Australian Building Codes Board. This will address concerns about the discretion of BSAP in determining accreditation requirements for building certifiers.	Accepted	The <i>Plumbing and Drainage Act 2002</i> amends the <i>Building Act 1975</i> as per the recommendation of the review.
6	The Building Act should require an additional planning competency for building certifiers who issue building approvals. Consultation should be undertaken with stakeholders to determine the appropriate planning competencies when developing the Regulation.	Accepted	The <i>Plumbing and Drainage Act 2002</i> amends the <i>Building Act 1975</i> as per the recommendation of the review. Consultation is being undertaken to determine the appropriate planning competencies.
7	The competitive neutrality guidelines should address the manner in which local governments implement arrangements to account for the accreditation fees of their building certifiers as competitive neutrality adjustments.	Accepted	Existing competitive neutrality guidelines are being revised as per the review recommendation.
8	The BSA should increase the frequency and scope of audits of building certifiers, including audits of compliance with planning approvals and codes. At present, the risks for certifiers are relatively low due to the low frequency of audits and the difficulty in applying appropriate penalties quickly.	Accepted	The Department and the Building Services Authority (BSA) are currently undertaking a detailed review of the costs of running the system. This will include proposals to fund the full cost recovery of operating the accreditation system.
9	The best option for providing adequate funding to operate the accreditation system would be one where the fee was as closely related as possible to the income generated by the certifier in undertaking the certification work, with discounts to reward good performance and penalties for poor performance.	Accepted	See above
10	Only building surveying technicians employed by remote and small councils should be allowed to approve building work. Otherwise, building surveying technicians must only assist in assessing and inspecting building work irrespective of who they work for.	Accepted	The Standard Building Regulation 1993 will be amended to allow only building surveying technicians employed by remote and small councils to approve building work.

**Building Act 1975, Standard Building Regulation 1993 and Building Regulation 1991**

No.	Review Recommendation	Government Response	Reform Implementation
11	The competitive neutrality guidelines address the need for local government to achieve competitive neutrality in their fees for statutory functions. In particular, the guidelines should identify any advantage enjoyed by local government certifiers should be reduced to the extent that equivalents for such Council charges are reflected in their charges to clients for commercial services as competitive neutrality adjustments.	Accepted	Existing competitive neutrality guidelines are being revised as per the review recommendation.
12	Local Governments should be able to recover auditing costs where a private certifier approves development.	Rejected	Due to concerns about accountability and transparency of local government fees, any additional opportunities for councils to impose statutory fees will not be introduced at this time.
13	Until an effective accreditation system is operating the requirement for compulsory professional indemnity insurance should be retained.	Accepted	<p>Rather than specifying a compulsory requirement for professional indemnity insurance the PBT report examined whether building certifiers should be required to advise homeowners and builders whether they have professional indemnity insurance and the nature and extent of the cover.</p> <p>However, the reliance on the auditing system to eliminate all faults by building certifiers is not practical. The \$1million minimum Professional Indemnity cover required by the Standard Building Regulation 1993 is to ensure home owners are adequately covered for the negligence and incompetence of building certifiers.</p>
14	Building certifiers should be required to advise an owner who is doing the certification work for their building and who is responsible for mistakes and how these are addressed. In addition, building certifiers should be required to provide copies of building approvals and inspection certificates directly to the owner.	Accepted	The <i>Plumbing and Drainage Act 2002</i> amends the <i>Building Act 1975</i> as per the review recommendation.
15	The Standard Building Regulation 1993 should be amended to provide more objective and relevant criteria for determining whether an applicant is a fit and proper person to be accredited as a building certifier.	Accepted	The Standard Building Regulation 1993 will be amended as per the review recommendation.
16	<p>The <i>Building Act 1975</i> should be amended as follows to improve the disciplinary processes for building certifiers.</p> <ul style="list-style-type: none"> <li>• The code of conduct regulating the behaviour of building certifiers will now be approved by the chief executive of the Department of Local Government and Planning. This will also allow the department to respond to emerging professional practice issues more effectively.</li> <li>• To minimise the number of disputes that proceed to a formal complaint, the BSA be given the discretion to require mediation independent of the BSA to be undertaken before the BSA will investigate a complaint.</li> </ul>	Accepted	The <i>Plumbing and Drainage Act 2002</i> amends the <i>Building Act 1975</i> as per the review recommendations.

**Building Act 1975, Standard Building Regulation 1993 and Building Regulation 1991**

No.	Review Recommendation	Government Response	Reform Implementation
	<ul style="list-style-type: none"> <li>The definition of 'professional misconduct' be amended to create a category of 'unsatisfactory conduct' for minor offences and leave more serious misconduct as 'professional misconduct'. This will address criticisms the current complaint system is too rigid with no clear distinction between offences for basic administrative mistakes and offences that are serious technical breaches. An appropriate range of penalties for each category will be provided.</li> <li>The disciplinary action that may be taken against a building certifier be expanded to enable the BSA to address poor standards of professional practice. This would include developing a system of demerit points and on the spot fines, for unsatisfactory conduct (i.e. minor administrative offences and mistakes). Penalties would increase for continued unsatisfactory conduct leading to an offence of professional misconduct.</li> <li>The powers currently held by the BSA to determine the guilt, and appropriate discipline, of a building certifier for a charge of professional misconduct should be transferred to the Queensland Building Tribunal established under the Queensland Building Tribunal Act 2000. However, responsibility for determining the guilt and appropriate penalty for a lesser charge of unsatisfactory conduct should remain the responsibility of the BSA. Appeal of the BSA decisions on the lesser charge will be to the Queensland Building Tribunal.</li> <li>As councils are responsible for maintaining the integrity of their planning schemes, Councils should be responsible for auditing the planning aspects of private certifiers works and laying disciplinary charges against building certifiers in the Tribunal. The advantage of this proposal is that it increases the accountability of private certifiers back to local government and the community, who have the primary interest in ensuring planning standards are upheld.</li> </ul>		

**Building Act 1975, Standard Building Regulation 1993 and Building Regulation 1991**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	<b>See Final PBT Report.</b>			

Legislation	<b>Architects Act 2002</b>
Administering agency	Department of Public Works
Reviewer	National review of legislation regulating architectural profession conducted by Productivity Commission
Consultation	Wide consultation and release of draft and final reports
Transparency	Review outcomes made public with introduction of legislation to Parliament
Date review reported	16 November 2000
Date response released	
Date reform completed	November 2002

## Architects Act 2002

No.	Review Recommendation	Government Response	Reform Implementation
1	State and Territory Architects Acts (under review) should be repealed after an appropriate (two-year) notification period to allow the profession to develop a national, non-statutory certification and course accreditation system which meets requirements of Australian and overseas clients.	The Working Group of States and Territories rejected the Productivity Commission's preferred approach as not being in the best public interest	NA
2	In those States and Territories which require all building practitioners who act as principals (including all building design practitioners) to be registered, the following principles should be adopted with respect to Architects: (i) that Architects be incorporated under general building practitioners Boards which have broad representation (including industry-wide and consumer representation); (ii) that there be <u>no</u> restrictions on the practice of building design and Architecture; (iii) that use of a title such as "Registered Architect" be restricted to those registered but that there be no restrictions on use of the generic title "Architect" and its derivatives; (iv) that only principals (persons, not companies) to contracts be required to be registered; (v) that there be provision for accessible,	The Working Group recommended adoption of the alternative approach by adjusting existing legislation to remove elements deemed to be anti-competitive and not in the public interest. (i) Constituting regulatory boards with broad industry-wide and consumer representation is desirable. Whether architects boards should be incorporated under general building practitioner boards is a matter for individual jurisdictions; (ii) Legislation that provides for the registration of architects should not include restrictions on practice; (iii) Restrictions on the use of the titles "architect" and "registered architect" should remain. Derivatives which describe a recognised competency or qualification should be permitted (e.g. "landscape architect"). Jurisdictions have a number of options in addition or in lieu of architects or related legislation to deal with misleading or deceptive conduct; (iv) Support given to notion that where an organisation offers the services of an architect, an architect supervise and be responsible for those services (v) Consumer protection would be improved by modifications to complaints and disciplinary procedures that, for instance,	The Working Group's recommendations were adopted in the Queensland context as follows: (i) Board of Architects of Queensland includes broad building industry and consumer representation (ii) There are no substantive restrictions on the practice of architecture. (iii) Working Group recommendation implemented. Only registered architects may use the title "architect" or "registered architect". General restriction on derivatives removed. (iv) Architects responsible for services provided by an organisation. Company registration has been eliminated. (v) Independent and transparent disciplinary processes now



## Architects Act 2002

No.	Review Recommendation	Government Response	Reform Implementation
	<p>transparent and independently administered consumer complaints procedures, and transparent and independent disciplinary procedures; and</p> <p>(vi) that there be scope for contestability of certification (that is, Architects with different levels of qualifications and experience be eligible for registration).</p>	<p>make them more transparent and provide avenues of appeal;</p> <p>(vi) Query the practicability of establishing additional certification bodies where there are only about 8,000 architects in Australia. A conflict of interest might be created where a certification body provided other services to architects. Recommended that architects boards be encouraged to identify means of broadening certification channels, having regard to different combinations of qualifications and experience that would maintain professional standards of competency.</p>	<p>conducted in the Queensland Building Tribunal.</p> <p>(vi) Working Group recommendation that architects boards be encouraged to identify means of broadening current certification channels, adopted.</p>

## Architects Act 2002

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	<p>Architects must meet qualification and competency requirements to become registered. Only registered architects may use the title "architect" or "registered architect".</p>	<p>A non-statutory certification and course accreditation system which meets requirements of Australian and overseas clients, as recommended by the Productivity Commission.</p>	<p>The Working Group considered that the Productivity Commission's alternative approach, of adjusting existing legislation to remove elements deemed to be anti-competitive, provided a suitable framework for the development of a commonality of approach across the Commonwealth.</p> <p>The Working Group considered that, in principle, regulation is desirable to adequately identify members of the architectural profession, thus providing a public benefit by unambiguously indicating to the market the difference in the level of qualification of architects as distinct from those without professional qualifications but offering building design or related services.</p>	<p>The Working Group considered that a non-statutory system contains a number of risks. With the small number of architects in Australia, more than one certifier may not be economically viable, leading to a single certifier acquiring a monopoly position. A single supplier could be open to undue influence by organised interest groups, which may lead to reduced usage by the profession. This could decrease market information as to the qualifications and experience of people holding themselves out as architects.</p> <p>Further, private certification may not be readily exposed to public, professional or parliamentary review and, isolated from the political process, could become internally focused. Correcting these failures would entail legislative or administrative intervention at further cost to the profession and/or the public.</p>

Legislation	<b>Surveyors Act 1977</b>
Administering agency	Department of Natural Resources and Mines
Reviewer	The review was undertaken by a Review Committee comprising a Chair (Department of Natural Resources) and representatives from Treasury, the Survey Industry Response Group and consumers.
Consultation	Call for submissions by way of <i>Courier Mail</i> advertisement and targeted consultation with: the Institute of Surveyors Australia, Queensland Division; the Surveyors Board of Queensland; the Institute of Engineering and Mining Surveyors, Queensland; Department of Mines and Energy; Consulting Surveyors Queensland; and Australian Consulting Surveyors Insurance Society Ltd.
Transparency	A discussion paper released in April 2000 described the issues identified in the PBT, in the context of a broader discussion regarding issues to be considered in a review of surveying legislation.
Date review reported	Courier Mail advertisement 23 August 1997
Date response released	April 2000
Date reform completed	Anticipated June 2003

No.	Review Recommendation	Government Response	Reform Implementation
1	That the current system of regulating cadastral surveyors be retained (expressed in terms of restriction on the use of the title 'surveyor')	Accepted	Amending legislation, to restrict practice of cadastral surveying to appropriately registered persons, expected by June 2003.
2	That the restriction on qualifications of directors of companies be removed	Accepted	Amending legislation expected by June 2003.
3	That the Board power to prevent licensed or consulting surveyors practising under a business name that has not been approved by the Board be removed	Accepted	Amending legislation expected by June 2003.
4	That the Board power to make regulation with respect to surveyors fees be removed	Accepted	Amending legislation expected by June 2003.
5	That the requirement that consulting surveyors are required to have public liability and professional indemnity insurance be extended to all surveyors	Not accepted	NA

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Restriction on undertaking cadastral surveys only by licensed surveyors	Self regulation Co-regulation	<ul style="list-style-type: none"> <li>Confidence in durability of land interests is maintained via standards of cadastral surveyors.</li> <li>Ability to be involved in regulation of the profession.</li> <li>Protected by public liability insurance.</li> </ul>	Lodgement levy.

Legislation	<b>Valuers Registration Act 1992</b>
Administering agency	Department of Natural Resources and Mines
Reviewer	<p>The Review of the Valuers Registration Act 1992 and Valuers Registration Regulation 1992 was conducted internally as a minor assessment by the Department of Natural Resources in consultation with other relevant Departments including State Development and Equity and Fair Trading.</p> <p><u>Restrictions Examined</u></p> <ul style="list-style-type: none"> <li>• Registration Restriction -- Prescribed academic qualifications, be a fit and proper person, and have had sufficient practical experience to demonstrate competence.</li> <li>• Valuer and Valuation Business Restrictions -- Requirement to be registered valuers to carry on business</li> <li>• Restriction on Specialist Retail Valuers -- Specialist retail valuers assess current market rents relevant to retail shop leases in accordance with the <i>Retail Shop Leases Act 1994</i> - may limit the applicant's authority to make determinations of current market rents to particular areas of the state.</li> </ul> <p>The Public Benefit Test assessment included:</p> <ul style="list-style-type: none"> <li>• A review of background information concerning the introduction and maintenance of the registration of valuers in Queensland;</li> <li>• A call for public submissions and review of public submissions received;</li> <li>• A mail survey of 182 registered valuers;</li> <li>• Analysis of records of registration and other documents requested from the Valuers Registration Board of Queensland, and the Australian Property Institute (API);</li> <li>• A review of arrangements in other Australian States and Territories;</li> <li>• Consultation with Government Departments, the API Queensland (formerly the Australian Institute of Valuers and Land Economists), the Queensland Consumer Association, the Valuers Registration Board of Queensland, the API in other Australian States and Territories, relevant government departments in other Australian States and Territories;</li> <li>• Analysis of the costs and benefits of potential regulatory and non regulatory alternatives;</li> <li>• A summation of impacts and outcomes arising from the review together with final conclusions and recommendations.</li> </ul> <p>A number of both regulatory and non-regulatory options were considered. These included retention of the status quo; deregulation; a changed role for the Valuers Registration Board with wider community representation and more informed criteria for renewal of registration; and negative licensing.</p>
Consultation	Consultation with Government Departments, the API Queensland (formerly the Australian Institute of Valuers and Land Economists), the Queensland Consumer Association, the Valuers Registration Board of Queensland, the API in other Australian States and Territories, relevant government departments in other Australian States and Territories;
Transparency	Public announcement. Documented debate in Parliament
Date review reported	October 1999
Date response released	N/A
Date reform completed	2001-02

## Valuers Registration Act 1992

No.	Review Recommendation	Government Response	Reform Implementation
1	<ul style="list-style-type: none"> <li>No strong grounds identified for favouring one option over another. The impacts of moving to any of the alternatives generally are immaterial when compared to the status quo.</li> <li>Not able to demonstrate that the restrictions provide a net benefit to the community as a whole and, on this basis, consideration should be given to adoption of the deregulation option as being most likely to deliver net public benefits in the long term, with some increasing risk to infrequent individual users of valuation services in the short term.</li> <li>If Government's wish were to ensure that this risk is managed in the short term, competency based registration was considered the most appropriate option to manage the identified risks. This option would not bring high costs with it in terms of economic efficiency or restricted competition but would be more appropriately targeted to ensuring practising valuers maintained their skills in delivering services to the market place. However, in view of the strengthening role of the professional institutes, consideration should be given to this option as a transitional measure, subject to a review within three years.</li> <li>Recommended geographic restrictions on practice of specialist retail valuers be removed.</li> </ul>	<p>Accepted the competency-based registration model as a means of managing the information risk to infrequent users in the short term with a further review of the arrangements within three years from the commencement of the amending legislation.</p>	<p>Proclamation and implementation of changes to the Act and Regulation all completed by 1 May 2002. The amending legislation provided for:</p> <ul style="list-style-type: none"> <li>Broadening the membership of the Valuers Registration Board to include two business and community representatives in addition to three registered valuers;</li> <li>In addition to the requirements for first time registration (suitable academic or demonstrated adequate experience for the registration as a valuer (Section 30 of the Act) or for demonstrated experience for listing as a specialist retail valuer (Section 42C of the Act)), introducing competency-based renewal for registration of valuers and renewal of listing as specialist retail valuers; and</li> <li>Removing the anti-competitive restriction on trading that the Board may have placed on a specialist retail valuer</li> </ul>

## Valuers Registration Act 1992

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Requirements for registration	Removal of restriction	<p>Infrequent users of valuation services assisted by information about providers</p> <p>Further informed by competency based renewal of registration, and wider representation on the Board</p>	Low costs to community – not high barriers to entry

Legislation	<b>Queensland Building Services Authority Act 1991</b>
Administering agency	Department of Housing
Reviewer	Public benefit test conducted by an independent consultant under the supervision of a steering committee comprising representatives of relevant Government departments
Consultation	Issues paper and call for submissions, creation of industry reference group, targeted interviews, release of draft report for comment on recommendations and final report
Transparency	Anticipated public release of Government position March to June 2003
Date review reported	16 August 2002
Date response released	TBA
Date reform completed	Anticipated 30 June 2003

### **Queensland Building Services Authority Act 1991**

No.	Review Recommendation	Government Response	Reform Implementation
1	Licensing -There is a strong argument for setting technical criteria via licensing, mainly because this helps to provide a good standard of consumer protection in an efficient manner. A number of opportunities to further enhance these components have been identified.	To be decided.	
2	Financial Requirements for Licensees - Financial requirements for licensees should be retained in the short term but modified to raise the threshold for self-assessment (currently \$250,000) and be closely and flexibly attuned to better reflect and manage risk. it was considered that formal statutory financial requirements would not be necessary in the long term if private insurance was introduced.	To be decided.	
3	Home warranty insurance – <ul style="list-style-type: none"> <li>In principle, over time it should be possible to enhance licensing and other regulatory arrangements such that it would no longer be necessary to make home warranty insurance necessary;</li> <li>It should be possible at some point to relax the requirement that home warranty insurance be provided only by a public monopoly;</li> <li>Given recent developments in interstate home warranty markets it would not be sensible to make major changes to the insurance arrangements at this stage;</li> <li>A further review of the potential to introduce competition into the Queensland home warranty insurance scheme be conducted before mid-2004 when the BSA is next negotiating reinsurance contracts;</li> <li>Consideration be given as to whether Queensland arrangements are too generous in terms of the insurance product specified;</li> <li>The current arrangement where BSA provides both insurance and licensing functions creates a conflict of interest between commercial and regulatory functions which necessitates separation of</li> </ul>	To be decided.	

**Queensland Building Services Authority Act 1991**

No.	Review Recommendation	Government Response	Reform Implementation
	<p>these functions.</p> <ul style="list-style-type: none"> <li>• There is an inherent and important conflict of interest in the BSA undertaking licensing, insurance and workmanship functions in relation to home building. Legal separation and full commercialisation of the insurance function of the BSA would provide a clear public benefit relative to the current arrangements.</li> <li>• Seek advice as to whether it is necessary to seek an exemption under the TPA for the public monopoly status of the BSA insurance scheme.</li> </ul>		

**Queensland Building Services Authority Act 1991**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
1	Subject to the Government's response to the review recommendations.			

Legislation	<b><i>Electricity Act 1994 and Electricity Regulation 1994 - non-safety</i></b>
Administering agency	Office of Energy, Department of Innovation and Information Economy, Sport and Recreation Queensland.
Reviewer	ACIL Consulting (independent consultants appointed to conduct a Public Benefit Test and to compile a Public Benefit Test Report) and Office of Energy Review Committee.
Consultation	In undertaking the PBT, a draft Public Benefit Test Report was released and submissions/comment invited from the public and targeted stakeholders. The submissions received had a direct influence on the legislative amendments proposed.
Transparency	The draft Public Benefit Test Report was published on Office of Energy's website. A copy of the final Public Benefit Test Report is available to any interested party upon request.
Date review reported	April 2002 (being the date of the final Public Benefit Test Report).
Date response released	On 3 March 2003, The Government considered the recommendations of the Public Benefit Test Report and approved the preparation of legislative amendments and the undertaking of Departmental reviews, as outlined below. A Bill containing the legislative amendments is expected to be introduced into Parliament in late April or early May 2003.
Date reform completed	The legislation is expected to be in place by June 2003.

### ***Electricity Act 1994 and Electricity Regulation 1994 (non-safety)***

No.	Review recommendation	Government response	Reform implementation
1	To limit further the scope for any discrimination in issuing or amending generation, transmission, distribution and retail authorities (by linking more directly to the objects of the Act.	To amend the Act to require the Regulator to take into account the objects of the Act when considering an application for the issue or amendment of an authority.	Legislative amendment
2	To amend the legislation to facilitate the transfer of authorities in cases involving transfer of ownership of a facility where the new owner is already the holder of an authority.	To amend the Act to include a process to allow the transfer of authorities for existing generation plant, transmission grids or distribution networks if the Regulator is satisfied the new owner is suitable.	Legislative amendment
3	To consider the scope for streamlining approval processes for generation authorities under the Act with registration processes undertaken by NEMMCO	To review Departmental processes for issuing generation authorities under the Act with a view to harmonising them, wherever possible, with NEMMCO processes.	Departmental review
4	To make clearer statements about the processes to be used in relation to special approvals, to avoid any perception these could be used in an anti-competitive way.	To amend the Act to provide that the Regulator, when considering an application for a special approval, must consider the same matters, to the extent they are relevant, that the Regulator is required to consider for the issue of a generation, transmission, distribution or retail authority.	Legislative amendment
5	To remove from the Act the limitation on transmission entities from buying and selling electricity by introducing a new category of transmission authority for unregulated interconnectors.	To amend the Act to allow operators of unregulated transmission networks to buy and sell electricity for the purposes of operating only those networks.	Legislative amendment
6	To review whether the current wording of the prohibited interest provisions in the Act and Regulation sufficiently upholds their intention.	To review the prohibited interest provisions in the legislation to ensure they uphold their intention.	Departmental review

### **Electricity Act 1994 and Electricity Regulation 1994 (non-safety)**

No.	Review recommendation	Government response	Reform implementation
7	To consider providing a greater role for the independent economic regulator (QCA) in regulation of retail prices for non-contestable customers.	To amend the Act to include a discretionary power for the Minister to delegate to QCA all or part of the Minister's powers to set retail prices for non-contestable customers.	Legislative amendment
8	To support a tripartite process among regulators, customers and electricity entities in the setting of quality standards building in price/quality trade-offs.	To continue to implement consultative processes among regulators, customers and electricity entities to establish service quality standards through administrative arrangements within the existing regulatory framework.	Ongoing implementation through administrative arrangements
9	To require exemptions made by regulation to have sunset clauses.	To remove the existing exemptions from the Regulation and incorporate them in the Act and to amend the Act so that exempting regulations can only be made in emergent or extraordinary circumstances and always subject to a sunset clause.	Legislative amendment
10	While not a specific review recommendation, the Public Benefit Test Report noted that those provisions in the Act which confer on State transmission and distribution entities the status of "constructing authority" were restrictive on competition by providing an advantage to State-owned entities over private sector entities.	To amend the Act to make it clear only electricity entities who meet specified criteria (whether State-owned or otherwise) will be granted the status of "constructing authority".	Legislative amendment

### **Electricity Act 1994 and Electricity Regulation 1994 - non-safety**

No.	Restriction on competition remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
	The Public Benefit Test Report found that the Act and Regulation are fundamentally pro-competitive as this legislation facilitates competition in the electricity industry by allowing entry into competitive segments of the industry, while at the same time protecting customers from the exercise of monopoly power. The Report commented that the significant benefits to Queensland from the establishment of a competitive electricity industry can in part be attributed to this legislation, and that the overall thrust of the regulatory framework established by this legislation provides a net public benefit. The Report concluded that, save for the issues raised in the above-mentioned recommendations, the current regulatory framework (including the licensing regime and price controls), are justified and represent an efficient means of achieving the objects of the Act and Regulation. The Report commented that no substantial legislative change was required.			



Legislation	<b><i>Electricity Act 1994 and Regulations 1994 - Safety provisions</i></b>
Administering agency	Department of Industrial Relations
Reviewer	<p>The review of safety provisions was conducted in two parts:</p> <p>Part One -licensing provisions, conducted by independent consultant company, ACIL Consulting who were selected from a consultancy panel of suitably qualified and experienced principal consultants in NCP reviews.</p> <p>Part Two –non-licensing safety provisions, conducted in-house by the Department</p> <p>An inter-departmental committee oversaw conduct of both parts of the review. Membership included:</p> <ul style="list-style-type: none"> <li>• Deputy Director General, Department of Industrial Relations</li> <li>• Director, Electrical Safety Office</li> <li>• Treasury representative</li> <li>• Project Manager, Electrical Safety Legislation Project</li> </ul>
Consultation	The NCP legislation review was advertised in all major Queensland metropolitan and regional newspapers in December 2001. Draft Public Benefit Test Reports were provided directly to key stakeholder groups/associations and made available (internet and by request) for wider community comment. Ten submissions were received. Face to face meetings were also held with stakeholder groups and individuals.
Transparency	<p>Final Public Benefit Test reports were sent to interested parties and persons who lodged a submission, and made available on request.</p> <p>A summary of NCP review outcomes was included in documents prepared as part of the public consultation process for the development of the electrical safety legislation.</p>
Date review reported	January 2002
Date response released	February 2002
Date reform completed	March 2003

### ***Electricity Act 1994 and Regulations 1994 (Safety provisions)***

No.	Review Recommendation	Government Response	Reform Implementation
Licensing Provisions			
1	The definition of 'electrical work' is too broad and should exclude extra-low voltage work. This would allow a number of exemptions under the Act to be removed	Accepted	The <i>Electrical Safety Act 2002</i> , which commenced 1 October 2002, excludes extra-low voltage from the definition of electrical equipment, and by association electrical work.
2	Consideration should be given to rationalisation of existing electrical worker licence classes to more closely align with national approaches	Referred to Industry Working Group	The IWG recommended retaining the status quo for existing electrical worker licences based on health and safety reasons and the net benefit to the community.
3	Some adjustments should be made to the qualification requirements with a view to a more competency-based approach	Referred to Industry Working Group	The IWG acknowledged the existence of alternate and competency based pathways for licence qualifications

### **Electricity Act 1994 and Regulations 1994 (Safety provisions)**

No.	Review Recommendation	Government Response	Reform Implementation
			(which were not acknowledged in the PBT). These continue under the <i>Electrical Safety Regulation 2002</i> .
4	Ownership restrictions on electrical contracting businesses could be reduced and made more consistent across business forms	Referred to Industry Working Group	The IWG supported the review recommendation. Amendments to the <i>Electrical Safety Regulation 2002</i> commenced 28 February 2003.
5	Some provisions which relate to general consumer protection (particularly financial and insurance requirements) should be removed, or alternatively the objectives of the Act broadened to include consumer protection.	Accepted	Providing for protection for consumers against failures of persons who perform electrical work to properly perform and complete the work is nominated as one of the ways the <i>Electrical Safety Act 2002</i> will achieve its purpose
6	Disciplinary provisions appear appropriate although there are concerns about how effective they are in practice in terms of supporting compliance	Accepted	Penalty provisions of the <i>Electrical Safety Act 2002</i> align with comparable modern health and safety legislative regimes. The penalty levels accord with the severity of risk to the electrical safety of all persons, and will act as a significant deterrent to non-compliance.
7	Administrative arrangements for the licensing system need to be addressed in consideration of institutional options such as the creation of a new independent electricity safety regulator	Accepted	The <i>Electrical Safety Act 2002</i> provides that the Department of Industrial Relations assumes responsibility for the licensing regime.
Non-licensing safety provisions			
8	<p>Non-licensing safety provisions, which have been identified to contain anti-competitive elements, be largely retained in the new electrical safety legislation. Further consultation should be conducted on the extent of adoption of performance-based legislation for provisions relating to:</p> <ul style="list-style-type: none"> <li>• Safety and technical requirements for electric lines or works; and</li> <li>• Safeguarding of persons working on electric lines and electrical installations</li> </ul>	Accepted	<p>The <i>Electrical Safety Act 2002</i> was developed in consultation with industry, unions, government and other interested parties.</p> <p>The Act is directed at eliminating the human cost to individuals, families and the community that can be caused by electricity. It primarily achieves its purpose by placing performance based electrical safety obligations on a wide range of persons who may affect the electrical safety of others. Obligation holders include electricity entities, employers, self-employed persons, manufacturers, importers, installers, repairers, suppliers, workers and others.</p> <p>Non-licensing safety provisions necessary to ensure the safety of electrical workers, other workers and consumers are retained.</p>

### **Electricity Act 1994 and Regulations 1994 (Safety provisions)**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
-----	---------------------------------------	---	--------------------	-----------------

## **Electricity Act 1994 and Regulations 1994 (Safety provisions)**

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
<b>Licensing Provisions</b>				
1	Cost restrictions on entry and conduct of a business relating to electrical occupational and business licensing regime	<ul style="list-style-type: none"> <li>• Deregulation</li> <li>• Partial deregulation</li> <li>• Industry self regulation</li> <li>• Simple registration with negative licensing</li> <li>• Enforcing quality standards on outputs</li> </ul>	<ul style="list-style-type: none"> <li>• Reduction in transaction costs for consumers</li> <li>• Corrects information problems (i.e. consumers know little about complex and usually infrequently purchased service)</li> <li>• Protects third parties</li> <li>• Enforces obligations to perform, particularly so as the licensing regime includes disciplinary procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Efficiency costs arising from less competitive market</li> <li>• Costs of undertaking training or other requirements of licensing regime i.e. compliance costs</li> <li>• Administration and compliance costs of running licensing regime</li> </ul>
<b>Non-licensing safety provisions</b>				
1	Technical standards for customers' electrical installations, cathodic protection systems and electrical equipment	Deregulation	<ul style="list-style-type: none"> <li>• Protects customers and third parties from serious injury and/or property damage</li> <li>• Reduces information asymmetry</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance costs</li> <li>• Costs are limited as standards are generally uniform with national and international standards</li> </ul>
2	Restrictions on conduct of businesses involved in customers' electrical installations, cathodic protection systems or electrical equipment	Deregulation	<ul style="list-style-type: none"> <li>• Protect customers and third parties from serious injury and/or property damage</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance costs</li> <li>• Costs are limited as requirements are essentially performance based and contractors generally can decide in their preferred way to achieve electrical safety</li> </ul>

Legislation	<b><i>Sewerage and Water Supply Act 1949</i></b> – <b>Standard Sewerage Law, Standard Water Supply Law, Sewerage and Water Supply Regulation</b>
Administering agency	Department of Local Government and Planning
Reviewer	A minor review of the <i>Sewerage and Water Supply Act 1949</i> and its subordinate legislation was undertaken in accordance with the Queensland Government's Public Benefit Test Guidelines. An Interdepartmental Review Committee undertook the Review with the assistance of an independent Consultant. The Committee comprised a representative from each of the following: <ul style="list-style-type: none"> <li>• Local Government Services, Department of Local Government and Planning – Chair;</li> <li>• Building Codes Queensland, Department of Local Government and Planning;</li> <li>• Queensland Building Services Authority; and</li> <li>• Treasury Department.</li> </ul>
Consultation	A draft Public Benefit Test (PBT) Report was prepared by the Consultant and released for comment on 28 March 2002. Following consideration of submissions, the Consultant prepared a final PBT Report for the Interdepartmental Review Committee. The Interdepartmental Review Committee prepared a report, which comments on, and makes recommendations in response to the Consultant's PBT Report.
Transparency	The Interdepartmental Review Committee Report and the Public Benefit Test Report were released to the public on 3 July 2002
Date review reported	June 2002
Date response released	July 2002
Date reform completed	December 2002 ( <i>Plumbing and Drainage Act 2002</i> passed – to be proclaimed into force on 1 July 2003 with subordinate legislation)

### ***Sewerage and Water Supply Act 1949***

No.	Review Recommendation	Government Response	Reform Implementation
<b>1</b>	<b>Specification of minimum technical standards for products and materials used in plumbing and drainage</b>  To retain existing controls over products and materials used for plumbing, draining and on-site sewerage. To develop an information program for industry and local governments on approved products and issues associated with illegal products and materials.	Accepted	The <i>Sewerage and Water Supply Act 1949</i> is being replaced by the Plumbing and Drainage Act (PDA) assented to on 13 December 2002 and which will be in force with its subordinate legislation from 1 July 2003. The PDA implements part of the outcomes of the NCP review.  Following finalisation of the Standard Plumbing and Drainage Regulation under the PDA, the recommended information program will be undertaken in conjunction with training on the new legislation in 2003.
<b>2</b>	<b>Licensing plumbers and drainers - Plumbers &amp; Drainers Examination &amp; Licensing Board</b>		

## ***Sewerage and Water Supply Act 1949***

No.	Review Recommendation	Government Response	Reform Implementation
	1. To retain the licensing regime.	Accepted	The PDA retains the licensing regime with changes as per the recommendation of the review.
	2. Further investigations and consultation should take place to establish which areas of currently reserved work should be opened up to being performed by unlicensed persons under the supervision of a licensed person holding a licence relevant to that work.	Accepted	The results of this investigation will be reflected in the Standard Plumbing and Drainage Regulation.
	3. Amend the disciplinary procedures to provide for appeals to be heard by a court or independent tribunal rather than the Minister.	Accepted	The PDA provides for appeals to be heard by an independent Tribunal as per the recommendation of the review.
	4. Review the roles of the agencies involved in the licensing regime to improve the occupational and business licensing systems. It is critical that the responsible agencies improve the services to licensees and provide for effective investigation and discipline of licence holders where needed.	Accepted	This review is currently underway. It is examining possible reforms to all agencies and licensing regimes dealing with building industry practitioners, including plumbers, drainers, gas fitters, electricians, builders and various building finishing trades. A final report to Government is expected by April 2003.
<b>3</b>	<b>Local government monopoly over the inspection of plumbing and draining work</b>		
	1. Options for private certification or a mix of local government and private sector certification were not recommended.	Accepted	The PDA and associated information program will implement this.
	2. There is not a sufficient case for replacing the current system of local government based inspections.		
	3. Improvements should be made to improve the current regime so that it operates more effectively. Such improvements should not prevent any future moves to a self assessment regime in the event that circumstances change so that the benefits of moving to such a system outweigh the costs. The elements of the improved regime should include:		
	(a) rationalising the licensing regime and agencies involved as recommended under 2.4	Accepted	Being acted upon as per 2.4 above
	(b) mounting a program to improve consistency between local governments inspectorates across Queensland through training and advisory program as well as on the ground assistance (possibly of the type provided to local government business activities under the BMAP program from the Department for encouraging local governments to adopt competitive neutrality and water pricing reforms);	Accepted	The recommended program will be undertaken in conjunction with training on the new legislation in 2003.
	(c) integrating plumbing and drainage approvals into the integrated development assessment system under the Integrated Planning Act (IPA) (which would not prevent any future moves to some plumbing works becoming self assessable development if circumstances change and the		The PDA commences the integration of plumbing approvals by picking up the IPA enforcement and appeals processes for plumbing and drainage. The PDA also provides an approval assessment

### ***Sewerage and Water Supply Act 1949***

No.	Review Recommendation	Government Response	Reform Implementation
	<p>benefits outweigh the costs);</p> <p>(d) providing for "competent persons" provisions similar to those in the Building Act. This will recognise current local government practices and allow local governments to accept verification that specialised aspects of plumbing work outside the expertise of an inspector complies with a standard.</p> <p>(e) providing that specified remote rural local governments, that currently experience great difficulty in inspecting work in their remote outlying areas, may accept verification that plumbing and drainage work has been installed to their required standards. This should not be available to other local governments.</p>		<p>process for plumbing that will allow for full integration of approval processes once the compliance assessment process under IPA is finalised in 2003.</p> <p>This will be partially implemented by the PDA, and will be fully provided for when the Standard Plumbing and Drainage Regulation is completed and in force at 1 July 2003.</p> <p>This will be partially implemented by the PDA, and will be fully provided for in the Standard Plumbing and Drainage Regulation.</p>

### ***Sewerage and Water Supply Act 1949***

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
<b>1</b>	<b>Specification of minimum technical standards for products and materials used in plumbing and drainage</b>			
	<p>The Standard Sewerage Law and the Standard Water Supply Law provide that products and materials used in plumbing, drainage or on-site sewerage facilities must be certified in accordance with Manual of Authorisation Procedures – SAAMP52. The Manual calls up the relevant Australian Standards against which products and materials are assessed. Similar requirements are provided in the PDA.</p>	<p>Self certification of materials and products</p>	<p>Controls were found to be reasonable and necessary to meet public health and safety objectives, as the alternative posed an unacceptable community risk.</p> <p>The restriction protects the community at large, neighbours and future building owners from failed materials and products used in construction. It protects water supplies from contamination and protects the environment from pollution, which would otherwise place the entire community in danger.</p> <p>Although there was no firm evidence of widespread use of non-certified products, the review recommended developing an information program for industry and local governments on approved products and issues associated with illegal products and materials.</p> <p>Action is being taken at the national level to improve the product approval process. The proposed national plumbing code will improve the current authorisation processes, which</p>	<p>Restriction of materials may slightly increase construction costs.</p>

## Sewerage and Water Supply Act 1949

No.	Restriction(s) remaining after reform	Alternatives to restricting competition	Community benefits	Community costs
			will over time benefit industry stakeholders.	
<b>2</b>	<b>Licensing plumbers and drainers - Plumbers &amp; Drainers Examination &amp; Licensing Board</b>			
	<p>The SWSA and its subordinate legislation provides for the occupational licensing of plumbers and drainers, with licensees required to meet prescribed experience and qualification criteria. Only a person holding a particular class of licence can perform specified categories of plumbing and drainage work.</p> <p>The Board has a statutory monopoly to issue licenses and has disciplinary and enforcement powers in relation to licensees.</p> <p>Similar powers (in an updated form and subject to modern accountability standards) have been provided in the PDA.</p>	<p>De-regulation (i.e. no formal licensing)</p> <p>Negative licensing</p> <p>Self-regulation based on a code of conduct supplemented by minimum licensing requirements</p>	<p>Controls on plumbers and drainers through licensing arrangements and disciplinary processes reduces risk to public safety and amenity. It avoids significant community and environmental costs.</p> <p>It addresses information failure for property owners, who would otherwise face costs in ascertaining the quality of a plumber offering to undertake work. Owners and persons who might experience adverse third party effects (neighbours, persons affected by polluted water supplies or environmental degradation) are protected from unqualified operators.</p> <p>Removing licensing would substantially increase inspection and monitoring costs.</p>	<p>Licence fees impose a cost on plumbers which is passed on to the community. However the minimal level of fees in Queensland does not have a significant impact.</p>
<b>3</b>	<b>Local government monopoly over the inspection of plumbing and draining work</b>			
	<p>The SWSA provides for quality control in respect of plumbing and drainage works by a local government based inspection system, with appropriately qualified persons as inspectors.</p> <p>Similar powers (in an updated form and subject to modern accountability standards) have been provided in the PDA.</p>	<p>Private certification</p> <p>A mix of local government and private sector certification</p> <p>Self assessment</p>	<p>Local government inspections avoids the potential conflicts of interest and inefficiencies of private certification or a mix of local government and private sector certification.</p> <p>Retaining a quasi-regulatory function within government provides for high level protection of public health and safety, local government water and sewerage infrastructure and the environment. There are reduced rates of failure of plumbing and drainage works. Inspectors are the first line of defence against unlicensed and unqualified persons undertaking plumbing with consequent risks to public health and safety.</p> <p>Local governments provide a free advisory service to plumbers and property owners which improves the quality of plumbing works.</p>	<p>Fees for local government inspections can impact on the cost of inspected plumbing work. Where particular local governments have inefficient and ineffective procedures, this can impose delays and extra costs on building works.</p> <p>There may be a significant level of unapproved works not associated with new buildings under the current system, posing risks to the community – but solid evidence on this point is lacking</p>

## **ATTACHMENT 3: Fisheries and Superannuation**

- 1. Queensland Fisheries Legislation: Progress Report on the Implementation of National Competition Policy Reform – February 2003**
- 2. National Competition Policy Review of the *Superannuation (State Public Sector) Act 1990* and Subordinate Legislation: Public Benefit Test - February 2003**



BLANK PAGE

# **QUEENSLAND FISHERIES LEGISLATION**

## **PROGRESS REPORT ON THE IMPLEMENTATION OF NATIONAL COMPETITION POLICY REFORM**

**February 2003**



**Queensland  
Government**  

---

**Department of  
Primary Industries**

## **Table of Contents**

<b>1. Summary of NCP Reform Implementation .....</b>	<b>1</b>
<b>2. Fisheries legislation .....</b>	<b>2</b>
<b>3. Scope of NCP Review .....</b>	<b>3</b>
<b>4. NCP Review Process.....</b>	<b>3</b>
<b>5. Key findings of NCP Review .....</b>	<b>4</b>
<b>6. Implementing NCP Reform.....</b>	<b>6</b>
<b>7. NCP Reform Implementation Program .....</b>	<b>7</b>

## 1. Summary of NCP Reform Implementation

The NCP Review of Queensland fisheries legislation found that the retention of restrictions on competition was justified due to the market failure arguments relating to the ‘common property’ nature of fisheries resources. However, the application of NCP principles identified some areas where the desired benefits of regulatory intervention could be achieved in some fisheries in less restrictive ways. The Review also recommended a framework and management principles to ensure the integration of NCP principles into the ongoing fisheries management review cycle.

