

Legislation review schedule

at 11 March 2002

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Dangerous Substances Act 1979	J	Barrier to market entry and restricts market conduct.	Review, in conjunction with the Explosives Act 1936 and the White Phosphorus Matches Prohibition Act 1915, completed in 1999. No reforms recommended	No reform required.
Employment Agents Registration Act 1993	J	Licensing, entry requirements (fit and proper, manager with sufficient knowledge and experience to manage business), the reservation of practice, business conduct (maintenance of records, no misleading advertising).	Review completed in October 2000. Review involved public consultation.	Government considering review report.
Explosives Act 1936	J	Barrier to market entry and restricts market conduct.	Desktop review completed in December 1999. Act centres around safety and does not provide primary economic control of the industry. No reforms recommended.	No reform required.

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Freedom of Information Act 1991	AIS	Government's ability to refuse access to information which relates to categories of exempt documents specified in Schedule 1 of the Freedom of Information Act, in particular documents affecting the economy of the State, documents affecting financial or property interests and documents affecting business affairs.	Desktop review completed in September 2000. No reform recommended. The Act does not require amendment to meet the obligations for the South Australian Government under the National Competition Policy. Its operation promotes competition by enabling access to official information on a regulated basis.	The review report was noted in Cabinet on 28 August 2000. No reform required.
Manufacturing Industries Protection Act 1937	J	Exempts some industries from legal requirements applying to competitors.	Review completed March 1999. Public consultation.	Act repealed 1999.
Occupational Health Safety and Welfare Act 1986	J	Restricts market competition.	Review completed in November 2000. Involved public consultation.	Government considering report.
Sewerage Act 1929	T&F	Barriers to market entry and restricts market conduct; product or service standards.	Review, in conjunction with review of South Australian Water Corporation Act 1994 and Waterworks Act 1932, completed in 2001. The main feature of the Review Report argued for the establishment of a policy framework which is supportive of innovative water and wastewater service practices from 3rd party providers, particularly in urban and near urban areas.	Government approved the drafting of amendments to the legislation to implement the recommendations and legislation has been drafted.
Shearers Accommodation Act 1975	J	Restricts market conduct.	Review completed in March 1999. Involved public consultation.	Act repealed 1999.

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Shop Trading Hours Act 1977	J	Significant restrictions, including: controls on the hours during which shops may open; variation in allowed opening hours based on the day of the week; and variation in permitted opening hours vary depending on shop location, size and products sold. Monday-to-Saturday trading hours are restricted. Sunday trading is prohibited in Adelaide outside the central business district, where hours are restricted.	Review completed in 1998. Report not released by Government.	Limited changes took effect from June 1999.
South Australian Ports Corporation Act 1994	T&F	Restricts market conduct.	Divestment of Ports Corporation occurred in Nov 2001. The South Australian Ports (Disposal of Maritime Assets) Act 2000 includes a provision to enable the Governor to repeal the SA Ports Corporation Act 1994	Parliament passed legislation for the lease/sale of the corporation in December 2000. Likely that the SA Ports Corporation Act 1994 will repealed during 2002.
South Australian Water Corporation Act 1994	T&F	Barriers to market entry, and restricts market conduct.	Review, in conjunction with review of Sewerage Act 1929 and Waterworks Act 1932, completed in 2001.	Government approved the drafting of amendments to the legislation to implement the recommendations and legislation has been drafted.
State Clothing Corporation Act 1977	AIS	Protects sheltered workshops.	Review completed.	Corporation sold in 1995-96. The Act was amended to repeal most of original Act including all reference to sheltered workshops.
State Lotteries Act 1966	T&F	Restricts market conduct.	Omnibus review underway. All gambling legislation (except the Racing Act 1976), including Bills before the Parliament, to be reviewed. Review well advanced and draft report near completion.	Legislation to sell SALC was defeated in Parliament November 2000. Government decision to restructure to separate policy, regulation and management.

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State Supply Act 1985	AIS	Restricts market conduct.	Desktop review completed.	Report with government for consideration.
Survey Act 1992	AIS	Licensing, registration, entry requirements (education, experience, fit and proper), the reservation of title (and derivatives), the reservation of practice, disciplinary processes, business conduct (including ownership restrictions), business licensing.	Review completed in 1999, but report not yet released. Review involved public consultation.	Report with Government for consideration.
Waterworks Act 1932	T&F	Barriers to market entry, and restricts market conduct, product/service standards.	Joint review with Sewerage Act 1929 and South Australian Water Corporation Act 1994 completed in 2001.	Government approved the drafting of amendments to the legislation to implement the recommendations and legislation has been drafted.
White Phosphorus Matches Prohibition Act 1915	J	Barrier to market entry and restricts market conduct.	Review completed in April 1999.	Government has approved negotiation with Commonwealth so that Act can be repealed without international implications.
Workers Rehabilitation and Compensation Act 1986	T&F	Mandatory insurance, monopoly insurer, centralised premium setting.	Review underway. Draft final report completed. Anticipate that final report will be submitted to the Government for consideration in March/April 2002.	
Catchment Water Management Act 1995	EH	Restricts market conduct.	Review completed.	Repealed by the Water Resources Act 1997, and the Catchment Water Management Act 1995.
Coast Protection Act 1972	EH	Restricts market conduct.	Review completed in December 1999. Involved public consultation. No NCP reform recommended.	No reform required.

