

A Commonwealth Legislation Review Schedule — status of reviews as at 30 June 1998¹

Reviews under way when the Commonwealth's program was announced in June 1996

<i>No.</i>	<i>Portfolio</i>	<i>Legislation</i>	<i>Impact on business or restriction on competition</i>	<i>Status of Reviews as at 30 June 1998</i>
1	Communication s and the Arts	<i>Protection of Movable Cultural Heritage Act 1986</i>	Can restrict competition and affect some businesses by preventing export of items having cultural significance.	Review completed.
2	Employment, Education, Training and Youth Affairs	<i>Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991</i>	Regulates provision of educational services, restricting competition and possibly adding to costs.	Review completed.
3	Industrial Relations	<i>Industrial Relations Act 1988</i>	Impact on business of inflexible framework for negotiating wages and conditions.	Legislation replaced by the Workplace Relations Act 1996.
4	Industry, Science and Tourism	<i>Patents Act 1990, ss. 198–202 (Patent Attorney registration)</i>	Gives patent attorneys exclusive rights.	Review completed in June 1996. Report released.
5	Industry, Science and Tourism	Commerce (Imports) Regulations and Customs Prohibited Imports Regulations	Ongoing rationalisation of customs regulations.	Review in progress.
6	Industry, Science and Tourism	<i>Bounty (Books) Act 1986</i>	Assists Australian production via payment of bounty.	Review completed in October 1996. Report released in August 1997.

¹ Reviews are numbered as they appeared in the original schedule. Reviews subsequently brought forward are listed in the year in which they commenced (see 46, 75a).

Reviews under way when the Commonwealth's program was announced in June 1996

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
7	Industry, Science and Tourism	<i>Bounty (Machine Tools & Robots) Act 1985</i>	Assists Australian production via payment of bounty.	Review completed in July 1996. Report released in August 1997.
8	Industry, Science and Tourism	<i>Bounty (Fuel Ethanol) Act 1994</i>	Assists Australian production via payment of bounty.	Review completed in July 1996. Report released August 1997.
9	Primary Industries and Energy	<i>Quarantine Act 1908</i>	Quarantine restrictions have potential to reduce competition from imports.	Review completed in October 1996. Report released in December 1996.
10	Prime Minister and Cabinet	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	May prevent a sacred object or significant area from being sold, exploited or developed.	Review completed in August 1996. Report released.
11	Treasury	Comprehensive review of the regulatory framework of the financial system	Competition and costs affected by a regulatory framework which does not reflect rapid changes in the industry.	Review completed. Report released on 9 April 1997.
12	Treasury	<i>Census & Statistics Act 1905</i>	Imposes administrative costs on businesses, particularly small businesses.	Review was subsumed into the work of the Small Business Deregulation Task Force.
13	Treasury	<i>Corporations Act 1989</i>	Complexity of the law and high compliance costs are the focus of the Corporations Law Simplification Task Force.	Review subsumed into the Corporate Law Economic Reform Program.

Reviews scheduled to commence in 1996–97

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
14	Attorney-General's	<i>International Arbitration Act 1974</i>	Assists businesses in settling international contractual disputes.	Review completed in June 1997. Report released in March 1998.
15	Communications and the Arts	<i>Australian Postal Corporation Act 1989</i>	Competition is restricted in delivery of standard letters.	Review completed and report released in February 1998
16	Communications and the Arts	<i>Radiocommunications Act 1992</i> and related Acts	Has the potential to slow introduction of new technologies and restrict competitive supply of services.	Review in progress.
17	Employment, Education, Training and Youth Affairs	<i>Employment Services Act 1994</i> (case management issues)	Imposes requirements on businesses undertaking case management.	Review delisted because of reforms to the delivery of employment services.
18	Foreign Affairs and Trade	<i>Nuclear Safeguards (Producers of Uranium Ore Concentrates) Charge Act 1993</i> and regulations	Imposes charges on uranium producers.	Review completed and report released in June 1997.
19	Health and Family Services	<i>Quarantine Act 1908</i> , in relation to human quarantine	Restricts import of biological materials that pose risk of disease.	Review completed. Review not publicly released.
46	Health and Family Services ²	<i>National Health Act 1953</i> (Part 6 & Schedule 1) & <i>Health Insurance Act 1973</i> (Part 3)	Restrict the market in private health insurance.	Review completed in February 1997. Report released in April 1997.
20	Immigration and Multicultural Affairs	<i>Migration Act 1958</i> — sub-classes 560, 562, 563 student visas	Can affect the institutions and businesses which service foreign students studying in Australia.	Review completed.
21	Immigration and Multicultural Affairs	<i>Migration Act 1958</i> — sub-classes 120 and 121 (business visas)	Affects the ability of Australian businesses to obtain suitably qualified staff from abroad.	Review completed. Report released in March 1997.
22	Immigration and Multicultural Affairs	<i>Migration Act 1958</i> — sub-classes 676 & 686 tourist visas	Can deter potential tourists, thereby putting the Australian tourism industry at a disadvantage.	Review delisted following revised visitor arrangements.
23	Immigration and Multicultural Affairs	<i>Migration Act 1958</i> , Pt 3 (Migration Agents and Immigration Assistance) & related regulations	Requires the registration of those persons who intend to provide immigration assistance and advice.	Review combined with #24.