In relation to the *Fisheries Act 1994* the Review recommended the objectives be amended to fully incorporate the definition, goals and guiding principles under the National Strategy for ESD to provide greater clarity and direction to resource managers. Also, that provision be made in the Act to enable the temporary transfer of fishing entitlements.

In relation to the subordinate legislation, including regulations and management plans, the Review recommended that the complexity of licensing arrangements that applied to Queensland fisheries be simplified, including the abolition of a number of fishery access and personal licence types on the basis that they either could not be justified in meeting the objectives of the Act, or they provided barriers to entry and exit from the industry. The Review also recommended a move to greater levels of cost recovery to achieve better alignment of licence fees with costs of management. Of particular concern to the Review was the removal of cross subsidisation, the removal of barriers to entry in the marketing and processing sectors and the removal of differentials between first issue and renewal fees.

In regard to individual fisheries, the NCP Review acknowledged that variation in the mix of input and output controls across the various fisheries was justifiable given the marked variability in the biological, environmental and economic characteristics of Queensland’s fisheries. However, the Review did recommend minor changes to these management measures for some fisheries. Of great concern to the Review was the need to address latent fishing effort in the East Coast Trawl and Reef Line fisheries on the basis that the input control management regimes would be unlikely to achieve management objectives should market forces encourage higher than current levels of exploitation. Consequently, the Review recommended that management mechanisms be introduced into these fisheries to cap fishing effort and, where appropriate, reduce fishing effort. A number of other fishery specific recommendations were also made.

The Queensland Government has accepted most of the recommendations of the NCP Review and has adopted a ‘top down’ approach to amending fisheries legislation for implementing NCP reform. Taking this approach, those components of current fisheries legislation that offend NCP principles to the greatest extent can be afforded the highest priority in terms of reform implementation.

In January 2001 major amendments were made to the East Coast Trawl Fishery Management Plan in line with the NCP Review recommendations. The focus of amendments was the implementation of a substantially revised effort capping scheme to cap effort at 1996 levels. Fully transferable effort units were allocated to fishers based on past fishing history. A government and industry funded buyback scheme was also implemented to further reduce latent effort from the Fishery. Management mechanisms were also introduced to provide a basis for ongoing effort reduction based on specific targets identified in the Management Plan. The “two-for-one” boat replacement policy was removed from management arrangements to “free-up” the trading of licences and vessel replacements. Since these amendments came into effect in January 2001, the number of authorities operating in the Fishery has been reduced through private trading from 740 to around 500.

In early 2002 a major review of QFS services and service fees was commenced to ascertain the full costs of management, research, monitoring and compliance attributable to all Queensland fisheries. Concurrent with this, a review was also commenced of licensing arrangements that apply to Queensland fisheries with the view to rationalising licensing arrangements in accordance with NCP

Review recommendations. It is anticipated the outcome of both reviews will be considered by Government in early 2003 with the view to releasing a public discussion paper and public benefit test as part of the consultation phase of this initiative. Subject to the outcomes of Government's considerations it is anticipated that significant reform to fisheries licensing arrangements and licence fees will be implemented by July 2003. This initiative will result in the implementation of major NCP reform in all Queensland fisheries.

In late 2002 the objectives of the *Fisheries Act 1994* were amended to fully reflect the definition, goals and guiding principles of the National Strategy on ESD. The Act was also amended to make provision for the temporary transfer of fishing authorities.

In late 2002 the Queensland Government released for public consultation a number of Regulatory Impact Statements (including draft public benefit tests) incorporating proposed management reforms for the Inshore Finfish Fishery (Tailor and Spotted Mackerel components), the Freshwater (recreational) Fishery and the Reef Line Fishery. As a result, total catch quotas have now been implemented in legislation for the commercial take of Tailor and Spotted Mackerel, and minor amendments have now been implemented in the Freshwater Fishery Management Plan. The public consultation phase of the proposed amendments to the Reef Line Fishery is currently underway with the view to finalising a management plan for this fishery by late 2003. A core element of the above proposals is the implementation of NCP Review recommendations relevant to these fisheries.

The staged implementation of reforms is consistent with the November 2000 changes to the NCP agreements whereby satisfactory implementation of reforms may include, where justified by a public interest assessment<sup>1</sup>, having a firm transitional arrangement that may extend beyond the revised legislation review and reform deadline.

## 2. Fisheries legislation

The *Fisheries Act 1994*, *Fisheries Regulation 1995* and other subordinate legislation provide the legislative and administrative framework for the management, use, development and protection of Queensland's fisheries resources, including fish habitats and aquaculture.

The current legislative framework applies a range of statutory mechanisms to achieve legislative objectives regarding the conservation, development and sharing of Queensland's fisheries resources. In doing so the legislation imposes a wide variety of restrictions on competition including restrictions on access to fisheries resources, limits on catches and controls on inputs used. The nature and extent of these restrictions vary among and between fisheries and user groups. In scoping the Review it was recognised that most of the restrictions on competition are contained within the subordinate legislation.

The following legislation was addressed in the NCP Review process:

- The *Fisheries Act 1994*;
- The *Fisheries Regulation 1995*; and
- Subordinate legislation including management plans, notices and conditions on licences.

---

<sup>1</sup> ACIL Consulting, National Competition Policy Review of the Queensland Fisheries Act 1994, January 2000, p.xvi

### 3. Scope of NCP Review

The NCP Review provides an analysis of Queensland restrictions on the wild capture fishing sector and aquaculture under the *Fisheries Act 1994* and subordinate legislation in relation to the National Competition Policy principles and Public Benefit Test framework. Specifically, the Review addresses Clause 5(9) of the Competition Principles Agreement by:

- Clarifying the objectives of the legislation;
- Identifying the nature of restrictions on competition;
- Analysing the likely effects of the restriction(s) on competition and on the economy generally;
- Assessing and balancing the costs and benefits of the restrictions; and
- Considering alternative means of achieving the same result, including non-legislative approaches.

### 4. NCP Review Process

The methodology for the Review process has largely followed the general guidelines for review recommended in the report, *Principles Underlying Fisheries Legislation throughout Australia*; - National Competition Policy Scoping Paper (April 1998), prepared by the Centre for International Economics (CIE) which was commissioned by fisheries jurisdictions throughout Australia and finalised in April 1998.

The CIE Paper recognised that the special characteristics of fisheries management meant that NCP reviews in this area were likely to be more complex than reviews of most other activities under the Competition Principles Agreement (CPA). It also found that this complexity was compounded by the existence of many jurisdictions and their often-overlapping nature.

The CIE Paper also translated fisheries management concepts into NCP terms to provide a common framework for NCP reviews of fisheries legislation. Essentially, the CIE Paper established that, because fish resources are ‘common property’, restrictions on unfettered access and use were required to ensure the sustainability of the resources and habitat, and the only effective way to conserve, develop and share the fish resource was through legislative intervention.

However, CIE considered that the general underlying propositions for this intervention were that:

- fisheries management and administrative strategies which were as least restrictive on competition as possible were most likely to optimise net public benefits
- fisheries management strategies that were designed with clearly stated and transparent objectives, and which used mechanisms that directly target their objectives, would have a greater chance of effectively delivering the outcomes desired by government.

The Queensland Government’s NCP Legislation Review Guidelines require the legislative review process make provision for affected groups/stakeholders to have input into a review process. Accordingly, the Minister for Primary Industries established a Review Committee and Stakeholder Reference Group and appointed an independent chair to oversee the review process. The Review Committee comprised representatives of relevant government agencies and was supported by the Stakeholder Reference Group comprised of representatives from the recreational, charter and commercial fishing sectors, aquaculture sectors, conservation and other stakeholder groups. Input from the broader community was achieved through public meetings and the release of public discussion paper.

The Review Committee engaged the services of ACIL Consulting to undertake a full NCP review of all Queensland fisheries legislation – the Act, Regulations and Management Plans. The ACIL Review was undertaken in accordance with both the competition principles agreed to by all Australian Governments and the guidelines for such tests published by the Queensland Treasury. ACIL presented its report to the Review Committee in January 2000.

Acting on advice from the Reference Group, the Review Committee produced an Interim Report of its findings, which then became the primary vehicle for public consultation. The Interim Report reflected the findings of the ACIL Review.

During the public consultation process considerable input was received from fishing industry organisations, conservation groups and other bodies. Public meetings were held in 10 regional centres throughout Queensland and some 48 submissions were received which assisted the Review Committee in completing its final report.

The Review Committee's Final Report was provided to the Minister and subsequently considered by the Government in October 2001. The Government noted the NCP reform recommendations contained in the Final Report and agreed that a report addressing each of the matters raised together with proposed legislative amendments be submitted to Cabinet for consideration by November 2002.

## **5. Key findings of NCP Review**

In broad terms, the Review found that the retention of restrictions on competition for Queensland fisheries was justified due to the market failure arguments relating to the 'common property' nature of fish resources. That is, unfettered competition can lead to overfishing, overcapitalisation and, in the longer term, lower economic, environmental and social returns from the fishery than otherwise may be obtainable.

However, application of NCP principles required analysis to ensure that the benefits of intervention could not be achieved in less restrictive ways. Accordingly, the instruments used in fisheries management were identified and reviewed noting their in-principle effects on efficiency and competition.

Access, input and output controls have long been employed in specific fisheries to meet a number of legislative and government objectives although all the objectives may not be able to be delivered solely by use of any one type of restrictive mechanism. Most fisheries have been managed using a mix of control measures resulting in packages of restrictions tailored to a particular fishery or fishery type. Control measures used in Queensland fisheries have included:

- restrictions applying to entry and exit
- controls on production levels
- restrictions on the quality, level or location of goods and services
- restrictions on types of inputs used
- cost impositions on business
- differential impacts on exposure to competition.

To facilitate the Review process, fisheries were classified according to the respective primary activities that have historically taken place, namely: recreational fisheries, commercial (including harvest) fisheries and aquaculture.

### ***Recreational only fisheries***

In regard to recreational fisheries, the Review found that:

- with the exception of the eel fishery, all freshwater fishing activity was exclusively recreational in nature.
- recreational fishers were involved to varying degrees in the marine fisheries accessed by commercial fishers.
- restrictions on recreational fisheries had minimal impact on competition, as the opportunity to undertake recreational fishing was available to all members of the community. Also, restrictions on recreational fishing were found to encourage sustainable fishing practices and were applied equally to all recreational fishers.

The Review concluded that the retention of the current restrictions on recreational fishing was for the net benefit of the public.

### ***Fisheries involving commercial and recreational activity***

The Review found that:

- management of fisheries involving commercial and recreational fishing activity (the Reef Line, Inshore Finfish, and Crab fisheries) were characterised by a heavy reliance on a suite of input and access controls to contain fishing effort. Also, that due to the high degree of latent commercial and recreational effort in these fisheries significant changes to management arrangements were required if economic efficiency and environmental objectives were to be met.
- the smaller harvest fisheries (aquarium fish, beche de mer, eels, trochus, shell, coral, shell grit and star sand, beach and blood worms, yabbies and lobster) were found to involved varying degrees of commercial and recreational fishing activity. Compared to the major fisheries legislative restriction were found to be minimal and unlikely to have significant impacts on economic efficiency.

The Review concluded that there were, to varying degrees, anti-competitive restrictions present in most fisheries management regimes, and public benefit gains may be realised through modification of current management arrangements.

### ***Commercial only fisheries***

The Review found that

- in the last couple of years, new less restrictive management arrangements had been either implemented or were under consideration in a number of major commercial fisheries in Queensland.
- the Spanner Crab Fishery was subject to output, input and access controls and, in the main, produced relatively efficient outcomes. However, the Review found that some changes to management strategies would result in greater economic efficiency.
- economic efficiency in the East Coast Trawl Fishery was being adversely impacted due to high levels of latent fishing effort and the use of ineffective input controls in trying to constrain fishing effort.

The Review concluded that given the focus of the existing biological models for the fisheries, it would be difficult and potentially more risky to use current information to support output-based fisheries management regimes at this point in time. Because of this, the existing input-based management



regimes (particularly, tradeable effort capping) were considered to deliver the most efficient outcomes; however some of the restrictions in these fisheries could be modified to provide more efficient outcomes within the existing input-based management regimes.

### *Aquaculture*

The Review concluded that the focus of restrictions for the aquaculture industry tended to be on access to the fish resource and/or Crown waters, and the restrictions currently applying in relation to aquaculture development were intended to meet biological sustainability, fish health and biodiversity objectives. These restrictions appeared to be in the public interest.

## **6. Implementing NCP Reform**

Due to the complexity of legislative linkages between the *Fisheries Act 1994*, the *Fisheries Regulation 1995* and other subordinate legislation, a “top down” approach to NCP reform implementation has been adopted.

By taking this approach, those components of current legislation that have major implications in respect to NCP principles, will be afforded the highest priority in terms of the reform implementation program. Accordingly, it is proposed that NCP related amendments to the *Fisheries Act 1994* be made prior to reforming subordinate legislation.

Importantly, due to the “cascading” nature of restrictions within the various pieces of legislation, it is critical that higher order issues that directly affect subordinate legislation are addressed first. This approach will in most instances, nullify the offending elements of the subordinate legislation. For example, removing offending elements of fisheries licensing in Queensland to accommodate NCP reforms will necessitate significant amendment to the schedule of fees in the *Fisheries Regulation 1995*. In addition, amendments to remove licensing provisions which offend NCP principles from fishery management plans will also be required as a consequence.

Subsequent to the implementation of amendments to the *Fisheries Act 1994*, it is intended that NCP related amendments to subordinate legislation covering specific fisheries or fisheries in general will be affected sequentially based on a logical grouping of sections within the *Fisheries Regulation 1995* and including the fishery specific management plans.

Once again, proposed amendments will be prioritised by the degree to which any restrictions have major implications against NCP principles. This approach is particularly relevant given the complexity and discrete nature of the Queensland’s fisheries and the interface with NCP related issues that need to be addressed.

As part of its review findings, ACIL recognised that the design of management arrangements is complex (particularly replacements for input controls) and could not sensibly be implemented within the time framework of the NCP legislation review program -- at that time, the end of 2000. While the deadline for the legislation review and reform program was deferred until 30 June 2002, the complexity of the task and the extensive consultation requirements mean the same reservation applies to the revised deadline. The staged implementation of reforms is consistent with the November 2000 changes to the NCP agreements whereby satisfactory implementation of reforms may include, where justified by a public interest assessment, having a firm transitional arrangement that may extend beyond the revised deadline.

An implementation program for NCP reform, including the Government’s response to the Review recommendations and the status of implementation is provided in the following table.

## 7. NCP Reform Implementation Program

NCP Reform Implementation Program and Progress Report			
Fishery	Review Recommendation	Government Response	Implementation Status
1. All Fisheries – Objectives of the Fisheries Act 1994	The Review considered the objectives of the <i>Fisheries Act 1994</i> did not provide sufficient guidance to fisheries managers in the application of ESD principles and recommended they be revised to more closely reflect the National Strategy for ESD (NSES D) as endorsed by the Council of Australian Governments (COAG).	This recommendation was endorsed by the Queensland Government which supported the existing objectives be replaced with the NSES D goal and guiding principles (including the precautionary principle).	Objectives of the Act amended in 2002.
2. All Fisheries – Temporary transfer of licences	The Review found that while there was limited restriction on permanent transfers of licences and quota, the lack of provision for the temporary transfers (leasing) was an unjustified restriction on competition and could also impact negatively on property right values. The Review recommended provision be made in the <i>Fisheries Act 1994</i> for temporary transfers.	This recommendation was endorsed by the Queensland Government which supported the inclusion of provisions within the Act to enable the temporary transfer of licences and quota.	Act amended to provide for temporary transfer of licences and quota in 2002.
3. All Fisheries – Cost recovery	The Review found that under the existing fees structure the general community is subsidising users of fisheries resources and habitats. Also that cross subsidisation was occurring between some user groups. Concern was also expressed that, quite apart from equity issues, this could contribute to over-use of the resource. The Review noted that cost recovery principles had recently been developed to address this issue and found these principles consistent with NCP principles. The Review also recommended that recreational fishers should contribute to the costs of fisheries management and that this should be achieved by way of a recreational fishing licence.	<p>In recognition that issues relating to cost recovery and cross subsidisation have been raised in a number of NCP reviews, the Queensland Government has adopted a “Whole of Government” approach to addressing this concern. The Queensland Fisheries Service has recently completed a full review of service costs and fees associated with these services in accordance with NCP compliant principles previously endorsed by Government. Where a significant differential exists between current fees and recoverable service costs, a staged approach to achieving greater levels of cost recovery is likely to be taken in order to minimise adverse impacts on fishing businesses.</p> <p>The Review’s suggestion to the introduction of a recreational fishing licence was rejected by Government on the basis that more cost effective mechanisms for collecting funds directly from marine and freshwater recreational fishers are already in place.</p>	<p>Recommendations resulting from the QFS service fees review, including cost recovery, are expected to be considered by Government in early 2003.</p> <p>This will be followed by the public release of a discussion paper (including public benefit test) prior to further consideration by Government.</p> <p>The target date for legislative implementation is July 2003.</p> <p>Being undertaken in conjunction with “4” below.</p>

<b>NCP Reform Implementation Program and Progress Report</b>			
<b>Fishery</b>	<b>Review Recommendation</b>	<b>Government Response</b>	<b>Implementation Status</b>
4. All Fisheries – Licensing arrangements	<p>The Review found that while restrictions on the number of licences to control access to fisheries (and hence resource exploitation levels) was justified, that compared to other States, the approach to licensing in Queensland was overly complex. The Review recommendations included:</p> <ul style="list-style-type: none"> <li>• Authorisation to fish be granted by way of a single access licence and that tender vessel licences be abolished.</li> <li>• The requirement for commercial fisher, assistant fisher and crew licences be abolished.</li> <li>• While fish buyer licences could be justified on compliance grounds (audit trail), the associated licence fees represented a barrier to entry.</li> <li>• The term of licences be extended for longer than one year to increase certainty of access.</li> </ul>	<p>A full review of fishery licensing arrangements is currently underway with the view to implementing the Review’s recommendations. This review is being undertaken in conjunction with the service fees review (identified in “4” above) to ensure that fees associated with remaining licences are compliant with NCP principles. The review will result in the abolition of over 3,000 licences of various types without impacting on current access rights. This includes the abolition of tender vessel licences, some fishery symbols, assistant fisher licences and crew licences.</p> <p>The recommendations to abolish the commercial fisher licence and to increase the term of licences to greater than one year were not endorsed by Government. The commercial fisher licence (accreditation) will be retained for environmental and compliance reasons. The one year term for all licences will be retained on administrative simplicity grounds.</p>	<p>Recommendations resulting from the review of fishery licensing arrangements are expected to be considered by Government in early 2003.</p> <p>This will be followed by the public release of a discussion paper (including public benefit test) prior to further consideration by Government.</p> <p>The target date for legislative implementation is June 2003.</p> <p>Being undertaken in conjunction with “3” above.</p>
5. East Coast Trawl Fishery	<p>The Review judged that all of the controls in the Trawl Fishery are necessary to achieve the management plan’s objectives. In particular, restrictions on the number of access licences, vessel lengths, gear restrictions and the effort capping scheme were consistent with the objectives of sustainable fishing. However, concern was expressed that considerable latent effort was evident in the fishery and that the current input controls alone would not be successful in controlling fishing effort.</p> <p>The Review recommended that while the effort capping scheme was consistent with the plan’s objectives and had eliminated a substantial amount of latent effort, further effort reduction was required to optimise economic efficiency and environmental objectives. The Review also identified the “two-for-one” boat replacement policy as a major impediment to economic efficiency.</p>	<p>The Review outcomes were endorsed by Government and significant amendments were made to the management plan for the fishery. The process involved the public release of a Regulatory Impact Statement and a public consultation phase. The focus of amendments was the implementation of a substantially revised effort capping scheme to cap effort at 1996 levels. Fully transferable effort units were allocated to fishers based on past fishing history. A government and industry funded buyback scheme was also implemented to remove a further 15percent of effort from the fishery.</p> <p>Mechanisms were also introduced to provide a basis for ongoing effort reduction based on specific targets identified in the plan. The “two-for-one” boat replacement policy was removed from management arrangements to “free-up” the trading of licences and vessel replacements. Since these amendments came into effect in January 2001, the number of authorities operating in the fishery has been reduced through private trading from 740 to 500.</p>	<p>Release of Regulatory Impact Statement and public consultation phase in 2000. Significant amendments to the Trawl Fishery Management Plan were introduced in January 2001 for the purpose of significantly improving compliance with economic efficiency and environmental objectives.</p> <p>NCP issues relating to licensing arrangements and management fees are now being addressed (ref items 3 and 4 above).</p>

<b>NCP Reform Implementation Program and Progress Report</b>			
<b>Fishery</b>	<b>Review Recommendation</b>	<b>Government Response</b>	<b>Implementation Status</b>
6. Reef Line Fishery	<p>The Review recommended that the Reef Line Fishery management arrangements be reviewed with the view to developing a management plan for the fishery. In line with the Review's recommendations for all Queensland fisheries, the focus of the plan should be the capping of fishing effort at defined levels and the introduction of fully tradable access units to enable the industry to achieve further effort reduction via self adjustment through market forces. The objective being to better optimise economic efficiency and environmental objectives.</p>	<p>The Review outcomes were endorsed by Government and the QFS is currently in the process of developing alternate management arrangements to address NCP and other matters relevant to the management of this fishery. A Regulatory Impact Statement (including draft public benefit test) and draft management plan were released for public consultation in late 2002.</p> <p>The focus of proposed amendments is the implementation of a fishing effort capping scheme and the introduction of fully transferable effort units based on past fishing history. Mechanisms will also be introduced into the plan to provide a basis for ongoing effort reduction based on specific targets identified in the plan.</p>	<p>A Regulatory Impact Statement (including draft public benefit test) and draft management plan were released for public consultation in late 2002.</p> <p>The target date for implementing revised management measures for the fishery is late 2003.</p> <p>NCP issues relating to licensing arrangements and management fees in this fishery are currently being addressed separately (ref items 3 and 4 above).</p>
7. Spanner Crab Fishery	<p>The Review noted the Spanner Crab Fishery is divided into two spatial areas with "area A" being quota managed and "area B" being input control managed.</p> <p>In relation to area A the Review found that, in general, management arrangements were consistent with NCP principles, but identified some concerns including; the continued use of some input controls, minimum and maximum quota holdings, the need for approval for permanent transfers and no provision for temporary transfers.</p> <p>In relation to area B the Review recommended that management move to a quota system similar to area A.</p>	<p>The Review recommendations were noted by Government but not all have been accepted. The continued use of input controls, in particular the limit on crab pots, was reviewed by the fishery management advisory committee where it was agreed to retain this restriction to manage the problem of area depletion of stocks. Minimum quota holdings and quota transfers were implemented and will be maintained for the time being for administrative efficiency reasons. The requirement for approval for transfers is administrative in that it ensures the quota register remains up-to-date for compliance purposes. Provision for temporary transfers has now been provided under the <i>Fisheries Act 1994</i>. The recommended move to quota management for area B is not supported at this time as this would be cost prohibitive given the very low production levels from this area.</p>	<p>The Review's recommendations adopted by Government have been implemented.</p> <p>NCP issues relating to licensing arrangements and management fees in this fishery are currently being addressed separately (ref items 3 and 4 above).</p>

<b>NCP Reform Implementation Program and Progress Report</b>			
<b>Fishery</b>	<b>Review Recommendation</b>	<b>Government Response</b>	<b>Implementation Status</b>
8. East Coast Finfish Fishery	The Review noted that a management plan is yet to be developed for this fishery as it is currently managed under the <i>Fisheries Regulation 1995</i> . The Review found that where significant latent fishing effort existed in any fishery this would impact adversely on economic efficiency and constrain the ability of input management controls in achieving environmental and resource management objectives under the Act. The Review recommended that where latent effort was identified in a fishery, management measures would need to be reviewed with the view to capping and reducing latent effort.	<p>The Review recommendations in regard to addressing latent fishing effort have been endorsed by Government and are progressively being applied to all Queensland managed fisheries. The Government recognises that there is significant latent effort in this fishery and that this will be the focus of the management review scheduled to commence in late 2003.</p> <p>As an interim measure the Government endorsed changes to management arrangements to address concerns over increased commercial fishing effort targeted towards Tailor and Spotted Mackerel species in the Fishery. This has resulted in the introduction of total allowable catches for both species in the commercial sector and the removal of net fishing for Spotted Mackerel</p>	<p>The amendment of management arrangements applying to the East Coast Finfish Fishery is scheduled to commence at the end of 2003.</p> <p>The target date for implementing revised management measures is the end of 2004.</p> <p>As an interim measure, total allowable catches have been introduced to the commercial sector for Tailor and Spotted Mackerel species. This followed the public release of a Regulatory Impact Statement (including public benefit test).</p> <p>NCP issues relating to licensing arrangements and management fees in this fishery are currently being addressed separately (ref items 3 and 4 above).</p>
9. Gulf of Carpentaria Finfish Fishery	The Review found that where significant latent fishing effort existed in any fishery this would impact adversely on economic efficiency and constrain the ability of input management controls in achieving environmental and resource management objectives under the Act. The Review recommended that where latent effort was identified in a fishery, management measures would need to be reviewed with the view to capping and reducing latent effort.	<p>The Review recommendations in regard to addressing latent fishing effort have been endorsed by Government and are progressively being applied to all Queensland managed fisheries. The Government recognises that there is significant latent effort in this fishery and that this will be the focus of a management review.</p> <p>No specific date has been set for the amendment of management arrangements for this fishery noting that this will not commence until after the Reef Line Fishery and East Coast Finfish Fishery management plans have been completed.</p>	<p>The amendment of management arrangements applying to the Gulf of Carpentaria Finfish Fishery is not scheduled to commence until after 2004.</p> <p>NCP issues relating to licensing arrangements and management fees in this fishery are currently being addressed separately (ref items 3 and 4 above).</p>
10. Queensland Crab Fishery	As above	As above	As above

<b>NCP Reform Implementation Program and Progress Report</b>			
<b>Fishery</b>	<b>Review Recommendation</b>	<b>Government Response</b>	<b>Implementation Status</b>
11. Trochus Fishery – East Coast and Torres Strait	The Review noted that these were both quota managed fisheries under the <i>Fisheries Regulation 1995</i> and that management arrangements in both were similar. While the Review identified a number of input controls that posed minor restrictions to competition, it found they were unlikely to impose significant costs on trochus harvesters.	The Review recommendations were adopted by Government.	No action relating to NCP required.
12. Coral, Shell Grit and Star Sand Fisheries.	The Review found that there were very few restrictions on the activities of operators in these fisheries, noting that the TAC applied to the coral and star sand fishery is an efficient approach to management.	The Review recommendations were adopted by Government.	No action relating to NCP required.
13. Beche-de-Mer Fishery	The Review found that, generally speaking, the Beche-de-Mer fishery is lightly regulated. However, it did find that there were a number of restrictions that could not be justified according to NCP principles and in serving the objectives of the Act. These were, the requirement for a licence holder to be present at fishing operations and the non tradability of licences and quota	The Review recommendations were adopted by Government.  No specific date has been set for the amendment of management arrangements for this fishery noting that this will not commence until after the Reef Line Fishery and East Coast Finfish Fishery management plans have been completed.	The amendment of management arrangements applying to the Beche-de-Mer Fishery is not scheduled to commence until after 2004. NCP issues relating to licensing arrangements and management fees in this fishery are currently being addressed separately (ref items 3 and 4 above).
14. Freshwater Fishery	The Review noted that, with the exception of the Eel Fishery, all freshwater fisheries resources in Queensland can only be accessed by the recreational fishing sector. The Review found that restrictions on recreational fishing had minimal impact on competition, as the opportunity to undertake recreational fishing was available to all members of the community. Also, restrictions on recreational fishing were found to encourage sustainable fishing practices and were applied equally to all recreational fishers.	The Review recommendations were adopted by the Government.	No action relating to NCP required.  A number of minor amendments to the Freshwater Fishery Management Plan were introduced in late 2002 after the public release of a Regulatory Impact Statement (including public benefit test).
15. Aquaculture	The Review found that there were few restrictions on aquaculture activities under the legislation and that most of the restrictions in place appear to be necessary to protect fisheries resources and fisheries habitat.	The Review recommendations were adopted by Government.	No action relating to NCP required.



**Queensland Government**  
Government Superannuation Office

A Portfolio Office of Queensland Treasury

**NATIONAL COMPETITION  
POLICY REVIEW of the**

*Superannuation (State Public Sector) Act 1990*  
and Subordinate Legislation

**PUBLIC BENEFIT TEST REPORT**

February 2003

BLANK PAGE



## **1. INTRODUCTION**

The Government Superannuation Office (GSO), a portfolio office of Queensland Treasury, has examined the *Superannuation (State Public Sector) Act 1990* (the QSuper Act) and subordinate legislation to consider its effect on restricting competition. This review has been conducted in accordance with Queensland's commitment to review legislation under the 1995 Competition Policy Agreements (CPA) between the Commonwealth, States and Territories.

The CPA required each State and Territory to reform legislation that restricts competition, unless it can be demonstrated that the benefits of the restriction to the community as a whole outweigh the costs, or the objectives of the legislation can only be achieved by restricting competition.

In 1996 Queensland Government departments reviewed their legislation to identify provisions that contained potentially restrictive measures. Queensland Treasury have identified that the QSuper Act legislates the exclusive provision of superannuation services to certain classes of Queensland public sector employees by a statutory board.

This review has been performed in accordance with Queensland Treasury's Public Benefit Test Guidelines. These Guidelines comply with the CPA, measure the relative costs and benefits of restricting competition, and compare this to alternative means that the Government might use to meet the same objectives. The Guidelines establish different methodologies for major and minor reviews. In a major review, a full assessment of costs and benefits is required, including a detailed quantitative and qualitative analysis. Minor reviews place greater emphasis on qualitative data. The GSO has undertaken a minor review of the QSuper Act, for the reasons outlined in section 3 of this report.

## **2. STRUCTURE OF PUBLIC BENEFIT TEST (PBT)**

Under a PBT, existing arrangements are compared to one or more less restrictive alternatives. This requires an analysis of current market structures and the identification and valuation of the main impacts of moving from current arrangements to an alternative arrangement. An analysis of likely market structures that would occur under each of the alternative options is also required.

The aim of the PBT is to determine whether any of the alternative options would deliver a net benefit to the community over the current arrangements, in view of the objectives of the legislation under review. The PBT guidelines also require consideration of other significant issues that may have an impact on the review. The PBT report must therefore:

- consider any issues which significantly affect the review;
- analyse the current restrictive state;
- analyse likely market structures resulting from a move to alternative options;
- identify and value the main impacts of current arrangements and alternative options;
- consider the impacts on stakeholders moving from the current to a less restrictive state;
- determine the net public benefit; and
- make recommendations based on results of the PBT.

### **3. ISSUES WHICH SIGNIFICANTLY AFFECT THIS REVIEW**

It is considered that the following issues have a significant impact on this review, and demonstrate that a major public benefit test was not necessary for the QSuper Act at this point in time.

#### **3.1 Choice of fund legislation**

The ability for employees to choose their own superannuation arrangements has been debated for some five years in the Federal arena. Proposed choice of fund legislation has twice failed to pass through the Senate, most recently in 2002. The fact that the Federal Government has not yet resolved the choice of fund issue demonstrates the complexity and uncertain direction of this issue. Further, related issues involving the regulation of funds and disclosure of fees are yet to be resolved under the Federal Government's financial services reform agenda.

In its most recent form, the proposed choice of fund legislation would not apply to exempt public sector funds, such as QSuper. It is considered not appropriate for the Queensland Government to make a unilateral decision in advance of clear Federal direction for the broader community.

#### **3.2 Queensland Local Government Superannuation public benefit test**

The Queensland Department of Local Government and Planning conducted a PBT in 2001, in respect of the Queensland Local Government Superannuation Scheme (LGS). Following a comprehensive review process, the LGS PBT report was endorsed by Cabinet in July 2002.

LGS have very similar arrangements to QSuper in the provision of superannuation benefits to public employees. Both funds are governed by trustee boards comprising an equal number of member and employer representatives. Each fund represents a small number of public sector employers, and has been in operation for many years. Both funds have a large number of members with defined benefit style accounts, and for most members provide benefits in excess of that available in private sector employment.

The LGS PBT was conducted as a major review, in accordance with the Queensland Government guidelines. The review included extensive consultation with industry participants, and found that the current restrictions provide a net benefit to the community as a whole. Further, consideration of alternative options has determined that the objective of the LGS legislation can only be achieved by retaining the current restriction. Given the similarities between QSuper and LGS, a major PBT is not justifiable for QSuper. Further, findings from the LGS review give support to maintaining the existing QSuper arrangements.

### **3.3 Sole purpose test**

The Queensland Government PBT guidelines provide for a reduced PBT review, which does not incorporate a vigorous application of cost/benefit analysis, under certain circumstances. These circumstances include where the legislation under review was developed for more social rather than economic objectives.

Superannuation funds, including QSuper, must meet the Federal Government's sole purpose test for the provision of retirement incomes. Further, QSuper is administered on a cost-recovery basis, and so is not a source for Government revenue. It is apparent that the QSuper Act was established to meet social objectives, and so a reduced PBT is considered appropriate for QSuper.

### **3.4 Recent review of Queensland public sector super arrangements**

A major review of Queensland public sector super has been conducted in recent years. The review culminated in broader superannuation options for Qld public sector employees, resulting in perhaps unique arrangements where existing and new members have the choice of a fully funded defined benefit account, or an accumulation account with investment choice.

The review involved major consultation with employers and unions, and the new arrangements received broad support from these stakeholders. During the review, several of the major representative unions expressed concern regarding impending choice of fund, and any potential departure from the Queensland Government's provision of superannuation for its employees.

#### **4. ANALYSIS OF CURRENT RESTRICTIVE STATE (Option 1)**

The Australian superannuation industry operates within a framework established by Commonwealth legislation. All employers are required to make minimum superannuation contributions for employees (Superannuation Guarantee payments). Commonwealth legislation set standards for the prudential management of most super funds. Subsequently, State and Territory Governments entered into a Heads of Government Agreement with the Commonwealth, and a class of exempt public sector superannuation schemes (EPSSS) was created, which included QSuper. This agreement ensures that members of EPSSS are treated fairly and equally with their private sector counterparts, provides for the protection of accrued benefits, and commits States and Territories to the Commonwealth Government's retirement income policy objectives.

The QSuper Act makes provision for a person or class of persons, who are employees of a unit of the State Public Sector, to be eligible for membership. The Minister may, by written notice, declare whether membership is compulsory or discretionary. Cabinet has determined that Queensland Government organisations which do not source their revenue from the State Budget can make their own superannuation arrangements. Employees of "Core" Queensland public sector units are provided with QSuper membership, including a choice between defined benefit and accumulation style accounts. Access to investment choice for accumulation monies is also provided.

The QSuper Fund manages superannuation entitlements for close to 400,000 current and former Queensland public sector employees, with approximately \$9 billion funds under management (excluding employer contributions held in the Consolidated Fund). Nearly all members are entitled to a level of employer contributions that is in excess of the minimum set by Commonwealth Government legislation.

Membership is restricted to the classes of employees nominated and their eligible spouses. QSuper currently has 126 contributing employers. Whilst QSuper is a large fund, it is relatively small in the context of the total Australian superannuation market of \$505 billion, comprising 1.78% of the market.

QSuper's administrative functions are performed by the GSO. This is simply a policy purchasing decision of the Government, and is therefore in accordance with the competitive neutrality provisions of the *Competition Principles Agreement*.

Section 11 of the QSuper Act appoints the Queensland Investment Corporation (QIC) as the Fund's investment manager. The sole management of the investments of Queensland's superannuation arrangements by the QIC is not seen to be in breach of competition policies, since the QSuper Act allows for the appointment of alternative providers to manage all or part of the investments. QIC has established investment mandates with other investment managers, and so QIC's function can be more broadly viewed as that of an implementation manager.

QSuper maintains one of the lowest fee structures of Australian superannuation funds, which has been made possible by several attributes of the Fund:

- The Fund is not for profit, operating on a cost-recovery basis. QSuper does not need to provide a commercial return to shareholders or the Queensland Government.
- The mandated nature of membership means that the Fund does not have to market its services to attract members, in the way that a public offer fund would. Further, QSuper does not need to establish a distribution network to sell its products and services.
- The guaranteed membership provides economies of scale for administration costs. Whilst this is particularly the case for employed members, around 70% of members who leave employment elect to remain with the Fund. This suggests that QSuper's economies of scale are jointly driven by the guaranteed membership, attractiveness of the Fund, and goodwill built up by the Fund throughout membership.
- QSuper receives contributions from a small number of relatively large employers, creating significant administrative efficiencies for the Fund. QSuper's employer base of 126 agencies is extremely small when compared to Queensland's largest public offer fund, Sunsuper, which receives contributions from around 40,000 employers.
- The large size of the Fund means that QSuper is able to negotiate reduced investment costs for members, due to the quantum of its investment mandates.

The assured membership therefore provides QSuper members with reduced administrative costs on several fronts. These efficiencies would be eroded if the guaranteed nature of membership was removed, as discussed in section 6 of this paper.

## **5.0 LIKELY MARKET STRUCTURES UNDER ALTERNATIVE OPTIONS.**

Two alternative models have been identified by which the Queensland Government may satisfy its superannuation obligations to public sector employees.

### **5.1 Option 2 – Queensland agencies can choose QSuper or other funds.**

Under Option 2 core government agencies could remain with QSuper, or provide alternative superannuation arrangements for their employees. Under this option, QSuper would continue as an exempt public sector superannuation scheme.

Queensland Government agencies that operate as business enterprises or statutory authorities are already able to choose their super arrangements. The vast majority of these organisations have elected to remain with QSuper, either as their sole or default provider.

In 1997 and 1998, the Queensland Government undertook extensive consultation with public sector agencies and representative unions regarding the superannuation offerings made available to public sector employees. Submissions received from these agencies and unions did not reveal any demand for alternative superannuation provider arrangements. Anecdotal evidence from these submissions showed concern regarding any potential departure from the existing public provision of employee superannuation.

If current restrictions were removed, it is considered that very few agencies would choose to leave QSuper. Two examples give evidence to this assertion:

- i. The Gladstone Port Authority has an employee base of 440 staff, who primarily hold QSuper Defined Benefit accounts. In recent years, the GSO has been involved in significant negotiations with the Authority and the five unions that represent its employees regarding the definition of salary for contribution and benefit purposes, as part of enterprise bargaining reviews. Despite a desire by the workforce to improve the overall superannuation component of their remuneration package, the employees and their representatives have at all times clearly expressed their desire to continue as members of QSuper. This stance is strongly supported by the Authority, who rather than look elsewhere for a solution have sought to achieve a suitable outcome within the QSuper framework.
- ii. The Queensland Ambulance Service (QAS) recently elected to close their own exclusive superannuation scheme and move all employees to the QSuper arrangements. Again, significant negotiation was required with unions and former QAS trustees, both member and employer representatives, regarding salary and benefit conditions. The QAS viewed this transfer as a significant step towards equity with other Queensland emergency workers, who had joined QSuper over the previous eight years.

It is considered that the removal of the current restrictions would not generate any appreciable change to the current market structure. Withdrawal of current restrictions may benefit a small number of investment managers and/or fund administrators, but this is considered insignificant.

## **5.2 Option 3 – Queensland agencies can choose QSuper or another fund, and non-Government employees can join QSuper.**

This option is essentially the same as Option 2, except that membership eligibility restrictions would be removed to enable employees outside of the Queensland public sector to join QSuper. Under this model, QSuper would effectively become a public offer fund.

