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## B Australian Government legislation reviews

In 1995, as part of the *Competition Principles Agreement* (CPA), the Council of Australian Governments (COAG) agreed to a program of review of existing legislation which restricts competition. Jurisdictions decided to conduct reviews and implement any required reforms over a four year period ending in the year 2000. At its meeting on 3 November 2000, COAG extended the period to 30 June 2002.

The Australian Government's legislation review program is broader than that required by the CPA. In addition to legislation which restricts competition, it also includes legislation that may impose costs or confer benefits on business. The Government's program, announced in June 1996, identified 98 separate reviews. Additional reviews were included on the Schedule, bringing the total number of reviews to 101. As at 30 June 2003, 76 of the reviews on the Australian Government's schedule had either been completed or were underway, 14 reviews had been deleted from the schedule, and 11 reviews were deferred, delayed or not yet commenced. Table B.1 contains a list of the outstanding reviews.

The ORR provides advice to departments and regulatory agencies on appropriate terms of reference and the composition of review bodies for reviews under the Government's legislation review program. The Government requires the Office of Regulation Review (ORR) to advise the Parliamentary Secretary to the Treasurer and the responsible portfolio Minister as to whether proposed terms of reference meet the CPA requirements and the Australian Government's legislation review requirements. The ORR assessed one terms of reference in 2002-03. This was for a Productivity Commission review of the *Disability Discrimination Act 1992*.

The National Competition Council's 2003 assessment will provide a final assessment of Australian Government, State and Territory progress against legislation review and reform obligations.

**Table B.1     Reviews outstanding as at 30 June 2003**

<i>Reviews still to be undertaken</i>	<i>Department</i>	<i>Status as at 30 June 2002</i>	<i>Status as at 30 June 2003</i>
<i>Environment Protection (Nuclear Codes) Act 1978</i>	DHA	Seeking to delist	Not commenced/ Seeking to delist
<i>Anti-Dumping Authority Act 1988, Customs Act 1901 Pt XVB &amp; Customs Tariff (Anti-Dumping) Act 1975</i>	A-G's	Not commenced	Not commenced
<i>Petroleum Retail Marketing Sites Act 1980</i>	DITR	Not commenced	Not commenced <sup>a</sup>
<i>Petroleum Retail Marketing Franchise Act 1980</i>	DITR	Not commenced	Not commenced <sup>a</sup>
<i>Defence Force (Home Loans Assistance) Act 1990</i>	Defence	Not commenced	Not commenced
Dairy Industry Legislation	AFFA	Deferred	Deferred
Dried Vine Fruits Legislation	AFFA	Deferred	Not commenced/ Seeking to delist
Treatment Principles (under section 90 of the <i>Veterans' Entitlement Act 1986</i> (VEA)) & Repatriation Private Patient Principles (under section 90A of the VEA)	DVA	Not commenced	Not commenced
<i>Defence Act 1903</i> (Army & Airforce Canteen Services Regulations)	Defence	Not commenced	Not commenced
<i>Native Title Act 1993</i> & Regulations	PM&C	Not commenced	Not commenced/ Seeking to delist
Customs Prohibited Imports Regulations <sup>b</sup>	A-G's	Not commenced	Not commenced

<sup>a</sup> Legislation to be repealed following the introduction of an industry code under the Trade Practices Act.

<sup>b</sup> While the review of the Customs Prohibited Imports Regulations is yet to commence, a review of the Commerce (Imports) Regulations and the *Commerce (Trade Descriptions) Act 1905* commenced in July 2001.

Source: Information provided by Australian Government, State and Territory departments and agencies.