

10 Northern Territory

Agency abbreviations

The following abbreviations are used in the 'Agency' column of the Northern Territory legislation review timetable.

DBIRD	Department of Business, Industry and Resources Development
DCDS&CA	Department of Community Development, Sport and Cultural Affairs
DEET	Department of Employment, Education and Training
DH&CS	Department of Health and Community Services
DIPE	Department of Infrastructure, Planning and Environment
DOJ	Department of Justice
DPC	Darwin Port Corporation
NTT	Northern Territory Treasury
PAWA	Power and Water Authority
PFES	Northern Territory Police, Fire and Emergency Services
TDZ	Trade Development Zone Authority
TIO	Territory Insurance Office

Legislation review schedule: Northern Territory

Updated to September 2001

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Abattoirs and Slaughtering Act and Regulations	DBIRD	Establishes licensing regime and standards for premises - slaughter of buffalo (Regulation 7), abattoir licence (Regulation 5).	Review completed in 1997.	Act repealed and replaced by the Meat Industries Act 1996.
Adoption of Children Act	DH&CS	Governs the adoption of children within the NT. It restricts market entry by limiting the organisation and approval of adoptions to the Minister or persons approved by the Minister (s74)	Internal review by the Department completed in 2001. Review found all restrictions to provide a net public benefit.	
Agent's Licensing Act	DBIRD	Licensing (real estate agents, agent's representative, conveyancing agent), registration, entry requirements (fit and proper person, aged at least 18 years, education or experience, competency), reservation of practice, and disciplinary processes, business conduct (maintenance of office in NT, professional indemnity insurance, fidelity fund, trust monies).	Review completed in November 2000. Review recommended changes to entry requirements, the reservation of practice, and business conduct.	The Government endorsed most of the review recommendations. Does not support investigating tendering out sole rights to deliver realty education. Wider non-National Competition Policy (NCP) specific review to occur.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Agricultural and Veterinary Chemicals (NT) Act	DBIRD	Imports the Agricultural and Veterinary Chemicals Code (national registration scheme) into State jurisdiction (see the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	National review completed in 1999 (see the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994).	See the Commonwealth Agricultural and Veterinary Chemicals Code Act 1994.
Architects Act	DIPE	Registration, entry requirements, reservation of title, and disciplinary processes.	National review, by the Productivity Commission (PC), completed in August 2000, and publicly released in November 2000. (Previously completed NT review put on hold.) PC review involved public consultation via public release of issues paper, draft report, consultation, public hearings and submissions. Review recommended repeal of the Act.	A States and Territories working group is developing a national response to the PC review.
Auctioneer's Act	DBIRD	Licensing, entry requirements (aged over 18 years, good character, fit and proper person), reservation of practice, and business conduct (maintenance of records for at least 12 months, auctions between 8am and 11pm).	Semi-public review underway.	
Building Act	DIPE	Licensing and provision for establishment of building technical standards, registration of building practitioners and certifiers, regulation of building matters (including the registration of building products), the granting of permits, and establishment of appeals processes.	Technically focused public review underway. Public consultation phase and consultant report completed in October 1999. Review outcomes subject of draft Cabinet submission circulated to agencies for comment in November 1999. NCP review outcomes to be incorporated in general review of the Act now underway.	

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Building Societies Act	DBIRD	Licensing.	Review completed in 1997.	Act repealed in May 1998. Building Societies are currently registered under the Financial Sector Reform (NT) Act as part of a national legislative scheme.
Business Franchise Act	NTT	Licence to sell tobacco or petroleum products (s14).	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.	The Government accepted the review recommendations.
Caravan Parks Act	DCDS&C A	Regulates caravan parks. Only applies to some parts of the Territory. May create anticompetitive effects between controlled and uncontrolled areas.	Internal review completed in July 2000. Public notices of the review were also placed in NT newspapers. Review found the Act has been applied in a non-uniform manner. In 1975 a Ministerial declaration allowed under section 2 limited the Act's application to within 26 kilometres of the Darwin general post office (GPO). About 20% of all caravan parks in the NT are located in this area. This limited application is indicative of the Act being generally outdated. Many provisions have been duplicated in other legislation, while other aspects of caravan service regulation are currently dealt with through convention and measures such as a service accreditation program. New legislation, to be applied uniformly, has been suggested to reflect current issues in service provision with corresponding regulations on industry practice. Review recommended the Act be repealed, and relevant parties be involved in preparing new legislation.	The Government accepted the review recommendation. Repeal Act was passed by the Legislative Assembly in November 2000. Repeal expected to take effect during 2001.
Cemeteries Act	DCDS&C A	Provides for the establishment, maintenance and control of cemeteries.	Review completed in August 2000.	New legislation passed in November 2000, providing for non-undertakers to be eligible for a one-off licence and persons other than councils eligible to erect a crematorium.