² This review was scheduled to commence in 1997–98, but was brought forward and included in the Industry Commission's inquiry into private health insurance.

Reviews scheduled to commence in 1996–97

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
24	Immigration and Multicultural Affairs	<i>Migration Agents Registration (Application) Levy Act 1992 and Migration Agents Registration (Renewal) Levy Act 1992</i>	Requires the registration of those persons who intend to provide immigration assistance and advice.	Review completed in March 1997. Report released in August 1997.
25	Industrial Relations	<i>Tradesmen's Rights Regulation Act 1946</i>	Assesses individuals' foreign trade qualifications, and determines whether they may practice that trade in Australia.	Review in progress.
26	Industry, Science and Tourism	<i>Customs Tariff Act 1995 - Automotive Industry Arrangements (with a view to determining the arrangements to apply post-2000)</i>	Restricts competition via tariff on imports.	Review completed. Report released in May 1997.
27	Industry, Science and Tourism	<i>Customs Tariff Act 1995 - Textiles Clothing and Footwear Arrangements (with a view to determining the arrangements to apply post-2000)</i>	Restricts competition via tariff on imports.	Review completed and report published in September 1997.
28	Industry, Science and Tourism	<i>Duty Drawback (Customs Regulations 129 to 136B) and TEXCO (Tariff Export Concession Scheme) - Customs Tariff Act 1995, Schedule 4 Item 21 Treatment Code 421</i>	Provide reimbursement or exemption from duty for goods imported but subsequently re-exported.	Review in progress.
29	Industry, Science and Tourism	<i>Pooled Development Funds Act 1992</i>	Gives concessional tax treatment to those who make patient equity capital available to small and medium enterprises.	Review in progress.
30	Industry, Science and Tourism	<i>Trade Practices (Consumer Product Information Standards) (Care for clothing and other textile products labelling) Regulations</i>	Imposes minor costs on businesses which must provide consumer information.	Review completed in June 1997. Report released in October 1997.
31	Primary Industries and Energy	<i>Rural Adjustment Act 1992 and States and Northern Territory Grants (Rural Adjustment) Acts</i>	Makes available benefits to eligible farmers for a range of purposes.	Review completed. Report released in May 1997.

Reviews scheduled to commence in 1996–97

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
32	Primary Industries and Energy	<i>Income Equalisation Deposits (Interest Adjustment) Act 1984 and Loan (Income Equalisation Deposits) Act 1976</i>	Provide risk management options for farm businesses.	Review completed. Report not publicly released.
33	Prime Minister and Cabinet	<i>Aboriginal Land Rights (Northern Territory) Act 1976</i>	Regulates and restricts mining and other commercial use.	ToR drafted.
34	Transport and Regional Development	International Air Service Agreements	Guarantee access for Australian designated carriers, but contain restrictions on international airline routes and/or capacity.	Review in progress. Draft report released June 1998. Final report delivered to Government on 11 September 1998.
35	Work Place Relations and Small Business	<i>Shipping Registration Act 1981</i>	Imposes a “one-off” registration fee. Provides benefits such as proof of ownership.	Review completed. Executive Summary available.
36	Transport and Regional Development	<i>National Road Transport Commission Act 1991</i> and related Acts	Establishes a national regulatory scheme for heavy (freight) road vehicles, with an associated charging regime.	Review completed. Report not publicly released.
37	Work Place Relations and Small Business	<i>Australian Maritime Safety Authority (AMSA) Act 1990</i>	Licensing and safety functions both cost and benefit shipping.	Review completed, but not publicly released.
38	Treasury	<i>Bills of Exchange Act 1909</i>	May prevent adoption of electronic transactions and record keeping.	Review in progress.
39	Treasury	Review of Foreign Investment Policy, including associated regulation	May restrict foreign investment.	Review in progress. Completion of review was delayed pending the outcome of negotiations for the Multilateral Agreement on Investment.