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Crown Lands Act 1929	EH	Restricts market conduct.	Review completed in December 1999. Involved public consultation.	Removal of barriers to more cost efficient processes and repeal of superfluous provisions approved. Cabinet approval to draft amendments is being sought.
Discharged Soldiers Settlement Act 1934	EH	Restricts market conduct.	Review completed in December 1999. Involved public consultation.	Repeal approved. Cabinet approval to draft amendments is being sought.
Environment Protection Act 1993	EH	Barrier to market entry and restricts market conduct.	Review completed in 1999. Public consultation. No NCP reform recommended.	No reform required.
Heritage Act 1993	EH	Restricts market conduct.	Review completed in 1999. Review involved consultation with stakeholders. No NCP reform recommended.	No reform required.
Irrigation (Land Tenure) Act 1930	EH	Restricts market conduct.	Review completed in December 1999. Reviewed with associated legislation. No major issues identified. Recommended that legislation be updated and consolidated.	Legislation to be repealed in 2002.
National Parks and Wildlife Act 1972	EH	Restricts market conduct.	Review completed December 1999. Public consultation. Reform recommended	Reform introduced via National Parks and Wildlife (Miscellaneous) Amendment Act 2000 (in operation 24 August 200)
Native Vegetation Act 1991	EH	Restricts market conduct.	Review completed December 1999. Public consultation. Reform recommended	Native Vegetation (Miscellaneous) Amendment Bill 2001 introduced but not passed before the calling of the State election.
Prevention of Cruelty to Animals Act 1985	EH	Requires licences for teaching and research involving animals.	Review completed in 1999. Public consultation. Reforms recommended.	Reforms introduced via Prevention Of Cruelty To Animals (Miscellaneous) Amendment Act 1999 (in operation 1 February 2000).
Racing Act 1976	EH	Barrier to market entry and restrictions on market conduct.	Review completed in January 2000.	Act to be repealed.

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Sandalwood Act 1930	EH	Caps the quantity of naturally-occurring sandalwood harvested from Crown and private land. Licensing the harvesting of sandalwood.	Review completed in 1999. The review recommended repeal of the Act.	Act repealed (7 of 2001), effective 5/4/01.
War Service Land Settlement Agreement Act 1945	EH	Restricts market conduct.	Review completed in December 1999. Involved public consultation. No NCP reform recommended.	No reform required.
Wilderness Protection Act 1992	EH	Restricts market conduct.	Review completed in December 1999, recommending no reform.	No reform required.
Children's Services Act 1985 and Regulations	ETE	Barrier to market entry and restricts market conduct.	Review completed in 2000. No reform recommended. Government has endorsed review recommendation.	No NCP reform required.
Construction Industry Training Fund Act 1993	ETE	Restricts market conduct.	Review completed in 1997. Involved public consultation. No NCP reform recommended. Act to be reviewed again in 2003.	No NCP reforms required.
Education Act 1972 and Regulations	ETE	Barrier to market entry and restricts market conduct. Provides for registration of non-government schools and for registration of non-government schools wishing to enrol overseas students. Teacher licensing, registration, entry requirements (qualification, experience, fit and proper person), reservation of practice, disciplinary processes.	Review completed in July 2000. Review involved public consultation. No reform recommended. Government has endorsed review recommendation.	No NCP reform required. Meets CPA obligations (6/01)
Vocational Education, Employment and Training Act 1994	ETE	Registers training providers and accredits training courses.	Review completed in April 2000. Concluded that public benefits of restrictions outweigh costs.	No NCP reforms required. Meets CPA obligations (6/01)

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Children's Protection Act 1993	HS	Restricts market conduct - requires mandatory notification.	Review completed in 1999.	Cabinet has approved drafting of amendments to the Act.
Chiropodists Act 1950	HS	Entry, registration, title, practice, discipline, advertising, ownership, business licensing.	Review completed in January 1999, recommending removing ownership and advertising restrictions and limiting reserved practice.	Cabinet has approved drafting of amendments. Draft Bill prepared.
Chiropractors Act 1991	HS	Entry, registration, title, practice, discipline, advertising, insurance, business licensing, ownership.	Review completed. Review recommended removing ownership restrictions and amending practice reservation and advertising codes.	Cabinet has approved drafting of amendments to the Act. Bill being drafted.
Controlled Substances Act 1984	HS	Restricts market conduct.	Part of Galbally Review. Draft Review Report 11 September 2000. Final review report given to the Australian Health Ministers Conference in early 2001 and under consideration by the Australian Health Ministers Advisory Council.	
Dentists Act 1984	HS	Entry, registration, title, practice, discipline, ownership, advertising, business.	Review completed in February 1999. Recommendations included changing the disciplinary process, introducing paraprofessional registration and removing some areas of reserved practice. The review also recommended the removal of ownership restrictions.	New legislation introduced 25 October 2000. Limits on ownership and related restrictions maintained, contrary to review recommendations. Dental Practice Act repeals Dentists Act. The following sections came into operation 13 December 2001: Ss. 1-3, 6(3), 89 & 91 and Sched. cls. 2(2), 4 & 7. The remainder of Act is not yet in operation.
Family and Community Services Act 1972	HS	Barrier to market entry and restricts market conduct of foster care agencies.	Review completed in 1999.	Cabinet approved drafting of amendments to the Act. The Bill was rejected by the House of Assembly.

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Food Act 1985	HS	Offence to manufacture or sell food that does not meet prescribed standard.	National review completed in 2000 (see NSW Food Act 1989).	All Australian Governments agreed in November 2000 to adopt core provisions of the Model Food Bill by November 2001. A new Food Act was passed in July 2001.
Housing Improvement Act 1940	HS	Barriers to entry & restricts market conduct	Review completed in March 1999. Involved public consultation. Restrictions were assessed as trivial. One minor clarification to section 45 recommended.	Cabinet approved drafting on 26 June 2000. The amendment will be made the next time the Act is amended.
Medical Practitioners Act 1983	HS	Entry, registration, title, practice, discipline, advertising, business.	Review completed in 1999. Review recommended removing ownership restrictions, registering medical students, requiring declaration of commercial interests and requiring professional indemnity insurance.	New legislation introduced in May 2001 (second reading speech 5/7/01), not passed before the calling of the State election.
Nurses Act 1984	HS	Entry, registration, title, practice, discipline, advertising.	Review completed in 1998. Recommendations that provide greater clarity and accountability and remove the power to restrict advertising.	New legislation, Nurses Act 1999, passed in line with recommendations. Meets CPA obligations (6/01)
Occupational Therapists Act 1974	HS	Entry, registration, title, practice, discipline.	Review completed in 1999. Review recommended maintaining registration requirements.	Cabinet has approved drafting of amendments to the Act 21 August 2000. Draft Bill prepared.
Optometrists Act 1920	HS	Entry, registration, title, practice, discipline, advertising.	Review completed in April 1999. Recommendations include extending coverage to include optical dispensers, removal of restriction on training providers and the introduction of a code of conduct.	Under consideration by Government.