This option may be preferable to option 2 as it provides the QSuper Fund with the ability to balance any negative impacts from agencies withdrawing from the scheme, by actively competing for members in the open market.

There would be significant establishment, compliance and financial management costs for the Fund arising from this option. The QSuper Fund would need to aggressively market and advertise in order to compete with the retail market to attract new members, which would expose members and employers to significant costs and impact upon existing economies of scale. Further, the Fund would need to establish a distribution network, or use existing distribution networks on a fee or commission basis. These additional costs would be passed on to members and employers.

As detailed in Option 2, it is considered unlikely that agencies would withdraw from the existing arrangements. However, over time QSuper may become less attractive to employers and members if existing cost structures are impacted upon by the additional costs of operating a public offer fund.

Given the current dispute at the Commonwealth level regarding member choice of fund, the Queensland Government would not be comfortable exposing existing QSuper members to aggressive marketing from the retail sector without appropriate protection. The disallowance of certain sections of the Financial Services Reform Regulations are of particular concern, and is one of the reasons that choice of fund has not progressed in the Federal arena. Traditionally, public sector funds were established for paternalistic reasons, to provide government workers and their families with adequate retirement benefits. Unfettered choice of fund, without the adequate protection of member entitlements, would be contrary to a basic premise of public sector superannuation schemes.

## **6.0 COSTS AND BENEFITS OF CURRENT ARRANGEMENTS AND ALTERNATIVE OPTIONS.**

This section identifies and values the main impacts of the current restrictive arrangements and the alternative options.

### **6.1 Costs and benefits of existing restrictive arrangements (Option 1)**

Queensland Government super arrangements have evolved over a long time. The QSuper schemes have a long history of viability, and recent actuarial valuations support the QSuper Fund's sound financial position. The QSuper Fund provides among the best benefit outcomes for employees in the public or private sector, under a cost structure that is consistently among the lowest in Australia. The current system provides security for public sector employees, and is an attractive component of the total salary package for Queensland Government employees.

The QSuper Fund is able to provide higher than average benefits to members compared to retail superannuation funds for the following reasons:

- the Fund is not for profit, operating on a cost-recovery basis;
- the Fund does not have to market its services to attract members;
- guaranteed membership provides economies of scale for administration costs;
- the large size of the Fund enables reduced group insurance costs for members;
- stability of the membership enables a long-term investment approach, which yields higher long-term returns and benefits for members and employers.

Research conducted by the Association of Superannuation Funds of Australia (ASFA) in 2000 highlighted that public sector funds administered internally have lower administration costs than those administered externally. Further, ASFA research indicates that larger funds can achieve lower investment costs, which is ultimately to the benefit of members.

The current arrangements provide a high level of protection for member interests. The Trusteeship incorporates an equal number of employer and member representatives, who serve three-year terms. Member trustees are nominated by representative employee organisations, being the major public sector unions. The QSuper Fund provides portability of superannuation entitlements across the Queensland public sector, which is particularly important for members who have defined benefit style accounts and wish to maintain their service. This portability also reduces administration costs for contributing employers. The current arrangements provide equal access and equity across the Queensland public sector for members and employers.

The administrative and investment performance of the QSuper Fund compares favourably to domestic and overseas counterparts. QSuper participates in international benchmarking studies, and is consistently in the lowest quartile of participating funds for costs, and the highest quartile for service provision. Investment returns for the Fund are monitored by a dedicated team, and returns have been above industry benchmarks over the short and long term. The administrative and investment arrangements for the Fund are not prescriptive, and so do not present a barrier to entry for other market participants. Employer and member research demonstrate a high level of support for the QSuper Fund, and the existing administrative and investment arrangements.



Given the not-for-profit nature of the Fund, improvements in the scheme are driven by the equal member and employer representatives of the Board. In this regard, the QSuper Trustees constantly review the Fund to ensure that it remains at the forefront in terms of product range and service delivery. Over the past decade QSuper's product range has been expanded to reflect the broad range of superannuation offerings available in the marketplace. QSuper has also established a managed investment product through its financial planning arm, Q♦Invest, and is continuing to evaluate products and services that may be offered to members through strategic alliances. QSuper is implementing member relationship models to provide members with efficient channels for communication and the provision of services, including online service delivery.

QSuper has undertaken significant development in recent years to maximise administrative efficiency. The Board has pursued efficiencies through e-commerce and other technology solutions to maximise economies within the Fund. One example is QSuper's development of an Internet-based employer data collection system, through which contributing agencies validate and submit their regular superannuation returns. QSuper has also implemented workflow technology into process-driven administrative activities, to improve the efficiency of these activities and ensure the integrity of processes. QSuper has carefully considered all aspects of service provision and product range, to remain competitive with industry and retail funds whilst maintaining its low fee position. The Fund has consistently performed well in benchmarking studies of domestic and international superannuation providers, and the receipt of several awards has reinforced QSuper's position as an industry leader.

QSuper members have access to a complete suite of superannuation and ancillary products that rival those available in the private sector, including independent financial planning advice provided at no direct cost to members. QSuper has a high retention of member monies when employees leave the Queensland public sector, with less than 15% of accumulated entitlements being rolled over to other superannuation funds. The majority of retired QSuper members remain engaged with the Fund through the post-retirement products available to members.

## **6.2 Costs and benefits of Option 2**

Option 2 would allow Queensland public sector agencies to remain with QSuper or seek alternative superannuation arrangements for employees. The main impacts of Option 2 would include the following:

- i. Employers and members departing from the existing arrangements would incur initial transaction costs to join a public offer fund, or establish a corporate superannuation scheme.
- ii. Employers and members choosing retail providers would face potential increases in fees and costs for administration, investment management and insurance products.
- iii. QSuper could not compete for new members from the broader superannuation market under this option, as it would not be operating as a public offer fund.
- iv. A loss of members to alternative providers may reduce the existing economies attained by the QSuper Fund, and impact upon remaining members. A drain of members may also impact upon the actuarial assumptions for the QSuper Defined Benefit scheme, with a potential detriment to existing benefit levels.
- v. Employees would lose the portability of entitlements currently provided by the existing arrangements. This may impact upon long-term workforce stability, given that many Queensland public sector employees transfer between agencies.
- vi. Employers would face increased ongoing costs if members were able to periodically change their provider.
- vii. There may be a potential impact on attracting and retaining staff to the Queensland public sector if alternative arrangements are not seen as attractive.
- viii. Larger agencies may be able to capitalise on their size by creating a corporate fund or negotiating cheaper retail arrangements. This would create inefficiencies for smaller agencies and their employees.
- ix. A potential inequity of benefit outcomes would arise from varied super provision across agencies, for employees who are otherwise remunerated in a consistent manner.
- x. Major public sector unions have expressed major concerns regarding the deregulation of Queensland Government super, and the potential erosion of existing member benefits and entitlements.

Whilst there are potential benefits for industry participants to gain access to the market, these benefits are expected to be minimal given that most employers have expressed their desire to remain with QSuper. The major implications for employers and members appear to be potential increases in costs for the provision of superannuation, and potential inequities arising across the Queensland public sector.

### **6.3 Costs and benefits of Option 3**

Option 3 would allow Queensland public sector agencies to remain with QSuper or seek alternative superannuation arrangements for employees. Further, QSuper would operate as a public offer fund with the ability to accept non-Government employees as members. The main impacts of Option 3 would be similar to Option 2, but would also include the following:

- i. The QSuper Fund would incur the establishment and increased ongoing costs associated with public offer schemes. These costs would ultimately be passed onto members.
- ii. The Fund would be disadvantaged in that it does not have established distribution networks already available to market participants such as banks & life offices.
- iii. Conversion to a public offer scheme may affect QSuper's ability to provide equitable access and services to small or remote agencies.

Under Option 3 there would be greater opportunities for entry for market participants, as the high costs associated with becoming a public offer scheme would make the QSuper Fund less attractive to Queensland Government agencies and employees.

Public sector superannuation schemes have been granted an exempt status from the *Superannuation (Industry Supervision) Act 1993*, in recognition of the differences between Commonwealth legislation and the State legislation under which these schemes were established. Movement towards a public offer scheme would affect QSuper's exempt status, and raise significant issues regarding constitutional rights of the State.

## 7. IMPACTS ON STAKEHOLDERS

The following tables summarise the impacts on major stakeholders of remaining with the current restrictive conditions, compared with moving to the alternative less-restrictive options. The tables also provide an overall impact rating of each option for major stakeholders.

Alternative	Stakeholders				
Option 1: Current Arrangements	Queensland Public Sector employees	Non-public sector employees	Qld Government Employing Authorities	Superannuation Industry	Government
	<p>Benefits include higher than average employer contributions and entitlements, choice of account type, investment choice, portability between agencies, low administration and insurance costs, equitable benefits and access regardless of the size or location of their employing authority, access to post-retirement products and free financial planning services.</p> <p>The only identified cost is no choice of provider, but this is minor considering other benefits of membership.</p>	<p>Employees outside of the Qld public sector are excluded from membership of QSuper. However, these employees can access alternative industry or retail products.</p> <p>Spouses of QSuper members are eligible for membership.</p>	<p>Benefits to employers include equal access to QSuper regardless of their size or location, equity of benefits for employees, low administrative costs due to centralised provision, and the portability of arrangements for employees, which enhances stability of the public sector workforce.</p> <p>The only identified cost is no choice of provider, but this is minor considering other benefits to employers from the current arrangements.</p>	<p>Current restrictions give QSuper a monopoly over the Qld public sector market. However, the guaranteed membership is efficient, as it negates advertising costs to attract members, and provides economies of scale for administration, insurance and investment costs. The monopoly also provides a stable fund that enables the Board to maximise investment potential.</p> <p>Current arrangements restrict member and employer choice of provider, and are a technical barrier to entry for market participants. However, the Fund's administration and investment functions are purchasing decisions, and so are not legislated restrictions to entry.</p>	<p>Current arrangements present no cost to the Qld or Federal Government. Benefits to the Qld Government include stability of the public sector workforce, equity and portability of arrangements, and a reliable source of retirement savings for employees.</p>
<b>Overall impact</b>	The overall impact is a <b>high positive impact</b> .	The overall impact is a <b>low negative impact</b> .	The overall impact is a <b>high positive impact</b> .	The overall impact is a <b>low positive impact</b> .	The overall impact is a <b>moderate positive impact</b> .

Alternative	Stakeholders				
Option 2: Choice for employing authorities	Queensland Public Sector employees	Non-public sector employees	Qld Government Employing Authorities	Superannuation Industry	Government
	<p>The main benefit to members would be choice of provider. However, members currently have access to a full suite of superannuation products, including investment choice.</p> <p>Costs to employees of this option are considered significant. Negative impacts may include transition costs in moving to alternative superannuation arrangements, potential increase in administration, insurance and investment costs, a potential reduction in retirement savings, and the loss of portability between employers. A reduction in the QSuper Fund size may impact on the low cost structure and benefit levels of existing members.</p>	<p>Employees outside of the Qld public sector would still be excluded from membership of QSuper under this option. However, these employees can access alternative industry or retail products.</p> <p>Spouses of QSuper members are eligible for membership.</p>	<p>The main benefit to employers would be choice of provider. Agencies could choose between the available superannuation options.</p> <p>There are substantial costs from this option. Qld public sector agencies would incur administrative costs to establish a corporate fund or enter a public offer fund. There would be increased administrative costs if contributions were remitted to several funds, plus the greater complexity of dealing with more than one fund. The potential loss of portability between agencies may affect the long-term stability of the public sector workforce. Enterprise bargaining negotiations with employees and unions would become more complex, with reduced equity of arrangements.</p>	<p>Removal of the existing restriction would open up the Qld public sector market to other superannuation providers. However, the potential for new entrants in this market is considered to be minimal, as the likelihood of agencies withdrawing from QSuper is considered low.</p> <p>QSuper may become less competitive due to a possible reduction in the size of the Fund, which would impact upon its existing low cost structure. However, this impact is rated low, as it is considered that few agencies would depart from the existing arrangements.</p>	<p>Changes to the current arrangements would have a potentially large impact on the Qld Government. This option would require significant negotiation with employers and unions, and potential compensatory costs should existing member entitlements be eroded. Any decrease in retirement savings for public sector employees would increase costs to the social security system.</p> <p>If alternative arrangements were approved, the Qld Government would also bear the cost of amending existing legislation and informing relevant stakeholders of the changes.</p>
<b>Overall impact</b>	The overall impact is a <b>moderate negative impact.</b>	The overall impact is <b>neutral</b> , no change from Option 1.	The overall impact is a <b>moderate negative impact.</b>	The overall impact is a <b>low positive impact.</b>	The overall impact is a <b>moderate negative impact.</b>

Alternative	Stakeholders				
<b>Option 3: Choice for employing authorities, and membership restrictions removed</b>	<b>Queensland Public Sector employees</b>	<b>Non-public sector employees</b>	<b>Qld Government Employing Authorities</b>	<b>Superannuation Industry</b>	<b>Government</b>
	<p>The costs and benefits are the same as for Option 2. In addition, QSuper would incur establishment and increased ongoing costs associated with public offer schemes, which would ultimately be passed onto members.</p> <p>Conversion to a public offer scheme may affect QSuper's ability to provide equitable access and services to the employees of small or remote agencies.</p>	<p>Under this option, non-Qld Government employees would be able to access QSuper. However, the costs associated with operating a public offer scheme may make the scheme less attractive or competitive.</p>	<p>The costs and benefits are the same as for Option 2. Over time, QSuper may become less competitive due to increased costs from operating as a public offer fund. This may force agencies to seek out and offer alternative arrangements, thereby increasing administrative complexity and cost.</p>	<p>Under this option QSuper would incur significant costs, including establishment and ongoing costs for a public offer fund, establishment of a distribution network, marketing and advertising costs, and increased complexity of administrative arrangements. These costs would place significant pressure on the economies of the Fund.</p> <p>Under this option, there would be greater potential than under Option 2 for new entrants to the Qld public sector market, as conversion of QSuper to a public offer scheme would make it less competitive. The Fund would be disadvantaged, as it does not have established distribution networks such as those already available to other market participants (e.g. banks and life offices).</p>	<p>The impact on the State Government would be the same as that for Option 2.</p>
<b>Overall impact</b>	The overall impact is a <b>moderate/high negative impact.</b>	The overall impact is a <b>low positive impact.</b>	The overall impact is a <b>moderate negative impact.</b>	The overall impact is a <b>low/moderate positive impact.</b>	The overall impact is a <b>moderate negative impact.</b>

## **8. NET PUBLIC BENEFIT**

The objective of this review is to examine the *Superannuation (State Public Sector) Act 1990* and subordinate legislation, and to consider their effect on restricting competition.

It is considered that the objective of the legislation is to ensure equitable access of Queensland public sector employees to a superannuation scheme that maximises benefits to members.

The nature of the restriction arising from the current arrangements is the sole provision of superannuation for certain Queensland public sector agencies and employees by QSuper, and exclusive access to QSuper membership for those parties.

Upon review of the current arrangements and alternative methods of provision, it is apparent that the benefits provided to stakeholders far outweigh the costs of the current restrictions. The weight of benefits over costs is particularly prevalent for Queensland public sector employees, who are the primary stakeholders in this review. The restriction ensures that employees have access to superannuation arrangements that provide generous benefits under a low cost structure, with portability across the Queensland public sector. The attractiveness and portability of the current arrangements contribute to workforce stability within the public sector, and ultimately the Government's ability to provide services to Queensland.

The effect of the current restriction on competition and on the economy generally is considered to be negligible. The key business functions of administration and investment are not prescriptive arrangements, and are subject to review by the QSuper Trustees. Alternatives to the current arrangements have been considered, and analysis of those options has revealed that the costs outweigh any benefits.

This review has demonstrated that the current arrangements provide a net benefit to the community as a whole. Further, a review of alternative methods of provision has determined that the objective of the legislation is best achieved by retaining the current restriction.

## **9. RECOMMENDATION**

It is recommended that the *Superannuation (State Public Sector) Act 1990* and associated legislation be retained in their current form.

## ATTACHMENT 4: New Legislation

Legislation Title	Does the legislation implement NCP Reforms?	Was legislation examined for potential restrictions on competition? If not, why?	Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?	If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?
<b>Acts</b>				
<i>Adoption of Children Amendment Act 2002</i>	No	No. The objective of the legislation is to secure the best possible placement for children requiring an adoptive placement. The Bill provides for the more efficient management of adoption application processes and to enhance the capacity of the Government to achieve the objectives of the legislation.	No	n/a
<i>Agricultural Colleges Amendment Act 2002</i>	No	Yes	No	n/a
<i>Animal and Plant Health Legislation Amendment Act 2002</i>	No	Yes	No	n/a
<i>Architects Act 2002</i>	Yes. Implements findings of Working Group of States and Territories following national review of legislation by Productivity Commission	N/A	N/A	
<i>Brisbane Markets Act 2002</i>	No	Yes	No	n/a
<i>Building and Other Legislation Amendment Act 2002</i>	No	Yes	Yes. The Act provides that private building certifiers may not approve building work to upgrade existing budget accommodation buildings.	No. Ensuring budget accommodation buildings comply with the Government's fire safety standards is a crucial regulatory responsibility that includes additional requirements beyond certification of building standards. This includes consideration of hardship, possible enforcement action and, in cases, ongoing inspections. These are not functions a private provider could undertake. Therefore, the approval of building work for compliance with the legislation was attached to local government.
<i>Casino Agreements Legislation Amendment Act 2002</i>	No	Yes	The legislation relaxes the restrictions on shareholders including the restrictions on foreign ownership of shares in casinos.	n/a



<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
<i>Child Care Act 2002</i>	No. the primary purpose of the legislation was to review the existing Child Care Act 1991 which had been in force for over 9 years. It was also an initiative of the Queensland Child Care Strategic Plan 2000-2005.	Yes. A PBT test was conducted.	Two main restrictions on competition were identified. These were: - provisions for the licensing of child care centres; and - provisions for issuing of regulated standards for child care services, such as staff/child ratios, staff qualifications and group sizes. The legislation also ensures that child care premises are safe and suitable and also requires people who are involved in the provision of child care services to undergo a criminal history screening process in accordance with the <i>Commission for Children and Young People Act 2000</i> .	Yes. The restrictions were found to be in the public interest. The Competition Impact Statement that was completed following the PBT and the RIS processes indicated that there was lengthy and broad consultations resulting in a diversity of views from the child care sector and related stakeholders. The restrictions were held to be in the public interest.
<i>Community Services Legislation Amendment Act 2002</i>	No	Yes	No	n/a
<i>Consumer Credit (Queensland) Amendment Act 2002</i>	No	Yes. The Consumer Credit Code underwent an extensive two-stage review, with the second stage being a National Competition Policy ("NCP") review.  The use of comparison rates in advertising was a recommendation of the first stage of the review.  The Report of the NCP review was finalised in September 2002.	Yes.  The NCP Report identified that the mandatory comparison rates proposal has competition policy implications since it increases compliance costs and reduces independent decision making by credit providers.	Although there was no separate PBT on comparison rates, the NCP Report stated that incremental costs associated with this recommendation were likely to be negligible in real terms. This finding was reinforced by the fact that the mandatory comparison rates proposal reinforces one of the objectives of the Consumer Credit Code, which is to allow consumers to make informed choices when purchasing credit. It was also identified that the proposal provides for ensuring fair trading outcomes, specifically that of access to appropriate information that enables consumers to make informed choices.
<i>Corrective Services Amendment Act 2002</i>	No	Yes	Subject matter did not raise competition issues	n/a
<i>Criminal Law Amendment Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Criminal Proceeds Confiscation Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Discrimination Law Amendment Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
<i>Domestic Violence Legislation Amendment Act 2002</i>	No	n/a	No	n/a
<i>Drug Diversion Amendment Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Drug Rehabilitation (North Queensland Court Diversion Initiative) Amendment Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Drugs Misuse Amendment Act 2002</i>	No	Yes	Provides for the licensing of producers of commercial cannabis.	A PBT was undertaken and the licensing regime was found to be in the public interest.
<i>Education (Miscellaneous Amendments) Act 2002</i>	Yes. One of the primary purposes of the Act was to implement the recommendations of the NCP Review of the <i>Education (General Provisions) Act 1989</i> .	Other amendments in the Act which were not for the purpose of implementing the recommendation of an NCP review, were examined for potential restrictions on competition.	No additional NCP issues were present in the legislation.	n/a
<i>Education (Queensland Studies Authority) Act 2002</i>	No	Yes	No. The legislation does not restrict competition.	n/a
<i>Electoral and Other Acts Amendment Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Emergency Services Legislation Amendment Act 2002</i>	No	The legislation was assessed to determine whether it restricted competition.	No	n/a
<i>Environmental Legislation Amendment Act 2002</i>	No	No. The amendments in the legislation were machinery in nature.	No	n/a
<i>Environmental Protection and Another Act Amendment Act 2002</i>	No	No. The Act clarified existing provisions in the EPA Act.	No	n/a
<i>Environmental Protection and Other Legislation Amendment Act 2002</i>	No	No. The Act provides for the simplification of existing approval mechanisms under the EPA Act.	No	n/a
<i>Fair Trading and Another Act Amendment Act 2002</i>	This legislation has two aspects, one relating to NCP and one not. 1. <i>Fair Trading Act 1989</i> - The Act implemented NCP reforms in accordance with the recommendations of the PBT Report. 2. <i>Business Names Act 1989</i> - The Act implemented certain recommendations from a Red Tape Reduction Task Force review: <ul style="list-style-type: none"> <li>introduce requirement for proof of identification prior to registering or changing proprietorship of a business name; and</li> </ul> to increase the maximum penalty provisions for non-compliance with the Act from \$300 to \$3000.	1. n/a 2. <i>Business Names Act 1989</i> - No. Amendments implement the Cabinet decision based on the recommendation of the RTRTF Review.	n/a	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
<i>Indigenous Communities Liquor Licences Act 2002</i>	No	Potential restrictions on competition were identified.	The legislation allows liquor licences to be issued only to Indigenous Community Liquor Licence Boards or another prescribed body in Indigenous communities. The alcohol also restricts alcohol to be brought into such communities. These are considered to be restrictions on the ability of potential licensees to sell liquor in these communities.	Due to the overwhelming public and community health issues addressed by this legislation, a Public Benefit Test or RIS has not been undertaken. However, the issue will be considered at the time that regulations.  The legislation responds to the issue of alcohol abuse and violence in indigenous communities, which were identified in the Cape York Justice Study. The Government considered this issue and believed that intervention was a matter of public interest.
<i>Industrial Relations Amendment Act 2002</i>	No. Administrative amendments only.	Yes	No. There are no NCP implications.	n/a
<i>Integrated Planning Amendment Act 2002</i>	No	Yes	No	n/a
<i>Integrated Resort Development Amendment Act 2002</i>	No	Yes	No	n/a
<i>Justice and Other Legislation (Miscellaneous Provisions) Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Juvenile Justice Amendment Act 2002</i>	No. The primary purpose of the legislation was to implement the recommendations from the Commission of Inquiry into the Abuse of Children in Queensland Institutions and other policy initiatives of the Government.	No. This legislation prescribes the administration of juvenile justice.	No	n/a
<i>Land Protection (Pest and Stock Route Management) Act 2002</i>	No	Yes	The Act was assessed and it was found that it did not contain any restrictions on competition.	n/a
<i>Land Tax Amendment Act 2002</i>	No	Yes	No	n/a
<i>Local Government Amendment Act 2002</i>	No	Yes	No	n/a
<i>Maritime Safety Queensland Act 2002</i>	No	Yes	Yes. The potential restriction related to the contestability of the pilotage market.	A PBT was undertaken and it was found that the benefits of the restriction out weigh the costs.
<i>Mineral Resources Amendment Act 2002</i>	No	Yes	There were no NCP issues identified in the legislation.	n/a
<i>Mineral Resources and Other Legislation Amendment Act 2002</i>	No	There are no implications on competition.	There were no NCP issues identified in the legislation	n/a
<i>Motor Vehicles Securities and Another Act Amendment Act 2002</i>	No	Yes	No	n/a
<i>Natural Resources and Mines Legislation Amendment Act 2002</i>	No	No. The amendments in this legislation were not substantive, but related to the clarification of technical issues already contained in the legislation.	There were no NCP issues identified in the legislation	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
<i>Parliamentary Service Amendment Act 2002</i>	No. The Amendment Act provided for the establishment of parliamentary precincts for conduct of sittings of Parliament in locations other than the Parliament House, George Street Brisbane.	No. The legislation was not considered to contain any restrictions on competition because they dealt purely with the operation of Parliament.	No	n/a
<i>Personal Injuries Proceedings Act 2002</i>	No	Yes	The legislation provided a restriction on solicitors advertising personal injuries legal services.	A PBT was undertaken and the restriction was found to be in the public interest.
<i>Personal Injuries Proceedings Amendment Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Plumbing and Drainage Act 2002</i>	Yes. The primary purpose of the new Act is to update the legislative framework for plumbing and drainage. However, it also implements outcomes of the NCP Reviews of the Sewerage and Water Supply Act 1949 and the Building Act 1975.	Yes. New provisions were assessed.	No	n/a
<i>Police Powers and Responsibilities (DNA) Amendment Act 2002</i>	No	The Act has no impact on competition. It deals with police powers in relation to the taking of DNA samples.	No	n/a
<i>Police Powers and Responsibilities and Another Act Amendment Act 2002</i>	No	The Act has no impact on competition. It deals with police powers in relation to the seizure and impounding or forfeiture of vehicles in certain circumstances (hooning).	No	n/a
<i>Professional Engineers Act 2002</i>	Yes. Implements findings of NCP review of previous legislation, consistent with <i>Architects Act 2002</i> .	N/A	N/A	
<i>Property Agents and Motor Dealers Amendment Act</i>	No	No – due to urgency of amendments	n/a	n/a
<i>Public Records Act 2002</i>	No	Yes. Repealed Libraries Act 1943 and Libraries and Archives Act 1988	There are no NCP implications. The legislation does not impose an appreciable cost on the community. The legislation facilitates the adoption of International best practice standards for public record management.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
<i>Racing Act 2002</i>	While some of the provisions of the Bill were drafted to implement the recommendations of the 2000 NCP review, the primary purpose of the legislation was to streamline the licensing and regulation of Queensland's racing industry.	Yes, all additional provisions were assessed to ensure that it complied with NCP.	Yes. - provisions of the Act not assessed in the 2000 PBT: <ul style="list-style-type: none"> <li>• licensing control bodies; and</li> <li>• licensing animals, clubs, participants and venues.</li> </ul> - provisions which depart from recommendations of the 2000 PBT: <ul style="list-style-type: none"> <li>• accreditation procedure for providers of integrity and drug control services to control bodies;</li> <li>• maintenance of Racing Associations;</li> <li>• right of control body to have first level appeals procedure;</li> <li>• Regulation of proprietary racing by a control body;</li> <li>• Scope of appeals to the Racing Appeals tribunal.</li> </ul>	A PBT was undertaken on restrictions in the Racing Act 2002 which: <ul style="list-style-type: none"> <li>- were not covered in the 2000 PBT; or</li> <li>- were inconsistent with recommendations contained in the 2000 PBT.</li> </ul> All identified restrictions were assessed as being in the public benefit.
<i>Residential Services (Accommodation) Act 2002</i>	No	Yes	Yes. The potential restrictions related to: the rights and responsibilities of residents and residential service providers, residential service agreements, house rules, condition reports and dispute resolution.	Restrictions were assessed to have a minor impact on competition and were justified in the public interest. The Act's provisions apply to the whole residential services private rental market.
<i>Residential Services (Accreditation) Act 2002</i>	No	Yes	Yes. The legislation is likely to introduce barriers to entry in the residential services industry by imposing higher set up and operating costs, for example, the provision of additional facilities such as cooking and food storage facilities, sanitation and laundry facilities, the implementation of new policies and procedures and an increase in the quality and quantity of food provided.	Yes. The restrictions will primarily provide for the protection of residents and ensure fair trading in the residential services industry.  Overall, the PBT identified a small to moderate benefit from the legislation.
<i>Revenue and Other Legislation Amendment Act 2002</i>	No	Yes	No	n/a
<i>Revenue Legislation Amendment Act 2002</i>	No	Yes	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
<i>State Housing and Other Acts Amendment Act 2002</i>	Yes. The NCP review recommended that the exemption of the Queensland Housing Commission from payment of rates should be removed where persons purchase an interest in residential property under instalment contracts. The Act was amended to be consistent with the review findings.	n/a	n/a	n/a
<i>Subcontractors' Charges Amendment Act 2002</i>	No	Yes	No	n/a
<i>Superannuation Legislation Amendment Act 2002</i>	No	Yes	No	n/a
<i>Terrorism (Commonwealth Powers) Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
<i>Tobacco Legislation Amendment Act 2002</i>	No	Yes	The legislation was considered to be clearly in the public interest.	n/a
<i>Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2002</i>	Some of the provisions of this legislation were intended to implement the recommendation of the reviews.	Yes. The provisions of the legislation which were not in line with NCP review recommendations were examined for potential restrictions on competition.	No. The legislation does not contain any restrictions on competition.	n/a
<i>Tourism, Racing and Fair Trading (National Competition Policy) Amendment Act 2002</i> <ul style="list-style-type: none"> <li>• <i>Hire-purchase Act 1959;</i></li> <li>• <i>Credit (Rural Finance) Act 1996;</i></li> <li>• <i>Business Names Act 1969;</i> and</li> <li>• <i>Profiteering Prevention Act 1948.</i></li> </ul>	YES, legislation implemented NCP review recommendations.  YES, legislation was consistent with recommendations.	n/a	n/a	n/a
<i>Trading (Allowable Hours) Amendment Act 2002</i>	No	Yes	No	n/a
<i>Transport Legislation Amendment Act (No. 2) 2002</i>	No	No. The legislation was administrative in nature.	No	n/a
<i>Transport Legislation Amendment Act 2002</i>	No	Yes	No	n/a
<i>Transport Operations (Road Use Management) Amendment Act (No. 2) 2002</i>	No	No. The legislation was intended to correct earlier drafting error and for administrative purposes.	No	n/a
<i>Transport Operations (Road Use Management) Amendment Act 2002</i>	No	No. The legislation was administrative in nature.	No	n/a
<i>Treasury Legislation Amendment Act (No. 2) 2002</i>	No	Yes	No	n/a
<i>Treasury Legislation Amendment Act 2002</i>	No	Yes	No	n/a
<i>Tribunals Provisions Amendment Act 2002</i>	No	Yes	No	n/a
<i>WorkCover Queensland Amendment Act 2002</i>	No	Yes	No, amendments were machinery in nature.	n/a. Note a wider review of the WorkCover Queensland Act was undertaken and reforms will be implemented later in 2003.

Legislation Title	Does the legislation implement NCP Reforms?	Was legislation examined for potential restrictions on competition? If not, why?	Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?	If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?
<b>Subordinate Legislation</b>				
Aboriginal and Torres Strait Islander Land Amendment Regulation (No. 1) 2002 – <i>Aboriginal Land Act 1991</i> – <i>Torres Strait Islander Land Act 1991</i>	No	No. this legislation relates to the making of land available for grant to indigenous persons as contemplated by the <i>Aboriginal Land Act 1991</i> and the <i>Torres Strait Land Act 1991</i> . This special State land rights legislation makes special measures for the adequate and appropriate recognition of the interests and responsibilities of indigenous persons in relation to land and thereby to foster the capacity for self-development and self-reliance and cultural integrity for indigenous persons.	There were no NCP issues identified in the legislation.	n/a
Aboriginal Land Amendment Regulation (No. 1) 2002 – <i>Aboriginal Land Act 1991</i>	No	No. this legislation relates to the making of land available for grant to indigenous persons as contemplated by the <i>Aboriginal Land Act 1991</i> and the <i>Torres Strait Land Act 1991</i> . This special State land rights legislation makes special measures for the adequate and appropriate recognition of the interests and responsibilities of indigenous persons in relation to land and thereby to foster the capacity for self-development and self-reliance and cultural integrity for indigenous persons.	There were no NCP issues identified in the legislation.	n/a
Aboriginal Land Amendment Regulation (No. 2) 2002 – <i>Aboriginal Land Act 1991</i>	No	No. this legislation relates to the making of land available for grant to indigenous persons as contemplated by the <i>Aboriginal Land Act 1991</i> and the <i>Torres Strait Land Act 1991</i> . This special State land rights legislation makes special measures for the adequate and appropriate recognition of the interests and responsibilities of indigenous persons in relation to land and thereby to foster the capacity for self-development and self-reliance and cultural integrity for indigenous persons.	There were no NCP issues identified in the legislation.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Aboriginal Land Amendment Regulation (No. 3) 2002 - <i>Aboriginal Land Act 1991</i>	No	No. this legislation relates to the making of land available for grant to indigenous persons as contemplated by the <i>Aboriginal Land Act 1991</i> and the <i>Torres Strait Land Act 1991</i> . This special State land rights legislation makes special measures for the adequate and appropriate recognition of the interests and responsibilities of indigenous persons in relation to land and thereby to foster the capacity for self-development and self-reliance and cultural integrity for indigenous persons.	There were no NCP issues identified in the legislation.	n/a
Adoption of Children Amendment Regulation (No. 1) 2002 - <i>Adoption of Children Act 1964</i>	No	No. The regulation supports the objects of the Act which is to secure the best possible placement for children requiring an adoptive placement. The regulation provides for the more efficient allocation of Department resources towards the placement of children.	No	n/a
Ambulance Service Amendment Regulation (No. 1) 2002 - <i>Ambulance Service Act 1991</i>	No	Legislation was assessed to ensure that it complied with NCP.	The legislation does not restrict competition.	n/a
Ambulance Service Amendment Regulation (No. 2) 2002 - <i>Ambulance Service Act 1991</i>	No	Legislation was assessed to ensure that it complied with NCP.	The legislation does not restrict competition.	n/a
Animal Care and Protection (Postponement) Regulation 2002 - <i>Animal Care and Protection Act 2001</i>	No	Yes	No	n/a
Animal Care and Protection Amendment Regulation (No. 1) 2002 - <i>Animal Care and Protection Act 2001</i>	No	Yes	No	n/a
Animal Care and Protection Regulation 2002 - <i>Animal Care and Protection Act 2001</i>	No	Yes	No	n/a
Animals Protection Amendment Regulation (No. 1) 2002 - <i>Animal Care and Protection Act 2001</i>	No	Yes	No	n/a
Architects Regulation 2002 - <i>Architects Act 2002</i>	No – the regulation declares university faculties for the appointment of board members and fees.	Yes	No	n/a
Associations Incorporation Amendment Regulation (No. 1) 2002 - <i>Associations Incorporation Act 1981</i>	No	Yes	No	n/a
Bills of Sale and Other Instruments and Liens on Crops of Sugar Cane Amendment Regulation (No. 1) 2002 - <i>Bills of Sale and Other Instruments Act 1955</i> - Liens on Crops of Sugar Cane Act 1931	No	Yes	No	n/a
Building Amendment Regulation (No. 1) 2002 - <i>Building Act 1975</i>	No	Yes	No	n/a



<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Building and Construction Industry (Portable Long Service Leave) Regulation 2002 - <i>Building and Construction Industry (Portable Long Service Leave) Act 1991</i>	No	Yes	No	n/a
Building and Other Legislation Amendment Regulation (No. 1) 2002 - <i>Building Act 1975 -Integrated Planning Act 1997</i>	No	Yes	No	n/a
Building Fire Safety Amendment Regulation (No. 1) 2002 - <i>Building Act 1975 - Fire and Rescue Service Act 1990</i>	No	Legislation was assessed to ensure that it complies with NCP.	The legislation is in the public interest and does not impose a restriction on competition.	n/a
Business Names Amendment Regulation (No. 1) 2002 - <i>Business Names Act 1962</i>	No	No, regulation simply implements provisions introduced in <i>Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2002</i>	n/a	n/a
Chicken Meat Industry Committee Amendment Regulation (No. 1) 2002 - <i>Chicken Meat Industry Committee Act 1976</i>	No	Yes	No	n/a
Child Care (Child Care Centres) Amendment Regulation (No. 1) 2002 - <i>Child Care Act 1991</i>	No	No. The objective of the amendment was to amend the current Regulation to provide that some services are exempt from compliance with provisions relating to building and physical environment standards. These exemptions are either time limited or permanent.	No	n/a
Child Care (Child Care Centres) Amendment Regulation (No. 2) 2002 - <i>Child Care Act 1991</i>	No	No. The amendments in the Regulation were purely machinery.	No	n/a
Chiropractors Registration Regulation 2002 - <i>Chiropractors Registration Act 2001 - Cooperatives Act 1997 - Radiation Safety Act 1999 - Statutory Bodies Financial Arrangements Act 1982</i>	No	Yes	No	n/a
City of Brisbane Amendment Regulation (No. 1) 2002 - <i>City of Brisbane Act 1924</i>	No	Yes	No	n/a
Coastal Protection and Management (Postponement) Regulation 2002 - <i>Coastal Protection and Management and Other Legislation Amendment Act 2001</i>	No	No. The regulation delayed the commencement of the CPMOLA Act 2001.	n/a	n/a
Collections Amendment Regulation (No. 1) 2002 - <i>Collections Act 1966</i>	No	Yes	No	n/a
Collections Amendment Regulation (No. 2) 2002 - <i>Collections Act 1966</i>	No	Yes	No	n/a
Community Services (Aborigines) Amendment Regulation (No. 1) 2002 - <i>Community Services (Aborigines) Act 1984</i>	No	Procedural matters only.	No	No
Community Services (Aborigines) Amendment Regulation (No. 2) 2002 - <i>Community Services (Aborigines) Act 1984</i>	No	Procedural matters only.	No	No