Reviews scheduled to commence in 1997–98

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
40	Attorney-General's	The trustee registration provisions of the <i>Bankruptcy Act 1966</i> and Bankruptcy Rules	Impose compliance costs on businesses.	ToR finalised. Consultancy proposals called for.
41	Communications and the Arts	<i>Broadcasting Services Act 1992, Broadcasting Services (Transitional Provisions and Consequential Amendments) Act 1992, Radio Licence Fees Act 1964</i> and <i>Television Licence Fees Act 1964</i>	Substantially affect the structure of, and conduct within, the broadcasting industry.	Deferred until 1998–99.
42	Communications and the Arts	Review of market based reforms and activities currently undertaken by the Spectrum Management Agency.	Review to examine and evaluate the method and effectiveness of market based reforms in the allocation of spectrum.	Deferred until 1998–99.
43	Defence	<i>Defence Housing Authority Act 1987</i>	Provides a monopoly in provision of housing to Defence personnel.	Deferred.
44	Employment, Education, Training and Youth Affairs	<i>Higher Education Funding Act 1988</i> plus include: <i>Vocational Education & Training Funding Act 1992</i> and any other regulation with similar effects to the <i>Higher Education Funding Act 1988</i>	Restrict private sector entry and competition in higher education.	Review subserved into comprehensive review of Higher Education Funding and Policy (West Committee). Report published April 1997.
45	Employment, Education, Training and Youth Affairs and Industry, Science and Tourism	<i>Mutual Recognition Act 1992</i>	Review to focus on any impediments to mobility of occupations and sale of goods throughout Australia.	Review in progress.
47	Health and Family Services	<i>Environmental Protection (Nuclear Codes) Act 1978</i>	Controls nuclear activities for environmental and health/safety reasons.	Deferred.
48	Industrial Relations	<i>Affirmative Action (Equal Employment Opportunity for Women) Act 1986</i>	Non-compliant businesses may be ineligible for government contracts or for some forms of industry assistance.	Review completed. Report not publicly released.

49	Industry, Science and Tourism	<i>Anti-dumping Authority Act 1988 and Customs Act 1901 Pt XVB and Customs Tariff (Anti-dumping) Act 1975</i>	Restricts certain imports.	Deferred until 1999 in light of new arrangements announced on 24 February 1998.
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Reviews scheduled to commence in 1997–98

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
50	Industry, Science and Tourism	<i>Customs Act 1901 Sections 154–161L</i>	Cover valuation of imported goods which affects amount of duty to be paid.	ToR finalised. To report on 20 February 1999.
51	Industry, Science and Tourism	Trade Practices (Consumer Product Information Standards)(Cosmetics) Regulations	Impose minor costs on businesses which must provide consumer information.	Review completed in June 1998. Report released 23 July 1998.
52	Industry, Science and Tourism	<i>Petroleum Retail Marketing Sites Act 1980</i>	Restricts the number of retail sites a major oil company may directly control.	Delisted. Government has announced repeal of Act
53	Industry, Science and Tourism	<i>Petroleum Retail Marketing Franchise Act 1980</i>	Sets minimum contractual terms and conditions between franchised service station operators and the major oil companies.	Delisted. Government has announced repeal of Act
54	Primary Industries and Energy	Primary Industries Levies Acts and related Collection Acts	Impose costs via levies and their collection. Yield benefits from, for example, research and development.	ToR finalised. To report 31 December 1998.
55	Primary Industries and Energy	<i>Wool International Act 1993</i>	Imposes a levy on production to fund disposal and marketing of wool.	Delisted. The Act will be redundant following sell down of the wool stockpile.
56	Primary Industries and Energy	<i>Imported Food Control Act 1992</i> and regulations	Imposes conditions and restrictions on importers of food.	Review in progress.
57	Primary Industries and Energy	<i>National Residue Survey Administration Act 1992</i> and related Acts	Imposes a charge to fund collection of data which are used to address residue problems in food.	ToR finalised. To report 30 November 1998.
75a	Health and Family Services ³	<i>Australia New Zealand Food Authority Act 1991</i>	Extensive regulation, not limited to health and safety objectives, add to industry costs.	Review completed in June 1998.