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Pharmacists Act 1991	HS	Entry, registration, title, practice, discipline, advertising, business, ownership, licensing.	National Review of Pharmacy Regulation (Wilkinson Review) completed in February 2000. The review recommended retaining registration, the protection of title, practice restrictions and disciplinary systems (although with minor changes to the registration systems recommended for individual jurisdictions). Further, the review recommended maintaining existing ownership restrictions, and removing business licensing restrictions.	CoAG referred the Wilkinson Review to a senior officials' working party, which is yet to report back to CoAG.
Physiotherapists Act 1991	HS	Entry, registration, title, practice, discipline, advertising, ownership.	Review completed in February 1999. Recommendations include publication of a code of conduct without advertising restrictions, amended definitions of areas of practice protected, removal of the requirement to register business names, removal of ownership restrictions, prohibition of undue influence, demonstration of continuing competence and removal of advertising and unprofessional conduct provisions from code of ethics prior to adoption of a code of conduct.	Cabinet approved drafting amendments 28 August 2000. Draft Bill prepared.
Psychological Practices Act 1973	HS	Entry, registration, title, practice, discipline, advertising	Review completed in 1999. Review recommended removing advertising and practice restrictions.	Cabinet has approved drafting amendments to the Act 23 April 2001. Draft Bill prepared.
Public & Environmental Health Act 1987	HS	Restricts market conduct.	Review completed.	The Minister has endorsed the review. The requirement for authorised officers to have approved qualifications will be addressed in a broad review of the Act scheduled for 2002/2003.

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Radiation Protection and Control Act 1982	HS	Creates barrier to market entry and restricts market conduct.	National review completed. ARPANSA is consulting with jurisdictions and will report back to AHMAC.	
South Australian Health Commission Act 1976	HS	Barrier to market entry and restricts market conduct of private hospitals.	Review completed in 1999. Final report awaiting outcome of Health Complaints Bill introduced into Parliament 29/3/01, now lapsed.	
South Australian Housing Trust Act 1995	HS	Restricts market conduct	Review completed in 1999. No reform recommended.	No reform required.
Supported Residential Facilities Act 1992	HS	Barrier to market entry and restricts market conduct.	Review completed in 1998. No reform recommended.	No reform required.
Tobacco Products Control Act 1986	HS	Restricts market conduct.		Repealed and replaced by the Tobacco Products Regulation Act 1997.
Industries Development Act 1941	IT	Section 24, which contains provisions for making Regulations, may be in conflict with Trade Practices Act.	Review underway.	
Building Work Contractors Act 1995	J	Licensing (building work contractors), registration (building work supervisors), entry requirements (for contractors: qualifications, experience, sufficient business knowledge and experience and financial resources, fit and proper, not bankrupt within last ten years; for supervisor: qualifications and experience), the reservation of practice, disciplinary processes, business conduct (written contracts, product or service standards, statutory warranty).	Review completed. The Panel's Supplementary Issues Paper was released during the week commencing 15 October 2001 for public and industry comment.	With Government for consideration.

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Business Names Act 1996	J	Registration of business names	Desktop review completed in 1998. No reform recommended.	No reform required.
Carriers Act 1891 (The)	J	Restricts market conduct.	Review completed in 1999. Involved public consultation.	Act repealed 1999.
Consumer Credit (South Australia) Act 1995	J	Barrier to market entry and restricts market conduct.	National review underway. The consultant's Issues Paper has been released for public comment. Final Report will go to CRR and to the Ministerial Council on Consumer Affairs.	
Conveyancers Act 1994	J	Licensing, registration, entry requirements (qualifications, no convictions for offences of dishonesty), the reservation of practice, disciplinary processes, business conduct (professional indemnity insurance, trust accounts, ownership), business licensing.	Review completed in 1999. Review involved public consultation. Review recommendations included: changing entry requirements in relation to fitness and propriety; removing ownership restrictions (but introducing requirement that a director of an incorporated company must not unduly influence a registered conveyancer); and removing the requirement that the sole object of a conveyancing company is carrying on business as a conveyancer.	Cabinet approved retention in March 1999. Removal of ownership restrictions and prohibition of undue influence amendments introduced in Parliament in late 2000. Still not passed. Meets CPA obligations (6/01)
Cremation Act 1891	J	Barrier to market entry and restricts market conduct.	Review completed in 1999.	Amending legislation passed and operational in February 2001 (52 of 2000). Amendments abolished licences and removed need for Health Commission approval prior to Development Act approval and funeral directors possible monopoly.
Financial Institutions (Application of Laws) Act 1992	J		No review as Act to be repealed.	Repealed by Financial Sector Reform (South Australia) Act 1999
Firearms Act 1977	J	Restriction of ownership of and dealing in firearms	Desktop review completed in July 1999. No reform recommended.	No reform required.

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Friendly Societies Act 1919	J	Restricts market conduct.	Review completed.	Repealed and replaced by Friendly Societies (SA) Act 1997, subsequently repealed by Financial Sector Reform (South Australia) Act 1999
Hairdressers Act 1988	J	Negative licensing, entry requirements (qualifications), reservation of practice (washing, cutting, colouring, setting, permanent waving or other treatment of a person's hair or the massaging or other treatment of a person's scalp for fee or reward).	Review completed in 1999. Review involved public consultation. Review recommended reducing the scope of work reserved for hairdressers and reviewing the Act in three years with view to its repeal.	Government endorsed review recommendations. Parliament passed legislative amendments in March 2001. Meets CPA obligations (6/01)
Land Agents Act 1994	J	Licensing (agents, not sales representatives who are negatively licensed), registration, entry requirements (qualifications, no conviction for an offence of dishonesty, not an undischarged bankrupt or no suspension or disqualification from practising an occupation, trade or business), the reservation of practice, disciplinary processes, business conduct (provisions for maximum fees in regulations (but not used currently), indemnity fund, trust account), business licensing.	Review completed in 1999. Review involved public consultation. Recommendation that Act be amended to lower entry criteria (prescribed offences - only indictable offences). Supplementary Review (Legal qualifications/recommendations) completed March 2001.	Government endorsed review recommendation. No need to amend Act. Commissioner for Consumer Affairs has implemented recommendations administratively (recommendations were matters within his discretion).