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Community Services (Aborigines) Amendment Regulation (No. 3) 2002 - <i>Community Services (Aborigines) Act 1984</i>	No	Procedural matters only.	No	No
Community Services (Island Council) Accounting Standard 2002 - <i>Community Services (Torres Strait) Act 1984</i>	No	Procedural matters only.	No	No
Community Services Legislation Amendment Regulation (No. 1) 2002 - <i>Community Services (Aborigines) Act 1984 - Community Services (Torres Strait) Act 1984</i>	No	Procedural matters only.	No	No
Corrective Services Amendment Regulation (No. 1) 2002 - <i>Corrective Services Act 2000</i>	No	Yes	No	n/a
Criminal Proceeds Confiscation Regulation 2002 - <i>Criminal Proceeds Confiscation Act 2002</i>	No	Yes	Subject matter did not raise competition issues.	n/a
Dental Technicians and Dental Prosthetists Registration Regulation 2002 - <i>Dental Technicians and Dental Prosthetists Registration Act 2001 - Statutory Bodies Financial Arrangements Act 1982</i>	No	Yes	No	n/a
Drug Rehabilitation (Court Diversion) Amendment Regulation (No. 1) 2002 - <i>Drug Rehabilitation (Court Diversion) Act 2000</i>	No	Yes	Subject matter did not raise competition issues.	n/a
Drug Rehabilitation (Court Diversion) Amendment Regulation (No. 2) 2002 - <i>Drug Rehabilitation (Court Diversion) Act 2000</i>	No	Yes	Subject matter did not raise competition issues.	n/a
Drugs Misuse Amendment Regulation (No. 1) 2002 - <i>Drugs Misuse Act 1986</i>	No	Yes	The legislation provides for the licensing of industrial cannabis producers.	Yes. The results of a PBT justified that the public benefits of the licensing arrangements exceed the costs, given that Queensland Police were insistent that some form of licensing was essential to ensure that the production of industrial hemp could be differentiated from illegal drug activities (ie the growing of cannabis). Prior to the legislative changes, the commercial production of industrial hemp was prohibited.
Drugs Misuse Amendment Regulation (No. 2) 2002 - <i>Drugs Misuse Act 1986</i>	No	Yes	Subject matter did not raise competition issues.	n/a
Duties Amendment Regulation (No. 1) 2002 - <i>Duties Act 2001</i>	No	Yes	No	n/a
Duties Regulation 2002 - <i>Duties Act 2001</i>	No	Yes	No	n/a
Education (General Provisions) Amendment Regulation (No. 1) 2002 - <i>Education (General Provisions) Act 1989</i>	No	No. The Regulation was to correct a drafting error.	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Education (General Provisions) Amendment Regulation (No. 2) 2002 - <i>Education (General Provisions) Act 1989</i>	No	No. the regulation made only machinery amendments in relation to the indexing of certain fees and naming schools participating in the Preparatory Year Trial	No	n/a
Education (Queensland Studies Authority) Amendment Regulation (No. 1) 2002 - <i>Education (Queensland Studies Authority) Act 2002</i>	No	No. The regulation commenced the accreditation process which had already been assessed in terms of impacts on competition.	No	n/a
Education (Queensland Studies Authority) Regulation 2002 - <i>Education (Queensland Studies Authority) Act 2002</i>	No	No. An NCP review was undertaken on the Act and the regulation did not contain any restrictions on competition.	No	n/a
Electoral Regulation 2002 - <i>Electoral Act 1992</i>	No	Yes	Subject matter did not raise competition issues.	n/a
Electrical Safety Amendment Regulation (No. 1) 2002 - <i>Electrical Safety Act 2002</i>	No	Yes. It was noted that the amendments did not introduce any new regulatory requirements. The main objective of the amendment was to amend requirements for working around electrical parts introduced by the Electrical Safety Regulation 2002. The amendments reduce the regulatory burden and provide greater flexibility by allowing the industry to select from a number of control measures - rather than a single control measure. The amendments are consistent with the outcomes of consultation on the RIS titled <i>Proposed Electrical Safety Regulations under the Electricity Act 1994</i> .	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Electrical Safety Regulation 2002 [EN] [RIS] - Coal Mining Safety and Health Act 1999 - Electrical Safety Act 2002 - Mining and Quarrying Safety and Health Act 1999 - Petroleum Act 1923 -Queensland Building Services Authority Act 1991 -State Penalties Enforcement Act 1999 - Statutory Bodies Financial Arrangements Act 1982 -Workplace Health and Safety Act 1995	Yes	Yes	Yes- restriction related to entry and conduct of a business	The Regulation largely incorporates licensing and safety provisions from the Electricity Act and Regulation 1994, which were examined during the PBT review (Jan 2002).  Proposed regulations not part of the previous regulatory framework were examined for competition restrictions in Regulatory Impact Statement - Proposed Electrical Safety Regulations under the <i>Electricity Act 1994</i> .
Electricity (Electrical Articles) Amendment Regulation (No. 1) 2002 [RIS] - <i>Electricity Act 1994</i>	No	Yes	Yes	An RIS was undertaken on the regulation and it was found that the Regulation was maintained in the public interest.
Electricity Amendment Regulation (No. 1) 2002 - <i>Electricity Act 1994</i>	No	Yes	No	n/a
Electricity Amendment Regulation (No. 2) 2002 - <i>Electricity Act 1994</i>	No	Yes	No	n/a
Electricity Amendment Regulation (No. 3) 2002 [EN] [RIS] - <i>Electricity Act 1994</i>	No	Yes	There were no appreciable restrictions on competition identified.	An RIS was undertaken and regulation found to be in the public interest.
Electricity Legislation Amendment Regulation (No. 1) 2002 - <i>Electricity Act 1994</i>	No	Yes	No	n/a
Electronic Transactions (Queensland) (Postponement) Regulation 2002 - Electronic Transactions (Queensland) Act 2001	No	Yes	Subject matter did not raise competition issues.	n/a
Electronic Transactions (Queensland) (Postponement) Repeal Regulation 2002 - <i>Electronic Transactions (Queensland) Act 2001</i>	No	Yes	Subject matter did not raise competition issues.	n/a
Environmental Legislation Amendment Regulation (No. 1) 2002 - Forestry Act 1959 - Nature Conservation Act 1992 - Recreation Areas Management Act 1988	No	No. The regulation adjusted the fee schedule to reflect amendments to the EPA Act.	No	n/a
Environmental Protection (Waste Management) Amendment Regulation (No. 1) 2002 - Environmental Protection Act 1994	No	No. The regulation relaxes restrictions on trading waste materials for reuse.	No	n/a
Environmental Protection Amendment Regulation (No. 1) 2002 -Environmental Protection Act 1994	No	No. The regulation delayed the commencement of a section of the Regulation.	No	n/a
Environmental Protection Amendment Regulation (No. 2) 2002 - Environmental Protection Act 1994	No	No. The regulation relaxed a standard for fuel.	No	n/a
Environmental Protection Amendment Regulation (No. 3) 2002 - Environmental Protection Act 1994	No	No. The regulation simplified existing approval mechanisms under the legislation.	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Fair Trading (Fees) Amendment Regulation (No. 1) 2002 [EN] [RIS]	No	Yes	Yes. The twofold increase in initial licence application fees acts as a barrier to entry.	Yes, a PBT was undertaken.  Yes. The benefits of the fee increases were found to outweigh the costs.
Fair Trading Amendment Regulation (No. 1) 2002 - Fair Trading Act 1989	No	Yes	Yes. The Regulation restricts the supply of baby walker that do not meet the baby walker standard.	No. The NSW Government prepared a RIS in relation to the same safety standards. This RIS showed that alternative options would not achieve the objects of the regulation.
Fair Trading Amendment Regulation (No. 2) 2002 - Fair Trading Act 1989	No	Yes	Yes. The regulation restricts the supply of bunk beds that do not meet appropriate safety standards.	No. The Commonwealth had prepared an RIS which satisfactorily concluded that the maintenance of the restriction was clearly in the public interest. Similar restrictions have been adopted by other jurisdictions.
Financial Management Amendment Standard (No. 1) 2001 - Financial Administration and Audit Act 1977	No	Yes	No	n/a
Fire and Rescue Service Amendment Regulation (No. 1) 2002 - Fire and Rescue Service Act 1990	No	Legislation was assessed to ensure that it complies with NCP.	The legislation is in the public interest and does not impose a restriction on competition.	
Fire and Rescue Service Legislation Amendment and Repeal Regulation (No. 1) 2002 - Fire and Rescue Service Act 1990	No	Legislation was assessed to ensure that it complies with NCP.	The legislation is in the public interest and does not impose a restriction on competition.	
First Home Owner Grant and Other Legislation Amendment Regulation (No. 1) 2002 - First Home Owner Grant Act 2000 - Fuel Subsidy Act 1997 - Revenue Laws (Reciprocal Powers) Act 1988	No	Yes	No	n/a
Fisheries (Freshwater) Amendment Management Plan (No. 1) 2002 [EN] [RIS] - Fisheries Act 1994	No	Yes	No	n/a
Fisheries (Spanner Crab) Amendment Management Plan (No. 1) 2002 [EN] [RIS] - Fisheries Act 1994	No	Yes	No	n/a
Fisheries Amendment Regulation (No. 1) 2002 [EN] [RIS] - Fisheries Act 1994	No	Yes	No	n/a
Fisheries Amendment Regulation (No. 2) 2002 - Fisheries Act 1994	No	Yes	No	n/a
Fisheries Amendment Regulation (No. 3) 2002 - Fisheries Act 1994	No	Yes	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Fisheries Amendment Regulation (No. 4) 2002 [EN] [RIS] - Fisheries Act 1994	No	Yes	Yes	A benefit – cost analysis was undertaken as part of the widely circulated Regulatory Impact Statement process which, amongst other things, addressed the restrictions on competition in the Regulation. THE RIS/PBT concluded that the benefits to the community of the regulatory measures outweigh the costs of the regulation.
Fisheries Amendment Regulation (No. 5) 2002 - Fisheries Act 1994	No	Yes	No	n/a
Fisheries Management Plans Amendment Management Plan (No. 1) 2002 - Fisheries Act 1994	No	Yes	Yes	A benefit – cost analysis was undertaken as part of the widely circulated Regulatory Impact Statement process which, amongst other things, addressed the restrictions on competition in the amendments to the Management Plans. THE RIS/PBT concluded that the benefits to the community of the regulatory measures outweigh the costs of the regulation.
Fisheries Management Plans Amendment Management Plan (No. 2) 2002 [EN] [RIS] - Fisheries Act 1994	No	Yes	Yes	A benefit – cost analysis was undertaken as part of the widely circulated Regulatory Impact Statement process which, amongst other things, addressed the restrictions on competition in the amendments to the Management Plans. THE RIS/PBT concluded that the benefits to the community of the regulatory measures outweigh the costs of the regulation.
Food Production (Safety) Regulation 2002 - Food Production (Safety) Act 2000	No	Yes	Yes	A benefit – cost analysis was undertaken as part of the Regulatory Impact Statement process. The Report indicated that the benefits to the community of regulating food safety in the areas of meat and dairy significantly outweigh the costs associated with the regulation. The new Food Safety Scheme implements national food safety standards.

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Forestry and Other Legislation Amendment and Repeal Regulation (No. 1) 2002 - Forestry Act 1959 - Marine Parks Act 1982 - Nature Conservation Act 1992	No	Yes	No	n/a
Forestry Legislation Amendment Regulation (No. 1) 2002 - Forestry Act 1959	No	Yes	No	n/a
Forestry Legislation Amendment Regulation (No. 2) 2002 - Forestry Act 1959	No	Yes	No	n/a
Gambling Legislation Amendment Regulation (No. 1) 2002	No	Yes	No	Legislation incorporated into the omnibus review of Queensland's Gambling Legislation.
Gambling Legislation Amendment Regulation (No. 2) 2002	No	Yes	No	Legislation incorporated into the omnibus review of Queensland's Gambling Legislation.
Gambling Legislation Amendment Regulation (No. 3) 2002	No	Yes	No	Legislation incorporated into the omnibus review of Queensland's Gambling Legislation.
Gaming Machine Regulation 2002 - Gaming Machine Act 1991	No	Yes	No	Legislation incorporated into the omnibus review of Queensland's Gambling Legislation.
Gas Amendment Regulation (No. 1) 2002 - Gas Act 1965	No	Yes	No, the regulation was machinery in nature.	n/a
Gene Technology Regulation 2002 -Gene Technology Act 2001	No	Legislation enacted was substantially uniform with Commonwealth legislation (Gene Technology Bill 2000(Cth)).	Yes	A Regulatory Impact Statement was prepared and approved by the Commonwealth parliament in 2000.
Government Owned Corporations (Brisbane Market Corporation Limited) Regulation 2002 - Government Owned Corporations Act 1993	No	Yes	No	n/a
Government Owned Corporations (Ports) Amendment Regulation (No. 1) 2002 - Government Owned Corporations Act 1993	No	Yes	No	n/a
Government Owned Corporations (QTSC Corporatisation) Amendment Regulation (No. 1) 2002 - Government Owned Corporations Act 1993	No	Yes	No	n/a
Government Owned Corporations (QTSC Restructure— Stage 2) - Amendment Regulation (No. 1) 2002 - Government Owned Corporations Act 1993	No	Yes	No	n/a
Government Owned Corporations (Queensland Investment Corporation) Amendment Regulation (No. 1) 2002 - Government Owned Corporations Act 1993	No	Yes	No	n/a
Government Owned Corporations (Queensland Investment Corporation) Amendment Regulation (No. 2) 2002 - Government Owned Corporations Act 1993	No	Yes	No	n/a
Government Owned Corporations Legislation Amendment Regulation (No. 1) 2002 -Government Owned Corporations Act 1993	No	Yes	No	n/a
Guardianship and Administration Amendment Regulation (No. 1) 2002 - Guardianship and Administration Act 2000	No	Yes	Subject matter did not raise competition issues.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Health (Drugs and Poisons) Amendment Regulation (No. 1) 2002 - Health Act 1937	No	Yes	No	n/a
Health (Drugs and Poisons) Amendment Regulation (No. 2) 2002 - Health Act 1937	No	Yes	No	n/a
Health Amendment Regulation (No. 1) 2002 - Health Act 1937	No	Yes	No	n/a
Health Legislation Amendment Regulation (No. 1) 2002 - Food Act 1981 -Health Act 1937 -Health Services Act 1991 -Radiation Safety Act 1999	No	Yes	No	n/a
Health Legislation Amendment Regulation (No. 2) 2002 - Food Act 1981 - Health Act 1937 -Health Services Act 1991 - Radiation Safety Act 1999	No	Yes	No	n/a
Health Legislation Amendment Regulation (No. 3) 2002	No	Yes	No	n/a
Health Services Amendment Regulation (No. 1) 2002 - Health Services Act 1991	No	Yes	No	n/a
Health Services Amendment Regulation (No. 2) 2002 - Health Services Act 1991	No	Yes	No	n/a
Health Services Regulation 2002 - Health Services Act 1991	No	Yes	No	n/a
Indy Car Grand Prix Amendment and Repeal Regulation (No.1) 2002 – Indy Car Grand Prix Act 1990	No	Yes	The Regulation does not fundamentally affect the legislation’s application or operation.	n/a
Integrated Planning Amendment Regulation (No. 1) 2002 - Integrated Planning Act 1997	No	Yes	No	n/a
Integrated Planning Amendment Regulation (No. 2) 2002 - Integrated Planning Act 1997	No	Yes	No	n/a
Integrated Planning Amendment Regulation (No. 3) 2002 -Integrated Planning Act 1997	No	Yes	No	n/a
Introduction Agents (Postponement) Regulation 2002 - Introduction Agents Act 2001	No	Yes	No	n/a
Introduction Agents Regulation 2002 [EN] [RIS] - Introduction Agents Act 2001	No	No. The regulation implements the provision of the Introduction Agents Act 2001, which was subject to NCP review in 2000. this review concluded that a licensing system would most appropriately meet the Government’s policy objectives by providing up-front protection for consumers.  The legislation does not further infringe on NCP objectives.	n/a	A RIS was conducted in relation to the regulation. The benefits of introducing the licensing fees were found to outweigh the costs.



Legislation Title	Does the legislation implement NCP Reforms?	Was legislation examined for potential restrictions on competition? If not, why?	Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?	If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?
Justice Legislation (Variation of Fees and Costs) Regulation (No. 1) 2002 - Appeal Costs Fund Act 1973 - Coroners Act 1958 - Electoral Act 1992 - Freedom of Information Act 1992 - Property Law Act 1974 - Registration of Births, Deaths and Marriages Act 1962 - Small Claims Tribunals Act 1973 - Supreme Court of Queensland Act 1991	No	Yes	Subject matter did not raise competition issues.	n/a
Justices Amendment Regulation (No. 1) 2002 - Justices Act 1886	No	Yes	Subject matter did not raise competition issues.	n/a
Justices Amendment Regulation (No. 2) 2002 - Justices Act 1886	No	Yes	Subject matter did not raise competition issues.	n/a
Land Legislation Amendment Regulation (No. 1) 2002 - Land Act 1994 -Rural Lands Protection Act 1985	No	Yes	There were no NCP issues identified.	n/a
Land Sales Amendment Regulation (No. 1) 2002 - Land Sales Act 1984	No	Yes	No	n/a
Liquor (Approval of Adult Entertainment Code) Regulation 2002 - Liquor Act 1992	No	Yes	No	n/a
Liquor (Tribunal) Regulation 2002 - Liquor Act 1992 - Queensland Building Tribunal Act 2000	No	No. The regulation implements the provisions of Tribunals Provisions Amendments Act 2002 which did not have any restrictions on competition and includes minor fee adjustments.	n/a	n/a
Liquor Amendment Regulation (No. 1) 2002 - Liquor Act 1992	No	Yes	No	n/a
Liquor Amendment Regulation (No. 2) 2002 - Liquor Act 1992	No	No. The regulation implements provisions of the <i>Indigenous Communities Liquor Licences Act 2002</i> , which enables the Government, in partnership with indigenous communities, to implement restrictions on the supply and possession of alcohol in indigenous communities and surrounding areas. A separate regulation is required for each indigenous community as these restrictions are determined over time.  The regulation does not infringe on NCP objectives.	n/a	n/a
Liquor Regulation 2002 [EN] [RIS] - Liquor Act 1992	No	Yes	No. The regulation was remade in accordance with the 10 year review requirements of the <i>Statutory Instruments Act 1993</i> .	Yes. An RIS was undertaken and the fee restrictions in the regulation were found to be in the public interest. The regulation does not infringe on NCP.
Local Government (Areas) Amendment Regulation (No. 2) 2002 - Local Government Act 1993	No	Yes	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Local Government (Limited Reviewable Local Government Matters) Amendment Regulation (No. 1) 2002 - Local Government Act 1993	No	Yes	No	n/a
Local Government (Limited Reviewable Local Government Matters) Regulation 2002 - Local Government Act 1993	No	Yes	No	n/a
Local Government Amendment Regulation (No. 1) 2002 - Local Government Act 1993	No	Yes	No	n/a
Local Government Legislation Amendment and Repeal Regulation (No. 1) 2002 - City of Brisbane Act 1924 - Local Government Act 1993	No	Yes	No	n/a
Major Sports Facilities Amendment Regulation (No. 1) 2002 - Major Sports Facilities Act 2002	No	Yes	Regulation is administrative in nature and does not have any impacts on competition.	n/a
Major Sports Facilities Regulation 2002 - Major Sports Facilities Act 2001	No	Yes	Regulation is administrative in nature and does not have any impacts on competition.	n/a
Maritime Safety Queensland Regulation 2002 - Maritime Safety Queensland Act 2002 - Transport Operations (Marine Pollution) Act 1995 - Transport Operations (Marine Safety) Act 1994	No	No. There were consequential amendments arising from the creation of Maritime Safety Queensland. The amendments were needed to accurately reflect the roles and functions of both the Chief Executive and the General manager about matters under the Transport Operations (Marine Safety) Act and the Transport Operations (Marine Pollution) Act.	No.	n/a
Meat Industry Amendment Standard (No. 1) 2002 - Meat Industry Act 1993	No	Yes	No	n/a
Medical Practitioners Registration Amendment Regulation (No. 1) 2002 - Medical Practitioners Registration Act 2001	No	Yes	No	n/a
Medical Practitioners Registration Regulation 2002 - Medical Practitioners Registration Act 2001	No	Yes	The regulation did not impose an appreciable restriction on competition.	An RIS was undertaken and the regulation found to be in the public interest.
Medical Radiation Technologists Registration Regulation 2002 [EN] [RIS] - Cooperatives Act 1997 - Medical Radiation Technologists Registration Act 2001 - Statutory Bodies Financial Arrangements Act 1982 - Transplantation and Anatomy Act 1979	No	Yes	The regulation did not impose an appreciable restriction on competition.	An RIS was undertaken and the regulation found to be in the public interest.
Mental Health Amendment Regulation (No. 1) 2002 - Mental Health Act 2000	No	Yes	No	n/a
Mental Health Regulation 2002 - Mental Health Act 2000	No	Yes	No	n/a
Mineral Resources Amendment Regulation (No. 1) 2002 - Mineral Resources Act 1989	No.	No. The legislation is administrative in nature.	n/a	n/a
Mineral Resources Amendment Regulation (No. 2) 2002 - Mineral Resources Act 1989	No	Yes	There were no NCP issues identified.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Mineral Resources Amendment Regulation (No. 3) 2002 - Mineral Resources Act 1989	No	Yes	No. The regulation imposes restricted area status on certain land in accordance with section 391 of the Mineral Resources Act. The intention of the Regulation is to prohibit the applications or grant of mining tenements which is a prerogative of the Government.	n/a
Motor Accident Insurance Amendment Regulation (No. 1) 2002 - Motor Accident Insurance Act 1994	No	Yes	No	n/a
Motor Accident Insurance Amendment Regulation (No. 2) 2002 - Motor Accident Insurance Act 1994	No	Yes	No	n/a
Motor Vehicles Securities and Other Acts Amendment (Postponement) Regulation 2002 - Motor Vehicles Securities and Other Acts Amendment Act 2001	No	Yes	No	n/a
Natural Resources and Mines Legislation Amendment and Repeal Regulation (No. 1) 2002	No	Yes	No. The regulation is machinery in nature and provides for annual fee increases in accordance with increase costs. It also repeals a number of dated regulations.	n/a
Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2002	No	Yes	No. The regulation is machinery in nature and does not impact on competition.	n/a
Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2002 - Nature Conservation Act 1992	No	No. The legislation provided for additional land, purchased by the State Government, to be added to a national park.	No	n/a
Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2002 - Nature Conservation Act 1992	No	No. The legislation provided for additional land, purchased by the State Government, to be added to a national park.	No	n/a
Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 2002 - Nature Conservation Act 1992	No	No. The legislation provided for additional land, purchased by the State Government, to be added to a national park.	No	n/a
Nature Conservation Legislation Amendment and Repeal Regulation (No. 1) 2002 - Nature Conservation Act 1992	No	No. The legislation provided for additional land, purchased by the State Government, to be added to a national park.	No	n/a
Osteopaths Registration Act 2001 -Statutory Bodies Financial Arrangements Act 1982	No	Yes	The regulation did not impose an appreciable impact on competition.	n/a
Osteopaths Registration Regulation 2002 - Cooperatives Act 1997 -	No	Yes	The regulation did not impact an appreciable impact on competition.	n/a
Parliament of Queensland Amendment Regulation (No. 1) 2002 - Parliament of Queensland Act 2001	No. The primary purpose of the regulation was to vary the commencement date of the regulation.	No. The amendment rectified a drafting oversight only.	n/a	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Parliament of Queensland Regulation 2002 - Parliament of Queensland Act 2001	No. The regulation declared two prescribed Committees of the Legislative Assembly as Committees for continuity of remuneration entitlements.	No. The regulation is considered to facilitate the operation of Parliament and does not have any impact on competition.	n/a	n/a
Personal Injuries Proceedings Amendment Regulation (No. 1) 2002 - Personal Injuries Proceedings Act 2002	No	Yes	Subject matter did not raise competition issues.	n/a
Personal Injuries Proceedings Regulation 2002 - Personal Injuries Proceedings Act 2002	No	Yes	Subject matter did not raise competition issues.	n/a
Pest Management (Postponement) Regulation 2002 - Pest Management Act 2001	No	Yes	No	n/a
Petroleum (Entry Permission—Queensland Power Trading Corporation) Notice 2002 - Petroleum Act 1923	No	Yes	There were no NCP issues identified in the regulation.	n/a
Plant Protection (Prescription of Pests) Amendment Regulation (No. 1) 2002 - Plant Protection Act 1989	No	Yes	No	n/a
Plant Protection (South African Citrus Thrips) Notice ((No. 2) 2002 -Plant Protection Act 1989	No	Yes	No	n/a
Plant Protection Amendment Regulation (No. 1) 2002 - Plant Protection Act 1989	No	Yes	No	n/a
Plant Protection Amendment Regulation (No. 2) 2002 - Plant Protection Act 1989	No	Yes	No	n/a
Plant Protection Amendment Regulation (No. 3) 2002 - Plant Protection Act 1989	No	Yes	No	n/a
Plant Protection Legislation Amendment Regulation (No. 1) 2002 - Plant Protection Act 1989	No	Yes	No	n/a
Plant Protection Regulation 2002 - Plant Protection Act 1989	No	Yes	No	n/a
Podiatrists Registration Regulation 2002 - Cooperatives Act 1997 - Health Act 1937 - Podiatrists Registration Act 2001 - Police Powers and Responsibilities Act 2000 - Radiation Safety Act 1999 - Statutory Bodies Financial Arrangements Act 1982 - Workplace Health and Safety Act 1995	No	Yes	The regulation does not impose an appreciable impact on competition and is in the public interest.	n/a
Police Powers and Responsibilities (CHOGM) Regulation 2002 - Police Powers and Responsibilities Act 2000	No	The Regulation has no impact on competition. It designates events related to the Commonwealth Heads of Government Meeting as "special events".	No	n/a
Police Powers and Responsibilities Amendment Regulation (No. 1) 2002 - Police Powers and Responsibilities Act 2000	No	The Regulation has no impact on competition. It makes consequential and technical amendments to other Acts and the Crime and Misconduct Commission.	No	n/a
Police Powers and Responsibilities Amendment Regulation (No. 2) 2002 - Police Powers and Responsibilities Act 2000	No	The Regulation has no impact on competition. It made a minor amendment to Schedule 8A (Notified Areas).	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Police Powers and Responsibilities Amendment Regulation (No. 3) 2002 –Police Powers and Responsibilities Act 2000	No	The Regulation has no impact on competition. It makes a minor amendment to Schedule 8A (Notified Areas).	No	n/a
Police Powers and Responsibilities Amendment Regulation (No. 4) 2002 – Police Powers and Responsibilities Act 2000	No	The regulation has no impact on competition. It makes a minor amendment to the Police Powers and Responsibilities Regulation 2002.	No	n/a
Primary Industries Legislation Amendment Regulation (No. 1) 2002 - Apiaries Act 1982 - Exotic Diseases in Animals Act 1981	No	Yes	No	n/a
Primary Industries Legislation Amendment Regulation (No. 2) 2002 - Agricultural Chemicals Distribution Control Act 1966 - Agricultural Standards Act 1994 - Brands Act 1915 - Chemical Usage (Agricultural and Veterinary) Control Act 1988 - Stock Act 1915	No	Yes	No	n/a
Professional Engineers Regulation 2002 - Professional Engineers Act 2002	No – the regulation declares university faculties for the appointment of board members and fees.	Yes	No	n/a
Property Agents and Motor Dealers (Tribunal) Regulation 2002 - Property Agents and Motor Dealers Act 2000 - Queensland Building Tribunal Act 2000	No	No. the regulation implements provisions of Tribunals Provisions Amendment Act 2002 which did not have any restriction on competition and includes minor fee adjustments.	n/a	n/a
Property Agents and Motor Dealers Amendment Regulation (No. 1) 2002 - Property Agents and Motor Dealers Act 2000	No	Yes	No	n/a
Prostitution Amendment Regulation (No. 1) 2002 - Prostitution Act 1999	No	The regulation has no impact on competition. It provides for declaring the application fee for appeals to the independent assessor and other minor consequential amendments.	No	n/a
Psychologists Registration Regulation 2002 - Cooperatives Act 1997 - Police Powers and Responsibilities Act 2000 - Psychologists Registration Act 2001 - Statutory Bodies Financial Arrangements Act 1982	No	Yes	The regulation does not impose an appreciable impact on competition.	n/a
Public Service Amendment Regulation (No. 1) 2002 - Public Service Act 1996	No. The amendment regulation declared a government entity to be a public sector unit to extend the application of the Department of Industrial Relations directive to certain public sector employees.	No. The regulation is administrative only.	n/a	n/a
Public Trustee Amendment Regulation (No. 1) 2002 - Public Trustee Act 1978	No	Yes	Subject matter did not raise competition issues.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Public Trustee Amendment Regulation (No. 2) 2002 - Public Trustee Act 1978	No	Yes	Subject matter did not raise competition issues.	n/a
Public Works Legislation Amendment Regulation (No. 1) 2002 - Architects Act 1985 - Professional Engineers Act 1988	No. the regulation deals with registration and other fees.	Yes	No	n/a
Queensland Building Services Authority Amendment Regulation (No. 1) 2002 - Queensland Building Services Authority Act 1991	No	Yes	n/a	n/a
Queensland Building Services Authority Amendment Regulation (No. 2) 2002 - Queensland Building Services Authority Act 1991	No	Yes	No	n/a
Queensland Building Tribunal Amendment Regulation (No. 1) 2002 - Queensland Building Tribunal Act 2000	No	No. The regulation implements provisions of the Tribunals Provisions Amendment Act 2002 which did not have any restrictions on competition.	No	n/a
Queensland Heritage Amendment Regulation (No. 1) 2002 - Queensland Heritage Act 1992	No	Yes	No	n/a
Racing and Betting (Racing Appeals Authority) Regulation 2002 -Queensland Building Tribunal Act 2000 -Racing and Betting Act 1980	No	Yes	No	n/a
Racing and Betting Amendment Regulation (No. 1) 2002 - Racing and Betting Act 1980	No	Yes	No	n/a
Radiation Safety Amendment Regulation (No. 1) 2002 - Radiation Safety Act 1999	No	Yes	No	n/a
Registration of Births, Deaths and Marriages Amendment Regulation (No. 1) 2002 - Registration of Births, Deaths and Marriages Act 1962	No	Yes	Subject matter did not raise competition issues.	n/a
Residential Services (Accommodation) Regulation 2002 - Residential Services (Accommodation) Act 2002	No	Yes	No	n/a
Residential Services (Accreditation) Regulation 2002 [EN] [RIS] - Building Act 1975 - Integrated Planning Act 1997 - Residential Services (Accreditation) Act 2002	No	Yes	Yes. The regulation provides for the introduction of fees and prescribing mandatory standards for residential service buildings.	Yes, a PBT was undertaken on both the Act and the Regulation. The restriction provide for the protection of residents and ensure fair trading in the residential services industry. The PBT identified an overall benefit from the legislation.
Retirement Villages (Tribunal) Regulation 2002 - Queensland Building Tribunal Act 2000 -Retirement Villages Act 1999	No	No. The regulation implements provisions of the Tribunals Provisions Amendment Act 2002 which did not have any restrictions on competition and includes minor fee adjustments.	n/a	n/a
Revenue and Other Legislation Amendment Regulation (No. 1) 2002 - Fuel Subsidy Act 1997 - Pay-roll Tax Act 1971 - Taxation Administration Act 2001	No	Yes	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Revenue and Other Legislation Amendment Regulation (No. 2) 2002 - Duties Act 2001 - Electricity Act 1994 - Land Tax Act 1915 - Land Title Act 1994 - Offshore Banking Units and Regional Headquarters Act 1993 - Property Agents and Motor Dealers Act 2000 - Taxation Administration Act 2001 - WorkCover Queensland Act 1996	No	Yes	No	n/a
Rural Adjustment Authority Amendment Regulation (No. 1) 2002 - Rural Adjustment Authority Act 1994	No	Yes	No	n/a
Rural Adjustment Authority Amendment Regulation (No. 2) 2002 - Rural Adjustment Authority Act 1994	No	Yes	No	n/a
Sawmills Licensing Amendment and Repeal Regulation (No. 1) 2002 - Sawmills Licensing Act 1936	No	Yes	Yes, the effect of the regulation is to continue the annual licensing requirements for sawmills (upon the payment of a licensing renewal fee) and for the licensing of any new sawmills (upon payment of a licensing fee).	While the Queensland Government has accepted, in principle, the recommendation of a NCP review for the repeal of the SML Act, the Government has also decided that the Act will not be repealed until there has been satisfactory progress with the development and implementation of a Queensland Forest Practices System, at least insofar as it relates to native forests. Accordingly the present annual licensing regime for sawmills will remain in place.
Sewerage and Water Supply Amendment Regulation (No. 1) 2002 - Sewerage and Water Supply Act 1949	No	Yes	No	n/a
Standard Building Amendment Regulation (No. 1) 2002 - Building Act 1975	No	Yes	No	n/a
Standard Sewerage Amendment Law (No 1) 2002	No	The legislation does not impose a restriction on competition. Whilst the law that it amends (ie the Standard Sewerage Law) does include a restriction on competition (by restricting on-site sewerage facilities to un-sewered areas), this legislation simply replaces the chief executive's power to notify a particular standard to be installed with a different notification mechanism as outlined in section 23 of the Statutory Instruments Act.	n/a	A PBT was not undertaken because the amendment law, in itself, is not considered restrictive.
State Buildings Protective Security Amendment Regulation (No. 1) 2002 - State Buildings Protective Security Act 1983	No	Yes	No	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
State Development and Public Works Organisation (Gladstone State Development Area) Amendment Regulation (No. 1) 2002 - State Development and Public Works Organisation Act 1971	No	Yes	Subject matter did not raise competition issues	n/a
State Development and Public Works Organisation Amendment Regulation (No. 1) 2002 - State Development and Public Works Organisation Act 1971	No	Yes	Subject matter did not raise competition issues	n/a
State Housing Amendment Regulation (No. 1) 2002 - State Housing Act 1945	No	Yes	No	n/a
State Penalties Enforcement Amendment Regulation (No. 10) 2002 -State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 11) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 12) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 2) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 3) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 4) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 5) 2002 State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 6) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 7) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 8) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
State Penalties Enforcement Amendment Regulation (No. 9) 2002 - State Penalties Enforcement Act 1999	No	Yes	Subject matter did not raise competition issues.	n/a
Status of Children Amendment (Postponement) Regulation 2002 - Status of Children Amendment Act 2001	No	Yes	Subject matter did not raise competition issues.	n/a
Status of Children Regulation 2002 - Status of Children Act 1978	No	Yes	Subject matter did not raise competition issues.	n/a
Statutory Bodies Financial Arrangements Amendment Regulation (No. 1) 2002 - Statutory Bodies Financial Arrangements Act 1982	No	Yes	No	n/a
Statutory Bodies Financial Arrangements Amendment Regulation (No. 2) 2002 - Statutory Bodies Financial Arrangements Act 1982	No	Yes	No	n/a
Statutory Bodies Financial Arrangements Amendment Regulation (No. 3) 2002 -Statutory Bodies Financial Arrangements Act 1982	No	Yes	No	n/a
Statutory Bodies Financial Arrangements Amendment Regulation (No. 4) 2002 -Statutory Bodies Financial Arrangements Act 1982	No	Yes	No	n/a



<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Statutory Instruments Amendment Regulation (No. 1) 2002 - Statutory Instruments Act 1992	No. The regulation replaces the Statutory Instruments Regulation 1992 which expired on 1 September 2002. It also exempted specific subordinate legislation from automatic expiry for a period of 12 months from 1 September 2002.	No. The regulation is considered machinery and technical in nature.	n/a	n/a
Statutory Instruments Regulation 2002 - Statutory Instruments Act 1992	No. The regulation exempted specific subordinate legislation from automatic expiry for a period of 12 months from 1 July 2002.	No. The regulation is considered machinery in nature.	n/a	n/a
Sugar Industry Amendment Regulation (No. 1) 2002 - Sugar Industry Act 1999	No	Yes	No	n/a
Superannuation (State Public Sector) Amendment of Deed Regulation (No. 1) 2002 - Superannuation (State Public Sector) Act 1990	No	Yes	No	n/a
Superannuation (State Public Sector) Amendment of Deed Regulation (No. 2) 2002 - Superannuation (State Public Sector) Act 1990	No	Yes	No	n/a
Superannuation (State Public Sector) Amendment of Deed Regulation (No. 3) 2002 - Superannuation (State Public Sector) Act 1990	No	Yes	No	n/a
Taxation Administration Regulation 2002 - Taxation Administration Act 2001	No	Yes	No	n/a
Thiess Peabody Mitsui Coal Pty Ltd Agreement Regulation 2002 - Thiess Peabody Coal Pty. Ltd. Agreement Act 1962	No	No. The legislation is administrative in nature.	n/a	n/a
Tobacco Products (Prevention of Supply to Children) Amendment Regulation (No. 1) 2002 - Tobacco and Other Smoking Products Act 1998	No	Yes	The regulation is considered to be clearly in the public interest.	n/a
Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2002	No	No. the regulation implemented CPI increases in fees and charges only.	n/a	n/a
Trading (Allowable Hours) Amendment Regulation (No. 1) 2002 -Trading (Allowable Hours) Act 1990	No	Yes	No	n/a
Traffic Amendment Regulation (No. 1) 2002 - Transport Operations (Road Use Management) Act 1995	No.	No. the legislation corrected an earlier drafting error.	No	n/a
Training and Employment Amendment Regulation (No. 1) 2002 - Training and Employment Act 2000	No	Yes	No	n/a
Training and Employment Amendment Regulation (No. 2) 2002 - Training and Employment Act 2000	No	Yes	No	n/a
Transplantation and Anatomy Amendment Regulation (No. 1) 2002 - Transplantation and Anatomy Act 1979	No	Yes	No	n/a
Transport Infrastructure (Busway) Regulation 2002 - State Penalties Enforcement Act 1999 - Transport Infrastructure Act 1994	No	Yes. No NCP implications were identified.	No.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Transport Infrastructure (Dangerous Goods by Rail) Regulation 2002 - Statutory Instruments Act 1992 - Transport Infrastructure Act 1994	No	Yes	Yes. The legislation imposes minimum safety standards, however, does include exemption provisions to allow industry innovation as long as safety is not jeopardised.	No. the Regulation is based on the Rail (Dangerous Goods) rules. These rules form a schedule to the Australian Code for the transport of dangerous goods by road and rail (6 <sup>th</sup> edition). The Code was developed by the National Road Transport Commission and promotes consistent standards across transport modes and similar legislation is in force in most Australian jurisdictions.
Transport Infrastructure (Ports) Amendment Regulation (No. 1) 2002 - Transport Infrastructure Act 1994	No	Yes	No	n/a
Transport Infrastructure (Ports) Amendment Regulation (No. 2) 2002 - Transport Infrastructure Act 1994	No	Yes	No. There is a potential issue in relation to the lack of contestability in the towage market.	A PBT was undertaken and the restrictions found to be in the public interest.
Transport Infrastructure (Rail) Amendment Regulation (No. 1) 2002 - Transport Infrastructure Act 1994	No	Yes	No	n/a
Transport Legislation Amendment Regulation (No. 1) 2002 -State Penalties Enforcement Act 1999 -Transport Infrastructure Act 1994 -Transport Operations (Marine Safety) Act 1994 -Transport Operations (Road Use Management) Act 1995	No	No. The regulation is administrative in nature.	No.	n/a
Transport Legislation Amendment Regulation (No. 2) 2002 - Tow Truck Act 1973 - Transport Infrastructure Act 1994 - Transport Operations (Marine Safety) Act 1994 - Transport Operations (Passenger Transport) Act 1994 - Transport Operations (Road Use Management) Act 1995	No	No	No. CPI adjustment of fees and charges.	n/a
Transport Legislation Amendment Regulation (No. 3) 2002 - Transport Operations (Marine Safety) Act 1994 - Transport Operations (Road Use Management) Act 1995	No	No	No. CPI adjustment of fees and charges.	
Transport Legislation Amendment Regulation (No. 4) 2002 -Motor Vehicles Securities Act 1986 -State Penalties Enforcement Act 1999 - Transport Operations (Road Use Management) Act 1995	No	No	No. The legislation introduced the "Written-Off Vehicle Register in line with National guidelines to control vehicle theft. Private enterprise can apply to undertake vehicle inspections – therefore there are no restrictions on competition.	n/a
Transport Legislation Amendment Regulation (No. 5) 2002 - State Penalties Enforcement Act 1999 - Tow Truck Act 1973 - Transport Operations (Road Use Management) Act 1995	No	No	No. The regulation was administrative in nature. It also introduced the 50km default speed limit in built up areas from 1/2/03.	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Transport Operations (Marine Safety) Amendment Regulation (No. 1) 2002 -Transport Operations (Marine Safety) Act 1994	No	No	No. This made machinery changes to the partially smooth water limits schedule.	n/a
Transport Operations (Marine Safety) Amendment Regulation (No. 2) 2002 - Transport Operations (Marine Safety) Act 1994	No	No. The regulation made only minor amendments to some enforcement provisions.	No	n/a
Transport Operations (Passenger Transport) Amendment Regulation (No. 1) 2002 -Transport Operations (Passenger Transport) Act 1994	No	Yes	No	n/a
Transport Operations (Passenger Transport) Amendment Regulation (No. 2) 2002 - Transport Operations (Passenger Transport) Act 1994	No	Yes	No	n/a

Legislation Title	Does the legislation implement NCP Reforms?	Was legislation examined for potential restrictions on competition? If not, why?	Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?	If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?
Transport Operations (Passenger Transport) Amendment Regulation (No. 3) 2002 - Transport Operations (Passenger Transport) Act 1994	No	Yes	No. The regulation did not contain any new restrictions. However, it did amend an existing anti-competitive provision that was reviewed under NCP. This amendment clarified a provision that enabled market entry restrictions to be applied to the provision of air services to a number of specified rural and remote locations within Queensland. The previous drafting has given rise to difficulties in enforcing existing restrictions. The regulation was redrafted to give better effect to the original intention.	<p>No. the amendment was considered to be in the public interest. It followed a review of air services to remote and rural communities. It was determined that continued regulation was necessary to ensure the provision of regular services to communities identified by the review as being transport-disadvantaged communities.</p> <p>The amendment was made in accordance with section 36 of the Transport Operations (Passenger Transport) Act 1994. The Act requires that market entry restrictions be made only where it was considered by the Minister that::</p> <ol style="list-style-type: none"> <li>(1) The level of services would be greater than the level that would otherwise be provided;</li> <li>(2) Access to public passenger transport would be greater than otherwise would be achieved;</li> <li>(3) Service innovation would be greater than would otherwise be achieved;</li> <li>(4) The services would meet the government's social justice objectives at a lower cost to the government than would otherwise be achieved.</li> </ol> <p>It was determined that the restrictions would not have a negative impact on competition or on the commercial viability of the existing transport providers.</p> <p>It was also determined that the amendment would not impose appreciable costs on the community or on a part of the community. The Business Regulation Review Unit (Dep't of State Development) advised that it did not consider that a RIS was necessary.</p>

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified?  If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Transport Operations (Passenger Transport) Amendment Regulation (No. 4) 2002 - Transport Operations (Passenger Transport) Act 1994	No	Yes	No	n/a
Transport Operations (Road Use Management—Fatigue Management Amendment Regulation (No. 1) 2002 - Transport Operations (Road Use Management) Act 1995	No	No. Only minor administrative amendments were made that had no impact on restricting competition. As this is part of a national scheme. Amendments were made in consultation with other interstate jurisdictions.	No	n/a
Transport Operations (Road Use Management—Vehicle Registration) Amendment Regulation (No. 1) 2002 - Transport Operations (Road Use Management) Act 1995	No	No. Amendments were of an administrative nature (CPI increase of national heavy vehicle charges).	No	n/a
Transport Operations (Road Use Management—Vehicle Registration) Amendment Regulation (No. 2) 2002	No	No. Provides for varying periods of vehicle registration. No impacts on competition.	No	n/a
Valuation of Land Amendment Regulation (No. 1) 2002 - Valuation of Land Act 1944	No	Yes	There were no NCP issues identified.	n/a
Vegetation Management Amendment Regulation (No. 1) 2002 - Vegetation Management Act 1999	No	No. The amendments were part of the continuous updating and review process conducted by the EPA during their vegetation mapping.	The amendments were considered minor and did not impose a significant impact on any section of the community.	n/a
Veterinary Surgeons Regulation 2002 [EN] [RIS] - Veterinary Surgeons Act 1936	No	Yes	No	n/a
Water (Transitional) Amendment Regulation (No. 1) 2002 - Water Act 2000	No	This legislation provides for the transition of existing licences and approvals as a consequence of the commencement of the Water Act 2000 and the repeal of the Water Resources Act 1989. the Water Regulation remakes licence fees and charges, arrangements for trading of water (a separate NCP requirements) and establishment of water management areas.	No	No
Water (Transitional) Regulation 2002 - Water Act 2000	No	This legislation provides for the transition of existing licences and approvals as a consequence of the commencement of the Water Act 2000 and the repeal of the Water Resources Act 1989. the Water Regulation remakes licence fees and charges, arrangements for trading of water (a separate NCP requirements) and establishment of water management areas.	No	No

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Water Amendment Regulation (No. 1) 2002 - Water Act 2000	No	Administrative arrangements	n/a	n/a
Water Regulation 2002 [EN] - Water Act 2000	No	This legislation provides for the transition of existing licences and approvals as a consequence of the commencement of the Water Act 2000 and the repeal of the Water Resources Act 1989. the Water Regulation remakes licence fees and charges, arrangements for trading of water (a separate NCP requirements) and establishment of water management areas.	No	No
Water Resource (Barron) Plan 2002 - Water Act 2000	No	Yes	No	n/a
Water Resource (Pioneer Valley) Plan 2002 - Water Act 2000	No	Yes	No	n/a
Water Resources (Areas and Boards) Amendment Regulation (No. 1) 2002 - Water Act 2000	No	Administrative arrangements	n/a	n/a
Water Resources Amendment Regulation (No. 1) 2002 - Water Resources Act 1989	No	This legislation provides for the transition of existing licences and approvals as a consequence of the commencement of the Water Act 2000 and the repeal of the Water Resources Act 1989. the Water Regulation remakes licence fees and charges, arrangements for trading of water (a separate NCP requirements) and establishment of water management areas.	No	No
Weapons Amendment Regulation (No. 1) 2002 - Weapons Act 1990	No	The regulation has no impact on competition. It deals with firearms storage and minor technical amendments.	No	n/a
Wine Industry Amendment Regulation (No. 1) 2002 - Wine Industry Act 1994	No	No. the regulation implemented CPI increases in fees and charges only.	n/a	n/a

<b>Legislation Title</b>	<b>Does the legislation implement NCP Reforms?</b>	<b>Was legislation examined for potential restrictions on competition? If not, why?</b>	<b>Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?</b>	<b>If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?</b>
Workplace Health and Safety (Miscellaneous) Amendment Regulation (No. 1) 2002 - Workplace Health and Safety Act 1995	No	The amendments were not examined for potential restrictions on competition.  The amendment extended the expiry of the regulatory provisions relating to workplace amenities to afford sufficient time to develop an alternative arrangement for future regulation of workplace amenities. Therefore, it was not considered necessary to undertake a review of restrictions on competition due to the transitional nature of the regulatory amendment.	n/a	n/a
Workplace Health and Safety Amendment Regulation (No. 1) 2002 - Workplace Health and Safety Act 1995	No	Yes	No	n/a
Workplace Health and Safety Amendment Regulation (No. 2) 2002 - Workplace Health and Safety Act 1995	No	Yes	No	n/a
Workplace Health and Safety Amendment Regulation (No. 3) 2002 [EN] [RIS] - Workplace Health and Safety Act 1995	No	Yes	No	A RIS was prepared explaining the need for the subordinate legislation, including its benefits and costs. NCP issues were contemplated during the development of the proposed regulations. The RIS concluded that the proposed regulations did not impose measures that would restrict competition.
Workplace Health and Safety Amendment Regulation (No. 4) 2002 - Workplace Health and Safety Act 1995	No	Yes	No	n/a
Workplace Health and Safety Amendment Regulation (No. 5) 2002 - Workplace Health and Safety Act 1995	No	Yes	No	n/a
Workplace Health and Safety Amendment Regulation (No. 6) 2002 - Workplace Health and Safety Act 1995	No	Yes	No	n/a
Workplace Health and Safety Amendment Regulation (No. 7) 2002 - Workplace Health and Safety Act 1995	No	Yes	No	n/a
Workplace Health and Safety Amendment Regulation (No. 8) 2002 - Workplace Health and Safety Act 1995	No	Yes	No	n/a

Legislation Title	Does the legislation implement NCP Reforms?	Was legislation examined for potential restrictions on competition? If not, why?	Were any potential restrictions on competition identified? If so, what was the nature of the restrictions?	If potential restrictions on competition were identified, was a Public Benefit Test undertaken or a Regulatory Impact Statement prepared?
Workplace Health and Safety Legislation Amendment Regulation (No. 1) 2002 - Workplace Health and Safety Act 1995	Yes	n/a	No restrictions on competition were identified.	A separate RIS was prepared for the proposed amendments to Rural Amenities and Construction Amenities in 2001. The RIS contemplated compliance with the <i>Competition Principles Agreement</i> . It was concluded that the benefit to the community outweighed the cost of the requirements imposed by the proposed regulatory framework.