³ A national review of food regulation is to be conducted in 1997–98, incorporating the Commonwealth review of the *Australia New Zealand Food Authority Act 1991*, which was

58	Primary Industries and Energy	<i>Pig Industry Act 1986</i> and related Acts	Levy funding used to promote pork consumption.	ToR finalised. To report 31 January 1999.
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Reviews scheduled to commence in 1997–98

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
59	Primary Industries and Energy	<i>Torres Strait Fisheries Act 1984</i> and related Acts	Fisheries management has the potential to restrict competition.	Review in progress.
77	Primary Industries and Energy ^{4,5}	<i>Agricultural and Veterinary Chemicals Act 1994</i>	Recovers costs from chemical industry of regulating sale of agricultural and veterinary chemicals.	ToR finalised. To report November 1998.
60	Primary Industries and Energy	<i>Export Control (Unprocessed Wood) Regulations under the Export Control Act 1982</i>	Restricts woodchip exports whilst achieving environmental objectives.	Review deferred until 1998–99.
61	Transport and Regional Development	<i>International Air Services Commission Act 1992</i>	Aims to promote competitive outcomes in the allocation of Australia's capacity entitlements, but imposes compliance costs and possible delays on Australian carriers.	Review combined with #34.
62	Transport and Regional Development	<i>Motor Vehicle Standards Act 1989</i>	Adds to motor vehicle costs whilst maintaining safety standards.	Review in progress.

initially scheduled for 1998–99. The Food Standards Code is still scheduled for review in 1998–99.

⁴ A national review of agricultural and veterinary chemicals will incorporate the Commonwealth review of the *Agricultural and Veterinary Chemicals Act 1994*, which was initially scheduled for 1998–99.

⁵ A separate follow-up review of the Pricing of Farm Chemicals remains to be undertaken.

63	Treasury	Superannuation acts including: <i>Occupational Superannuation Standards Regulations Applications Act 1992, Superannuation (Financial Assistance Funding) Levy Act 1993, Superannuation Entities (Taxation) Act 1987, Superannuation Industry (Supervision) Act 1993, Superannuation (Resolution of Complaints) Act 1993 and Superannuation Supervisory Levy Act 1991</i>	Impose substantial compliance costs on the superannuation industry and restrict competition.	Review deferred until 1998–99.
64	Treasury	s 51(2) & s 51(3) exemption provisions of the <i>Trade Practices Act 1974</i>	Exempt specific activities from generally applied competition laws.	Review in progress. To report by 5 March 1999.
65	Treasury	<i>General Insurance Supervisory Levy Act 1989</i>	Imposes a levy to recover administrative costs of regulating the industry.	Review deferred until 1998–99.

Reviews scheduled to commence in 1997–98

No.	Portfolio	Legislation	Impact on business or restriction on competition	Status of Reviews as at 30 June 1998
66	Treasury	<i>Insurance (Agents and Brokers) Act 1984</i>	Adds to industry costs, but protects consumers.	Review deferred until 1998–99.
67	Treasury	<i>Life Insurance Supervisory Levy Act 1989</i>	Imposes a levy to recover administrative costs of regulating the industry.	Review deferred until 1998–99.

Reviews scheduled to commence in 1998–99

No.	Portfolio	Legislation	Impact on business or restriction on competition
68	Finance and Administrative Services	Land Acquisition Acts: <i>Land Acquisition Act 1989</i> & regulations; <i>Land Acquisitions (Defence) Act 1968</i> ; and <i>Land Acquisition (Northern Territory Pastoral Leases) Act 1981</i>	Have the potential to affect business via uncertainty associated with the Government having power to resume land for certain public requirements.
69	Attorney-General's	<i>Financial Transactions Reports Act 1988</i> and regulations	Impose substantial costs on financial institutions.
70	Attorney-General's	<i>Proceeds of Crime Act 1987</i> and regulations	May have indirect consequences for businesses.

71	Attorney-General's and Industry, Science and Tourism	Intellectual property protection legislation (<i>Designs Act 1906, Patents Act 1990, Trade Marks Act 1995, Copyright Act 1968</i> , and possibly include the <i>Circuit Layouts Act 1989</i>)	Uncertainties and other costs result from anomalies and overlap in this legislation. Rapid development of information industries requires review of the regulatory framework.
72	Defence	<i>Defence Force (Home Loans Assistance) Act 1990</i>	Provides a bank with a 15-year exclusive franchise to offer home loans to military personnel.
73	Environment, Sport and Territories	<i>World Heritage Properties Conservation Act 1983</i>	Limits activities permitted in or of properties subject to World Heritage listing or nomination. Has potential to restrict trade.
74	Environment, Sport and Territories	<i>Hazardous Waste (Regulation of Imports & Exports) Act 1989, Hazardous Waste (Regulation of Imports & Exports) Amendment Bill 1995</i> and also related regulations	Has potential to restrict trade.
75b	Health and Family Services	Food Standards Code	Extensive regulation, not limited to health and safety objectives, add to industry costs.