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Land and Business (Sale and Conveyancing) Act 1994	J	Business conduct of agents, conveyancers and vendors of property for sale of land or small business (information provision, cooling-off, subdivided land, relationship between agent and principal, preparation of conveyancing instruments, representations).	Review completed in 1999. Review involved public consultation. Review recommended no reform.	Government endorsed review recommendation. Meets CPA obligations for auctioneers and conveyancers (6/01).
Land Valuers Act 1994	J	Negative licensing, entry requirements (qualifications or membership of various professional associations), the reservation of practice, disciplinary processes.	Review completed in 1999. Review concluded that the current qualification requirements are too onerous in relation to the postgraduate qualifications and that the Government should consider re-examining the current requirements and broadening the number and type of acceptable qualifications.	Government endorsed review recommendations. Awaiting a national training package to be approved - can be given effect administratively.
Landlord And Tenant Act 1936	J	Restricts market conduct.	Review completed in 1999.	Relevant provisions have been repealed.
Legal Practitioners Act 1981	J	Licensing, registration, entry requirements, disciplinary processes, reservation of title and practice, business conduct (including monopoly professional indemnity insurance).	Review completed. However, as a new initiative, SCAG may review the professional legal indemnity and the guarantee funds issues.	Government adopted the review recommendations. Restrictions on multi-disciplinary practices will be reviewed over the next two years; no change to the professional indemnity insurance provisions provided premiums remain competitive. A Bill was introduced into Parliament but not passed before the calling of the State election.

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Liquor Licensing Act 1985	J	Legislation contains a proof-of-need test requiring licence applicants to demonstrate that a consumer need exists for the grant of a licence; and a requirement that only hotels and retail liquor stores devoted to sale of liquor exclusively may sell liquor.	<p>Review completed in 1996 and recommended:</p> <p>(a) removal of several restrictions including a requirement that the licensing authorities take account of the impact of a new licensee on existing licence holders;</p> <p>(b) retention of restrictions proof of need test and requirement that liquor can only be sold from stores devoted entirely to liquor sales; and</p> <p>(c) further review of liquor licensing arrangements in 3 or 4 years (when impacts of less regulated approaches in other jurisdictions are clear).</p> <p>Government has undertaken to review the proof of need test in 2000-01. New Minister may reconsider the proof of need requirement.</p>	Reform followed review recommendations. Several restrictions on the sale of liquor were removed by the Liquor Licensing Act 1997. The new Act retains the concept of "proof of need" to contain the number of outlets and also retains the requirement that liquor can only be sold from stores devoted entirely to liquor sales.
Plumbers, Gas Fitters and Electricians Act 1995	J	Licensing (contractors), registration (workers), entry requirements (for contractor: qualifications, experience, not undischarged bankrupt, fit and proper, sufficient business knowledge and experience and financial resources; for worker: qualifications and experience), the reservation of practice (for plumbing: water, sanitary or draining work or the installing or testing of backflow prevention devices), disciplinary processes.	Issues Paper produced, submissions received. Final Report being prepared.	

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Prices Act 1948	J	Restricts market conduct.	Review completed, recommending the removal of a number of restrictive provisions but the retention of price controls for infant foods, returns of unsold bread, towing, recovery, storage and quoting for repair of motor vehicles and the carriage of freight to Kangaroo Island.	Government enacted amendments in line with review recommendations in 2000. Meets CPA obligations (6/01).
Public Trustee Act 1995	J	Statutory powers and duties not applicable to private trustees	Review completed in August 2000. Involved public consultation.	Bill introduced into Parliament and was before the Legislative Council in December 2001.
Second-Hand Dealers and Pawnbrokers Act 1996	J	Negative licensing (pawnbrokers, second-hand dealers for all goods except cars), registration (that is, notify police), entry requirements (not convicted dishonesty offence in past five years, not undisclosed bankrupt/insolvent), the reservation of practice, disciplinary processes, business conduct (pawnbrokers: prescribed records, selling of unredeemed goods; second-hand dealers: prescribed records, holding of goods for prescribed period, requirement that seller provide identification (unless sale by phone), cooperation with police).	Review completed in 1998. No reform recommended. Government endorsed review recommendation.	No reform required. Meets CPA obligations (6/01).

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Second-Hand Vehicle Dealers Act 1995	J	Barrier to market entry, business conduct.	Review completed. Recommendation for audits; entitlement criteria for licensing distinction between summary and indictable offences for dishonesty.	Amendments passed by Parliament in October 2001. Persons convicted of a summary offence of dishonesty, will now be entitled to a licence 10 years from the date of conviction. Indictable offences of dishonesty will continue to permanently preclude a person from obtaining a licence.
Security and Investigation Agents Act 1995	J	Barrier to market entry (private inquiry agents, security providers), market conduct.	Final Report being prepared.	
Starr-Bowkett Societies Act 1975	J		Identified at national level.	Payments through these societies almost complete. It is expected the Act will be repealed upon dissolution of 2 remaining societies. Last Starr Bowkett Society recently deregistered.
Trade Measurement Act 1993	J	Restricts market conduct.	National review underway. State 1 completed by consultant, who has recommended that "non-prepacked meat" be subject to separate review (Stage 2). No change recommended for Stage 1.	
Trade Standards Act 1979	J	Restricts market conduct.	Review completed. No reforms recommended. Government endorsed recommendations.	No reform required.

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Travel Agents Act 1986	J	Licensing and compulsory consumer compensation fund.	National review is underway (coordinated by Western Australia). A final review report by CIE was released in 2000. Public consultation involved release of issues paper, background paper, consultation and receiving submissions. Review recommended that entry qualifications for travel agents be removed and maintain compulsory insurance, but recommended the requirement for agents to hold membership of the Travel Compensation Fund, the compulsory insurance scheme, be dropped. Instead, a competitive insurance system where private insurers compete with the Travel Compensation Fund was viewed as the best option.	
Trustee Companies Act 1988	J		To be reviewed under the Standing Committee of Attorneys-General, Parliamentary Counsel Committee with NSW as lead agency. National group has released discussion paper. Time for submissions has closed. A Report on 'next steps' and on the discussion paper outcomes will be presented to SCAG in March '02.	
Australian Formula One Grand Prix Act 1984	P&C	The Board is not subject to the same laws as private sector competitors.	Review underway.	
Emergency Powers Act 1941	P&C	Barrier to market entry and restricts market conduct in wartime	Desktop review completed in December 1998.	To be repealed.
Unauthorised Documents Act 1916	P&C	Restricts use of State insignia and official emblems	Desktop review completed in December 1998. Recommends no change.	No reform required.