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Classification of Publications, Films and Computer Games Act	DOJ	The Act is part of a national scheme which provides for the classification of films, videos, computer games and publications. It contains provisions which regulate the sale of such materials. Additionally, it contains a prohibition concerning the manufacture of 'X' style videos in the NT.	<p>Departmental review completed in April 2000. Comments were sought from State and Territory Government agencies. A full public review was not considered necessary because:</p> <ul style="list-style-type: none"> • the Act is mainly comprised of offences created to reflect government policy positions on issues of morality; • there is no evidence that these policy positions are under any challenge; • of the various regulatory options, the one in the Act is of the lightest kind. That is, there is no licensing or registration scheme and there is no payment of any fees required for activities in the NT; and • to the extent that the Act supports some heavy regulation (namely the requirement for the classification, on payment of a fee, of most videos, films and computer games and of some publications) the regulation is, for most practical purposes, national. <p>Review found that the anticompetitive provisions can be justified as being in the public benefit. No reform recommended.</p>	The Government endorsed the review recommendations in 2000.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Commercial and Private Agents Licensing Act	DBIRD	Licensing (commercial agents, process servers, inquiry agents, private bailiffs), registration, entry requirements (age over 18 years, resident of the Territory, fit and proper, not found guilty of offence that warrants refusal of licence, any person may object to issuing of licence), the reservation of practice, disciplinary processes, business conduct (provide bond, trust account, prescribed records, local (but not interstate) licensed agent must have a nominee and branch manager resident in the NT), and business licensing.	Review completed in November 1999. Review recommended: retaining exemption from positive licensing all persons of particular occupations who perform agent roles incidental to their occupation (but introducing negative licensing); continuing licensing of employees and sub-agents; issuing licences for a fixed period (a suggested two years); transferring responsibility for licensing to the Industries and Business portfolio; making various changes to business conduct requirements (requirement to issue receipts, change to trust account arrangements; consideration of issue of bonds and indemnity insurance in late 2000); and undertaking a further review to implement best practice licensing processes.	The Government endorsed the review recommendations, and enacted legislation in 2000 to transfer the licensing from the local court to the Commissioner for Consumer Affairs and to introduce fixed three-year licences in lieu of indefinite licences. Legislation awaits commencement.
Commercial Passenger (Road) Transport Act	DIPE	Limitations on number of taxi and hire car licences.	Review completed in June 1998. It recommended deregulation of entry, with buyback of existing licences at full market value, to be funded by substantial licence fees over several years.	Competition issues addressed in the Commercial Passenger (Road) Transport Amendment Act 1998, which commenced in January 1999. Only residual issue is maximum fare regulation. [The Government announced a six month freeze on issue of new taxi licences in December 2001.]
Community Welfare Act	DH&CS	Provides for the protection and welfare of children. Licensing of childcare centres (Div 2).	Targeted review completed in 2000. Review concluded that in general, the public benefits of the competitively restrictive features of the Act exceed their public cost by a large margin, and they should therefore be retained.	The Government noted the NCP review's conclusion that the restrictions are in the public interest. It delayed its decision regarding alternative methods for achieving the objectives of the Act (relating to voluntary care), pending development of broader proposals concerning voluntary care and support services for young children.