## ATTACHMENT 5: Local Government Competitive Neutrality Reforms

<b>Business Type</b>	<b>Full Cost Pricing</b>	<b>Community Service Obligations (CSOs)</b>	<b>Rate of Return (ROR)</b>
<b>Type 1:</b> Expenditure ≥ \$18.8M pa (\$31.4M pa combined Water & Sewerage)	<b>All:</b> 100% of FCP elements implemented	<b>I:</b> CSOs investigated	<b>No:</b> ROR not calculated
<b>Type 2:</b> Expenditure ≥ \$6.2M pa (\$9.4M pa combined Water & Sewerage)	<b>Most:</b> ≥ 75% of FCP elements implemented	<b>I-0:</b> CSOs investigated, none identified	<b>Target:</b> Target ROR identified but not being achieved
<b>Type 3:</b> Competes with private sector & expenditure ≥ \$200,000 pa	<b>Many:</b> ≥ 50 % of FCP elements implemented	<b>I-1:</b> CSOs investigated, one or more identified	<b>Positive:</b> ROR positive but not meeting target
<b>Non-Type 3:</b> Expenditure ≥ \$200,000 pa	<b>Some:</b> ≥ 25% of FCP elements implemented	<b>ICF-0:</b> CSO(s) identified, but costing & funding not required	<b>Achieves:</b> Achieving target ROR
	<b>None:</b> ≥ 0% of FCP elements implemented	<b>ICF-1:</b> CSO(s) identified, costed and funded	<b>Exceeds:</b> Exceeding target ROR
	<b>Code:</b> Code of Competitive Conduct		

<b>Council</b>	<b>Business</b>	<b>Level of Reform</b>	<b>Full Cost Pricing</b>	<b>CSOs</b>	<b>ROR</b>	<b>Complaint Process</b>	<b>Complaints</b>	<b>Notes</b>
<b>Type 1 Businesses</b>								
<b>Brisbane</b>	Brisbane Transport	Commercialisation	All	ICF-1	Achieves	Yes	No	
	Cleansing	Full Cost Pricing	All	ICF-1	Achieves	Yes	No	
	Water & Sewerage	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Gold Coast</b>	Cleansing (Refuse)	Commercialisation	All	ICF-1	Target	Yes	No	
	Water and Sewerage	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Ipswich</b>	Water and Sewerage	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Logan</b>	Water and Sewerage	Commercialisation	Most	ICF-1	Achieves	Yes	No	
<b>Maroochy</b>	Water and Sewerage	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Townsville</b>	Water and Sewerage	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Type 2 Businesses</b>								
<b>Brisbane</b>	City Parking	Commercialisation	All	I-0	Excess	Yes	No	
<b>Bundaberg</b>	Water & Sewerage	Full Cost Pricing	Most	I-1	Positive	Yes	No	
<b>Caboolture</b>	Water & Sewerage	Commercialisation	All	ICF-1	Excess	Yes	No	
<b>Cairns</b>	Refuse	Commercialisation	All	ICF-1	Excess	Yes	No	
	Water and Sewerage	Commercialisation	All	I-0	Target	Yes	No	
	Works	Commercialisation	N/A	N/A	N/A	N/A	N/A	Council has not yet completed a PBA to commercialise the activity.
<b>Caloundra</b>	Water and Sewerage	Commercialisation	All	ICF-1	Target	Yes	No	
<b>Hervey Bay</b>	Water and Sewerage	Commercialisation	All	ICF-1	Target	Yes	No	
<b>Ipswich</b>	Cleansing (Refuse)	Commercialisation	Not achieving FCR	ICF-1	N/A	N/A	N/A	
<b>Logan</b>	Cleansing (Refuse)	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Mackay</b>	Water and Sewerage	Commercialisation	Most	ICF-1	Target	Yes	No	
<b>Maroochy</b>	Cleansing (Refuse)	Full Cost Pricing	All	ICF-1	Achieves	Yes	No	
<b>Noosa</b>	Water and Sewerage	Commercialisation	Most	ICF-1	Achieves	Yes	No	
<b>Pine Rivers</b>	Refuse Management	Commercialisation	Not achieving FCR	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Commercialisation	Most	ICF-1	Target	Yes	No	
<b>Redcliffe</b>	Redcliffe Works	Commercialisation	Most	ICF-1	Target	Yes	No	
<b>Redland</b>	Cleansing (Refuse)	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Rockhampton</b>	Water and Sewerage	Commercialisation	Most	ICF-1	Target	Yes	No	
<b>Thuringowa</b>	Water and Sewerage	Commercialisation	Many	ICF-1	Target	Yes	No	
<b>Toowoomba</b>	Water & Sewerage (\$704,000)	Full Cost Pricing	Most	I-0	Target	Yes	No	
<b>Townsville</b>	Cleansing (Refuse)	Commercialisation	All	ICF-1	Achieves	Yes	No	
<b>Redland</b>	Water and Sewerage	Commercialisation	All	ICF-1	Target	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Type 3 Businesses</b>								
<b>Aramac</b>	Roads	Code	Some	I-0	Target	Yes	No	
<b>Banana</b>	Roads	Code	Some	I-0	Achieves	Yes	No	
<b>Barcaldine</b>	Roads	Code	Not achieving FCR	I-0	Target	Yes	No	
<b>Barcoo</b>	Roads	Code	Many	I-0	Target	Yes	No	
<b>Beadesert</b>	Building Services	Code	Not achieving FCR	No	No	Yes	No	
	Roads	Code	Not achieving FCR	No	Target	Yes	No	
	Sports and Recreation	Code	Not achieving FCR	No	No	Yes	No	
<b>Blackall</b>	Roads	None	N/A	N/A	N/A	N/A	N/A	
<b>Boonah</b>	Private Works	Code	Most	I-0	Positive	Yes	No	
<b>Booringa</b>	Great Artesian Spa	Code	Some	ICF-1	Target	Yes	Yes	1 CN Complaint received and Resolved
	Maranoa Retirement Village	Code	Some	ICF-1	Target	Yes	No	
	Roads	Code	Some	I-0	Target	Yes	No	
<b>Brisbane</b>	Brisbane Entertainment Centre	Code	All	ICF-1	Achieves	Yes	No	
	Building Certification	Code	N/A	N/A	N/A	N/A	N/A	Activity has been divested
	Cemetaries and Crematoria	Code	All	ICF-1	Achieves	Yes	No	
	City Assets	Code	All	I-0	Achieves	Yes	No	
	City Design	Code	All	I-0	Achieves	Yes	No	
	City Fleet	Code	All	I-0	Achieves	Yes	No	
	City Hall Venues	Code	All	ICF-1	Achieves	Yes	No	
	City Pools	Code	All	ICF-1	Achieves	Yes	No	
	External Road	Code	All	I-0	Achieves	Yes	No	
	Golf Courses	Code	All	ICF-1	Achieves	Yes	No	
	QEII Sports Complex	Code	All	ICF-1	Achieves	Yes	No	
	Sleeman Sports Complex	Code	All	ICF-1	Achieves	Yes	No	
<b>Bundaberg</b>	Building Services	Code	Many	I-0	Target	Yes	No	
	Roads	Code	Many	I-0	No	Yes	No	
	Theatre	Code	Many	ICF-1	Target	Yes	No	
<b>Burdekin</b>	Workshop	Code	All	I-0	Positive	Yes	No	
<b>Burnett</b>	Caravan Parks	Code	Most	ICF-1	Achieves	Yes	No	
<b>Caboolture</b>	Caravan Parks	Code	All	I-0	Achieves	Yes	No	
	Commercial Property Management	Code	All	I-0	Achieves	Yes	No	
	Community Halls	Code	Many	I-0	Target	Yes	No	
	Plant & Fleet	Code	All	I-0	Achieves	Yes	No	
	Roads	Code	Not achieving FCR	No	No	Yes	No	
	Swimming Pools/Leisure Centre	Code	Many	I-0	Achieves	Yes	No	
	Waste Management	Code	Most	I-0	Target	Yes	No	
<b>Cairns</b>	Building Services	Code	All	I-0	Target	Yes	No	
	Car Parking	Code	Most	ICF-1	Target	Yes	No	
	Caravan Parks	Code	Many	I-0	Achieves	Yes	No	
	Cemetaries	Code	Not achieving FCR	ICF-1	No	Yes	No	
	Child Care	Code	N/A	N/A	N/A	N/A	N/A	Activity has been divested
	Commercial Properties	Code	Most	I-0	Target	Yes	No	
	Community Housing	Code	Many	I-0	Achieves	Yes	No	
	Cultural - City Place	Code	Not achieving FCR	ICF-1	No	Yes	No	
	Cultural - Civic Theatre	Code	Not achieving FCR	ICF-1	No	Yes	No	
	Cultural - Grafton Arts Theatre	Code	Not achieving FCR	I-0	No	Yes	No	
	Cultural - Ticketlink	Code	Most	I-0	Target	Yes	No	
	Entertainment - Tank Arts	Code	Not achieving FCR	ICF-1	No	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Cairns (cont.)</b>	Information Technology Services	Code	Not achieving FCR	I-0	No	Yes	No	
	Laboratory	Code	All	ICF-1	Achieves	Yes	No	
	Sports and Recreation	Code	Not achieving FCR	I-0	No	Yes	No	
	Survey and Design	Code	Not achieving FCR	I-0	No	Yes	No	
	Tourism	Code	Not achieving FCR	I-0	No	Yes	No	
	Training Services	Code	Not achieving FCR	I-0	No	Yes	No	
<b>Calliope</b>	Fleet Management	Code	All	I-0	Achieves	Yes	No	
<b>Caloundra</b>	Building Services	Code	All	I-0	Achieves	Yes	No	
	Caravan Parks	Code	All	I-0	Achieves	Yes	No	
	Child Care	Code	Not achieving FCR	I-0	No	Yes	No	
	Cultural	Code	Not achieving FCR	I-0	No	Yes	No	
	Sports and Recreation	Code	Not achieving FCR	I-0	No	Yes	No	
<b>Cambooya</b>	Roads (AAPC and Contract)	Code	Most	I-0	Achieves	Yes	No	
<b>Carpentaria</b>	Plant and Equipment	Code	Many	No	Positive	No	N/A	
<b>Clifton</b>	Private Works	Code	Most	I-0	Positive	Yes	No	
	Sports, Recreation and Community	Code	Most	I-0	Positive	Yes	No	
	Water and Sewerage	Code	Many	I-0	Positive	Yes	No	
<b>Cook</b>	Planning and Development	Code	Some	I-1	No	Yes	No	
<b>Cooloola</b>	Building Services	Code	All	I-0	Achieves	N/A	N/A	
	Recoverable Works	Code	Many	I-0	Target	N/A	N/A	
<b>Crows Nest</b>	Highfields Cultural Centre	Code	Many	ICF-1	Target	Yes	N/A	
	Road	Code	All	ICF-1	Achieves	Yes	N/A	
<b>Dalby</b>	Natural Gas	Code	Most	I-0	Achieves	Yes	No	
	Road	Code	Most	I-0	Achieves	Yes	No	
<b>Dalrymple</b>	Road	Code	Some	N/A	N/A	N/A	N/A	No Information Provided
<b>Eidsvoid</b>	Road	Code	Many	I-0	Achieves	Yes	No	
<b>Emerald</b>	Land Development	Code	Most	I-0	Achieves	Yes	No	
	Private Works	Code	All	I-0	Achieves	Yes	No	
<b>Gatton</b>	Child Care	Code	Most	I-0	Target	Yes	No	
	Road	Code	Most	I-0	Target	Yes	No	
<b>Gladstone</b>	Art Gallery	None	Not achieving FCR	I-1	Target	No	No	
	Child Care	N/A	N/A	N/A	N/A	N/A	N/A	
	Entertainment	Code	Some	I-1	Target	No	No	
	Land Development	Code	N/A	N/A	N/A	N/A	N/A	
	Sports and Recreation	Code	Some	I-1	Target	No	No	
	Works	Code	Some	I-0	Target	Yes	No	
<b>Gold Coast</b>	Building Services	Code	All	ICF-1	Achieves	Yes	No	
	Car Parking	None	Not achieving FCR	No	No	No	No	
	Cemeteries	None	Not achieving FCR	No	No	No	No	
	Cultural	None	Not achieving FCR	No	No	No	No	
	Malls Management	None	Not achieving FCR	No	No	No	No	
	Quarry	Code	All	I-0	Achieves	Yes	No	
	Sports and Recreation	None	Not achieving FCR	No	No	No	No	
	Tourism	Code	All	I-0	Achieves	Yes	No	
<b>Herberton</b>	Road	Code	Not achieving FCR	No	No	No	No	
	Building Services	Code	All	I-0	Achieves	Yes	No	
	Caravan Parks	Code	All	I-0	Achieves	Yes	No	
	Road	Code	Not achieving FCR	No	No	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Ipswich</b>	Asphalt Plant	None	Not achieving FCR	No	No	No	No	
	Building Services	Code	Most	ICF-1	Target	Yes	No	
	Cemeteries	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Cultural	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Information Technology	None	Not achieving FCR	No	No	No	No	
	Plant Provider Unit	Code	Most	I-0	Achieves	Yes	No	
<b>Isis</b>	Sports and Recreation	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Private Works	Code	Most	I-0	Achieves	Yes	No	
<b>Isisford</b>	Road	Code	Not achieving FCR	I-0	Target	Yes	No	
<b>Jericho</b>	Road	Code	Not achieving FCR	No	Achieves	Yes	No	
<b>Johnstone</b>	Property Operations	Code	Not achieving FCR	I-0	No	Yes	No	
<b>Kilcoy</b>	Private Works	Code	Many	I-0	Target	Yes	No	
<b>Kilkivan</b>	Road	Code	Not achieving FCR	No	Target	Yes	No	
<b>Laidley</b>	Road	None	Not achieving FCR	No	No	No	No	
<b>Livingstone</b>	Caravan Parks	Code	Many	I-0	Achieves	No	No	
	Design Services	Code	Not achieving FCR	I-0	No	No	No	
	Other Private Works	Code	Not achieving FCR	I-0	Achieves	No	No	
<b>Logan</b>	Building Services	Code	All	I-0	Achieves	Yes	No	
	Cultural (2)	Code	All	I-0	Achieves	Yes	No	
	Plant Fleet Services	Code	All	I-0	Achieves	Yes	No	
	Sports and Recreation	Code	All	I-0	Achieves	Yes	No	
<b>Longreach</b>	Road	None	Some	ICF-1	No	No	No	
	Sport and Recreation	Code	Some	ICF-1	No	No	No	
<b>Mackay</b>	Building Services	Code	All	ICF-1	Achieves	Yes	No	
	Entertainment	Code	Most	ICF-1	Target	Yes	No	
	Road	Code	All	I-0	Achieves	Yes	No	
	Sports and Recreation	Code	Many	I-1	No	Yes	No	
<b>Mareeba</b>	Design	Code	All	I-0	Achieves	Yes	No	
	Laboratory	Code	All	I-0	Achieves	Yes	No	
<b>Maroochy</b>	Aerodromes	Commercialisation	All	ICF-1	Target	Yes	No	
	Building Services	None	Many	ICF-1	No	Yes	No	
	Caravan Parks	Code	All	I-0	Achieves	Yes	No	
	Cemeteries	Code	Most	ICF-1	Achieves	Yes	No	
	Certification	None	Not achieving FCR	No	No	No	No	Ceased operation
	Child Care	Code	All	ICF-1	Achieves	Yes	No	
	Cultural	Code	Not achieving FCR	ICF-1	No	Yes	No	
	Design	None	All	ICF-1	Target	Yes	No	
	Quarry	Code	All	I-0	Achieves	Yes	No	
	Road	Code	Some	No	No	Yes	No	
	Sports and Recreation	Code	Many	ICF-1	No	Yes	No	
<b>Maryborough</b>	Brolga Theatre	Code	Most	I-0	Achieves	No	No	
<b>Millmerran</b>	Plant and Equipment	Code	Many	I-1	Achieves	Yes	No	
<b>Mornington</b>	Tavern/Hotel	Code	Many	I-1	Achieves	Yes	No	
<b>Mount Isa</b>	Building Services	Code	Not achieving FCR	No	No	No	No	
	Entertainment	Code	Most	I-1	Target	No	No	
	Road	Code	Most	I-0	Achieves	No	No	
	Tourism	Code	All	I-1	Achieves	No	No	
<b>Murgon</b>	Tourism	Code	Not achieving FCR	No	No	Yes	No	
<b>Murilla</b>	Road	Code	Most	I-0	Achieves	Yes	No	
<b>Murweh</b>	Private Works	Code	Many	I-0	Achieves	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes	
<b>Nanango</b>	Building Services	Code	Not achieving FCR	No	No	Yes	No		
	Plant and Equipment	Code	Not achieving FCR	No	No	Yes	No		
<b>Nebo</b>	Recreation and Sports	Code	Some	I-1	Target	Yes	No		
<b>Noosa</b>	Building Services	Code	All	I-0	Achieves	Yes	No		
	Caravan Parks	Code	All	I-0	Achieves	Yes	No		
	Child Care	Code	Most	ICF-1	Target	Yes	No		
	Quarry	Code	All	I-0	Achieves	Yes	No		
	Respite Care	Code	Not achieving FCR	I-0	No	Yes	No		
	Sports and Recreation	Code	Many	ICF-1	No	Yes	No		
<b>Peak Downs</b>	Private Works	Code	Many	No	Target	Yes	No		
	Quarry	Code	Many	No	Achieves	Yes	No		
<b>Pine Rivers</b>	Building Services	Code	All	I-0	Achieves	Yes	Yes		
	Child Care	Code	All	I-0	Achieves	Yes	No		
	Commercial Properties	Code	All	ICF-1	Achieves	Yes	No		
	Cultural 2	None	Not achieving FCR	No	No	No	No		
	Nurseries	None	Not achieving FCR	No	No	No	No		
<b>Redcliffe</b>	Sports and Recreation	Code	Not achieving FCR	I-0	No	Yes	No		
	Cemeteries	Code	Most	I-1	Target	Yes	No		
	Entertainment	Code	Most	I-1	Target	Yes	No		
<b>Redland</b>	Building Services	Commercialisation	Most	ICF-1	No	Yes	No		
	Caravan Parks	Code	Many	I-1	Achieves	Yes	No		
	Cemeteries	Code	Some	I-1	Achieves	Yes	No		
	Child Care	Code	Some	I-1	Target	Yes	No		
	Cultural	Code	Some	I-1	Target	Yes	No		
	Entertainment Centre/Hall	Code	Not achieving FCR	I-1	No	Yes	No		
	Family Day Care	Code	Not achieving FCR	I-1	No	Yes	No		
	Land Development	Code	Many	No	Achieves	Yes	No		
	Outside School Hours Care	Code	Some	I-1	Achieves	Yes	No		
	Private Works	Code	Most	I-1	Achieves	Yes	No		
	Respite Care	Code	Not achieving FCR	I-1	No	Yes	No		
	<b>Rockhampton</b>	Aerodromes	Code	Some	I-0	Target	Yes	No	
		Building Services	Code	All	I-0	Achieves	Yes	No	
Cemeteries		Code	Not achieving FCR	I-0	Target	Yes	No		
Child Care		None	Not achieving FCR	No	No	Yes	No		
Entertainment		Code	Not achieving FCR	I-1	Target	Yes	No		
Grasslands Residential		None	Not achieving FCR	No	No	No	No		
Industrial Estates		None	Not achieving FCR	No	No	No	No		
Private Works		Code	Not achieving FCR	I-0	No	Yes	No		
Road		None	Many	I-0	Achieves	Yes	No		
Sports and Recreation		Code	Not achieving FCR	I-0	Target	Yes	No		
Tourism		None	Some	No	Target	Yes	No		
<b>Roma</b>		Big Rig Tourist Attraction	Code	Not achieving FCR	No	No	Yes	No	
		Garbage and Refuse	Code	All	I-0	Achieves	Yes	No	
	Road	Code	All	I-0	Achieves	Yes	No		
<b>Sarina</b>	Road	None	Not achieving FCR	No	No	No	No		
<b>Tambo</b>	Road	Code	All	I-0	Achieves	Yes	no		
<b>Thuringowa</b>	Building Services	Code	All	I-0	Achieves	Yes	No		
	Engineering Design Unit	Code	All	I-0	Achieves	Yes	No		
	Workshop	Code	Most	I-0	Target	No	No		

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Tiaro</b>	Private Works	Code	Not achieving FCR	No	Achieves	Yes	No	
	Road	Code	Not achieving FCR	No	No	Yes	No	
<b>Toowoomba</b>	Cemeteries	Code	All	ICF-1	Target	Yes	No	
	Competitive Development Assessment	Code	All	I-0	Achieves	Yes	No	
	Entertainment	Code	All	ICF-1	Achieves	Yes	No	
	Road	Code	Most	I-0	Target	Yes	No	
	Sports and Recreation	Code	Most	I-0	Achieves	Yes	No	
<b>Torres</b>	Private Works	Code	Some	I-1	Achieves	Yes	No	
<b>Townsville</b>	Building Services	Code	All	ICF-1	Achieves	Yes	No	
	Car Parking	Code	All	I-0	Achieves	Yes	No	
	Child Care	None	Not achieving FCR	No	No	No	No	
	Commercial Properties	Code	All	I-0	Achieves	Yes	No	
	Cultural	None	Not achieving FCR	No	No	No	No	
	Entertainment	Code	Not achieving FCR	ICF	No	Yes	No	
	Land Development	Code	All	I-0	Achieves	Yes	No	
	Nurseries	Code	All	I-0	Achieves	Yes	No	
	Plant and Equipment	Code	All	ICF-1	Achieves	Yes	No	
	<b>Wambo</b>	Design	Code	Not achieving FCR	I-0	No	Yes	No
	Plant Operations	Code	All	I-0	Target	Yes	No	
	Quarry	Code	All	I-0	Target	Yes	No	
	Road	None	Not achieving FCR	No	No	No	No	
<b>Warwick</b>	Parks and Gardens	Code	Most	ICF-1	Positive	Yes	No	
	Recreation and Aquatic Centre	Code	Most	I-1	Target	Yes	No	
	Saleyards	Code	Most	ICF-1	Achieves	Yes	No	
	Workshop and Plant Hire	Code	Most	I-0	Positive	Yes	No	
<b>Whitsunday</b>	Aerodromes	Code	All	I-0	Achieves	Yes	No	
	Jetty	Code	Most	ICF-1	Achieves	Yes	No	
	Quarry	Code	Most	ICF-1	Achieves	Yes	No	
	Tourism Facilities	Code	All	I-0	Achieves	Yes	No	
	Waste Management Services	Code	All	I-0	Achieves	Yes	No	
<b>Winton</b>	Private Works	Code	Some	I-0	No	Yes	No	
	Road	Code	Most	ICF	Achieves	Yes	No	
	Saleyards	Code	Some	I-0	No	Yes	No	
<b>Wondai</b>	Private Works	Code	Not achieving FCR	No	Target	No	No	
<b>Caboolture</b>	Building Services	Code	All	I-0	Achieves	Yes	No	
<b>Non Type 3 Businesses</b>								
<b>Aramac</b>	Other Roads	Code	Some	I-0	Target	Yes	No	
	Plant Operations	Code	Some	I-0	Target	Yes	No	
	Private Works	Code	Some	I-0	Target	Yes	No	
	Water & Sewerage	Code	Many	I-0	Achieves	Yes	No	
<b>Atherton</b>	Environmental Services	Code	Many	I-0	Target	Yes	No	
	Other Roads	Code	Many	I-0	Target	Yes	No	
	Water & Sewerage	Code	Most	I-0	Has a rate of return	Yes	No	
	Works & Technical	Code	Not achieving FCR	I-0	Target	Yes	No	
<b>Aurukun</b>	General Store	Code	N/A	N/A	N/A	N/A	N/A	No Information Provided
	Tavern	Code	N/A	N/A	N/A	N/A	N/A	No Information Provided

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Balonne</b>	Other Roads	None	N/A	N/A	N/A	N/A	N/A	
	Water & Sewerage	None	N/A	N/A	N/A	N/A	N/A	
<b>Banana</b>	Cultural	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Other Roads	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Planning and Development Assessment	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Private Works	Code	Most	I-0	Achieves	Yes	No	
	Public Amenities and Cleansing	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Recreation and Parks	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Refuse Management	Code	Most	ICF-1	Achieves	Yes	No	
	Water & Sewerage	Code	Not achieving FCR	ICF-1	Target	Yes	No	
<b>Barcaldine</b>	Housing and Welfare Services	Code	Some	I-1	Target	Yes	No	
	Other Roads	Code	Not achieving FCR	I-1	No	Yes	No	
	Plant Operations	Code	Not achieving FCR	I-1	Target	Yes	No	
	Quarry	Code	Most	I-0	Excess	Yes	No	
	Sports and Recreation	Code	Some	I-1	Target	Yes	No	
	Water & Sewerage	Code	Some	I-1	Target	Yes	No	
<b>Barcoo</b>	Other Roads	Code	Many	I-1	Target	Yes	No	
	Plant Operations	Code	Most	I-1	Achieves	Yes	No	
	Recreation and Culture	Code	Some	I-1	Target	Yes	No	
<b>Bauhinia</b>	Other Roads	Code	Not achieving FCR	No	No	No	N/A	
	Plant Operations	Code	Not achieving FCR	No	No	No	N/A	
	Water & Sewerage	Code	Some	I-1	Positive	No	N/A	
<b>Beaudesert</b>	Other Roads	Code	Most	No	Achieves	Yes	No	
	Refuse Management	Code	Not achieving FCR	No	No	Yes	No	
	Water & Sewerage	Code	Not achieving FCR	No	Target	Yes	No	
	Workshop	Code	Not achieving FCR	No	No	Yes	No	
<b>Belyando</b>	Fleet Operations	Code	N/A	N/A	N/A	N/A	N/A	No Information Provided
	Other Roads	Code	N/A	N/A	N/A	N/A	N/A	No Information Provided
	Refuse Management	Code	N/A	N/A	N/A	N/A	N/A	No Information Provided
	Water & Sewerage	Code	N/A	N/A	N/A	N/A	N/A	No Information Provided
<b>Bendemere</b>	Other Roads	Code	Most	I-0	Positive	Yes	No	
<b>Biggenden</b>	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Water & Sewerage	None	N/A	N/A	N/A	N/A	N/A	Resolved not to apply the code
<b>Blackall</b>	Fleet and Plant Services	None	N/A	N/A	N/A	N/A	N/A	Resolved not to apply the code
	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Resolved not to apply the code
	Water & Sewerage	None	N/A	N/A	N/A	N/A	N/A	Resolved not to apply the code
<b>Boonah</b>	Other Roads	Code	Many	I-0	Positive	Yes	No	
	Plant Operations	Code	All	I-0	Positive	Yes	No	
	Quarry	Code	Most	I-0	Positive	Yes	No	
	Refuse Management	Code	Many	I-0	Positive	Yes	No	
	Water & Sewerage	Code	Most	ICF-1	Target	No	N/A	
<b>Booringa</b>	Other Roads	Code	Most	I-0	Positive	Yes	No	
	Plant Operations	Code	Most	I-0	Target	Yes	No	
	Water & Sewerage	Code	Most	ICF-1	Target	Yes	No	
<b>Boulia</b>	Other Roads	Code	All	I-0	Target	Yes	No	
	Plant and Equipment Hire	Code	Many	I-0	Target	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Bowen</b>	Computer Services	Code	Not achieving FCR	No	No	Yes	No	
	Design Services	Code	Not achieving FCR	No	No	Yes	No	
	Other Roads	Code	Not achieving FCR	No	No	Yes	No	
	Parks and Recreation Maintenance	Code	Not achieving FCR	No	No	Yes	No	
	Plant and Equipment	Code	Not achieving FCR	No	Target	Yes	No	
	Plant and Equipment Hire	Code	Not achieving FCR	No	No	Yes	No	
	Quarry	Code	Not achieving FCR	No	No	Yes	No	
	Refuse Tip Services	Code	Not achieving FCR	No	No	Yes	No	
	Regulatory Services	Code	Not achieving FCR	No	No	Yes	No	
	Water & Sewerage	Code	Not achieving FCR	No	No	Yes	No	
<b>Brisbane</b>	Plumbing Certification	Code	All	ICF-1	Achieves	Yes	No	
	River City Technology	Code	Many	I-0	Target	Yes	No	
<b>Broadsound</b>	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Resolved not to apply the code
	Plant Operations	Code	Some	No	No	No	No	
	Sewerage	Code	Not achieving FCR	No	No	No	No	
	Waste Management	Code	Not achieving FCR	No	No	No	No	
	Water Supply	Code	Not achieving FCR	No	No	No	No	
<b>Bulloo</b>	Aerodrome Operations	Code	All	ICF-1	Achieves	Yes	No	
	Environment Services and Utilities	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
	Other Roads	Code	All	ICF-1	Achieves	Yes	No	
	Plant Operations	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
	Private Works	Code	All	ICF-1	Achieves	Yes	No	
	Sports, Recreation & Community Facilities	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
<b>Bundaberg</b>	Aerodromes	Code	Many	I-0	Target	Yes	No	
	Other Roads	Code	Many	I-0	No	Yes	No	
	Private Works	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
	Refuse Management	Code	Many	ICF-1	Positive	Yes	No	
<b>Bungil</b>	Other Roads	Code	Not achieving FCR	I-0	No	Yes	No	
	Plant Operations	Code	Most	I-0	Positive	Yes	No	
<b>Burdekin</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Plant Management	Code	All	I-0	Achieves	Yes	No	
	Recoverable Works	Code	All	I-0	Positive	Yes	No	
	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Water & Sewerage	Code	All	ICF-1	Achieves	Yes	No	
<b>Burke</b>	Other Roads	Code	Some	I-0	Positive	Yes	No	
	Plant & Equipment	Code	Some	I-0	Positive	Yes	No	
	Private Works	Code	Some	I-0	Positive	Yes	No	
	Water & Sewerage	Code	Not achieving FCR	I-1	No	Yes	No	
<b>Burnett</b>	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Plant & Fleet	Code	Many	I-0	Positive	Yes	No	
	Refuse Management	Code	Most	ICF-1	Achieves	Yes	No	
	Water & Sewerage	Code	Many	ICF-1	Positive	Yes	No	
<b>Cairns</b>	Other Roads	None	N/A	N/A	N/A	N/A	N/A	Has not yet resolved to apply the code
	Plant and Equipment	Code	All	I-0	Achieves	Yes	No	
	Roads	Code	Not achieving FCR	I-0	No	Yes	No	



Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Calliope</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Park Maintenance	Code	All	I-0	Achieves	Yes	No	
	Private Works	Code	All	I-0	Achieves	Yes	No	
	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
<b>Caloundra</b>	Other Roads	Code	Not achieving FCR	I-0	No	Yes	No	
	Parks and Gardens	Code	Not achieving FCR	I-0	No	Yes	No	
	Refuse Management	Code	All	I-0	Achieves	Yes	No	
<b>Cambooya</b>	Community and Cultural	Code	Not achieving FCR	I-0	Target	Yes	No	
	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Plant and Workshop	Code	Many	I-0	Positive	Yes	No	
	Private Roads	Code	Many	I-0	Positive	Yes	No	
	Water and Sewerage	Code	Most	I-0	Target	Yes	No	
<b>Cardwell</b>	Community Health and Welfare	Code	Not achieving FCR	I-1	No	No	N/A	
	Cultural	Code	Not achieving FCR	I-1	No	No	N/A	
	Development Services	Code	Not achieving FCR	I-1	No	No	N/A	
	Environmental Services	Code	Not achieving FCR	I-1	No	No	N/A	
	Other Roads	Code	Not achieving FCR	I-0	No	Interim	No	
	Parks, Reserves and Aerodromes	Code	Not achieving FCR	I-1	No	No	N/A	
	Plant and Equipment	Code	Not achieving FCR	I-1	No	No	N/A	
	Refuse Management	Code	Not achieving FCR	I-1	No	No	N/A	
	Sports and Recreation	Code	Not achieving FCR	I-1	No	No	N/A	
	Water and Sewerage	Code	Not achieving FCR	I-1	No	No	N/A	
	Other Roads	Code	Some	No	Target	No	N/A	
<b>Carpentaria</b>	Water and Sewerage	Code	Many	No	Positive	No	N/A	
	Other Roads	Code	All	ICF-1	Positive	Yes	No	
<b>Charters Towers</b>	Plant Operations and Equipment	Code	Most	I-0	Positive	Yes	No	
	Refuse Management	Code	All	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Some	ICF-1	Target	Yes	No	
	Cultural Centre	Code	Most	ICF-1	Positive	Yes	No	
<b>Chinchilla</b>	Land Development	Code	Not achieving FCR	I-0	Target	Yes	No	
	Other Roads	Code	Not achieving FCR	I-0	Target	Yes	No	
	Plant and Equipment	Code	All	I-0	Positive	Yes	No	
	Water and Sewerage	Code	All	I-0	Achieves	Yes	No	
	Environmental Management	Code	Many	ICF-1	Positive	Yes	No	
<b>Clifton</b>	Other Roads	Code	All	I-0	Positive	Yes	No	
	Plant Hire	Code	Most	I-0	Positive	Yes	No	
	Aerodromes	Code	Many	ICF-1	Target	Yes	No	
<b>Cloncurry</b>	Aged Care	Code	Many	ICF-1	Target	Yes	No	
	Child Care	Code	Many	ICF-1	Target	Yes	No	
	Land Development	None	Not achieving FCR	No	No	No	No	
	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Plant and Equipment	Code	Most	I-0	Positive	Yes	No	
	Private Works	Code	Most	I-0	Achieves	Yes	No	
	Refuse Management	Code	Most	I-0	Target	Yes	No	
	Saleyard	Code	Most	I-0	Positive	Yes	No	
	Water and Sewerage	Code	Most	I-0	Positive	Yes	No	
	Aerodromes	Code	Some	I-1	Target	Yes	No	
	Health & Environ. Services	Code	Some	I-1	No	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
	Other Roadworks Activities	Code	Many	I-0	Target	Yes	No	
	Plant Operators	Code	Most	I-0	Target	Yes	No	
	Sports, Recreation & Community Facilities	Code	Some	I-1	Target	Yes	No	
	Water and Sewerage Utilities	Code	Not achieving FCR	I-1	No	N/A	N/A	
<b>Cooloola</b>	Cultural	None	Not achieving FCR	No	No	No	No	
	Fleet	Code	Most	I-0	Target	N/A	N/A	
	Gravel & Quarry Operations	Code	Some	I-0	Target	N/A	N/A	
	Other Roads	Code	Some	I-0	Target	N/A	N/A	
	Refuse Management	Code	All	ICF-1	Achieves	N/A	N/A	
	Water and Sewerage	Code	All	ICF-1	Achieves	N/A	N/A	
<b>Crows Nest</b>	Commercial Properties	Code	All	ICF-1	Achieves	Yes	N/A	
	Other Roads	Code	All	I-0	Achieves	Yes	N/A	
	Parks and Gardens	Code	Most	I-0	Achieves	Yes	No	
	Plant and Equipment	Code	All	I-0	Achieves	Yes	N/A	
	Refuse, Recycling & Tip Activity	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	Yes	No	
<b>Croydon</b>	Other Roads	Code	Many	I-0	No	Yes	No	
	Plant Operations	Code	Many	I-0	No	Yes	No	
	Road	Code	Many	I-0	No	Yes	No	
	Sports and Recreation	Code	Some	ICF-1	No	Yes	No	
<b>Dalby</b>	Other Roads	Code	Many	I-0	Target	Yes	No	
	Refuse Management	Code	All	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Target	Yes	No	
<b>Dalrymple</b>	Other Roads	N/A	N/A	N/A	N/A	N/A	N/A	No Information Provided
	Saleyard	N/A	N/A	N/A	N/A	N/A	N/A	No Information Provided
	Water and Sewerage	N/A	N/A	N/A	N/A	N/A	N/A	No Information Provided
<b>Diamantina</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
<b>Douglas</b>	Development Services	Code	Most	ICF-1	Achieves	Yes	No	
	Other Roads	Code	Most	I-0	Target	Yes	No	
	Plant Operations	Code	N/A	ICF-1	N/A	Yes	No	
	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	Yes	No	
<b>Duarlinga</b>	Other Roads	Code	Many	I-0	Achieves	Yes	No	
	Plant	Code	Some	I-0	Achieves	Yes	No	
	Refuse Operations	Code	Most	I-1	Target	Yes	No	
	Water and Sewerage	Code	Some	ICF-1	Target	Yes	No	
<b>Eacham</b>	Other Roads	Code	Most	I-0	Target	Yes	No	
	Plant	Code	Most	I-0	Achieves	Yes	No	
	Refuse Management	Code	N/A	ICF-1	Target	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	Yes	No	
<b>Eidsvold</b>	Plant Operations	Code	Many	I-0	Achieves	Yes	No	
	Water Sewerage and Cleansing	Code	Some	I-1	Target	Yes	No	
<b>Emerald</b>	Airport	Code	Most	I-1	Achieves	Yes	No	
	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Plant	Code	Many	I-0	Target	Yes	No	
	Refuse Management	Code	All	I-1	Achieves	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Esk</b>	Engineering Management	None	Not achieving FCR	I-1	Target	Yes	No	
	Other Roads	Code	Some	I-0	Target	Yes	No	
	Plant	Code	Some	I-0	Target	Yes	No	
	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Town and Village Facilities	None	Not achieving FCR	No	N/A	N/A	N/A	
<b>Etheridge</b>	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
	Other Roads	Code	Most	I-0	Achieves	Yes	No	
<b>Fitzroy</b>	Road	Code	Most	I-0	Achieves	Yes	No	
	Fleet and Plant	Code	Most	I-0	Target	Yes	No	
<b>Flinders</b>	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Quarry	Code	Most	I-0	Achieves	Yes	No	
	Refuse Tip & Transfer Stations	Code	Not achieving FCR	ICF-1	Target	Yes	No	
	Water and Sewerage	Code	Many	I-1	Achieves	Yes	No	
<b>Gatton</b>	Other Roads	Code	Many	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
<b>Gayndah</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Target	Yes	No	
<b>Gladstone</b>	Other Roads	None	Not achieving FCR	No	No	No	No	
	Plant and Equipment	None	Not achieving FCR	No	No	No	No	
	Water and Sewerage	None	Not achieving FCR	No	No	No	No	
	Building Certification	N/A	N/A	N/A	N/A	N/A	N/A	
<b>Gold Coast</b>	Plant	Code	Not achieving FCR	I-0	N/A	No	No	
	Refuse Management	Code	All	ICF-1	Achieves	No	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	No	No	
	Other Roads	Code	Most	I-0	Achieves	Yes	No	
<b>Goondiwindi</b>	Other Roads	Code	Not achieving FCR	No	No	No	No	
	Parks and Gardens	Code	Not achieving FCR	No	No	No	No	
	Plant and Equipment	Code	Not achieving FCR	No	No	No	No	
	Refuse Management	Code	Not achieving FCR	No	No	No	No	
	Water and Sewerage	Code	Not achieving FCR	I-1	No	No	No	
<b>Herberton</b>	Other Roads	None	Not achieving FCR	No	No	No	No	
	Plant	Code	Some	No	Target	No	No	
	Water and Sewerage	Code	Not achieving FCR	I-1	Target	No	No	
<b>Hervey Bay</b>	Aerodromes	Code	All	I-1	Achieves	Yes	No	
	Other Roads	None	Not achieving FCR	No	No	No	No	
	Plant Operations	None	Not achieving FCR	No	No	No	No	
	Refuse Management	Code	Most	I-0	Target	Yes	No	
	Workshop	None	Not achieving FCR	No	No	No	No	
<b>Hinchinbrook</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Waste Management	Code	All	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	Yes	No	
<b>Ilfracombe</b>	Other Roads	Code	All	I-0	Target	Yes	No	
	Plant Operation & Maintenance	Code	Many	I-1	Target	Yes	No	
	Recreation and Culture	Code	Many	I-1	Target	Yes	No	
<b>Inglewood</b>	Other Roads	None	Not achieving FCR	No	No	No	No	
	Road	None	Not achieving FCR	No	No	No	No	
	Water and Sewerage	None	Not achieving FCR	No	No	No	No	
<b>Ipswich</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Isis</b>	Environmental Services	Code	Not achieving FCR	I-1	Target	Yes	No	
	Other Roads	Code	Not achieving FCR	I-1	Target	Yes	No	
	Plant Operations	Code	Not achieving FCR	I-0	Target	Yes	No	
	Refuse Management	Code	Not achieving FCR	I-1	Target	Yes	No	
	Sports and Recreation	Code	Not achieving FCR	I-1	Target	Yes	No	
	Water and Sewerage	Code	Most	I-1	Target	Yes	No	
<b>Isisford</b>	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Plant Operations	Code	Many	I-1	Achieves	Yes	No	
	Quarry	Code	Most	I-0	Achieves	Yes	No	
	Recreation and Culture	Code	Some	I-1	Target	Yes	No	
<b>Jericho</b>	Other Roads	Code	Not achieving FCR	No	Achieves	Yes	No	
	Plant Operations	Code	Not achieving FCR	No	Achieves	Yes	No	
	Water and Sewerage	Code	Not achieving FCR	No	No	Yes	No	
<b>Johnstone</b>	Community Services	Code	Many	I-0	Target	Yes	No	
	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Private Works	Code	Most	I-0	Achieves	Yes	No	
	Refuse Management	Code	Many	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Many	ICF-1	Target	Yes	No	
	Workshop/Plant	Code	Many	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Many	I-0	Target	Yes	No	
<b>Jondaryan</b>	Cleansing Services	Code	All	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Many	I-0	Target	Yes	No	
<b>Kilcoy</b>	Other Roads	Code	Many	I-0	Target	Yes	No	
	Plant Operations	Code	Many	I-0	Target	Yes	No	
	Water and Sewerage	Code	Many	ICF-1	Target	Yes	No	
<b>Kilkivan</b>	Other Roads	Code	Some	No	Target	Yes	No	
	Plant	Code	Some	No	Achieves	Yes	No	
	Water and Sewerage	Code	Some	No	Target	Yes	No	
<b>Kingaroy</b>	Other Roads	Code	Some	No	No	Yes	No	
	Refuse Management	Code	Some	No	No	Yes	No	
	Water and Sewerage	Code	Not achieving FCR	No	No	Yes	No	
<b>Kolan</b>	Road	None	Not achieving FCR	No	No	No	No	
	Water and Sewerage	None	Not achieving FCR	No	No	No	No	
<b>Laidley</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Plant	Code	All	I-0	Achieves	Yes	No	
	Sewerage	Code	Most	ICF-1	Achieves	No	No	
	Water	Code	Most	ICF-1	Achieves	No	No	
<b>Livingstone</b>	Other Roads	Code	Not achieving FCR	I-0	Achieves	No	No	
	Plant Operations	Code	Many	I-0	Achieves	No	No	
	Property Development	Code	Many	I-0	Achieves	No	No	
	Refuse Management	Code	Not achieving FCR	I-1	No	No	No	
	Water and Sewerage	Code	Most	I-1	Achieves	No	No	
	Cultural (1)	Code	Many	I-0	Achieves	Yes	No	
<b>Logan</b>	Design	Code	All	I-0	Achieves	Yes	No	
	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Quarry	Code	Many	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Some	ICF-1	No	No	No	
<b>Longreach</b>	Environmental Management	Code	Some	I-0	No	No	No	
	Other Roads	Code	Some	ICF-1	No	No	No	
	Plant	Code	Some	ICF-1	No	No	No	
	Water and Sewerage	Code	Some	ICF-1	No	No	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Mackay</b>	Cemeteries	Code	Many	No	Target	Yes	No	
	Design	None	Not achieving FCR	ICF	No	Yes	No	
	Land Development	None	Many	ICF-1	Target	Yes	No	
	Other Roads	Code	Many	ICF-1	Achieves	Yes	No	
	Plant and Equipment	Code	Most	I-0	Achieves	Yes	No	
	Plumbing Permits & Inspections	Code	All	ICF-1	Achieves	Yes	No	
	Public Toilets	Code	Most	I-1	Target	Yes	No	
	Refuse Management	Code	All	I-0	Achieves	Yes	No	
<b>Mareeba</b>	Workshop	Code	Most	I-1	Target	Yes	No	
	Other Roads	Code	All	I-0	Achieves	Yes	No	
<b>Maroochy</b>	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Target	Yes	No	
	Workshop	Code	All	I-0	Achieves	Yes	No	
	Car Parking	None	Not achieving FCR	No	No	No	No	
<b>Maryborough</b>	Other Roads	Code	Not achieving FCR	No	No	Yes	No	
	Aerodromes	Code	Most	ICF-1	Achieves	No	No	
	Fleet and Plant Management	Code	All	I-0	Achieves	No	No	
	Other Roads	Code	Most	I-0	Achieves	No	No	
	Refuse Management	Code	All	I-0	Achieves	No	No	
<b>McKinlay</b>	Showground	Code	Most	ICF-1	Achieves	No	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	Yes	No	
	Other Roads	None	Not achieving FCR	No	No	No	No	
	Road	None	Not achieving FCR	No	No	No	No	
	Water and Sewerage	None	Not achieving FCR	No	No	No	No	
<b>Millmerran</b>	Other Roads	None	Code	I-1	Achieves	Yes	No	
	Water and Sewerage	Code	Many	I-1	Achieves	Yes	No	
<b>Mirani</b>	Other Roads	Code	Not achieving FCR	No	No	No	No	
	Plant Fleet Management	Code	Not achieving FCR	No	No	No	No	
	Quarry	Code	Not achieving FCR	No	No	No	No	
	Waste Management	Code	Not achieving FCR	No	No	No	No	
	Water Supply	Code	Not achieving FCR	No	No	No	No	
<b>Miriam Vale</b>	Economic Development, Promotion & Tourism	Code	Not achieving FCR	ICF-1	No	Yes	No	
	Other Roads	Code	All	ICF-1	Achieves	Yes	No	
	Plant Operations & Maintenance	Code	All	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Not achieving FCR	ICF	Target	Yes	No	
<b>Monto</b>	Environmental Services	Code	Many	I-1	Achieves	No	No	
	Plant Operations	Code	Most	I-0	Achieves	No	No	
	Road	Code	Most	I-0	Achieves	No	No	
	Sports, Recreation and Community Facilities	Code	Not achieving FCR	I-1	Target	No	No	
	Water and Sewerage	Code	Most	I-1	Achieves	No	No	
<b>Mornington</b>	Aged Peoples Home	Code	Many	I-1	Achieves	Yes	No	
	Other Roads	Code	Many	I-1	Achieves	Yes	No	
<b>Mount Isa</b>	Engineering Services	Code	All	I-0	Achieves	No	No	
	Other Roads	Code	Most	I-0	Achieves	No	No	
	Plant Operations	Code	Many	I-0	Target	No	No	
	Refuse Management	Code	All	I-0	Target	No	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	No	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Mount Morgan</b>	Sole Invitee Works	Code	Many	I-0	Achieves	Yes	No	
	Water and Works	Code	Most	ICF-1	Achieves	Yes	No	
<b>Mundubbera</b>	Environmental and Health	Code	All	ICF-1	Achieves	Yes	No	
	Plant Operation and Maintenance	Code	All	I-1	Achieves	Yes	No	
<b>Murgon</b>	Road	Code	All	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Code	Many	ICF	Target	Yes	No	
	Commercial Properties	Code	Some	No	No	Yes	No	
	Other Roads	Code	Not achieving FCR	No	No	Yes	No	
<b>Murilla</b>	Plant Operations	Code	Not achieving FCR	No	No	Yes	No	
	Refuse Management	Code	Most	No	Achieves	Yes	No	
	Water and Sewerage	Code	Many	No	Target	Yes	No	
	Other Roads	Code	All	I-0	Achieves	Yes	No	
<b>Murweh</b>	Plant Operations	Code	All	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
	Aerodrome Operations	Code	Many	I-0	Achieves	Yes	No	
	Area Promotion & Development	Code	Many	I-0	Achieves	Yes	No	
<b>Nanango</b>	Environ. Services & Utilities	Code	Some	I-0	Target	Yes	No	
	Other Road Works	Code	Many	I-0	Achieves	Yes	No	
	Plant Operations	Code	Many	I-0	Achieves	Yes	No	
	Sports, Recreation and Community Facilities	Code	Some	I-0	Target	Yes	No	
	Water and Sewerage Utilities	Code	Many	No	Achieves	Yes	No	
	Other Roads	Code	Not achieving FCR	No	No	Yes	No	
<b>Nebo</b>	Refuse Management	Code	Some	No	No	Yes	No	
	Water and Sewerage	Code	Some	No	No	Yes	No	
	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Plant Operations	Code	Most	I-0	Achieves	Yes	No	
<b>Noosa</b>	Saleyard	Code	Most	I-0	Achieves	Yes	No	
	Waste Management and Environmental Services	Code	Some	I-1	Target	Yes	No	
	Water and Sewerage	Code	Most	I-1	Achieves	Yes	No	
	Other Roads	Code	Not achieving FCR	No	Positive	Yes	No	
<b>Paroo</b>	Plant Operations	Code	Many	I-0	Positive	Yes	No	
	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Other Roads	Code	Some	No	No	No	No	
<b>Peak Downs</b>	Plant Operations	Code	Not achieving FCR	No	No	No	No	
	Water and Sewerage	Code	Some	No	Positive	Yes	No	
	Capella Cultural Centre	Code	Some	No	Target	Yes	No	
	Cleansing Services	Code	Many	No	Target	Yes	No	
	Parks and Gardens	Code	Some	No	Target	Yes	No	
	Road	Code	Some	No	Target	Yes	No	
<b>Perry</b>	Water and Sewerage	Code	Many	No	Positive	Yes	No	
	Workshop/Plant Maintenance	Code	Some	No	Target	Yes	No	
	Road	None	Not achieving FCR	No	No	No	No	
<b>Pine Rivers</b>	Cultural 1	None	Not achieving FCR	No	No	No	No	
	Road	Code	Not achieving FCR	I-0	No	Yes	No	
<b>Pittsworth</b>	Other Roads	Code	Some	I-0	Target	Yes	No	
	Plant and Equipment	Code	All	I-0	Target	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Target	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Quilpie</b>	Community Services	Code	Many	ICF-1	Target	Yes	No	
	Other Roads	Code	All	ICF-1	Target	Yes	No	
	Plant Operations	Code	Not achieving FCR	ICF-1	Target	Yes	No	
<b>Redcliffe</b>	Other Roads	Code	Most	I-0	Target	Yes	No	
	Refuse Management	Code	All	ICF-1	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Target	Yes	No	
<b>Redland</b>	Other Roads	Code	Not achieving FCR	I-1	Achieves	Yes	No	
	Plant and Equipment	Code	Most	ICF-1	Achieves	Yes	No	
	Quarry	Code	All	I-1	Achieves	Yes	No	
<b>Richmond</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
	Plant and Equipment	Code	Most	I-0	Achieves	Yes	No	
<b>Rockhampton</b>	Fleet and Plant	Code	Not achieving FCR	I-0	Target	Yes	No	
	Nurseries	Code	Not achieving FCR	I-0	Target	Yes	No	
	Other Roads	None	Not achieving FCR	I-0	No	Yes	No	
	Refuse Management	Code	All	I-0	Achieves	Yes	No	
<b>Roma</b>	Gas	Code	Not achieving FCR	No	No	Yes	No	
	Plant Operations	Code	All	I-0	Achieves	Yes	No	
	Water Supply and Sewerage	Code	All	I-0	Achieves	Yes	No	
<b>Rosalie</b>	Other Roads	Code	Some	I-0	Target	Yes	No	
	Plant Operations	Code	Not achieving FCR	I-0	Target	Yes	No	
	Refuse Management	Code	Some	I-1	Target	Yes	No	
	Water and Sewerage	Code	Some	I-1	No	Yes	No	
<b>Sarina</b>	Other Roads	None	Not achieving FCR	No	No	No	No	
	Plant Operations	None	Not achieving FCR	No	No	No	No	
	Waste Management	None	Not achieving FCR	No	No	No	No	
	Water and Sewerage	None	Not achieving FCR	No	No	No	No	
<b>Stanthorpe</b>	Other Roads	Code	Not achieving FCR	I-0	Target	Yes	No	
	Plant Operations	Code	Most	I-0	Target	Yes	No	
	Refuse Management	Code	Most	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
<b>Tambo</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
<b>Tara</b>	Nursing Home	None	Not achieving FCR	No	No	No	No	
	Other Roads	None	Not achieving FCR	No	No	No	No	
	Sole Invitee Works	None	Not achieving FCR	No	No	No	No	
	Water Supply and Sewerage	None	Not achieving FCR	No	No	No	No	
<b>Taroom</b>	Water and Sewerage	None	Not achieving FCR	No	No	No	No	
<b>Thuringowa</b>	Fleet	Code	Most	I-0	Target	Yes	No	
	Waste	Code	All	I-0	Achieves	Yes	No	
	Works	Code	Most	I-0	Target	No	No	
<b>Tiaro</b>	Other Roads	Code	Not achieving FCR	No	No	Yes	No	
	Refuse Management	Code	Not achieving FCR	No	No	Yes	No	
	Water and Sewerage	Code	Not achieving FCR	No	No	Yes	No	
<b>Toowoomba</b>	Airport	Code	All	ICF-1	Achieves	Yes	No	
	Fleet and Plant	Code	All	I-0	Achieves	Yes	No	
	Laboratory	Code	All	I-0	Achieves	Yes	No	
<b>Torres</b>	Aerodromes	Code	Some	I-1	Target	Yes	No	
	Child Care	Code	Some	I-1	Target	Yes	No	
	Garbage and Refuse	Code	Some	I-1	Target	Yes	No	
	Other Roads	Code	Some	I-1	Achieves	Yes	No	
	Plant and Equipment	Code	Not achieving FCR	I-1	Target	Yes	No	
	Water and Sewerage	Code	Many	I-1	Target	Yes	No	

Council	Business	Level of Reform	Full Cost Pricing	CSOs	ROR	Complaint Process	Complaints	Notes
<b>Townsville</b>	Other Roads	Code	All	I-0	Achieves	Yes	No	
<b>Waggamba</b>	Other Roads	Code	Many	I-0	Target	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
<b>Wambo</b>	Laboratory	Code	All	I-0	Achieves	Yes	No	
	Other Roads	Code	Not achieving FCR	I-0	Achieves	Yes	No	
	Saleyard	Code	Not achieving FCR	I-0	No	Yes	No	
	Water and Sewerage	Code	Not achieving FCR	I-0	No	Yes	No	
	Workshop	Code	Not achieving FCR	I-0	No	Yes	No	
<b>Warroo</b>	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Most	ICF-1	Achieves	Yes	No	
<b>Warwick</b>	Other Roads	Code	All	ICF-1	Achieves	Yes	No	
	Refuse Management	Code	Most	I-0	Achieves	Yes	No	
	Water and Sewerage	Code	Most	I-0	Achieves	Yes	No	
<b>Whitsunday</b>	Building Services	Code	Most	ICF-1	Partial	Yes	No	
	Community Facilities	Code	All	ICF-1	Achieves	Yes	No	
	Other Roads	Code	Most	I-0	Achieves	Yes	No	
	Parks and Gardens	Code	Most	ICF-1	Achieves	Yes	No	
	Plant Operation & Maintenance	Code	Some	I-0	Target	Yes	No	
	Water and Sewerage	Code	All	ICF-1	Achieves	Yes	No	
<b>Winton</b>	Other Roads	Code	Most	ICF	Achieves	Yes	No	
	Parks and Gardens	Code	Most	I-1	Achieves	Yes	No	
	Plant Operations	Code	Some	I-0	Target	Yes	No	
	Water and Sewerage	Code	Most	I-0	Target	Yes	No	
<b>Wondai</b>	Other Roads	Code	Not achieving FCR	No	No	No	No	
	Plant Operations	Code	Some	I-0	Achieves	No	No	
	Water and Sewerage	Code	Not achieving FCR	I-1	Target	No	No	
<b>Woocoo</b>	Other Roads	Code	Not achieving FCR	No	No	Yes	No	
	Plant	Code	Not achieving FCR	No	No	Yes	No	



## ATTACHMENT 6: Water and Sewerage Pricing

Local Government	No. of Water Connections.	Customer Class	Water Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details		Sewerage Charging (non-tradewaste)	
					Fixed charge	Water allowance	Excess consumption charge	Access charge	Consumption rate	Basis for sewerage charge	Sewerage charge
<b>COUNCILS OPERATING WATER &amp; WASTEWATER SIGNIFICANT BUSINESS ACTIVITIES (83.5% OF ALL WATER CONNECTIONS IN QUEENSLAND)</b>											
Brisbane	347,342	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$100.00	\$0.82/kl	Fixed	\$315.00
		Commercial	Two-part tariff	30% of water charges	NA	NA	NA	30% water charges (min \$100.00)	0-100,000kl - \$0.87/kl >100,000kl - \$1.02/kl (no access)	Access+Pedestal	\$315.00 access + pedestal (variable)
Gold Coast	177,145	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$173.00	\$0.65/kl	Fixed	\$393.00
		Commercial	Two-part tariff	Meter Size	NA	NA	NA	Various	\$1.00/kl	Pedestal	\$393.00
		Industrial	Two-part tariff	Meter Size	NA	NA	NA	Various	\$1.00/kl	Pedestal	\$393.00
		Other	Two-part tariff	Meter Size	NA	NA	NA	Various	\$1.00/kl	Pedestal	\$393.00
Logan	57,632	Domestic	Two-part tariff	Flow capacity factor	NA	NA	NA	1.0=\$145.00	All = 0.79/kl	Pedestal/Units	\$16.20/unit
		Commercial	Two-part tariff	Flow capacity factor	NA	NA	NA	1.0=\$145.00	All = 0.79/kl	Pedestal/Units	\$16.20/unit
		Industrial	Two-part tariff	Flow capacity factor	NA	NA	NA	1.0=\$145.00	All = 0.79/kl	Pedestal/Units	\$16.20/unit
		Other	Two-part tariff	Flow capacity factor	NA	NA	NA	1.0=\$145.00	All = 0.79/kl	Pedestal/Units	\$16.20/unit
Maroochy	49,000		Two-part tariff								
Cairns	47,941	Domestic	Two-part tariff	Fixed	\$124.20	45kl	\$0.48/kl	NA	NA	Fixed	\$387.42
		Commercial	Two-part tariff	Fixed	\$124.20	Nil	\$0.48/kl	NA	NA	Pedestal	\$362.10
		Industrial	Two-part tariff	Fixed	\$124.20	Nil	\$0.48/kl	NA	NA	Pedestal	\$362.10
Ipswich	44,360	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$162.00	0-100 per Qtr \$0.52	Fixed	\$410.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$162.00	101-150 per Qtr \$0.90	Pedestal	\$410.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$162.00	>151 per Qtr \$1.28	Pedestal	\$410.00
		Other	Two-part tariff	Fixed	NA	NA	NA	\$162.00		Pedestal	\$410.00
Redland	40,480	Domestic	Two-part tariff	Per allotment	NA	NA	NA	\$175.65	<=980kl/day @ \$0.372/kl; remainder @ \$0.686/kl	Pedestal (units)	\$16.58 per unit
		Commercial & Industrial	Two-part tariff	Meter size	NA	NA	NA	20mm \$243.60; 25mm \$451.50; 32mm \$638.60; 40mm \$857.20; 50mm \$1,475.25; 80mm \$2,646.40; 100mm \$3,731.40; 150mm \$8,375.50	<=980kl/day @ \$0.372/kl; remainder @ \$0.686/kl	Pedestal (units)	\$16.58 per unit
		Other	Two-part tariff	Per unit	\$43.91	980kl		\$43.91	<=980kl/day @ \$0.372/kl; remainder @ \$0.686/kl	Pedestal (units)	\$16.58 per unit
Caboolture	39,813	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$240.00	{ >350kl-\$0.60/kl	Fixed	\$391.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$240.00	{ 350kl<700kl-\$0.95/kl	Pedestal	\$391.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$240.00	{ >700kl-\$1.20/kl	Pedestal	\$391.00
		Other	Two-part tariff	Fixed	NA	NA	NA	\$240.00		Pedestal	\$391.00
Pine Rivers	38,924	Domestic	Two-part tariff	Fixed	\$192.50	350kl	\$0.55/kl	\$115.00/\$170.00	\$0.55/kl	Fixed	\$337.00
		Commercial	Two-part tariff	Fixed	\$192.50	350kl	\$0.55/kl	\$190.00	\$0.55/kl	Pedestal	\$337.00
		Industrial	Two-part tariff	Fixed	\$192.50	350kl	\$0.55/kl	\$190.00	\$0.55/kl	Pedestal	\$337.00
		Other	Two-part tariff	Fixed	NA	NA	\$0.55/kl	\$170.00	\$0.55/kl	Pedestal	\$337.00
Toowoomba	34,080		Two-part tariff								
Caloundra	28,889	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$75.00	\$0.75/kl	Fixed	\$361.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$75.00	\$0.75/kl	Pedestal	\$361.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$75.00	\$0.75/kl	Pedestal	\$361.00 first pedestal
Mackay	26,282	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$146.70	{0-300kl-\$0.36/kl;	Fixed	\$335.80
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$146.70	301<1,500kl-\$0.57/kl;	Fixed	\$335.80
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$146.70	>1,500kl-\$0.72/kl	Fixed	\$335.80
		Other	Two-part tariff	Fixed	NA	NA	NA	\$146.70		Fixed	\$335.80

Local Government	No. of Water Connections.	Customer Class	Water Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details		Sewerage Charging (non-tradewaste)	
					Fixed charge	Water allowance	Excess consumption charge	Access charge	Consumption rate	Basis for sewerage charge	Sewerage charge
Townsville	27,937	Domestic	Fixed/excess	Fixed	\$403.00	776kl	>776kl-\$1.23/kl	NA	NA	Pedestal	\$312.42
		Commercial	Consumption based	per kl	NA	NA	NA	NA	\$1.99/kl	Pedestal	\$354.24
		Industrial	Consumption based	per kl	NA	NA	NA	NA	\$1.99/kl	Pedestal	\$354.24
Hervey Bay	21,890	Domestic	Two-part tariff	Fixed	\$185.10	NA	NA	NA	\$0.94/kl	Pedestal	\$417.95
		Commercial	Two-part tariff	Fixed	\$185.10	NA	NA	NA	\$0.94/kl	Pedestal	\$417.95
		Industrial	Two-part tariff	Fixed	\$185.10	NA	NA	NA	\$0.94/kl	Pedestal	\$417.95
Rockhampton	20,096	Domestic	Fixed	Fixed	\$472.00	NA	NA	NA	NA	Fixed	\$270.00
		Commercial	Two-part tariff	Size of connection	NA	NA	NA	Varies	\$0.55/kl<1,000kl	Pedestal	\$270.00
		Industrial	Two-part tariff	Size of connection	NA	NA	NA		\$0.935/kl>1,000kl	Pedestal	\$270.00
Noosa	18,971	Domestic	Two-part tariff	Meter size	NA	NA	NA	\$125.00	\$0.70/kl	Fixed	\$397.00
		Commercial	Two-part tariff	Meter size	NA	NA	NA	Various	\$0.70/kl	Pedestal	1st&2nd - \$397.00
		Industrial	Two-part tariff	Meter size	NA	NA	NA	Various	\$0.70/kl	Pedestal	3rd&3+ - \$351.00
Thuringowa	18,474	Domestic	Hybrid	Property value/	\$445.50	768kl	\$1.12/kl	\$195.00	0<1,000kl \$0.50 then \$1.12/kl	Pedestal	\$396.00
		Commercial	Hybrid	Meter size					\$1.12/kl	Pedestal	\$396.00
		Industrial	Hybrid						\$1.12/kl	Pedestal	\$396.00
Bundaberg	15,321	Domestic	Two-part tariff	Meter size	NA	NA	NA	\$230.00	0<300-\$0.27/kl 301<600-\$0.60/kl >600-\$0.88/kl	Fixed	\$372.00
		Other	Two-part tariff	Meter size	NA	NA	NA	min \$230.00	0<300-\$0.27/kl; >300-\$0.88/kl	Pedestal	\$372.00 first pedestal; \$316 each additional pedestal
<b>COUNCILS WITH GREATER THAN 5000 WATER CONNECTIONS (7.4% OF ALL WATER CONNECTIONS IN QUEENSLAND)</b>											
Redcliffe	19,959	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$126.00	{0.42/kl < 150kl	Fixed	\$226.44
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$126.00	{0.84/kl >150kl<300kl	Pedestal	\$226.44
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$126.00	{1.26/kl >300kl	Pedestal	\$226.44
Gladstone	10,201	Domestic	Two-part tariff	Prior year consumption	NA	NA	NA	Cat A - \$170.00 - <2,000kl	{ \$0.50/kl <400kl	Fixed	\$287.40
		Other	Two-part tariff					Cat B - \$340.00 - 2,000-5,000kl Cat C - \$850.00 - 5,000-20,000kl Cat D - \$1,700.00 - 20,000-100,000kl Cat E - \$6,800.00 - >100,000kl	{ \$0.70/kl 400<1,000kl { \$1.00/kl >1,000kl	Pedestal	\$287.40 first pedestal; \$179.55 each additional pedestal/lineal metre of urinals
Maryborough	9,326	Domestic	Two-part tariff	Connection Size	NA	NA	NA	20mm-\$225.00	\$0.70/kl or Concessional Charge \$0.57/kl (as approved)	Pedestal	\$300.00
		Commercial	Two-part tariff	Connection Size	NA	NA	NA	From \$280 (20mm) to \$22,500 (200mm)	\$0.70/kl	Pedestal	\$300.00
		Industrial	Two-part tariff	Connection Size	NA	NA	NA	"	\$0.70/kl	Pedestal	\$300.00
		Other	Two-part tariff	Connection Size	NA	NA	NA	From \$420 (20mm) to \$33,750 (200mm)	\$1.05/kl	Pedestal	\$450.00
Cooloola	8,406	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$184.00	<291kl-\$0.408/kl; >290kl-\$1.12/kl	Assessment	\$326.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$235.00	<291kl-\$0.408/kl; >290kl-\$1.12/kl	Pedestal	\$326.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$235.00	<291kl-\$0.408/kl; >290kl-\$1.12/kl	Pedestal	\$326.00
		Other	Two-part tariff	Fixed	NA	NA	NA	\$235.00	<291kl-\$0.408/kl; >290kl-\$1.12/kl	Pedestal	\$326.00
Beaudesert	7,659										

Local Government	No. of Water Connections.	Customer Class	Water Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details		Sewerage Charging (non-tradewaste)	
					Fixed charge	Water allowance	Excess consumption charge	Access charge	Consumption rate	Basis for sewerage charge	Sewerage charge
Livingstone	7,511	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$390.00	\$0.30<390kl & 1.20kl	Fixed	\$412.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$390.00	\$0.30<390kl & 1.20kl	Fixed	\$412.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$390.00	\$0.30<390kl & 1.20kl	Fixed	\$412.00
		Other-Caves	Fixed	Fixed	\$95.00	NA	\$0.60/kl Total	NA	NA	NA	NA
Johnstone	7,428	Domestic	Fixed/excess	per Meter	\$266.50	548kl	\$0.72/kl	NA	NA	Fixed	\$394.56
		Commercial	Fixed/excess	per Meter	\$266.50	548kl	\$0.72/kl	NA	NA	Fixed	\$394.56
		Industrial	Fixed/excess	per Meter	\$266.50	548kl	\$0.72/kl	NA	NA	Fixed	\$394.56
Mount Isa	6,433	Domestic	Unit/Excess	Units	\$72.00/Unit	1,050kl	\$0.64/kl	NA	NA	Pedestal	\$31.74 each
		Commercial	Unit/Excess	Units	\$72.00/Unit	1,050kl	\$0.64/kl	NA	NA	Pedestal	\$31.74 each
		Industrial	Unit/Excess	Units	\$72.00/Unit	1,050kl	\$0.64/kl	NA	NA	Pedestal	\$31.74 each
		Other	Unit/Excess	Units	\$72.00/Unit	1,050kl	\$0.64/kl	NA	NA	Pedestal	\$31.74 each
Warwick	5,867	Domestic	Two-part tariff	Access/Consumption	NA	NA	NA	\$248.00	\$0.65/kl	Fixed	\$286.00
		Commercial	Two-part tariff	Access/Consumption	NA	NA	NA	\$248.00	\$0.65/kl	PIP	\$428.00
		Industrial	Two-part tariff	Access/Consumption	NA	NA	NA	\$248.00	\$0.65/kl	PIP	\$428.00
		Other	Two-part tariff	Access/Consumption	NA	NA	NA	\$248.00	\$0.65/kl	Fixed	Varies
Burnett	5,442										
Burdekin	5,400	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$240.00	{0 to 1,000kl-\$0.10	Fixed	\$406.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$240.00	{>1,000kl-\$0.50	per fixture	\$406.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$240.00		per fixture	\$406.00
		Other	Two-part tariff	Fixed	NA	NA	NA	\$240.00		per fixture	\$406.00
<b>COUNCILS WITH 1000 TO 5000 WATER CONNECTIONS (7.8% OF ALL WATER CONNECTIONS IN QUEENSLAND)</b>											
Douglas	4,907	Domestic	Unit/Excess	Fixed	\$63.15/unit	131kl/unit	NA	NA	NA	Fixed/Unit	\$1.59/unit
		Commercial	Unit/Excess	Fixed	\$63.15/unit	131kl/unit	NA	NA	NA	Fixed/Unit	\$1.59/unit
		Industrial	Unit/Excess	Fixed	\$63.15/unit	131kl/unit	NA	NA	NA	Fixed/Unit	\$1.59/unit
		Other	Unit/Excess	Fixed	\$63.15/unit	131kl/unit	NA	NA	NA	Fixed/Unit	\$1.59/unit
Hinchinbrook	4,541	Domestic	Two-part tariff	Fixed	\$205.00	NA	NA	NA	\$0.40/kl	Fixed	385.35
		Commercial	Two-part tariff	Fixed	\$205.00	NA	NA	NA	\$0.40/kl	Fixed	385.35
		Industrial	Two-part tariff	Fixed	\$205.00	NA	NA	NA	\$0.40/kl	Fixed	385.35
Emerald	4,128	Domestic	Two-part tariff	Access	NA	NA	NA	\$206.00	\$0.38/kl	Fixed	\$270.00
		Commercial	Two-part tariff	Access	NA	NA	NA	\$206.00	\$0.38/kl	Pedestal	\$270.00 first pedestal; \$246.00 next 20 pedestals or urinals
		Industrial	Two-part tariff	Access	NA	NA	NA	\$206.00	\$0.38/kl	Pedestal	\$270.00 first pedestal; \$246.00 next 20 pedestals or urinals
Dalby	4,119										
Atherton	4,091	Domestic	Unit/Excess	Fixed	\$133.00	250kl	\$0.59/kl	NA	NA	Fixed	\$429.00
		Commercial	Unit/Excess	Fixed	\$133.00	250kl	\$0.59/kl	NA	NA	Fixed	\$429.00
		Industrial	Unit/Excess	Fixed	\$133.00	250kl	\$0.59/kl	NA	NA	Fixed	\$429.00
		Other	Unit/Excess	Fixed	\$133.00	250kl	\$0.59/kl	NA	NA	Fixed	\$429.00
Bowen	4,059	Domestic	Fixed/Excess	Fixed	\$500.00	750kl	\$0.75/kl	NA	NA	Fixed	\$395.00
		Commercial	Fixed/Excess	Fixed	\$500.00	750kl	\$0.75/kl	NA	NA	Pedestal	\$395.00
		Industrial	Fixed/Excess	Fixed	\$500.00	750kl	\$0.75/kl	NA	NA	Pedestal	\$395.00
		Other	Fixed/Excess	Fixed	\$500.00	750kl	\$0.75/kl	NA	NA	Pedestal	\$395.00
Cardwell	4,001	Domestic	Fixed/Excess	Fixed/units	\$310.00 (10 units @ \$31/unit)	300kl/ half-year	\$0.60 301kl-500kl;	NA	NA	Fixed	\$329.50
		Commercial	Fixed/Excess	Fixed/units	Varies	30kl/ rating unit	\$1.00>500kl			Pedestal	\$329.50 first pedestal; \$277.90 each additional pedestal
		Industrial	Fixed/Excess	Fixed/units	Varies	Varies (30-90kl)				Pedestal	\$329.50 first pedestal; \$277.90 each additional

Local Government	No. of Water Connections.	Customer Class	Water Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details		Sewerage Charging (non-tradewaste)	
					Fixed charge	Water allowance	Excess consumption charge	Access charge	Consumption rate	Basis for sewerage charge	Sewerage charge
Whitsunday	3,845	Domestic	Fixed/Excess	Fixed	\$314.00	370kl	\$0.86/kl	NA	NA	Fixed	pedestal 275.00
		Commercial	Fixed/Excess	Fixed	From \$439.00	From 518kl	\$0.86/kl	NA	NA	Pedestal	275.00
		Industrial	Fixed/Excess	Fixed	From \$565.00	From 666kl	\$0.86/kl	NA	NA	Pedestal	275.00
Mareeba	3,825	Domestic	Two-part tariff	Fixed	NA	Nil	NA	\$206.00	0 to 550kl-\$0.15; >551kl-\$0.45	Fixed	\$292.50
		Other	Two-part tariff	Fixed	NA	Nil	NA	\$425.00	0 to 550kl-\$0.15; >551kl-\$0.45	Fixed	\$292.50
Callopie	3,623	Domestic	Two-part tariff	Meter size	NA	NA	>367kl-\$0.72/kl	\$149.00-20mm	0<367kl-\$0.48/kl	Pedestal	\$280.00
		Commercial	Two-part tariff	Meter size	NA	NA	>367kl-\$0.72/kl	\$232.00-25mm	0<367kl-\$0.48/kl	Pedestal	\$280.00
		Industrial	Two-part tariff	Meter size	NA	NA	>367kl-\$0.72/kl	\$3,722.00-100mm	0<367kl-\$0.48/kl	Pedestal	\$280.00
Belyando	3,598										
Banana	3,342	Domestic	Unit/Excess		NA	600kl	\$1.50/kl	NA	NA	Pedestal	\$180.00
		Commercial	Unit/Excess		NA	600kl	\$1.50/kl	NA	NA	Pedestal	\$180.00
		Industrial	Unit/Excess		NA	600kl	\$1.50/kl	NA	NA	Pedestal	\$180.00
		Other	Unit/Excess		NA	600kl	\$1.50/kl	NA	NA	Pedestal	\$180.00
Gatton	3,275	Domestic	Two-part tariff	Per tenement	NA	NA	NA	\$385.00	0-200kl @ \$0.40/kl; 200-400kl @ \$0.50/kl; >400kl @ \$1.00/kl	Per tenement	\$315.00
		Commercial	Two-part tariff	Per tenement	NA	NA	NA	1st tenement \$435.00; 2nd-6th \$261.00/tenement; 7th and above \$217.50/tenement	0-200kl @ \$0.45/kl; 200-400kl @ \$0.65/kl; 400-5,400kl @ \$1.00/kl; >5,400kl @ \$0.70/kl	Pedestal	\$315.00 first pedestal; \$275.00 for each additional pedestal
		Industrial	Two-part tariff	Per tenement	NA	NA	NA			Pedestal	\$315.00 first pedestal; \$275.00 for each additional pedestal
Kingaroy	3,275	Domestic	Two-part tariff	Access	NA	NA	NA	\$115.75	\$0.97/kl	Pedestal	\$149.00 first pedestal; \$99.00 for each additional pedestal
		Commercial	Two-part tariff	Access	NA	NA	NA	\$115.75	\$0.97/kl	Pedestal	\$149.00 first pedestal; \$99.00 for each additional pedestal
		Industrial	Two-part tariff	Access	NA	NA	NA	\$115.75	\$0.97/kl	Pedestal	\$149.00 first pedestal; \$99.00 for each additional pedestal
		Other	Two-part tariff	Access	NA	NA	NA	\$115.75	\$0.97/kl	Pedestal	\$149.00 first pedestal; \$99.00 for each additional pedestal
Charters Towers	3,220	Domestic	Fixed/excess	Units	\$336.00 (4 units @ \$84/unit)	900kl	>900kl-\$0.57/kl	NA	NA	Pedestal/Units	\$79/unit
		Commercial	Fixed/excess	Units	\$84.00/unit	NA	\$0.57/kl above allocated units			Pedestal/Units	\$79/unit
		Industrial	Fixed/excess	Units	\$84.00/unit	NA	\$0.57/kl above allocated units			Pedestal/Units	\$79/unit
Jondaryan	3,164	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$285.00	NA	Fixed	Oakey \$255.00 & Westbrook \$332.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$285.00	NA	Pedestal	Oakey \$255.00 & Westbrook \$332.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$285.00	NA	Pedestal	Oakey \$153.00 & Westbrook \$199.00
		Other	Two-part tariff	Fixed	NA	NA	NA	\$285.00	NA	Fixed	Oakey \$381.00 & Westbrook \$496.00
Sarina	2,783										