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Agricultural and Veterinary Chemicals (South Australia) Act 1994	PIR	Imports the Agricultural and Veterinary Chemicals Code (national registration scheme) into State jurisdiction (see Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	National review completed in 1999 (see Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	See Commonwealth Agricultural and Veterinary Chemicals Code Act 1994.
Agricultural Chemicals Act 1955	PIR	Chemicals must be sold with registered label. Use of chemicals must be as per label or Ministerial directions.	Review completed in 2000.	Agricultural and Veterinary Chemicals Bill before Parliament. Bill lapsed with the calling of the State election February 2002.
Agricultural Holdings Act 1891 (The)	PIR	Restricts market conduct.	Review completed in 1999, recommending repeal.	Legislation passed April 2000 to repeal the Act.
Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986	PIR	Barrier to market entry and restricts market conduct.	Review, in conjunction with review of Soil Conservation and Land Care Act 1989, completed in 1997.	No NCP legislative amendments required. Some administrative reforms will be dealt with when the Act is amalgamated with the Soil Conservation and Land Care Act into a combined land management act in 2004-05.
Apiaries Act 1931	PIR	Barrier to market entry and restricts market conduct.	Desktop review completed in September 1998.	Act repealed by Schedule 2 Livestock Act 1997 and replaced by regulations under the Livestock Act 1997 and the Primary Industries Funding Schemes Act 1998.

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Barley Marketing Act 1993	PIR	Established the former Australian Barley Board and conferred on it a monopoly over the marketing of South Australian barley and oats.	Independent review completed by the Centre for International Economics in 1998, jointly with Victoria, recommending that South Australia: <ul style="list-style-type: none"> · remove the domestic barley marketing monopoly; · retain the export barley marketing monopoly for only the 'shortest possible transition period'; · remove the oats marketing monopoly; and · restructure the Australian Barley Board as a private grower-owned company. 	Act amended in 1999 to remove monopoly on domestic barley from 1 July 1999; and export barley from 1 July 2001. The Board was transferred into grower ownership on 1 July 1999. It has no regulatory powers. On 14 September 2000, the SA Minister for Primary Industries announced that the SA Government would retain the export monopoly over barley, citing economic modeling showing a net benefit arising from the export single desk. The Act was amended to retain the export monopoly beyond 1 July 2001 and to require a further review after two years (Dec 2002). This will be consistent with clause 5 principles.
Branding of Pigs Act 1964	PIR	Barrier to market entry and restricts market conduct.	Desktop review completed June 2000.	Act will be repealed by Schedule 2 clause 1(b) of the Livestock Act 1997. This has not yet been proclaimed.
Brands Act 1933	PIR	Barrier to market entry and restricts market conduct.	Desktop review completed Sept 1998.	Act will be repealed by Schedule 2 clause 1(c) Livestock Act 1997. This has not yet been proclaimed.
Bulk Handling of Grain Act 1955	PIR	South Australian Co-operative Bulk Handling Limited granted sole right to receive and deliver grain.	Review completed in 1998, recommending repeal.	Act repealed in 1998. Meets CPA obligations.
Cattle Compensation Act 1939	PIR	Barrier to market entry and restricts market conduct.	Desktop review completed in September 1998.	Act repealed by Schedule 2 of the Livestock Act 1997 and replaced by regulations under the Livestock Act 1997 and the Primary Industries Funding Schemes Act 1998.

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Citrus Industry Act 1991	PIR	Restricts market conduct.	Review underway.	
Cooper Basin (Ratification) Act 1975	PIR	Ratifies the contract for the supply of gas by Cooper Basin producers to AGL.	Review completed, finding substantial public benefits in continuing previously granted concessions and exemptions on grounds of sovereign risk.	Some amendments being considered. Draft legislation awaiting comments. Meets CPA obligations (6/97).
Dairy Industry Act 1992	PIR	Vesting of milk in Dairy Authority of South Australia. Farmgate price-setting for market milk. Pooling of market milk returns. Licensing of farmers, processors and vendors.	Review of price-setting restrictions by officials completed in 1999. It recommended removal of these. Food safety provisions remain under review by officials.	In line with the March 2000 communiqué signed by all Australian Agriculture and Primary Industries Ministers committing to a national approach to dairy reform, SA passed Dairy Industry (Deregulation of Prices) Amendment Act 2000 on 1 June 2000, deregulating the industry from 1 July 2000. Milk marketing reform meets CPA obligations.
Dairy Industry Assistance Act (Special Provisions) Act 1978	PIR		Review completed in 1999, recommending repeal of the Act.	Legislation passed in April 2000 repealing the Act.
Deer Keepers Act 1987	PIR	Barrier to market entry and restricts market conduct.	Desktop review completed.	Act repealed by Schedule 2 clause 1(e) Livestock Act 1997. Regulations under the Livestock Act and the Primary Industries Funding Schemes Act will be in place in 2002.
Dried Fruits Act 1993	PIR	Restricts market conduct.	Review completed. Recommends repeal of Act and voluntary industry development fund under Primary Industries Funding Schemes Act.	With Government for consideration.
Electrical Products Act 1988	PIR	Restricts market conduct.	Review completed.	Electrical Products Act 2000 passed at end of 2000. Came into operation 1 October 2001. Regulations have also been passed.