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Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 1 of 3	DOJ	Licensing and business conduct restrictions for pawnbrokers and second hand dealers, motor vehicle dealers, door-to-door sales and credit providers provisions. Code of practice for tow truck operators.	Review by the Centre for International Economics (CIE) completed in 2000. Review recommended the retention of restrictions relating to product safety and product information and door-to-door trading and the code of practice for tow truck operators. It recommended pro-competitive change to fair reporting and credit provider provisions. Recommended that Part 8 (fair reporting) be repealed, but that repeal be deferred until a report on the databases is received and the implications are determined. Motor vehicle dealers: recommended removing requirements for licensee to submit annual financial returns; removing requirements for approval of dealer managers; removing power to require banker's guarantee; and formalising the financial test applied for new licences.	The Government endorsed the review recommendations except in relation to Part 8 (fair reporting) in November 2000. This was not supported as Part 8 entitles NT residents to wider information that may be held about them other than just credit information. There are negligible costs to business in providing the information or access to the information. It was considered the incremental benefits outweigh the additional costs of providing access to non-credit related information. The Government did not accept recommendation to remove requirements for the approval of motor vehicle dealer managers. The Government considers the costs are low, while the potential costs to consumers associated with not having a designated responsible person on site could be significant. Also licensing of motor vehicle dealer managers allows for the screening of motor vehicle dealers and helps provide confidence to consumers that the person is reputable.

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Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 2 of 3	DOJ	Part of legislation relating to travel agent's licence. Licensing and compulsory consumer compensation fund.	National review underway (coordinated by WA). A review report by CIE was released in 2000. Public consultation involved release of issues paper, background paper, consultation and submissions. Review recommended that entry qualifications for travel agents be removed and compulsory insurance maintained, but 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. Public comments on the final report are to be considered by the Ministerial Council for Consumer Affairs (MCCA).	
Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996 - Part 3 of 3	DOJ	Sundry fair play provisions regarding the regulation of advertising, banning of potentially unsafe goods etc.	Review underway. Issues paper released June 2000.	
Consumer Credit (Northern Territory) Act	DOJ		National review underway.	

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Dangerous Goods Act and Regulations	DEET	Sets requirements for the transport, storage and handling of dangerous goods. Business licences to manufacture, store, convey, sell, import or possess prescribed dangerous goods (s 15 - 21). Operators' licences for: drivers of dangerous goods vehicles (Regulation 56); shotfirers (Regulation 132); gas fitters (Regulation 172); and autogas fitters (Regulation 202).		Implements national road reforms on the transport of dangerous goods and changes other dangerous goods legislation. Act repealed and the new Dangerous Goods Act assented to 30 March 1998. Draft regulations being prepared. These may contain competition restrictions, and if so, will be subject to NCP process.
Darwin Port Authority Act and By-laws	DPC	Establishes the Darwin Port Authority. Prescribes functions and powers: monopoly powers; licensing arrangements and fees; issue, renewal and cancellation of stevedoring licences; controls shipping movements in port; exemption from local government charges; harbour craft by-laws; vessels engaged in commercial activities (safety issue); exemptions from pilotage requirements; and partial exemption from the Corporations Law.	Independent review undertaken in 1997 and 1998, with subsequent further consultation.	Legislation replaced by the Darwin Port Corporation Act. Marine safety by-laws covering harbour craft engaged in commercial activities to be repealed as marine safety is provided for in the Marine Act. Port by-law providing for Ministerial discretion in granting exemptions from pilotage requirements to be replaced by specified criteria for exemption. By-law covering levying of fees for stevedoring licence to be retained. See the Darwin Port Corporation Act.
Darwin Port Authority Amendment Act	DPC	Changes the name of the Darwin Port Authority to the Darwin Port Corporation.		