Local Government	No. of Water Connections.	Customer Class	Water Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details			Two Part Tariff Details		Sewerage Charging (non-tradewaste)	
					Fixed charge	Water allowance	Excess consumption charge	Access charge	Consumption rate	Basis for sewerage charge	Sewerage charge
<b>Crow's Nest</b>	2,754										
<b>Roma</b>	2,735										
<b>Stanthorpe</b>	2,653	Domestic	Two-part tariff	Meter size	NA	NA	NA	{20mm-\$202.00; 25mm-\$303.00;	{0.57/kl	Fixed	243.00
		Commercial	Two-part tariff	Meter size	NA	NA	NA	{32mm-\$505.00; 40mm-\$808.00;	{	Pedestal	\$243/pedestal
		Industrial	Two-part tariff	Meter size	NA	NA	NA	{50mm-\$1,212.00; 100mm-\$5,050.00	{	Pedestal	\$243/pedestal
<b>Esk</b>	2,577	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$283.05	{>0 to 200kl-\$0.55,	Fixed	\$473.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$283.05	{200kl to 400kl-\$0.65,	Fixed/pedestal	\$473.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$283.05	{>400kl-\$1.20	Fixed	\$473.00
		Other	Two-part tariff	Fixed	NA	NA	NA	\$283.05		Fixed/pedestal	\$473.00
<b>Duaringa</b>	2,136	Domestic	Two-part tariff	Land Class/Units	NA	NA	NA	\$75.00/unit	\$0.35/kl	Fixed	162.00
		Commercial	Two-part tariff	Land Class/Units	NA	NA	NA	\$75.00/unit	\$0.35/kl	Pedestal	162.00
		Industrial	Two-part tariff	Land Class/Units	NA	NA	NA	\$75.00/unit	\$0.35/kl	Pedestal	162.00
		Other	Two-part tariff	Land Class/Units	NA	NA	NA	\$75.00/unit	\$0.35/kl	Fixed	162.00
<b>Broadsound</b>	1,893	Domestic	Fixed/Excess	Fixed Unit	\$96.55/\$111.25/\$128.85	720kl/500kl	\$0.40/kl	NA	NA	Pedestal	\$351.60/\$304.80
		Commercial	Fixed/Excess	Fixed Unit	\$96.55/\$111.25/\$128.85	720kl/500kl	\$0.40/kl	NA	NA	Pedestal	\$351.60/\$304.80
<b>Goondiwindi</b>	1,847	Domestic	Unit/Excess	Fixed	\$337.60 (4 units)	400kl	400kl>allowance-\$0.50/kl	NA	NA	Fixed	\$337.00
		Commercial	Unit/Excess	Land use	\$337.60 (min)	Varies	thereafter \$0.80/kl	NA	NA	Pedestal	\$337.00
		Industrial	Unit/Excess	Land use	\$337.60 (min)	Varies		NA	NA	Pedestal	\$337.00
		Other	Unit/Excess	Land use	\$337.60 (min)	Varies		NA	NA	Pedestal	\$337.00
<b>Chinchilla</b>	1,789	Domestic	Two-part tariff							Fixed	
		Commercial								Pedestal	
		Industrial								Pedestal	
<b>Boonah</b>	1,769	Domestic	Two-part tariff	Meter	NA	NA	NA	\$200.00	\$0.80/kl	Fixed	255.00
		Commercial	Two-part tariff	Meter	NA	NA	NA	\$200.00	\$0.80/kl	Fixed	255.00
		Industrial	Two-part tariff	Meter	NA	NA	NA	\$200.00	\$0.80/kl	Fixed	255.00
<b>Rosalie</b>	1,764	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$194.00	{20mm - 0-300kl \$0.72/kl, 300-400kl \$1.20/kl, >400kl \$1.80/kl	Pedestal	\$287.00
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$194.00	{	Pedestal	\$287.00
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$194.00	{	Pedestal	\$287.00
		Other	Two-part tariff	Fixed	NA	NA	NA	\$194.00	{	Pedestal	\$287.00
<b>Mundubbera</b>	1,529										
<b>Isis</b>	1,462	Domestic	Two-part tariff	Pipe diameter	NA	NA	\$0.84 per kl	{20mm-\$300.00	Constant \$0.84/kl	Pedestal	\$300.00
		Commercial	Two-part tariff	Pipe diameter	NA	NA	\$0.84 per kl	{25mm-\$551.00	Constant \$0.84/kl	Pedestal	\$300.00
		Industrial	Two-part tariff	Pipe diameter	NA	NA	\$0.84 per kl	{32mm-\$904.00	Constant \$0.84/kl	Pedestal	\$300.00
		Other	Two-part tariff	Pipe diameter	NA	NA	\$0.84 per kl	{40mm-\$1,412.00	Constant \$0.84/kl	Pedestal	\$300.00
								{50mm-\$2,206.00	Constant \$0.84/kl		
								{80mm-\$5,648.00	Constant \$0.84/kl		
<b>Fitzroy</b>	1,419	Domestic	Two-part tariff	Connection size	NA	NA	NA	\$201.00 - 20mm	\$0.41/kl - 20mm	Fixed	408.00
		Commercial	Two-part tariff	Connection size	NA	NA	NA	\$201.00	\$0.41/kl	Fixed	408.00
		Industrial	Two-part tariff	Connection size	NA	NA	NA	\$201.00	\$0.41/kl	Fixed	408.00
		Other	Two-part tariff	Connection size	NA	NA	NA	\$201.00	\$0.41/kl	Fixed	408.00

Local Government	No. of Water Connections.	Customer Class	Water Pricing Structure	Basis for fixed or access charge	Fixed/Unit Excess Details				Two Part Tariff Details		Sewerage Charging (non-tradewaste)	
					Fixed charge	Water allowance	Excess consumption charge	Access charge	Consumption rate	Basis for sewerage charge	Sewerage charge	
Longreach	1,409	Domestic	Unit/Excess	Fixed	\$57.00/unit	1,200kl (Residence with bore)	{First 300kl-\$0.48/kl;	NA	NA	Pedestal	\$170.00	
		Commercial			(1unit=150kl / 1kl=\$0.3587)	1,400kl (Residence no bore) 1,400kl (Cnr residence with bore) 1,600kl (Cnr residence no bore)	\$0.55/kl thereafter	NA	NA	Pedestal	\$170.00 first pedestal plus \$112.00 each additional pedestal	
Mount Morgan	1,285	Domestic	Fixed/Excess	Units	\$228 (2 units @ \$114/unit)	456kl (2 units @ 228kl/unit)	456-684kl-\$1.20/kl, >684kl-\$1.30/kl	NA	NA	No sewerage service provided		
		Commercial	Fixed/Excess	Units	Varies	Varies	Varies	NA	NA	No sewerage service provided		
		Industrial	Fixed/Excess	Units	Varies	Varies	Varies	NA	NA	No sewerage service provided		
		Other	Fixed/Excess	Units	Varies	Varies	Varies	NA	NA	No sewerage service provided		
Eacham	1,190	Domestic	Fixed/Excess	Fixed	\$328.00	500kl	\$0.65/kl	NA	NA	Pedestal	\$380.00	
Nanango	1,166	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$190.00	0>320@\$0.30; 320>420@\$0.85, 420<\$1.20	Pedestal	\$200.40	
		Commercial	Two-part tariff	Fixed	NA	NA	NA	NA	NA	Pedestal	\$200.40 first pedestal plus \$100.20 for each additional pedestal	
		Industrial	Two-part tariff	Fixed	NA	NA	NA	NA	NA	Pedestal	\$200.40 first pedestal plus \$100.20 for each additional pedestal	
		Other	Two-part tariff	Fixed	NA	NA	NA	NA	NA	Pedestal	200.40	
Pittsworth	1,114	Domestic	Two-part tariff	Pipe diameter/Units	NA	NA	\$0.45/kl	{20 or 25mm (31units) -\$155.00	Constant \$0.45/kl	Pedestal	\$336.00	
		Commercial	Two-part tariff	Pipe diameter/Units	NA	NA	\$0.45/kl	{32mm (51units) -\$255.00	Constant \$0.45/kl	Pedestal	\$336.00	
		Industrial	Two-part tariff	Pipe diameter/Units	NA	NA	\$0.45/kl	{40mm (79units) -\$395.00	Constant \$0.45/kl	Pedestal	\$336.00	
		Other	Two-part tariff	Pipe diameter/Units	NA	NA	\$0.45/kl	{50mm (124units) -\$620.00	Constant \$0.45/kl	Pedestal	\$336.00	
Cambooya	1,096	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$40.00/\$106.00/\$116.00/\$110.00	<200kl-\$0.50/kl	Fixed	\$260.00/\$190.00	
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$40.00/\$106.00/\$116.00/\$110.00	200<400kl-\$0.75/kl	Fixed	\$260.00/\$190.00	
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$40.00/\$106.00/\$116.00/\$110.00	>400kl-\$1.00/kl	Fixed	\$260.00/\$190.00	
		Other	Two-part tariff	Fixed	NA	NA	NA	\$40.00/\$106.00/\$116.00/\$110.00		Fixed	\$260.00/\$190.00	
Wondai	1,037	Domestic	Two-part tariff	Fixed	NA	NA	NA	\$115.00	\$0.65 per kl	Fixed	\$205.00	
		Commercial	Two-part tariff	Fixed	NA	NA	NA	\$115.00	\$0.65 per kl	Fixed	\$205.00	
		Industrial	Two-part tariff	Fixed	NA	NA	NA	\$115.00	\$0.65 per kl	Fixed	\$205.00	
		Other	Two-part tariff	Fixed	NA	NA	NA	\$115.00	\$0.65 per kl	Fixed	\$205.00	
Murgon	N/A	Domestic	Two-part tariff	Access	NA	100kl	>100kl-\$0.52/kl	\$138.00	NA	Pedestal	309.00	
		Commercial	Two-part tariff	Access	NA	100kl		\$138.00	NA	Pedestal	309.00	
		Industrial	Two-part tariff	Access	NA	100kl		\$180.30	NA	Pedestal	309.00	
		Other	Two-part tariff	Access	NA	100kl		\$0.00	NA	Pedestal	309.00	
Paroo	N/A	Domestic	Fixed/Excess	Fixed	\$216.00	1,500kl	50c/kl	NA	NA	Pedestal	\$209.10	
		Commercial	Fixed/Excess	Fixed	\$216.00	1,500kl	50c/kl	NA	NA	Pedestal	\$209.10	
		Industrial	Fixed/Excess	Fixed	\$216.00	1,875kl	50c/kl	NA	NA	Pedestal	\$209.10	

## ATTACHMENT 7: Local Government Water Reform

Council	No. of Water Connections	Two Part Tariff Report	Two Part Tariff	Full Cost Recovery	CSOs	Cross Subsidies	Rate of Return
<b>COUNCILS OPERATING WATER &amp; WASTEWATER SIGNIFICANT BUSINESS ACTIVITIES (83.5% OF ALL WATER CONNECTIONS IN QUEENSLAND)</b>							
<b>Brisbane</b>	347,342	Yes	Yes	All	ICF	No x-subsidies	Achieves
<b>Gold Coast</b>	177,145	Yes	Yes	All	ICF-1	N/A	N/A
<b>Logan</b>	57,632	Yes	Yes	All	ICF-1	No x-subsidies	N/A
<b>Maroochy</b>	49,000	Yes	Yes	All	ICF-1	No x-subsidies	N/A
<b>Cairns</b>	47,941	Yes	Yes	All	ICF	x-subsidies exist	Target
<b>Ipswich</b>	44,360	Yes	Yes	All	ICF-1	No x-subsidies	N/A
<b>Redland</b>	40,480	Yes	Yes	All	ICF-1	No x-subsidies	No
<b>Caboolture</b>	39,813	Yes	Yes	All	ICF	x-subsidies exist	Excess
<b>Pine Rivers</b>	38,924	Yes	Yes	All	ICF-1	x-subsidies exist	No
<b>Toowoomba</b>	34,080	Yes	Yes	All	ICF-0	No x-subsidies	No
<b>Caloundra</b>	28,889	Yes	Yes	All	ICF	No x-subsidies	Target
<b>Mackay</b>	26,282	Yes	Yes	All	ICF-1	No x-subsidies	N/A
<b>Townsville</b>	27,937	Yes	Yes (Com. & Ind.)	All	ICF-1	No x-subsidies	No
<b>Hervey Bay</b>	21,890	Yes	Yes	All	ICF-1	No x-subsidies	N/A
<b>Rockhampton</b>	20,096	Yes	Yes (Non Residential)	All	ICF-1	x-subsidies exist	No
<b>Noosa</b>	18,971	Yes	Yes	All	ICF-1	No x-subsidies	No
<b>Thuringowa</b>	18,474	Yes	2003/2004	All	ICF-1	No x-subsidies	No
<b>Bundaberg</b>	15,321	Yes	Yes	Most	I	x-subsidies exist	Positive
<b>COUNCILS WITH GREATER THAN 5000 WATER CONNECTIONS (7.4% OF ALL WATER CONNECTIONS IN QUEENSLAND)</b>							
<b>Redcliffe</b>	19,959	Yes	Yes	All	ICF-1	Nil	Positive
<b>Gladstone</b>	10,201	Yes	Yes	All	ICF-1	No x-subsidies	Positive
<b>Maryborough</b>	9,326	Yes	Yes	All	ICF-0	Nil	Positive
<b>Cooloola</b>	8,406	Yes	Yes	All	ICF-1	Nil	Positive
<b>Beaudesert</b>	7,659	Yes	Yes	Not Achieving FCR	No	Nil	Target
<b>Livingstone</b>	7,511	Yes	Yes	Most	I-1	Nil	Positive
<b>Johnstone</b>	7,428	Yes	No	Most	ICF-1	Nil	Positive
<b>Mount Isa</b>	6,433	Yes	No	Most	ICF-1	Nil	Positive
<b>Warwick</b>	5,867	Yes	Yes	Most	ICF-1	x-subsidies exist	Positive
<b>Burnett</b>	5,442	Yes	Yes	Many	ICF	x-subsidies exist	Positive
<b>Burdekin</b>	5,400	Yes	Yes	All	ICF	Nil	Positive
<b>COUNCILS WITH 1000 TO 5000 WATER CONNECTIONS (7.8% OF ALL WATER CONNECTIONS IN QUEENSLAND)</b>							
<b>Douglas</b>	4,907	No	No	All	ICF-1	Nil	Positive
<b>Hinchinbrook</b>	4,541	Yes	Yes	All	ICF-1	No x-subsidies	Positive
<b>Emerald</b>	4,128	Yes	Yes	All	ICF-1	x-subsidies exist	Positive

Council	No. of Water Connections	Two Part Tariff Report	Two Part Tariff	Full Cost Recovery	CSOs	Cross Subsidies	Rate of Return
Dalby	4,119	Yes	Yes	Most	ICF-1	x-subsidies exist	Positive
Atherton	4,091	Yes	2003/04	Most	ICF	Nil	Positive
Bowen	4,059	Yes	No	Not Achieving FCR	No	Nil	No
Cardwell	4,001	Yes	No	Many	I	Nil	Target
Whitsunday	3,845	Yes	2003/2004	Most	ICF-1	Nil	Target
Mareeba	3,825	Yes	Yes	All	ICF-1	Nil	Positive
Calliope	3,623	Yes	Yes	All	ICF	x-subsidies exist	Positive
Belyando <sup>1</sup>	3,598	Yes	No	N/A	N/A	N/A	N/A
Banana	3,342	Yes	No	Not Achieving FCR	ICF	Nil	Target
Gatton	3,275	Yes	Yes	All	ICF-1	Nil	Positive
Kingaroy	3,275	Yes	Yes	No	No	Nil	No
Charters Towers	3,220	Yes	No	Some	ICF	Nil	Positive
Jondaryan	3,164	Yes	Yes	Many	ICF-1	Nil	Positive
Sarina	2,783	Yes	Resolved to implement	Not Achieving FCR	No	Nil	No
Crow's Nest	2,754	Yes	Yes	All	ICF-1	No x-subsidies	Positive
Roma	2,735	No	No	All	I-0	Nil	Positive
Stanthorpe	2,653	Yes	Yes	Most	ICF-1	Nil	Positive
Esk	2,577	Yes	Yes	Most	ICF-1	x-subsidies exist	Positive
Duaringa	2,136	Yes	Yes	Some	ICF-1	Nil	Target
Broadsound	1,893	Yes	Resolved to implement	Not Achieving FCR	No	Nil	No
Goondiwindi	1,847	Yes	No	No	I-1	Nil	N/A
Chinchilla	1,789	Yes	Yes	All	ICF	No x-subsidies	Target
Boonah	1,769	Yes	Yes	None	ICF	Nil	Positive
Rosalie	1,764	Yes	Yes	Some	I-1	Nil	No
Mundubbera	1,529	Yes	Yes	Many	ICF	Nil	Target
Isis	1,462	Yes	Yes	Most	I-1	Nil	Positive
Fitzroy	1,419	Yes	Yes	All	I-0	Nil	Positive
Longreach	1,409	Yes	No	Some	ICF-1	Nil	Positive
Mount Morgan	1,285	No	No	Most	ICF-1	Nil	Positive
Eacham	1,190	Yes	No	All	ICF-1	Nil	Positive
Nanango	1,166	Yes	Yes	Many	No	Nil	Target
Pittsworth	1,114	Yes	Yes	Many	ICF-1	Nil	Target
Cambooya	1,096	Yes	Yes	Most	ICF	Nil	Positive
Wondai	1,037	Yes	Yes	Many	I-1	Nil	Target
Murgon	N/A	Partially	Yes (Major Industry)	All	No	Nil	Positive
Paroo	N/A	No	No	Many	No	Nil	Positive

<sup>1</sup> No Information provided



## ATTACHMENT 8: Trade Waste Charges

Local Government – by ACLG	Trade waste fees/ charges	Customer Categories	Category description	Type of trade waste charge	Category of Customer charge applies to	Basis for determining charge
<b>Capital City (UCC)</b>						
Brisbane	Yes	Category A Category B Category C Category D Garbage Grinder	Minor trader with discharge <250kl/annum >250kl/annum & strength assumed equal to domestic sewerage >250kl/annum & strength assumed less than half domestic sewerage High volume & strength greater than domestic sewerage Fee dependent upon horsepower of motor	Volume charge Strength charge	Categories A, B, C, D Category D	Category A - min charge \$230pa; Category B - \$0.85/kl; Category C - \$0.67/kl; Category D - \$0.41/kl BOD5 or TOC - \$1.13/kg; Suspended Solids - \$0.44/kg; Oil and Grease - \$0.44/kg
<b>Urban Developed Very Large (UDV)</b>						
Logan	Yes	Category 1  Category 2  Category 3	Low strength/low volume <500kl per annum  Medium strength/any volume or Low strength >500kl per annum  High strength/any volume	Application fee for new operators Permit fee (for current financial year) Treatment charge	All categories All categories All categories	\$117.60  Category 1 - \$25; Category 2 - \$91; Category 3 - \$160  Category 1 - flat fee \$162; Category 2 - for previous financial year \$0.90/kl with min. override of \$162; Category 3 - for previous financial year \$0.48/kl (volume charge) + tested strength of BOD (\$0.58/kg) or tested strength of COD (\$0.36/kg) + tested strength of NFR (\$0.66/kg) + tested strength of any other pollutant over sewer admission limit, charged from zero (\$0.55/kg)
<b>Urban Developed Large (UDL)</b>						
Toowoomba						
<b>Urban Developed Medium (UDM)</b>						
Redcliffe No						
<b>Urban Regional Very Large (URV)</b>						
Cairns	Yes	Category 1  Category 2 Category 3	Low strength/low volume <500kl per annum  Low strength/high volume >500kl High strength/high volume	Trade waste permit fee Volume charge Strength charge	All categories Category 2 Category 3	Flat charge \$155  \$0.50/kl after allowance: pan(?), industry, irrigation BOD5 by weight \$0.85/kg; Suspended Solids \$0.55/kg
Gold Coast	Yes	Category 1  Category 2  Category 3 Category 4	Low strength <150kl per annum *  Low strength <300kl per annum *  Low/medium strength <300kl per annum * Low strength/high volume; or high strength/low to medium volume *	Annual usage charge Annual charge	Categories 1 & 2 Categories 3 & 4	Category 1 - \$208/150kl per annum; Category 2 - \$311/300kl per annum  Category 3 - \$410 + Volume (0.50kl) + COD (0.46kg) + 0.58 (NVSS); Category 4 - \$4,132 + \$410 + Volume (0.50kl) + COD (0.46kg) + 0.58 (NVSS)
Maroochy						
<b>Urban Regional Large (URL)</b>						
Caloundra	Yes	Category 1 Category 2 Category 3	Permit - low strength/low volume<500kl per annum Permit - low strength/high volume>500kl per annum Agreement - high strength/any volume	Application fee Annual Permit Fee Equivalent Arrestor Charge Volume Quality Charge Quality Charge Garbage Grinders	New applicants only	\$141 \$67 min charge Dependent upon size and cleaning frequency  \$0.41/kl transport and treatment BOD/TOC \$0.66/kg transport and treatment Suspended Solids \$0.56/kg transport and treatment <0.4kw/hour \$345/annum, >0.4<0.6kw/hour \$1572/annum, >0.6kw/hour \$3099/annum
Mackay	Yes	Commercial & Industrial	Trade waste charge	Over limit discharge	Commercial/Industrial	Trade waste charge = 0.986 (D-300P)+0.15D (Strength Ratio -1) where D = Estimated discharge to sewer (as a percentage of previous years metered water consumption) and P = Number of Pedestals (All properties are currently assessed with a strength ration of 1)
Townsville	Yes	Category 1  Category 2  Category 3	Low strength/low volume - BOD5 and Suspended Solids <600mg/litre; COD<1200mg/litre; Volume<500kl per annum Low strength/high volume - BOD5 and Suspended Solids <600mg/litre; COD<1200mg/litre; Volume>500kl per annum High strength/any volume - BOD5 and Suspended Solids >600mg/litre; COD>1200mg/litre	Flat fee Volume Strength	Category 1 Categories 2 & 3 Category 3	\$151 per annum Category 2 - \$1.25/kl min. fee per annum \$151; Category 3 - \$0.60/kl BOD5 - \$1.30/kl; Suspended Solids - \$1.50/kl; min. fee \$151 per annum

Local Government – by ACLG	Trade waste fees/ charges	Customer Categories	Category description	Type of trade waste charge	Category of Customer charge applies to	Basis for determining charge
<b>Urban Regional Medium (URM)</b>						
Bundaberg	Yes	Category 1 Category 2  Category 3	Low strength/low volume <500kl per annum Low strength/high volume >500kl  High strength/high volume >500kl	Approval fee Annual charge	Category 1 Category 2 & 3	\$55.00 Category 2 Annual charge = annual volume x unit charge rate or minimum \$165 (cost per kilolitre = \$0.84) Category 3 Annual charge = annual volume x unit charge rate + annual volume x the unit charges for the average pollutants (mg/L) or minimum of \$320 (cost per kilolitre = \$0.84)
Cooloola	Yes	Category 1 Category 2  Category 3	Low strength/low volume <500kl waste per year Low strength/high volume >500kl waste per year  High strength/any volume	General Equivalent Arrestor Charge Commercial Grinder	All Categories All Categories  All Categories	Categories 1 & 2 = nil; Category 3 based on individual assessment Assessment of Equivalent Arrestor Charge  Capacity based
Hervey Bay	No					
Rockhampton	Yes	Category 1 Category 2 Category 3	Low strength/low volume <500kl pa Low strength/high volume >500kl High strength/high volume	Flat fee Volume Volume and Quality  Application fee Inspection fees Testing fees Non-compliant penalty charge	Category 1 Category 2 & 3 Category 3  Category 3 Agreement All Categories All Categories All parameters	\$100 per annum \$0.40/kl - minimum fee of \$100 per annum Volume: \$0.40/kl - minimum fee of \$100 per annum  BOD5: \$0.80/kg Total Suspended Solids: \$0.95/kg \$100 per application \$75.00 per hour or part thereof on site Full cost of Laboratory fees Charge = (actual/approved)1.2 x \$1.00 kg x kg pollutant
<b>Urban Regional Small (URS)</b>						
Aurukun						
Charters Towers	No					
Dalby						
Gladstone	No					
Goondiwindi	No					
Johnstone	Yes	Category 1 Category 2 Category 3	Low strength/low volume <500kl pa Low strength/high volume >500kl pa High strength/any volume	Application fee Septic tank waste Grease trap waste Strength charges	Category 3 Category 3 Category 3 Category 3	\$105 \$13/kl \$100/kl Volume \$0.30/kl; BODs \$0.60/kl; Suspended Solids \$0.70/kg; Minimum Fee \$270 per annum
Maryborough	No					
Mornington						
Mount Isa	Yes	Nil Categories	Flat rate for all customers	Pump Septic Tanks Clean Grease and Oil Traps	All All	Flat Rate per tank  Flat Rate per trap
Roma						
Torres	No					
Warwick	No					
<b>Urban Fringe Very Large (UFV)</b>						
Ipswich	Yes	Category 1 Category 2 Category 3	Low strength/low volume <500kl pa Low strength/high volume >500kl pa High strength/any volume	Application fee Annual charge Volumetric charge Strength charges Parameters	All categories All categories Categories 2 & 3 Category 3	Category 1 & 2 \$75; Category 3 \$165 Category 1 \$210; Category 2 \$290; Category 3 \$460 \$0.88/kl (Tested Strength - Domestic Allowance) x vol = \$/kg BOD \$1.12/kg (allow 300mg/l) or COD \$0.84/kg (allow 600mg/l); Suspended Solids \$0.73/kg (allow 300mg/l); Sulphate \$0.85/kg (allow 500mg/l); Total Nitrogen \$0.60/kg (allow 60mg/l); Total Phosphorus \$2.00/kg (allow 15mg/l)
Pine Rivers	Yes	Category 1	All strengths/any volume	General	Category 1	Base fee + quantity charge + quality charge

Local Government – by ACLG	Trade waste fees/ charges	Customer Categories	Category description	Type of trade waste charge	Category of Customer charge applies to	Basis for determining charge
<b>Urban Fringe Large (UFL)</b>						
Caboolture	Yes	Category 1	Low strength/low volume <500kl pa	Trade Waste Application Fee	Cat 1 & 2	Set Fee \$63.00 for 01/02
		Category 2	Low strength/high volume >500kl pa	Trade Waste Legal Agreement Fee	Cat 3	Set Fee \$110.00 for 01/02
		Category 3	High strength/any volume	Trade Waste Plan Assessment Fee		Set Fee \$63.00 for 01/02 for reviewing plans & applications realated to trade waste for new commercaill/industrial developments
				Trade Waste Annual Permit Fee	Cat 1,2 & 3	Set Fee \$110.00 for 01/02
				Cat 2 Volume Discharge Fee	Cat 2	\$0.49/KL for 01/02 Based on water usage over 250KL less allowance for number of WC's & industry allowance
				Swimming Pool Backwash Volume Discharge Fee	Cat 2	\$0.36/KL for 01/02
				Cat 3 Volume Discharge Fee	Cat 3	\$0.36/KL for total volume - 01/02
				BODs	Cat 3	\$1.01/KL for total volume - 01/02 (Based on laboratory analysis of discharge sample)
				NFR	Cat 3	\$0.27/KL for total volume - 01/02 (Based on laboratory analysis of discharge sample)
				Sulphate	Cat 3	\$0.24/KL for total volume - 01/02 (Based on laboratory analysis of discharge sample)
				Annual Fee for Food Waste Disposal Units & Vegetable Peelers < 400 watts rated power	Property Owner	Set Fee \$357 for 01/02
				Annual Fee for Food Waste Disposal Units & Vegetable Peelers 400 - 600 watts rated power	Property Owner	Set Fee \$1633.00 for 01/02
				Annual Fee for Food Waste Disposal Units & Vegetable Peelers 400 - 600 watts rated power	Property Owner	Set Fee \$3208.00 for 01/02
				Annual Licence Fee for Liquid Waste Carrier Holding Tank Waste Charge	Liquid Waste Carrier	Set Fee \$114.00 for 01/02
				Septic Tank Waste Charge	Liquid Waste Carrier	\$11.40/KL for 01/02
				Grease Interceptor Trap Waste Charge	Liquid Waste Carrier	\$22.80/KL for 01/02
				Inspection Fee Review cleaning/pump-out frequency of treatment devices	Cat 1,2&3 Cat 1,2&3	\$35.50/hour with a minimum charge of \$71.00 for 01/02 Set Fee \$116.00 (refundable if frequency is extended)

Local Government – by ACLG	Trade waste fees/ charges	Customer Categories	Category description	Type of trade waste charge	Category of Customer charge applies to	Basis for determining charge
Redland	Yes	Category 1	Low strength and volume  Parameter: Biochemical Oxygen Demand (BOD5), mg/L <600 Chemical Oxygen Demand (COD), mg/L <1500 Suspended Solids, mg/L <600 Total Oil and Grease <200 Total Kjeldahl Nitrogen, mg/L N <150 Total Phosphorus, mg/L P <50 Volume, kL/annum - subject to approved drainage design	Trade waste generator charge General trade waste charge  General trade waste charge	All categories  Category 1  Category 2	\$154  Quantity charge on the total annual volume of trade waste discharged to the sewer calculated as:  C=QK where: C is the annual charge (\$16.14), Q is the annual volume (kL) and K is the unit charge rate (\$0.80 per kL) Quantity and Quality charge on the total annual discharge of trade waste to the sewer to be calculated as: C=Qa+Qx1n1/1000+Qx2n2/1000+etc: where C is the total annual charge (\$16.14), Q is the total annual discharge volume (kL), a is the unit charge for volume (\$/kL) x1,x2 etc. are the average concentrations of pollutants N1,N2 etc. (\$/kg) n1,n2 etc. are the unit charges for pollutants N1, N2 etc. (\$/kg) N1, N2 etc. are the pollutants to be charged for. BOD=\$0.77/kg COD=\$0.77/kg NFR=\$0.35/kg Oil and grease=\$0.35/kg Food waste disposal units based on power of motor = \$16.14 as charge "C" ( C is equivalent to the annual domestic sewage unit charge) <400 watts = 2C; 400-700 watts = 6C; 700-1000 = 8C; 1000-1500 watts = 12C; 1500-2000 watts = 14C; >2000 watts = 16C Additional charge for excess strength waste = (actual/approved)d x charge rate (\$/kg) x kg pollutant where d is a constant to be determined by council. The minimum ration for (actual/approved) is 1.2 and approved means the sewer admission limit value or other negotiated value defined in the trade waste approval.
<b>Urban Fringe Medium (UFM)</b>						
Beaudesert	No					
Noosa	Yes	Minor	Low strength/low volume <300kl waste per year	Annual Discharge Fee	All categories	Minor - \$130/annum; High Volume - \$130/annum + \$0.35/kl; Major - \$250 + 0.55/kg Suspended Solids + \$1.00/kg Nitrogen + \$1.00/kg phosphorus
		High Volume	Low strength/high volume <300kl waste per year	Non compliance charge	All categories	Various for undersized or no arrestor
		Major	High strength/high volume >300kl waste per year	Inspection Application for permit	All categories Minor & Major	\$70/hour Minor - \$90; Major - \$112
Thuringowa	No					
<b>Urban Fringe Small (UFS)</b>						
Burnett						
Livingstone	No					
<b>Rural Agricultural Very Large (RAV)</b>						
Atherton	No					
Banana	No					
Belyando						
Bowen	Yes	Category 1 Category 2 Category 3		Application Registration		
Burdekin	Yes	Category 1 Category 2.1 Category 2.2	Low strength/low volume <500kl per annum Fast food outlets, restaurants, bakeries >500kl Mechanical workshops	Annual charges Application fees Inspection and analysis of non-conformance	All All All	\$50 per annum \$20 for Category 1 & 2; \$50 for Category 3 \$60 per half hour
		Category 2.3	Swimming pool	Volumetric charges	Category 2 & 3	\$0.42 per kilolitre
		Category 2.4	Commercial	BOD5 rate	Category 3	\$0.55 per kilogram

Local Government – by ACLG	Trade waste fees/ charges	Customer Categories	Category description	Type of trade waste charge	Category of Customer charge applies to	Basis for determining charge
		Category 2.5	Laundry, car washes, supermarkets	Suspended Solids rate	Category 3	\$0.22 per kilogram
		Category 3.0	Large generators			
Calliope	Yes	-	-	General Charge	All	Trade waste system has 3 customers, charge is based on actual discharges over the previous 12 months, with the percent of total waste generated multiplied by full operating costs of trade waste system used to calculate annual rate for each user of the facility.
Cardwell	No					
Crow's Nest						
Douglas	No					
Emerald	No					
Esk	No					
Fitzroy	No					
Gatton	No					
Hinchinbrook	No					
Jondaryan	No					
Kingaroy	No					
Laidley						
Mareeba	Yes	Category 1 Category 2	Low strength/low volume <500kl per annum Low strength/high volume >500kl	General Charge General Charge Application fee	Category 1 Category 2 & 3 All	\$105 \$300 per annum + \$0.60/kl \$30
Sarina						
Whitsunday	Yes	Category 1 Category 2 Category 3	Low strength/low volume Medium strength High strength	Grease trap Waste	Category 1	\$0.15/l
<b>Rural Agricultural Large (RAL)</b>						
Boonah	No					
Broadsound	No					
Chinchilla	No					
Duaringa	No					
Eacham	No					
Herberton	Yes	Category 2	Low strength/high volume >500kl	Disposal Fee	Category 2	Set down by Council's Budget
Isis	No					
Mirani	No					
Nanango	No					
Rosalie	No					
Stanthorpe	Yes	Category 1 Category 2	Low strength/low volume <500kl per year Low strength/high volume >500kl	Annual charge	Categories 1 & 2	Flat fee \$40 pa
Wambo	Yes	Category 1 Category 2 Category 3		Annual fee Volume	Category 1 Categories 2 & 3	Flat fee \$110 pa Category 2 - \$0.55/kl to max of \$330 pa; Category 3 - \$0.33/kl, BOD5 \$0.66/kg, Suspended Solids \$0.28/kg, Max fee \$330.00 pa
<b>Rural Agricultural Medium (RAM)</b>						
Balonne	No					
Bauhinia	No					
Cambooya	No					
Clifton	No					
Cloncurry	No					
Cook	Yes	Category 3	Commercial Laundries	As per sewerage units charge	Commercial	\$2030 per annum
Dalrymple	No					
Gayndah	Yes	All customers	Fixed Rate	General	All	per annum
Inglewood	No					
Kilcoy	No					

Local Government – by ACLG	Trade waste fees/ charges	Customer Categories	Category description	Type of trade waste charge	Category of Customer charge applies to	Basis for determining charge
Kilkivan	No					
Kolan						
Millmerran	No					
Miriam Vale						
Monto	No					
Mount Morgan	No					
Mundubbera						
Murgon	Yes	No category		General	No category	\$664.40 per annum for connection to Murgon Sewerage Scheme + \$.260/kl of trade waste
Murilla	No					
Nebo	No					
Peak Downs	No					
Pittsworth	No					
Tara	No					
Taroom	No					
Tiaro	No					
Waggamba	No					
Wondai	No					
Woocoo	No					
<b>Rural Agricultural Small (RAS)</b>						
Bendmere						
Biggenden						
Booringa	No					
Bungil	No					
Eidsvold						
Perry						
Warroo	No					
<b>Rural Remote Large (RTL)</b>						
Longreach	No					
Murweh	No					
<b>Rural Remote Medium (RTM)</b>						
Barcaldine	No					
Blackall	No					
Carpentaria	No					
Flinders	No					
McKinlay						
Paroo	No					
Quilpie						
Richmond	No					
Winton						
<b>Rural Remote Small (RTS)</b>						
Aramac	No					
Barcoo	No					
Boulia						
Bulloo	No					
Burke	No					
Etheridge	No					
Jericho	No					
Tambo	No					
<b>Rural Remote Extra Small (RTX)</b>						
Croydon	No					
Diamantina	No					
Ilfacombe	No					
Isisford	No					

## ATTACHMENT 9: CSOs and Cross-subsidies

Local Government - by ACLG	FCP implemented?	CSOs		Cross-subsidies		
		Description	Net cost (\$)	Description	Consumer Class	Value (\$)
<b>CAPITAL CITY (UCC)</b>						
Brisbane	Yes	Combined drains	167,430	Nil		
		Pensioner Remission – Water	4,596,301			
		Pensioner Remission – Sewerage	4,460,576			
<b>URBAN DEVELOPED VERY LARGE (UDV)</b>						
Logan	Yes	Nil - Full charges to community groups		Nil - one volumetric charge		
<b>URBAN DEVELOPED LARGE (UDL)</b>						
Toowoomba						
<b>URBAN DEVELOPED MEDIUM (UDM)</b>						
Redcliffe	Yes	Pensioner Remissions	88,096	Nil		
<b>URBAN REGIONAL VERY LARGE (URV)</b>						
Cairns	Yes	Water - Telstra service locations, maintenance of fire hydrants, special needs advisory group, Lifeline, Machans Beach Progress Association, Water for fire fighting, water charges for Council owned properties.	4,227,087	Pensioner discount Greening Allowance	Domestic	NA NA
		Wastewater	13,339			
Gold Coast	Yes	Water rate concessions provided to various community categories	1,990,894	Water charges levied to residential at less than full cost (Est. based on 01/02 Budget)	Residential	4,210,342
Maroochy						
<b>URBAN REGIONAL LARGE (URL)</b>						
Caloundra	Yes	Supply of water to fire hydrants	5,218	Nil		
		Fire hydrant maintenance and rehabilitation	64,521			
		Supply and maintenance of beach and ramp showers	8,732			
		Supply of water to parks	80,251			
Mackay	Yes	Rebates to Community/Sporting Bodies	60,344	Nil		
		Revenue supplement to offset tax equivalents	216,828			
Townsville	Yes	Water Charges - Remissions by Council	56,150	Nil		
		Water Charges - Pensioner Remissions	697,831			
		Waste Water Charge - 2nd Pedestal Rebates & Pensioner Rem.	398,626			
		Greening of Townsville - Charitable, Sporting & Comm. Groups	2,393,589			
		Water and Waste Water Headworks waived	100,000			
<b>URBAN REGIONAL MEDIUM (URM)</b>						
Bundaberg	Yes	Educational purposes, recreational purposes and city aesthetics	57,248	Nil		
Cooloola	No	Nil		Nil		
Hervey Bay	Yes	Pensioner Rebates	8,019	Nil		
Rockhampton	Yes	Pensioner Discounts	174,696	A cross subsidy does not exist as all users pay below the long-run marginal cost of supplying the water.		
		Water allocations to Golf Club and Jockey Club	693			
		Other rate remissions	5,335			
		Headworks charges waived	30,030			