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Fisheries (Gulf St Vincent Prawn Fishery Rationalisation) Act 1987	PIR	Imposes on remaining licence holders the cost of compensating those who surrendered their licenses.	Review by officials completed in 1999. Act has achieved objective of reducing licence numbers.	To be repealed once settlement with remaining licence holder finalised.
Fisheries (Southern Zone Rock Lobster Fishery Rationalisation) Act 1987	PIR	Licensees may not transfer their licenses. Imposes on remaining licence holders the cost of compensating those who surrender their licenses.	Review by officials completed. Act has achieved objective of reducing licence numbers.	Act repealed.
Fisheries Act 1982	PIR	Licensing of fishers and fish farmers. Registration of boats and fisher processors. Input controls on gear and fishing methods. Output controls such as catch limits, size limits and prohibitions on taking certain species.	Review by officials underway, extensive consultation.	
Foot and Mouth Disease Eradication Fund Act 1958	PIR	Barrier to market entry and restricts market conduct.	Desktop review completed June 1998.	Act repealed by Livestock Act 1997 and replaced by new Part 5 of Livestock Act.
Fruit and Plant Protection Act 1992	PIR	Restricts market conduct.	Review underway.	
Fruit and Vegetables (Grading) Act 1934	PIR	Product standard restricts market conduct.	Review completed, recommending repeal of the Act.	Act repealed.
Garden Produce (Regulation of Delivery) Act 1967	PIR	Restricts market conduct.	Review completed, recommending repeal of the Act.	Act repealed.
Gas Act 1997	PIR	Provides for separate licences to operate pipelines and to undertake gas retailing.	Review in 1999 found restrictions to be in the public interest	No reform planned. Meets CPA obligations (6/99)
Impounding Act 1920	PIR	Discretionary power for council to establish a pound.	Desktop review completed in December 2000. Recommends repeal of Act and replacement with modern scheme.	Recommendation to Government for response in 2002
Margarine Act 1939	PIR	Restricts market conduct.	Review completed, recommending repeal.	Act repealed.

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Marginal Dairy Farms (Agreement) Act 1971	PIR	Restricts market conduct.	Review completed in 1999, recommending repeal of the Act.	Legislation repealing Act passed in April 2000.
Meat Hygiene Act 1994	PIR	Accreditation of meat processors. Meat inspectors and auditors must enter agreement with Minister.	Review completed in 2000. Recommended extension to cover rabbit meat and retail within the scope of the Act.	Recommendation to Government for response in 2002
Mines And Works Inspection Act 1920	PIR	Remainder of Act committed to responsibility of Minister for Mines. Creates barrier to market entry and restricts market conduct.	Review underway.	
Mining Act 1971	PIR	Creates barriers to market entry and restricts market conduct	Review underway.	
Natural Gas (Interim Supply) Act 1985	PIR		Review completed. Review recommended repeal of certain parts of the legislation restricting the use and production of gas amongst other things. Balance of Act can be repealed by proclamation.	Key restrictions repealed 1996. Meets CPA obligations (6/99)
Natural Gas Pipelines Access Act 1995	PIR	Establishes access regime for access to natural gas pipelines in SA	Review completed.	Act repealed by s50 of the Gas Pipelines Access (SA) Act 1997. However, for transitional purposes, the Act continues until access arrangements are set under the National Gas Access Code and any continuing arbitration proceedings are finalised. Meets CPA obligations (6/99)
Noxious Insects Act 1934	PIR	Restricts market conduct.	Review completed in 2000, recommending no reform.	No reform required.
Opal Mining Act 1995	PIR	Creates barrier to market entry and restricts market conduct.	Review underway.	

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Pastoral Land Management and Conservation Act 1989	PIR	Restricts market conduct.	Review completed in December 1999. It identified no major issues but recommended that the Government review and develop a policy on access arrangements to pastoral lands.	A significant paper on public access to pastoral lands is in the final stages of preparation.
Petroleum (Submerged Lands) Act 1982	PIR	Regulates exploration for and development of undersea petroleum resources. This legislation forms part of a national scheme.	National review completed. Endorsed by ANZMEC Ministers.	Recommendations being considered by COAG Committee on Regulatory Reform. Amendments developed by Commonwealth and to be reflected in State and Territory legislation.
Petroleum Act 1940	PIR	Regulates onshore exploration for and development of petroleum reserves. Barrier to market entry and restricts market conduct.		Repealed and replaced by Petroleum Act 2000 and regulations. New Act incorporates principles proposed by the ANZMEC Petroleum sub-committee in regard to acreage management. The SA Government directed efforts at facilitating new explorers entering the Cooper Basin and to encourage the development of a voluntary access code for access to production facilities. Meets CPA obligations (6/01)
Phylloxera and Grape Industry Act 1995	PIR	Restricts market conduct.	Review completed in June 2000. It recommended no reform.	No reform required.
Poultry Meat Industry Act 1969	PIR	Prohibits processing of chickens unless from approved farms.	Review completed in 1994, recommending that producers seek ACCC authorisation for collective bargaining with each processor, and that the Government repeal the Act.	The ACCC authorised collective negotiations between chicken growers and: . Ingham Enterprises P/L, on 9/4/97, expiring 30/6/02; and . Steggles Ltd, on 20/5/98, expiring 11/6/02. The Act is yet to be repealed. New legislation is under consideration.

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Roxby Downs (Indenture Ratification) Act 1982	PIR	Authorises behaviour contrary to TPA.	Desktop review completed in May 2000. No reform recommended	No reform required.
Rural Industry Adjustment (Ratification of Agreement) Act 1990	PIR		Review completed in December 1998, recommending repeal of the Act.	Repealed in April 2000.
Rural Industry Adjustment and Development Act 1985	PIR		Review completed in June 2000, recommending no reform.	No reform required.
Rural Industry Assistance Act 1985	PIR		Review completed in March 1999, recommending repeal of the Act.	Repealed in April 2000.
Santos Limited (Regulation of Shareholdings) Act 1989	PIR	Restricts market conduct.	Review completed July 2001.	No reform planned.
Seeds Act 1979	PIR	Restricts market conduct.	Review completed, recommending no reform.	No reform required.
Soil Conservation and Land Care Act 1989	PIR	Restricts market conduct.	Review with the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986 completed.	No NCP legislative amendments required. Some administrative reforms will be dealt with when the Act is amalgamated with the Animal and Plant Control Act into a combined land management Act in 2004-05.
Stock Act 1990	PIR	Barrier to market entry and restricts market conduct.	Review completed in 1996.	Repealed by the Livestock Act 1997.
Stock Foods Act 1941	PIR	Stock foods must be sold with label or certificate specifying chemical analysis. Seed grain must not be fed to stock.	See Agricultural Chemicals Act 1955.	See Agricultural Chemicals Act 1955.
Stock Medicines Act 1939	PIR	Stock medicines to be registered.	See Agricultural Chemicals Act 1955.	See Agricultural Chemicals Act 1955.
Stony Point (Liquids Project) Ratification Act 1981	PIR	Authorises behaviour contrary to TPA.	Review completed 2000. No reform recommended	No reform planned.