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Darwin Port Corporation Act	DPC	Establishes the Darwin Port Corporation (name changed from the Darwin Port Authority by the Darwin Port Authority Amendment Act). See the Darwin Port Authority Act.	Review completed in 2001. See the Darwin Port Authority Act.	The Government accepted most of the review recommendations. Recommendation to remove licensing of stevedores not accepted (the Government considered licensing to be the most cost effective way of monitoring environmental and health and safety standards at Darwin Port) but the licence fee was reduced from \$10000 to an administrative fee. The Corporation's exemption from local government rates and charges to be removed (competitive neutrality). The Government considering reforming the Corporation's partial exemption from the Corporations Law as part of government business reform process, with changes to be implemented by June 2002 (competitive neutrality). See the Darwin Port Authority Act.
Dental Act	DH&CS	Restrictions on entry, registration, title, practice, advertising, ownership, and disciplinary provisions.	Full review by CIE completed in May 2000. Review recommended registering all paraprofessionals, amending practice restrictions and removing ownership restrictions.	Omnibus health practitioner Bill being drafted to replace this and other Acts.
Education Act	DEET	Provides for registration of non-government schools. Act assessed as not containing unjustified restrictions on competition.	Full NCP review not required.	

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Electrical Workers and Contractors Act	DBIRD	Licensing, registration, entry requirements (qualifications, experience, fit and proper), and reservation of practice (electrical work unless extra low voltage).	Review by CIE completed in October 2000. Consultation involved public release of issues paper, consultation with stakeholders and submissions. Review recommended licensing should be maintained, but also that other means of signalling competence should be afforded comparable status, the board should consider removing additional experience requirements for contractors, the fit and proper person test should be amended to signal the criteria against which it is assessed, and exemptions to licensing requirements to the Power and Water Authority be removed. Recommended more general review of Act.	The Government endorsed the review recommendations in November 2000. The necessary amendments are to be made following a review of the administrative structures supporting the Act.
Electricity Act and Regulations	PAWA	Regulates the generation and safe use of electricity, and the reselling of electricity (s 14(5)); Part IV (Trade Practices Act 1974 (TPA)) conflicts. Sale and resale is prohibited without license (s 27); affects competition, restricts entry. Prohibits certain uses of electricity (s 29); Part IV (TPA) concerns. Price fixing in relation to licensee (s 30); Part IV (TPA) concerns and possibly reduces contestability. Liability limitation (s 32); possible competitive neutrality. Act binds the Crown (s 38). Regulation making powers (s 39).	Review, by Merrill Lynch and Fay Richwhite, conducted as part of the review of Power and Water Authority. The Department also reviewed the proposed regulatory framework, draft regulatory principles and draft determinations on regulated charges issued by the NT Utilities Commission.	The Government introduced a package of legislative change to implement reform. The package included the repeal of the Electricity Act and its replacement with the Electricity Reform Act, amendments to the Power and Water Authority Act and the introduction of the Electricity Networks (Third Party Access) Act and the Utilities Commission Act. These changes were introduced in March 2000.

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Energy Pipelines Act	DBIRD	Establishes a regulatory framework for construction, operation, and maintenance of energy pipelines in NT.	Review completed. Review found anticompetitive provisions in the Act were justified in the public interest. The impact of restrictions considered to be low. Potential public safety and environmental benefits derived from regulating construction and operation of energy pipelines are likely to exceed direct enforcement, industry compliance, and broader economic costs. Approaches such as negative licensing, co-regulation, and self-regulation were rejected as unlikely to achieve objective of the Act more efficiently than existing legislative framework.	Act retained without reform.
Energy Resource Consumption Levy Act	NTT	Requires bulk consumers of oil (consuming more than 830000 litres per month) to register with Commissioner of Taxation (s7).	Review completed in 1998. Review found the registration requirement was designed to facilitate collection of levy monies and does not restrict competition.	The Government accepted the review recommendations.
Financial Institutions Duty Act	NTT	Licensing.	Targeted review completed in 1998. The review found that the registration and certification requirements were legitimate administrative arrangements for revenue collection and did not represent significant barriers to market entry.	Act retained without reform.
Financial Management Act	NTT	The Government account to be held at a bank, requirements for determining suitable financial institutions and instruments for investing Government funds.	Review of s29(2) completed in 1998. The review found that the investment guidelines are comparable to those of any financial institution, and that the benefits arising from the accountability of Government investment outweigh the costs associated with the guidelines.	The anticompetitive effect of section 27 removed by the Financial Institutions (Miscellaneous Amendments) Act 1997. No reform required for s29(2).
Firearms Act	PFES	Armourer's licence (s20), Dealers licence (s17), Shooter's licence for security firms (s 28/29), and Shooting gallery licence (s 31).	Preliminary analysis indicated that restrictions are overwhelming in the public interest. No reform recommended.	The Government accepted the recommendation.