Reviews scheduled to commence in 1998–99

No.	Portfolio	Legislation	Impact on business or restriction on competition
76	Industry, Science and Tourism	<i>Export Finance and Insurance Corporation Act 1991 and Export Finance and Insurance Corporation (Transitional Provisions and Consequential Amendments) Act 1991</i>	Provides financial and insurance support to exporters, particularly where market provision of such support is inadequate.
78	Primary Industries and Energy	Dairy Industry Legislation	Intervenes in the fresh and manufactured milk markets.
79	Primary Industries and Energy	Fisheries Legislation	May restrict fishing activities.
80	Primary Industries and Energy	Dried Vine Fruits Legislation	Provides statutory export marketing arrangements for dried vine fruits.
81	Primary Industries and Energy ⁶	<i>Prawn Boat Levy Act 1995</i>	Imposes a levy and requires record keeping and data provision.

⁶ This review is to be delisted. Imposition of levies under the Act have ceased and the Act will be repealed.

82	Primary Industries and Energy	<i>Export Control Act 1982</i> (fish, grains, dairy, processed foods etc)	Imposes conditions and restrictions on exporters.
83	Primary Industries and Energy	Export controls under reg 11 of the Customs Act (Prohibited exports - nuclear materials)	Increase exporter costs.
84	Workplace Relations and Small Business	Part X of <i>Trade Practices Act 1974</i> (shipping lines)	Sanctions cooperative pricing arrangements in international shipping which could increase costs to users.
85	Workplace Relations and Small Business	<i>Navigation Act 1912</i> ⁷	Restricts ability of foreign ships to operate between Australian ports.
86	Treasury	<i>Financial Corporations Act 1974</i>	Imposes costs by requiring provision of information.
87	Treasury	<i>Prices Surveillance Act 1983</i>	Affects ability to increase prices for specified goods and services.
88	Veterans' Affairs	Treatment Principles (under section 90 of the <i>Veterans' Entitlement Act 1986</i> (VEA)) and Repatriation Private Patient Principles (under section 90A of the VEA)	Impose additional administrative costs on providers of services. Preference is given to use of public facilities, thereby restricting ability of private providers to compete.

⁷ The original schedule included the *Coasting Trade Provisions of the Navigation Act 1912* (Part VI). The Prime Minister agreed to a request by the Minister for Workplace Relations and Small Business to widen the review to encompass the entire Act, not just Part IV.

Reviews which were to commence in 1999–2000

No.	Portfolio	Legislation	Impact on business or restriction on competition
89	Defence	<i>Defence Act 1903 (Army and Air Force Canteen Services Regulations)</i>	Restricts commercial businesses from offering bar facilities, for example at Army and Air Force bases.
90	Environment, Sport and Territories	<i>Ozone Protection Act 1989 and Ozone Protection (Amendment) Act 1995</i>	There may be scope for reducing costs to Australian industry and consumers of meeting these environmental objectives.
91	Health and Family Services	<i>Home and Community Care Act 1985</i>	Excludes businesses from providing certain care services.
92	Primary Industries and Energy	<i>Petroleum (Submerged Lands) Act 1967</i>	Controls access to petroleum resources; imposes fees.
93	Primary Industries and Energy	<i>Wheat Marketing Act 1989</i>	Gives a monopoly to the Australian Wheat Board over sale of wheat on the export market.
94	Prime Minister and Cabinet	<i>Native Title Act 1993</i> and regulations	Creates uncertainty as to security of title. Adds to costs of access to land.
95	Treasury	Part IIIA (access regime) of the Trade Practices Act (including exemptions)	Enables access to services, thereby enhancing competition.
96	Treasury	Part 6 (access provisions) of the <i>Moomba–Sydney Pipeline System Sale Act 1994</i>	Enables access to services, thereby enhancing competition.
97	Treasury	2D exemptions (local government activities) of the Trade Practices Act	Exempts specific activities from generally applied competition law.
98	Treasury	Fees charged under the Trade Practices Act	Imposes costs on business.