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Swine Compensation Act 1936	PIR	Barrier to market entry and restricts market conduct.	Desktop review completed, recommending repeal.	Repealed by Schedule 2 of the Livestock Act 1997 and replaced by regulations under the Livestock Act 1997 and the Primary Industries Funding Schemes Act 1998.
Veterinary Surgeons Act 1985	PIR	Licensing of veterinary surgeons and hospitals, reservation of practices, reservation of title, advertising restrictions, and controls on business names.	Review completed in 2000.	Act to be repealed and replaced by Veterinary Practices Act, currently being drafted.
Wheat Marketing Act 1989	PIR	Imports Commonwealth Act into State jurisdiction.	Desktop review of SA only provisions completed. No reform recommended.	No reform required.
Wine Grapes Industry Act 1991	PIR	Restricts market conduct - indicator price calculation, terms and conditions of payment & exclusion from subsequent harvests.	Review completed.	Cabinet has approved amendments to the Act. Restrictions retained are justified by the net public benefit.
Advances to Settlers Act 1930	T&F	Restricts market conduct.	No review as Act is to be repealed.	Act to be repealed.
Benefit Associations Act 1958	T&F	Restricts market conduct.	Desktop review completed in December 1999. The review found that the Act provided a net public benefit but recommended investigation of whether other existing legislation could be amended to encompass the consumer protection role provided by the Act (probably the Fair Trading Act).	
Collections for Charitable Purposes Act 1939	T&F	Restricts market conduct by requiring collectors to be licensed	Desktop review completed in November 1999. The review found that the Act provided a net public benefit and thus no reforms were recommended.	No reform required.

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Electricity Act 1996	T&F	Restricts market entry and market conduct	Review completed in September 2000. No reforms recommended as Act facilitates regulation of electricity supply in SA in conjunction with other national electricity market reforms.	No reform required.
Electricity Corporation Act 1994	T&F	Restricts market entry and market conduct	Review completed in September 2000. No reforms recommended as Act facilitates establishment of state owned corporations in SA in conjunction with other national electricity market reforms.	No reform required.
Government Financing Authority Act 1982	T&F	May restrict market conduct of government business enterprises.	Review completed in 1998. Although technically there may be a restriction on 'market conduct' of GBEs in being required to utilise SAFA's services, this is insignificant and there is no impact on private sector market conduct. The review found that there was a net public benefit and no reforms were recommended.	No reform required.
Loans for Fencing and Water Piping Act 1938	T&F	Restricts market conduct.	No review as Act is to be repealed.	No new business. Act expected to be repealed when last repayments made.
Loans to Producers Act 1927	T&F	Restricts market conduct.	No review as Act is to be repealed.	No new business. Act expected to be repealed when last repayments made.
Lottery and Gaming Act 1936	T&F	Barrier to market entry and restricts market conduct.	Omnibus review underway. All gambling legislation (except the Racing Act 1976), including Bills before the Parliament, to be reviewed. Review well advanced and draft report near completion.	
Motor Accident Commission Act 1992	T&F	No restrictions on competition – restrictions contained under Part 4 of the Motor Vehicles Act.	See Motor Vehicles Act review.	See Motor Vehicles Act review.

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National Electricity (South Australia) Act 1996	T&F	Restricts market entry and market conduct	Review completed in September 2000. No reforms recommended as sole object is to implement a national electricity market. Review process: consultation with other jurisdictions.	No reform required.
Petroleum Products Regulation Act 1995	T&F	Barrier to market entry and restricts market conduct.	Review completed mid-2001.	To be considered by the Government.
Public Corporations Act 1993	T&F	The Act technically "restricts" the market conduct of public corporations established under the Act in order to limit the Government's ownership risks. However, these restrictions do not limit market entry or conduct of private sector participants. The Act is the preferred model of corporatisation and is consistent with the objectives of National Competition Policy and competitive neutrality principles.	Review completed in 1998. The review found that there was a net public benefit and no reforms were recommended.	No reform required.
Southern State Superannuation Act 1994	T&F	Limits on choice of funds.	Desktop NCP review Restrictions trivial. No reform recommended.	No reform required.

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Architects Act 1939	TUPA	Registration, entry requirements, reservation of title, disciplinary processes, business conduct (including advertising - accuracy), business licensing, advertising restrictions.	National review conducted by the Productivity Commission completed in August 2000 (publicly released November 2000). (Previous State review completed, with results to be reconsidered following PC review outcomes). PC review involved public consultation via public release of issues paper, draft report, consultation, public hearings and receiving submissions. Review recommended repeal of Act. A States and Territories working group is developing a national response to the PC review.	Outcomes of State review to be considered following decision on PC review.
Commercial Vehicles (Hours of Driving) Act 1973	TUPA		Review completed in 1997.	Act has been repealed.
Development Act 1993	TUPA	Controls the uses to which land may be put. Sets procedures for the issue of planning permits and approval.	Review completed in July 1999. Recommendations included: requiring Crown developments to be subject to building rules and fire safety requirements consistent with those for private buildings; allowing private certification of private development; and removing the obligation for planning authorities to obtain independent advice for non-complying developments.	Majority of recommendations implemented. Public interest justification provided where recommendations not accepted.
Enfield General Cemetery Act 1944	TUPA	Restricts market conduct. Exemption from section 586 of Local Government Act.	Review completed in July 1999. Involved public consultation. Recommended certain sections of the Act were to be amended to remove the competitive advantage or disadvantage.	Review recommendations implemented through the Adelaide Cemeteries Authority Act 2001, not yet in operation (February 2002).
Harbours and Navigation Act 1993	TUPA	Governs harbour operations (market conduct).	Review completed in 1999.	Intergovernmental agreement to develop nationally consistent legislation. State Government currently considering amendments to legislation.