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Fisheries Act 1996 and Regulations	DBIRD	Licensing of fishers. Input controls on vessels, gear, fishing methods and landings. Output controls such as total allowable catches, size and bag limits, and prohibitions on taking certain species.	Review completed. Review recommendations are being progressed for Cabinet consideration.	
Food Act	DH&CS	Standards for the preparation and sale of food etc. Registration of a food vending machine (s13(6) and 13(7)). Various food safety offences.	National review completed in 2000 (see the NSW Food Act 1989).	All Australian governments agreed in November 2000 to adopt the core provisions of the Model Food Bill by November 2001.
Gaming Control Act and Regulations	NTT	Provides for the regulation and control of gaming. Licensing, exclusivity for casinos, market behaviour, permits, operational restrictions.	General review, with particular attention to licensing elements, underway.	
Gaming Machine Act 1995	NTT	Provides for the licensing of gaming machines in community venues - establishes limits and controls on numbers of machines and locations.	Limited review underway. New legislation impact being assessed.	
Grain Marketing Act 1983	DBIRD	Granted to the Grain Marketing Board a monopoly over domestic and export marketing of all barley and coarse grains grown in the Territory.	Review completed in 1997, recommending repeal of the Act.	Act repealed in February 1997 resulting in the dissolution of the Grain Marketing Board. There are no remaining legislative controls over grain marketing in the NT.

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Hawkers Act	DCDS&CA	Licensing, and business conduct.	Stakeholder focused review completed in August 2000. Review found licensing requirements, exemption provisions and restrictions on hawking on Crown land were anticompetitive, although necessary to protect the public in terms of proper commercial dealings and annoyance. However, it also found that the objectives of the legislation could be pursued through other legislation. Review recommended repealing the legislation, pending consideration of other legislative means for regulating hawking offences.	The Government accepted the review recommendations in September 2000. Bill to repeal passed in November 2000 (brought into effect in April 2001).
Health Practitioners and Allied Professionals Registration Act	DH&CS	Registration as: Aboriginal Health Worker (s24); Chiropractor (s35); Occupational Therapist (s38); Osteopath (s39); Physiotherapist (s40); and Psychologist (s41). Entry, registration, title, practice, and disciplinary provisions.	Review completed in May 2000. Recommendations include retaining title restriction and removing generic practice restrictions.	Omnibus Bill to be implemented in line with recommendations.

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Housing Act	DCDS&CA	Act and Regulations establish the legislative basis for the provision of public housing and housing assistance schemes in the Territory.	Internal review, with independent oversight provided by a steering committee comprised of Department of the Chief Minister, NT Treasury and Attorney General's Department officials, completed. Review found that the provisions of the Act that represent potential restrictions on competition are justified on social welfare and equity grounds. The review also considered alternative regulatory approaches such as outsourcing and the direct subsidisation of landlords. However, it was considered that these alternatives were unlikely to achieve the objectives of the Act in a more efficient manner than the current arrangements and therefore the review recommended no change to the legislation.	The Government endorsed the review recommendations in October 2000.
Legal Practitioners (Incorporation) Act	DOJ	Legislation to consolidate and amend the law relating to the incorporation of legal practices.	Review underway, and due to be completed in December 2001.	
Legal Practitioners Act	DOJ	Licensing, registration, entry requirements, disciplinary processes, reservation of title and practice, disciplinary processes, and business conduct (including monopoly professional indemnity insurance and advertising).	Public review, in conjunction with the Legal Practitioners (Incorporation) Act, which imposes restrictions on who can own and control companies that provide legal services, underway. Issues paper released in September 2000. Review due to be completed in December 2001.	