Local Government - by ACLG	FCP implemented?	CSOs		Cross-subsidies		
		Description	Net cost (\$)	Description	Consumer Class	Value (\$)
<b>URBAN REGIONAL SMALL (URS)</b>						
Aurukun						
Charters Towers	Yes	Water	151,000	Nil		
Dalby						
Gladstone	Yes	Reduced Water Charges to certain sporting and other organisations	107,372	Nil		
Goondiwindi	No	Nil		Nil		
Johnstone	No	Nil		Nil		
Maryborough	Yes	Base water charge concessions- Sporting and Community Bodies	35,000	Nil		
Mornington						
Mount Isa	Yes	Nil		Nil		
Roma						
Torres	Yes	Cash contribution from Council	734,209	Nil		
Warwick	Yes	Nil		Warwick Shire Water Scheme Subsidies Small Towns Water Schemes (7 schemes in total)		NA NA
<b>URBAN FRINGE VERY LARGE (UFV)</b>						
Ipswich	Yes	Water for fire fighting	15,000	Nil		
		Water rate concessions to community groups	3,499			
Pine Rivers	Yes	Council Parks and Reserves	50,000	Water carriers	Rural Properties	198,000
		Road Construction	500			
		Fire Fighting	500			
<b>URBAN FRINGE LARGE (UFL)</b>						
Caboolture	Yes	Maintenance of fire hydrants	60,000	Nil		
		Extension of uneconomical water supply	83,886			
Redland	Yes	Community/Sporting Group Concessions – Water	120,223	Nil		
		Community/Sporting Group Concessions – Sewerage	81,981			
		Bay Island & North Stradbroke Island Sanitary Landfill	407,735			
		Tipping Fee Waivers	9,133			
		Other	7,309			
<b>URBAN FRINGE MEDIUM (UFM)</b>						
Beaudesert	No	Nil		Nil		
Noosa	Yes	Fire hydrant maintenance	46,620	Nil		
		Pensioner and General discounts	708,940			
Thuringowa	Yes	Nil		Nil		
<b>URBAN FRINGE SMALL (UFS)</b>						
Bumett						
Livingstone	Yes	Nil		Nil		
<b>RURAL AGRICULTURAL VERY LARGE (RAV)</b>						
Atherton	No	Nil		Nil		
Banana	Yes	Nil		Nil		
Belyando						
Bowen	Yes	Nil		Nil		
Burdekin	No	Nil		Nil		
Calliope	Yes	Nil		Nil		



Local Government - by ACLG	FCP implemented?	CSOs		Cross-subsidies		
		Description	Net cost (\$)	Description	Consumer Class	Value (\$)
Cardwell	No	Nil		Nil		
Crow's Nest						
Douglas	Yes	Water Supply	101,948	Nil		
Emerald	Yes	Fire Service	25	Price differential (cents/kl)	Commercial	70,638
		Raw Water for community services	35	Price differential (cents/kl)	Other	91,383
		Uneconomical service supply	112			
		Pensioner rebates	38			
		Transitional FCP subsidy	220			
Esk	Yes	Price concessions to churches, halls, kindergartens	38,000	From Lowwood water users other than Council to Council at an 8% discount.	Council	1,000
		Uneconomical service provision	271,000			
Fitzroy	Yes	Discount on Rates	23,157	Nil		
		Rates on Land	447			
		Return on Capital	196,300			
		Payroll Tax	3,982			
Gatton	No	Nil		Nil		
Hinchinbrook	Yes	Fire Service	38,890	Nil		
		Waterwise	2,000			
		Water Access Concessions	71,782			
Jondaryan	No	Nil		Nil		
Kingaroy	No	Nil		Nil		
Laidley						
Mareeba	Yes	Subsidised Residential Supply - Keep Mareeba Green	113,000	Nil		
		Subsidised Residential Supply - Kuranda Small Scheme Support	91,000			
		Uneconomic Remote Service - Dimbulah	25,000			
		Uneconomic Remote Service - Mt Molloy/Chillagoe	25,000			
		Pensioner Remissions	28,800			
Sarina						
Whitsunday	Yes	Provision of quality supply and standards in water supply and sewerage	1,400,000	Nil		
<b>RURAL AGRICULTURAL LARGE (RAL)</b>						
Boonah	Yes	Water Supply Community Gardens and Public Areas	3,017	Nil		
Broadsound	No	Nil		Nil		
Chinchilla	Yes	Water	103,669	Nil		
Duaringa	No	Nil		Nil		
Eacham	No	Nil		Nil		
Herberton	No	Nil		Nil		
Isis	Yes	Provision of high quality water supply.	300,000	Nil		
Mirani	Yes	Nil		Nil		
Nanango	Yes	Nil		Nil		
Rosalie						
Stanthorpe	No	Nil		Nil		
Wambo	No	Nil		Nil		

Local Government - by ACLG	FCP implemented?	CSOs		Cross-subsidies	
		Description	Net cost (\$)	Description	Consumer Class
<b>RURAL AGRICULTURAL MEDIUM (RAM)</b>					
Balonne	No	Nil		Nil	
Bauhinia	No	Nil		Nil	
Cambooya	Yes	Nil		Nil	
Clifton	Yes	Nil		Nil	
Cloncurry	Yes	Nil		Nil	
Cook	No	Nil		Nil	
Dalrymple	No	Nil		Nil	
Gayndah	No	Nil		Nil	
Inglewood	Yes	Nil		Nil	
Kilcoy	No	Nil		Nil	
Kilkivan	Yes	FCP to apply from 1 July 2002 although pricing is increasing over a number of years until all depreciation and cost equivalents are fully paid from consumers. To alleviate immediate impact of FCP 2002-03	79,100	Nil	
Kolan	Yes	Nil		Nil	
Millmerran	No	Nil		Nil	
Miriam Vale					
Monto	No	Nil		Nil	
Mount Morgan	Yes	Cost of return to equity shareholders of the reticulation network.	231,493	Nil	
Mundubbera					
Murgon	No	Nil		Nil	
Murilla	No	Nil		Nil	
Nebo	Yes	Treated water, maintenance of parks and gardens, public conveniences/facilities and administrative functions.	159,500	Nil	
Peak Downs	Yes	Nil		Nil	
Pittsworth	No	Nil		Nil	
Tara	No	Nil		Nil	
Taroom	No	Nil		Nil	
Tiaro	No	Nil		Nil	
Waggamba	No	Nil		Nil	
Wondai	Yes	Nil		Nil	
Woocoo	No water service provided				
<b>RURAL AGRICULTURAL SMALL (RAS)</b>					
Bendemere					
Biggenden					
Booringa	Yes	Supply to various community assets provided at less than commercial rates for reasons of affordability. Maintenance of emergency/fire fighting supplies.	101,536	Nil	
Bungil	No	Nil		Nil	
Eidsvold					
Perry					
Warroo	No	Nil		Nil	
<b>RURAL REMOTE LARGE (RTL)</b>					
Longreach	No	Nil		Nil	
Murweh	No	Nil		Nil	

Local Government - by ACLG	FCP implemented?	CSOs		Cross-subsidies		
		Description	Net cost (\$)	Description	Consumer Class	Value (\$)
<b>RURAL REMOTE MEDIUM (RTM)</b>						
Barcaldine	No	Nil		Nil		
Blackall	No	Nil		Nil		
Carpentaria	No	Nil		Nil		
Flinders	No	Nil		Nil		
McKinlay						
Paroo	No	Nil		Nil		
Quilpie						
Richmond	No	Nil		Nil		
Winton						
<b>RURAL REMOTE SMALL (RTS)</b>						
Aramac	No	Nil		Nil		
Barcoo	No	Nil		Nil		
Bouliá						
Bulloo	No	Nil		Nil		
Burke	No	Nil		Nil		
Etheridge	No	Nil		Nil		
Jericho	No	Nil		Nil		
Tambo	No	Nil		Nil		
<b>RURAL REMOTE EXTRA SMALL (RTX)</b>						
Croydon	No	Nil		Nil		
Diamantina	Yes	From General Revenue - Cost of Water	207,000	Nil		
		From General Revenue - Cost of Sewerage	55,000			
Ilfracombe	No	Nil		Nil		
Isisford	No	Nil		Nil		

BLANK PAGE

---

# Water Trading Discussion Paper

# Evaluation of the Permanent Water Trading Trial in Mareeba

## 1.0 Background

One of the requirements of the Council of Australian Governments (COAG) water reforms is that permanent water trading be introduced in those areas where this is likely to deliver net economic benefits.<sup>1</sup> To introduce permanent water trading it is necessary to separate the water entitlement from the land title, and the *Water Act 2000* provides for this to occur through completion of Water Resource Plans (WRPs) and Resource Operations Plans (ROPs) for each catchment. ROPs are the mechanism for implementation of WRPs. The WRP and ROP are designed to define the rules for converting existing water licences into tradeable “water allocations”. Trading rules are to be specified in the ROP.<sup>2</sup>

Permanently trading water prior to implementation of WRPs and ROPs can occur through the making of a regulation that allows the trading of existing entitlements. Trading of interim water allocations (that is, the entitlements in SunWater supplemented systems) is different. Unlike water allocations defined under ROPs, Interim Water Allocations must re-attach to land titles. In addition, unlike water allocations, interim water allocations have no estimates of reliability and are not registerable.

The pilot trading program in Mareeba, which commenced in 1999, represents the first case where permanent trading has been introduced in Queensland, and the first trial trading program in Queensland. Mareeba-Dimbulah was chosen as the pilot because there was a perceived need for reallocation of water partly due to structural re-adjustment. The structural readjustment included the decline of tobacco growing following the reduction in industry protection, and the expected expansion of the sugar industry.

### *Purpose of this report*

The purpose of this report is to:

- Review the trading activity that has occurred in the Mareeba Pilot trading program since commencement of the program in 1999. (section 2)
- Assess whether there are any market design issues that have impeded development of the market. (section 3)
- Assess whether the Mareeba Trial Trading Program should continue. (section 4)
- Assess whether trial trading programs should be introduced in other catchments in Queensland (section 5).

---

<sup>1</sup> That is, water trading should be introduced in areas where the expected benefit, which is the increase in economic value from water use, exceeds the additional administration and monitoring costs.

<sup>2</sup> The role of the trading rules is to ensure that the trade does not compromise water allocation security objectives and environmental flow objectives.

---

## 1.1 Methodology

This evaluation was undertaken by officers in NR&M under the guidance of a steering committee comprising representatives of Department of Primary Industries, Queensland Farmers' Federation, SunWater, Queensland Conservation Council, and World Wildlife Fund. Quantitative and non-quantitative information came from the NR&M central office, SunWater and the Mareeba office. Interviews were conducted with NR&M regional staff, representatives of Canegrowers Mareeba, the broker in Mareeba, and a farmer who had undertaken the largest single trade.

## 2.0 Review of trading activity

Over the period of the trial to 8 March 2002, a total of 30 applications for permanent transfer have been approved and in aggregate, 890 Megalitres (ML) of water have been traded.<sup>3</sup> In addition, there are 4 applications, for a total of 274 ML, which are yet to be processed. Including current applications there has been a total of 34 applications and a total traded volume of 1164ML. This represents slightly less than 0.8 per cent of the total announced allocation in the area (approximately 155,000 ML) and about 1.5 per cent of the total water delivered by SunWater in 2000-2001 (78,568 ML). Table 1 outlines the number of applications and volumes transferred in the Mareeba-Dimbulah Water Supply Scheme since the trial's inception.

Table 1: Applications to transfer water in the Mareeba-Dimbulah Water Supply Scheme

WATER YEAR*	NUMBER OF APPLICATIONS	VOLUME TRANSFERRED (ML)
1999/00	4	164
2000/01	9	330
2001 – 9/1/02	17	396
Outstanding applications	4	274
<b>Total</b>	<b>34</b>	<b>1164</b>
Withdrawn applications	3	152

\*The water year for this scheme is from 1 July to 30 June.

Source: NR&M Mareeba Office register as at 8 March 2002.

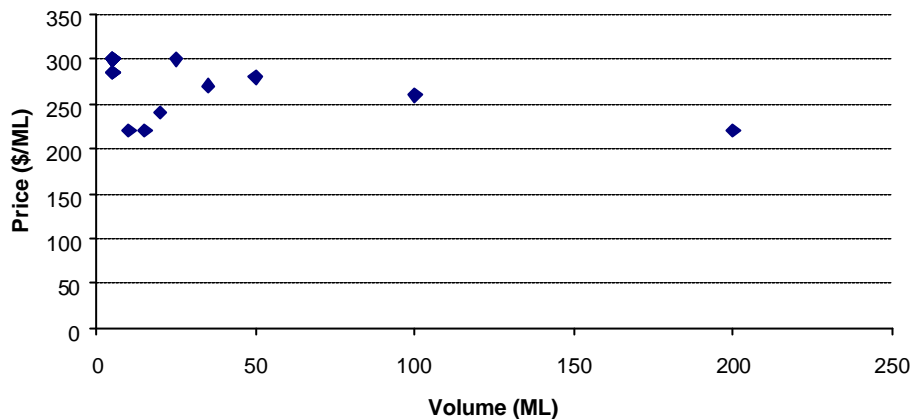
Additionally, an enquiry concerning the auctioning of a substantial allocation has been made to the Department of Natural Resources and Mines (NR&M). The potential seller is considering trading a number of allocations totalling almost 5000 ML, with an estimated value of about \$1 million.

Initially the benchmark price for the permanent trades was set by the auctioning of 20,000 ML of surplus water (i.e. water recovered by SunWater through increased distribution efficiency) from the Tinaroo Falls dam. The surplus water was sold in two 10,000ML components with the first occurring in December 1996 and the second in March 1998. They were sold for an average price of \$227/ML. Generally, prices for permanent trades have ranged between \$200/ML and \$300/ML depending on the volume of water traded. Due to small sample of trades, it is difficult to draw any conclusions about the relationship between price and volume. However, in Figure 1, which shows volume and price for 10 different trades, there does appear to be some negative correlation between price and volume. This can be due to: a)

<sup>3</sup> There are some discrepancies over the data for permanent transfers provided in the *DNR Annual Water Statistics* publication (same as data provided by SunWater) and those registered by the Mareeba office. The Mareeba office only enters a transfer on the database when it has been legally finalised. SunWater may enter their data sooner rather than later and hence there is some discrepancy in the volume and number of transfers presented. Overall however, the numbers are of a similar order of magnitude.

lower transaction costs, b) higher value per ML when used for irrigating tree crops which typically require lower volumes of water; or c) a greater number of holders of Interim Water Allocations are likely to show interest in selling allocation if a substantial volume of water is to be purchased thus increasing competition in the market.

Figure 1: Price & volumes for Permanent Trades as recorded by Mareeba broker for the period up to 22 December 2001

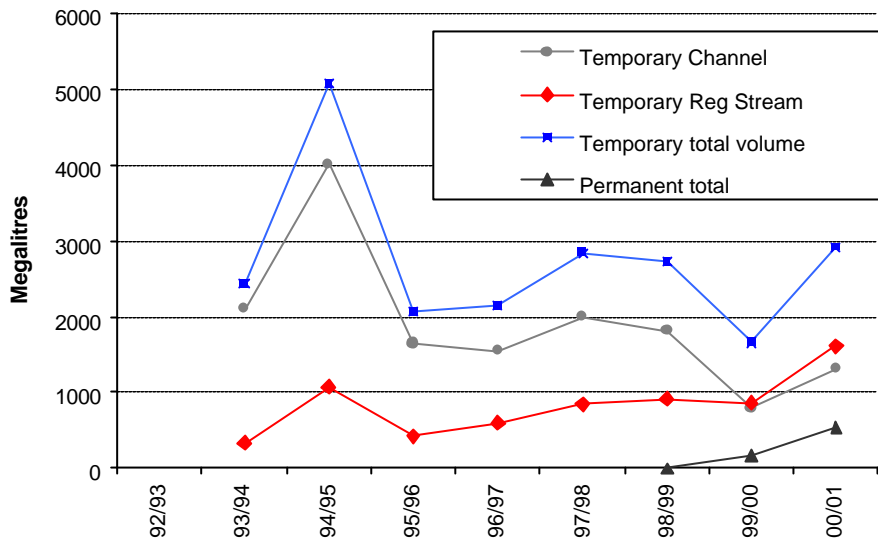


**Source:** Pers. Coms, Tom Braes, Braes Apel Solicitors, Mareeba, 7 January 2002.

Market enquiries indicate that sugarcane growers and banana growers have each purchased around 30 per cent of the water traded Mareeba. Most of the remaining 40 per cent has been purchased by other horticulturalists, with paw paw, coffee and other tree crops such as mangoes, avocados and citrus being the main crops grown.

While there has only been a small volume of water traded in the permanent market, it is clear that there has been significant growth in trading activity. Figure 2 below shows that the volume traded in 2000-01 was more than 100 per cent greater than in the previous year, which was the first full year of operation of the market. Although, with such small volumes traded, the difference in volume traded between years can be attributable to a single trade of 200 ML and hence no strong conclusions are drawn from the increase.

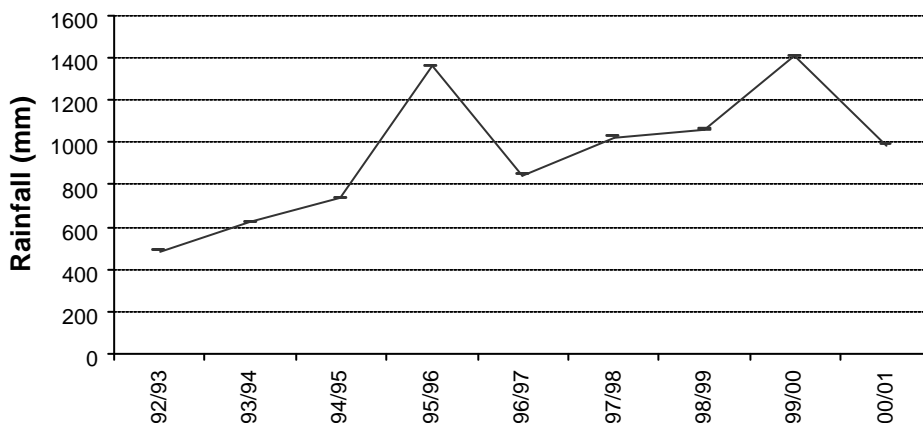
Figure 2: Volume of Temporary and Permanent Transfers in Mareeba-Dimbulah Water Supply Scheme



Source: Data provided from DNR (2001, 1999, 1998, 1997a, 1997b); DPI (1996, 1995); Pers. Coms., Ross Muir, SunWater, 7 December 2001.

Figure 3 below shows that rainfall has been relatively high in recent years, and hence demand for additional allocations of water from Tinaroo Falls Dam may not have been as high as it may have been in a low rainfall years or in a sequence of low rainfall years. In fact, it may be the case, that it will not be until a sequence of low rainfall years that high volumes are traded. High rainfall, combined with a large volume of allocations owned by irrigators (around 154,000 ML) relative to their current water use are likely to greatly contribute to the low trade volumes.

Figure 3: Annual rainfall in Mareeba



Source: Data provided from SunWater (2001); DNR (2001, 1999, 1998, 1997a, 1997b); DPI (1996, 1995).

### 2.1 Seasonal Water Assignments

Seasonal water assignments (or 'temporary transfers') are administered by the water service provider (i.e. SunWater in the Mareeba-Dimbulah scheme), not NR&M.



'Temporary transfers' of nominal allocation water have been permitted on an annual basis for more than 10 years. Over the last 10 years, the annual total volume transferred throughout the State has ranged between 12,000 ML and 69,000 ML. The annual volume transferred reflects climatic conditions, which varies significantly from year to year.

In the Mareeba-Dimbulah area, the annual total volume assigned has ranged between 1,779 ML (in 1999/2000) and 5,080 ML (in 1994/95). A seasonal water assignment is currently set at the Part B charge at around \$11-24/ML. As mentioned the permanent trading price is \$200-\$300/ML, which is equivalent to an annual payment of around \$20-30/ML. The Part B charge must be paid by the purchaser to SunWater for water taken, and therefore the total annual cost of the allocation, inclusive of holding costs, is around \$30-54/ML. The higher price for permanent trades reflects the higher value associated with increased security of supply, and this is a typical result in water markets, although spot prices in some tighter seasonal markets where supply is more constrained, can greatly exceed the annual equivalent of permanent trading prices in dry years.

Table 2: Seasonal water assignments as a proportion of total water delivered in the Mareeba-Dimbulah Water Supply Scheme

YEAR	TEMPORARY TRANSFERS (ML) <b>a</b>	TOTAL DELIVERED WATER (ML) <b>b</b>	TEMPORARY TRANSFERS / DELIVERED WATER (%)
1993/94	2,437	71,941	3.4
1994/95	5,080	83,092	6.1
1995/96	2,067	69,795	3.0
1996/97	2,146	70,455	3.0
1997/98	2,843	90,509	3.1
1998/99	2,727	72,531	3.8
1999/00	1,660	78,568	2.1
2000/01	2,917 <b>c</b>	74,451 <b>c</b>	3.9

**Sources:** **a.** DNR (2001, 1999, 1998, 1997a, 1997b), DPI (1996, 1995) **b.** DNR (2001) **c.** SunWater (2001).

At this stage, it is not possible to identify any substitution between the seasonal and permanent markets. In the longer term, it will be difficult to identify substitution between the two trading forms as generally trading activity is likely to increase as area under irrigation expands, and the demand for water increases.

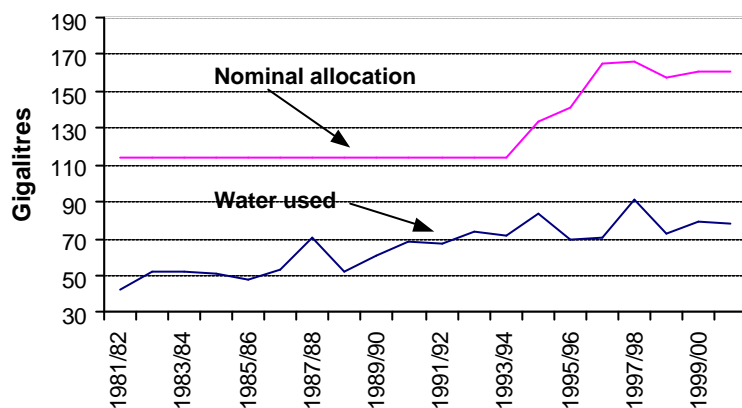
In catchments where demand is greater than supply, the annual aggregate volume of temporary trades is typically around 10 per cent of total allocations, and permanent trades are around 1 per cent of total allocations. In Mareeba-Dimbulah, seasonal assignments are typically around 3-4 per cent of total water used (as shown in Table 2) and 1-3 per cent of total allocations. Also, seasonal assignments may be driven by uncertainty generally in the primary sector with falling commodity prices. This uncertainty may encourage growers to shift between short-term cash crops and seasonal assignments allow for relatively more flexible access to water as compared with permanent trades. Hence, the temporary transfer market may not be the sole indicator for the demand for permanent transfers.

The fact that seasonal assignments represent a relatively low proportion of total allocations indicates that there is a lack of demand for additional allocations in the market. Consequently, the low level of trading activity in the permanent market is also mainly due to the lack of scarcity as opposed to market design issues. This is not to say that volumes traded would not increase if market design were improved (see Section 3).

## 2.2 Low demand for additional water

The main reason for low demand for additional water is the current low usage relative to total available allocation. On average only 51 per cent of total allocations are actually used in the Mareeba-Dimbulah Water Supply Scheme, and the maximum use has been 60 per cent. At the maximum usage 61,000 ML remain un-utilised. The excess supply from Tinaroo Falls Dam is illustrated in Figure 4 which shows the nominal allocation and water used. (100 per cent of nominal allocation has been available for use in each of the past six years.)

Figure 4: Actual water used vs total nominal allocation for Tinaroo Falls Dam



**Source:** Data provided from various DNR and DPI Water Statistics Reports.

The 61,000 ML still available for use, could be used to irrigate approximately 10,000 hectares of land, or 50 per cent more land than is currently under irrigation.

Other factors affecting demand for water in the permanent trading market are as follows:

- Seasonal water assignments arrangements have the following advantages (for some irrigators):
  - They offer a better alternative for irrigators with only short-term requirement for additional water, or for those irrigators experiencing financial constraints.
  - The cost of seasonal water assignments can be used as a tax deduction, whereas the cost of permanent trades are not tax deductible and are not depreciable.
  - Seasonal water assignments also do not require the preparation of a Land and Water Management Plan by the purchaser.
  - Seasonal water assignments do not attract stamp duty whereas permanent trades do.

- Compared with permanent trades, seasonal water assignments are not subject to a lengthy or detailed approval process.
  - The average price for seasonal water assignments is lower, which reflects the lower security of supply.
- Commodity prices have weakened in recent years, resulting in lower profitability for many agricultural sectors and therefore lower incentive to expand the area of land under irrigation and lower demand for additional water. These lower prices are believed to have strongly affected the return on investment for the sugar cane sector, which represents a large proportion of potential demand for additional water.
- Irrigators may be uncertain as to their future mix of crops and therefore uncertain about their future water requirements.
- Water users may not have the knowledge, experience and confidence to trade. It may take time before there is sufficient confidence in the market for trading volumes to increase.
- Water users may have uncertainty about the impact of future events, such as implementation of the *Water Resource Plan* for the catchment, on the level of supply in the market. Expectations that supply of water may increase could dampen demand for water that is currently available. The High Level Steering Group on Water (2000) has suggested that the development and finalisation of the Barron River Water Resource Plan may be a reason for the low number of permanent trades.
- Inter-sectoral transfers are currently prohibited, but the question remains as to whether this type of trading should be included in the extension. Bjornlund and McKay (2001, p. 67) in their paper on the operational aspects of Australian water markets note that new water should be available to as many classes of water users as possible: *“The experiences also show the importance of ensuring that water can be bought within the largest possible geographical area and include as many classes of water users as possible. This reflect [sic] other experiences in the permanent market in Victoria and South Australia as well as experiences from the US and India”*.
- Channel capacity may be a limiting factor for delivery of water in the Mareeba-Dimbulah area. Purchasing either seasonal or permanent water does not increase access to the channel system. If buyers already have access, they simply continue to take water in accordance with their maximum rate but this may extend the time of peak demand and ration capacity between users.
- SunWater sold 20,000 ML (10,000 ML both in 1997-98 and 1999-99) of additional allocation which was made available through improvements in delivery by SunWater. Hence, requirements for additional allocations for many irrigators may have been met through purchase of these allocations.

Factors contributing to low supply of water onto the market included the following factors:

- Irrigators may be unaware that permanent trading is available.

- The market price may be lower than the economic value associated with using water on irrigators' own properties.
- The market price may be lower than the insurance value associated with holding more allocation than can be used.
- The market price may be lower than the value associated with hedging against future increases in the price of water allocations.
- There are a number of small farms owned by an ageing farming population with small allocations. These farmers are likely to continue operating their farms until they retire, and will not seek to sell allocations before retiring.
- The required 28-day notification in the local press may send "inappropriate" signals to mortgagees.
- Permanent trades when sold might attract capital gains tax. Farm incomes are typically low so that any tax paid on the sale of a permanent trade is expected also to be relatively low.

It is also important to note that the cost of supply is affected by SunWater exit fees, which result in sellers accepting less than the sale price. This means that for a trade to be commercially beneficial and to proceed, the economic value from water use for the buyer must exceed the value for the seller by at least the level of the exit fees. As discussed in Section 3.3 below, exit fees can add as much as 37 per cent to the total purchase price.

High transaction costs associated with accumulating a number of smaller parcels of water in the market for the purpose of using a larger aggregated volume of water may be a serious impediment to trade. The establishment of a water exchange and sophistication of trading instruments as the market matures would be expected to overcome this problem.

### **3.0 Market design issues**

While demand and supply consideration have affected the level of trading activity, it is also true that market design problems have been identified. One of the roles of this review is to identify solutions to such problems, which will improve the performance of the Mareeba trading market, and trading markets in other catchments where permanent trading is introduced.

The permanent trading process involves identifying parties who are interested in trading, negotiation of a price and a sale contract, lodgment of the appropriate paperwork and payment of the relevant fees and charges. A Land and Water Management Plan (LWMP) must also be prepared and approved prior to use of the new water. The price negotiated for the transfer of allocation is between the two traders.

#### **3.1 NR&M's Fees**

NR&M's fees include:

- (a) Sale processing fee \$220.

- (b) LWMP assessment fee \$51.60 to \$154.80, depending on the amount of work involved.
- (c) Application for proposed pumping unit license where the buyer is going to be pumping from a watercourse \$75.
- (d) Base map from NR&M to assist with preparation of their Land and Water Management Plan approximate cost of between \$200 and \$300.

Therefore in total the fees payable to Natural Resources and Mines to undertake a permanent trade in total could amount to a maximum of just under \$750 for the purchaser.

If a new enterprise wishes to buy a number of small volumes the \$220 application fee as well as the other associated fees can be prohibitive.

#### *Proposed solution*

The regulation will be amended to allow for a sliding scale of fees. It is proposed that the *Water Regulation 2000* will be amended to allow for a discounted fee per application for 2 or more permanent trades dealt with together by the same purchaser.

#### *3.2 Brokerage Fees & Stamp Duty*

Other fees would include stamp duty and brokerage fees from the broker. Stamp duty, brokerage fees and the Natural Resources and Mines fees amount to between 5 and 40 per cent of the cost of water sold, depending on the volume sold.

#### *3.3 SunWater triggered fees & associated costs*

Permanent transfers may trigger fees charged by SunWater. Such fees depend on the location of the water traded. A buy back or *exit fee* to recover fixed costs (part A charges) associated with the channel distribution system may be imposed on sellers of permanent water.

Recently, a trade of 50ML, at an assumed minimum price of \$200/ML, provided a potential total sale value of \$10,000. However, revenue lost from SunWater from the Part A charge of \$5.96/ML would have been charged to the buyer as part of the transfer (the trade involved water shifting from a channel to a river). The charge applies over a 10 year period or until the expiry of the contract if it is sooner. The 10 year period is chosen as most contracts are written for 10 years. Based on a total discount rate of 6.54 per cent, the buy back fee would have amounted to \$3700 dollars, representing at least 37 per cent of the cost of the water sold. As such, SunWater is not in a position to release a customer from a long-term contract without compensation for its lost net revenue. The charge reflects both SunWater's commercial interest and the interests of existing customers through ensuring adequate revenues to cover fixed costs of infrastructure.

#### *Proposed Solution*

The level and reasons for the exit fees should be discussed at Customer Councils.

#### *3.4 Other administrative issues*

There have been a number of other administration issues that have been identified relating to permanent trading including:

- Trades are subject to SunWater informing the Chief Executive of NR&M of the existence of a supply contract with the proposed transferee, and approval being granted by the Chief Executive. SunWater is continuing to advise that it approves of the transfer subject to certain conditions being met including the payment of outstanding accounts by the seller. Some applications have taken up to 90 days to process because of negotiations over outstanding debts **Comments.** *This is a matter for discussion between purchasers, sellers and SunWater.*
- Generally it takes the specified period of advertising (28 days) to review an application for transfer, depending upon NR&M and SunWater's response time. **Comments.** *The advertising period was established to ensure that any interested parties beyond the seller and buyer had time to be aware, among other things, of the contract about to be entered into. However, no submissions have ever been made. To streamline the approval process it has been decided to remove the advertising requirement.*
- In relation to some applications for permanent trades to new water users, SunWater did not provide approval for a new off-take if an interim water allocation had not been secured first and vice versa (i.e. approval of trade not being granted prior to approval of works for off-take) making it potentially impossible for a new water user to purchase an allocation. **Comments.** *This issue has been resolved through correct sequencing of approval processes. That is, the works approval is now granted prior to the evaluation of the trade application. The procedure for application approval is provided at Attachment 1.*

Overall, it is expected that the administrative process, while representing a potential impediment to trade during the initial periods of trading, has greatly improved. For example, communication between NR&M and SunWater is improving with the implementation of an agreed procedure for notification and document management. NR&M liaises with SunWater to advise of the transfer, and following advertising, SunWater provides NR&M with formal notification and approval. In turn, NR&M provides SunWater with a copy of the decision notice and the amended Interim Water Allocations. Delegation of administrative activities has also assisted in reducing approval times.

### 3.5 Information required for sustainability of land and water resources

Where assessment of the application requires consideration of the effects the proposed transfer would have on the sustainability of land and water resources in the area, deliberations are made difficult because at no point are the applicants required to provide details about the intended use for the water.

#### *Proposed solution*

The application form has been amended, given that the Chief Executive must give consideration to the effects the transfer will have on the sustainability of water and land resources as specified in the *Water Regulation 2000*. The application form will collect data including:

- type of crop that will be grown;
- method of application of the water traded; and

- area to be irrigated.

### 3.6 *Trading restricted to primary production*

Under regulations prior to December 2001, IWA's could only be traded to other primary producers. One consequence of this was that the legislation excluded stock and domestic users. This created equity issues and disadvantaged landowners who were outside the town water supply scheme and had no other water source.

#### *Solution*

The *Water Regulation 2000* was amended in December 2001 to enable transfers between primary producers and stock and domestic users.

### 3.7 *Land and Water Management Plans*

Some irrigators interviewed have found the requirement of having to develop and implement Land and Water Management Plans (LWMPs) as a useful means of budgeting and planning for future water use as part of an overall business plan.

LWMPs are not required to be prepared until traded water is applied. It is difficult to ascertain whether or not LWMPs are necessary until a Water Use Plan for the whole area under irrigation has been prepared to assess areas of risk.

#### *Solution*

It is therefore recommended that NR&M prioritise the preparation of Water Use Plans as a means of identifying areas at risk. A separate evaluation of LWMPs will be conducted to address issues associated with assessment, performance and compliance.

## **4.0 Recommendations regarding extension of the Mareeba Trial Water Trading Program**

While the level of trading activity in the Mareeba area has been quite modest, it is considered that the lessons learned by traders, the broker, SunWater, and NR&M officers will be invaluable in developing a more streamlined and effective permanent trading market. Further, as confidence in the market grows, and demand increases as the area of land under irrigation increases, increased benefits from permanent trading will be realised. This is because trading will facilitate the movement of water to higher value uses. Therefore, it is expected that the future level of trading activity will be enhanced as a result of resolving initial problems in market design, and through growth in confidence in the market over the initial periods of operation. It is therefore likely that operating the trading program over the past two and a half years has provided net benefits to the State.

Before making conclusions and recommendations regarding the Mareeba-Dimbulah pilot trading program it is important to clarify two points with respect to trading activity:

- Low trading activity is not evidence of an inefficient market. If water is already allocated to its highest and best use, or if there is excess supply, trading activity may be low.

- There is not always a “best” outcome in terms of allocation of water in a catchment between irrigators and other users. If there is excess supply, the excess water could be allocated in any number of ways without adversely affecting the ability of enterprises in the region to maximise economic value from water use.

It is not possible to predict the extent of expansion in the area under irrigation, as commodity prices are subject to high variation. Further, changes in relative crop prices could lead to restructuring which would also need to be supported by the permanent and temporary trading of water (especially where extra water is not made available – raising scarcity). Some expansion in sugar cane production is expected in order to supply the recently constructed sugar mill at Mareeba (although this largely depends on the sugar price). Other important crops such as mangoes and macadamias are experiencing financial difficulty due to low commodity prices. However, good prospects are expected for sweet corn, lychees, avocados, and bananas. Reasons for considering there to be good prospects include Golden Circle's current evaluation of the economic viability of a sweet-corn processing factory. Demand for water is expected to increase by around 17,500 ML to supply the factory if the proposal goes ahead (DSD 2001). In addition, the Queensland Department of Primary Industries is currently in receipt of applications for the planting of an additional 1200 Ha of banana crops in the area.

In relation to the supply of additional water allocation, more irrigators will seek to sell Interim Water Allocations in a more buoyant market. As the market price rises, more and more irrigators will decide they are better off selling allocations that are excess to their general requirements, rather than holding them for the purpose of insuring against a low rainfall year, or for the purpose of hedging against an increase in the price of water. There is therefore optimism that as demand for additional water allocations increases, to support expansion in the area under irrigation, the volume of trade will increase and net benefits will be realised from continued operation of the market.

In conclusion, a decision has been made to continue the trial trading program in Mareeba-Dimbulah. This is expected to enable continued movement of water to its highest and best use with trading activity expected to increase as a result of increasing demand for water, and streamlining of administrative processes.

## **5.0 Recommendations regarding extensions of the trial water trading program into other catchments**

At the beginning of the study it was considered that an extension of trial trading to other catchments was needed, and that this should occur after an evaluation of the pilot trial of permanent water trading in Mareeba-Dimbulah. The following three factors were taken into account when assessing where to extend the trial:

1. It is considered that extension of the trial is best suited in areas where there is strong demand as indicated by the level of usage relative to total allocation.
2. To some extent application of trial-trading results in a duplication of market establishment costs. Establishment costs include the training of staff and introduction of processes for supporting trading activity in both NR&M and SunWater. These costs will be incurred upon implementation of trial trading but will also be incurred at a later date to facilitate implementation of permanent trading of water allocations (established under the ROP).



3. Some trading rules for permanent trading will need to be carefully examined and hydrologically modelled to ensure that trades can take place without compromising the ability of the Chief Executive to meet environmental flow objectives and water allocation security objectives. This is a technical and complex process and represents a major component of the development of the ROP. It is therefore necessary to restrict extension of the trial to channel systems operated by SunWater.

It is also considered inappropriate for trial trading to take place in the Fitzroy Basin as a ROP is soon to be implemented which will facilitate implementation of permanent trading. The duplication of establishment costs would therefore be excessive given that trial trading would only facilitate bringing forward the commencement of permanent trading by a short period. Similarly, in considering extending the trading to other basins, there needs to be consideration of the time between implementation would occur and the ROPs would be complete.

Table 3 provides the temporary transfer volumes as a percentage of total water delivered within each scheme across the state as an indicator for the potential demand for permanent trades in other schemes. These data should be considered in conjunction with the above factors.

Table 3: Potential of areas for extension of trial permanent trading programs

REGION/ SCHEME	TEMPORARY TRADES (No.)	TEMPORARY TRANSFERS (VOL., ML)	TEMPORARY VOL./DELIVERED VOL.*(%)
<b>North</b>			
Mareeba Dimbulah	29	1,660	2.1
Burdekin Haughton	2	640	2.0
<b>Central West</b>			
Eton	10	443	2.2
Emerald	46	18457	11.2
Dawson	60	3847	11.2
<b>South East</b>			
Bundaberg	156	3,690	5.2
Mary River	272 <sup>^</sup>	9,445 <sup>^</sup>	2.7
<b>South West</b>			
St George	44	10005	11.9

*Statistical sources:* Pers. Coms Ross Muir, SunWater, Dec 2001 for water year 1999/2000 and DNR (2001).  
\* for entire scheme. ^ for channel system.

NR&M staff have developed a procedures manual and buyers 'and sellers' kits based on the model developed in Mareeba. SunWater will review these kits so as to provide their input. These kits and manual are to be utilised in each of the areas where trading programs are introduced. These kits are expected to increase the awareness in trial areas of permanent transfers as a trading instrument.

## 6.0 References

- Bjornlund, H & McKay, J., 2001, 'Operational aspects of Australian water markets', *Conference Proceedings of the 3<sup>d</sup> Australasian Natural Resources Law and Policy Conference (Focus on Water)*, 22-23 March, Adelaide, South Australia
- Department of Primary Industries (DPI) 1996, *Annual Statistics: DPI Water Resources 1994-1995*, Department of Primary Industries, Water Resources, Brisbane.
- Department of Primary Industries (DPI) 1995, *Annual Statistics: DPI Water Resources 1993-1994*, Department of Primary Industries, Water Resources, Brisbane.
- Department of Natural Resources (DNR), 2001, *DNR Annual Water Statistics 1999-2000*, The State of Queensland, Department of Natural Resources and Mines, Cooperoo.
- Department of Natural Resources (DNR), 1999, *DNR Annual Water Statistics 1998-1999*, The State of Queensland, Department of Natural Resources, Cooperoo.
- Department of Natural Resources (DNR), 1998, *DNR Annual Water Statistics 1997-1998*, The State of Queensland, Department of Natural Resources, Cooperoo.
- Department of Natural Resources (DNR), 1997a, *DNR Annual Water Statistics 1996-1997*, The State of Queensland, Department of Natural Resources, Brisbane.
- Department of Natural Resources (DNR), 1997b, *DNR Water Infrastructure: Annual Statistics 1995-1996*, The State of Queensland, Department of Natural Resources, Brisbane.
- Department of State Development (DSD), 2001, *Preliminary Assessment of Social and Economics Impacts of the Baron Water Resource Plan*, December, Queensland Department of State Development, Brisbane.
- SunWater, 2001, *Annual Report 2000-01*, SunWater, Brisbane.
- High Level Steering Group on Water, 2000, *A National Approach to Water Trading*, April.