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Highways Act 1926	TUPA	Restricts market entry.	Review completed in 1998.	Relevant provisions of the Act repealed 2000.
Local Government Act 1934	TUPA	Restricts market conduct and product and service standards.	Review completed in 1999, except for the cemetery provisions for which, in turn, a competition review was commenced in early 2000 that was subjected to targeted consultation. A final report on the cemetery provisions is currently in preparation.	New legislation came into operation in 2000 to replace most of the existing Act. Elements remaining are either progressively being repealed, or being considered as part of other legislation reviews (with the intent of being transferred to or being integrated into appropriate functional legislation). Reform activity for the cemetery provisions subject to Government response to final report.
Motor Vehicles Act 1959	TUPA	Barrier to market entry and restricts market conduct. Mandatory insurance, monopoly insurer, centralised premium setting.	Review into tow truck operators, motor driving instructors and compulsory third party insurance completed. In relation to CTP, review completed in 1998, recommending removing the monopoly and controls on premiums. Second review completed in 1999, rebutting previous review's recommendations. Government issued both reviews for public consultation in early 2001	Uniform national motor vehicle registration and driver licensing legislation implemented July 2001. Government announced retention of mandatory insurance, the sole provision of insurance by the Motor Accident Commission and community rating. Drafting of legislation underway. Reviews of tow truck operators and motor driving instructors are with the Government for consideration.
Outback Areas Community Development Trust Act 1978	TUPA	Restricts market conduct.	Review completed. Crown Solicitor's Office found no restrictions to competition.	No reform necessary.
Passenger Transport Act 1994	TUPA	Restrictions on taxi licence numbers (note, open entry to Small Passenger Vehicle (hire car) market).	Review completed November 2000. Review involved public consultation.	Review with the Government for consideration. No substantial reform activity expected.
Road Traffic Act 1961	TUPA	Barrier to market entry and restricts market conduct.	Desktop review underway.	National legislation implemented.

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South Australian Film Corporation Act 1972	TUPA	Restricts market conduct in granting sole and exclusive right to produce Government films.	Review completed in February 2000. Involved public consultation. No reform recommended.	No reform required.
South Australian Museum Act 1976	TUPA	Restricts market conduct in relation to meteorites.	Desktop review completed in May 1997. No reform recommended.	No reform required.
Groundwater (Border Agreement) Act 1985	WR	Restricts market conduct.	Review completed in June 2000. No reforms recommended.	No reform required.
Irrigation Act 1994	WR	Restricts market conduct.	Review completed in August 2000. Minor legislative change recommended. The review has identified a need for comprehensive review of the legislation and its objectives.	To be considered by the new Government.
Murray Darling Basin Act 1993	WR	Restricts market conduct.	Review completed. No reforms recommended.	Agreement in place to provide equitable sharing of the resource. Agreement regarded as preventing restrictions. Review noted by MDBC and presented to Minister.
Renmark Irrigation Trust Act 1936	WR	Restricts market conduct.	Review completed in August 2000. Minor legislative change recommended to remove obsolete and inconsistent sections. Will prompt more fundamental review.	To be considered by the new Government.
River Murray Waters Agreement Supplemental Agreement Act 1963	WR	Restricts market conduct.	Review completed in September 1998. Effectively replaced by Murray Darling Basin Act 1993. Repeal recommended.	
South Eastern Water Conservation and Drainage Act 1992	WR	Restricts market conduct.	Review completed in July 1999. No reforms recommended.	No reforms required.
Water Conservation Act 1936	WR	Barriers to market entry, and restricts market conduct and products/service standards.	Review completed in September 2000. Act only used in limited circumstances. No significant restrictions identified.	Government is considering review. Act likely to be repealed and relevant sections included in a revised Waterworks Act in due course.

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Water Resources Act 1990	WR	Restricts market conduct.	Review completed.	Repealed by the Water Resources Act 1997.

New Legislation (since July 1996) raised by the NCC

Maritime Services (Access) Act 2000	AIS	Provides regime for third party access to channels, defined common user berths, berths adjacent to grain handling facilities and grain handling facilities (belts). Provides for the regulation of prices in respect to certain essential maritime services provided by the private port operator.		New legislation.
SA Ports (Disposal of Maritime Assets) Act 2001	AIS			New legislation.
Ionizing Radiation Regulations 2000	HS			New legislation
Tobacco Products Regulation Act 1997	HS			New legislation. Replaced the Tobacco Products Control Act 1986. Subject to CPA clause 5(5) analysis before introduction.

Liquor Licensing Act 1997	J	Retains "proof of need" test requiring applicants to demonstrate a consumer need exists for the grant of a licence. Retains restriction that only hotels and retail liquor stores devoted exclusively to the sale of liquor may sell liquor.	Review completed. SA has undertaken to review the proof of need test in 2001.	New Act following SA's review of its Liquor Licensing Act 1985.
Livestock Act 1997	PIR			New legislation that was subject to CPA clause 5(5) "gatekeeper" obligation prior to being made.
Casino Act 1997	T&F	Exclusive licence, controls on operations of licence holder	Review completed in anticipation of the sale of the Casino. While not an NCP review, it took into account social policy considerations. This review found that there were net public benefits associated with the probity and operational requirements of the Act. It also found that the single licence did not affect competition as it concluded the market would only support one operator. Omnibus review underway. All gambling legislation (except the Racing Act 1976), including Bills before the Parliament, to be reviewed. Review well advanced and draft report near completion.	New Legislation
Authorised Betting Operations Act	T&F		Omnibus review underway. All gambling legislation (except the Racing Act 1976), including Bills before the Parliament, to be reviewed. Review well advanced and draft report near completion.	New legislation

Independent Gambling Authority Act 2001	T&F	Regulation of casino and gaming machines licensees.	Omnibus review underway. All gambling legislation (except the Racing Act 1976), including Bills before the Parliament, to be reviewed. Review well advanced and draft report near completion.	New legislation
Harbors and Navigation (Control of Harbors) Amendment Act 2001	TUPA	Provision for marine safety, licensing and pilotage.		New legislation.

Existing Legislation not on July 1996 scheduled, raised by the NCC

Radiation Protection and Control (Transport of Radioactive Substances) Regulations 1991	HS			NOT LISTED BY SA
Trade Measurement Administration Act 1993	J		National review of Trade Measurement Act underway	NOT LISTED BY SA
Gaming Machines Act 1992	T&F	Gaming machines are restricted to licensed clubs, hotels and the Casino and there are controls on the number of machines allowed in licensed venues; granting of an exclusive monitoring licence to the Independent Gaming Corporation and an exclusive supply and service licence to the State Supply Board.	Omnibus review underway. All gambling legislation (except the Racing Act 1976), including Bills before the Parliament, to be reviewed. Review well advanced and draft report near completion.	NOT LISTED BY SA.
Fair Trading Act	J			NOT LISTED BY SA