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Licensed Surveyors Act	DIPE	Licensing, registration, entry requirements (education, experience, possibly exams, fit and proper), the reservation of title and practice, disciplinary processes, business conduct (including practice standards), and business licensing.	Review completed in October 1999. Review concluded that potentially anticompetitive provisions could be justified under the Competition Principles Agreement (CPA).	The Government endorsed the review recommendations in February 2000.
Liquor Act	NTT	Regulates the sale of alcohol. Contains a public needs test. Licensing authorities are to have regard to the location and conditions of any licensed premises in the vicinity of the premises which are the subject of an application for a licence and community needs and wishes.	Targeted review underway. Review has completed hearings and consideration of submissions.	
Local Government Act, Regulations and By-Laws	DCDS&C A	Provides for the constitution of municipalities and community government areas, the election of self-governing authorities to control municipalities and community government areas and provides for a similarity of power and function between self-governing authorities.	Internal review completed in September 2000. Stakeholder comment invited and terms of reference consistent with NCP guidelines. Restrictions identified as anticompetitive were justified against public interest criteria.	The Government accepted the review recommendations. Act retained without reform.

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Marine Act and Regulations	DIPE	Applies national uniform shipping Law Codes. Licensing of certain commercial operations (part V), certificate of survey (s79(a)), permit for the operation of hire-and-drive vessel (s4), certificate of competency (coxswain) (Schedule 3), and certificate of competency (masterclass-all) (Regulation 9).	Targeted review completed in January 2001. Review found that the restrictive elements of the Act are justified under NCP principles.	The Government accepted the review recommendations in April 2001.
Meat Industries Act 1996	DBIRD	Various food safety offences. Licensing of processing facilities.	Review completed in 1998.	
Medical Act	DH&CS	Restrictions on entry, registration, title, practice, advertising, ownership, business conduct, and disciplinary provisions.	Review completed in May 2000. Review recommendations included removing generic practice, ownership and advertising restrictions, and retaining title protection.	The Government accepted the review recommendations and is due to release a new omnibus Health Practitioners Registration Bill for consultation during 2001.
Medical Services Act	DH&CS	Limits conduct of medical services, entry conditions and pricing.	Targeted review by CIE completed in May 2000. CIE found that none of the features of the Act were being implemented in an anticompetitive way, and concluded that the Act was consistent with NCP requirements. Minor administrative changes recommended.	The Government noted the review recommendations. However, no amendments will be made to the Act, pending the outcomes of a separate ongoing review of medical services framework legislation. Given that the Act is NCP compliant in its current form, the NT considers it is not in the public interest to devote scarce resources to amending the Act when such amendments may well be superseded in the foreseeable future.
Mental Health Act	DH&CS	Provides for the care and treatment of the mentally ill.	Review completed by CIE in May 2000. The review concluded that there is a strong net community benefit in the retention of existing restrictions in the Act, and recommended no changes.	Act to be retained without reform.

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Merlin Project Agreement Ratification Act	DBIRD	Provides mechanism for levying royalties and imposing more stringent security conditions than apply elsewhere to mining sites.	Review yet to commence. Act added to the review schedule in 2000.	
Mine Management Act	DBIRD	Regulates occupational health and safety in mining.	Review not required.	<p>Act to be repealed and replaced by the new Mining Management Bill (combining the essential elements of the existing Mine Management Act and Uranium Mining (Environmental Controls) Act). New Bill introduced in February 2001 Legislative Assembly sittings and to be subject to an NCP review before enactment.</p> <p>New Bill described as essentially administrative in nature, adopting a less prescriptive approach to mine site management. Mine operators required to take greater responsibility for decisions by satisfying industry-agreed competencies and standards. New Bill does not deal with property rights.</p> <p>Amendments to be made to the Mining Act to eliminate duplication with new Bill.</p>
Mining Act	DBIRD	Creates a regime for the valid grant of mining tenure in the NT, together with ongoing regulation.	Review underway, and expected to be completed in September 2001.	Amendments to be made to eliminate duplication with the new Mine Management Bill. (Refer to Mine Management Act).
Motor Accidents (Compensation) Act	TIO	Mandatory insurance, monopoly insurer, and centralised premium setting.	Review by commissioned Taylor Fry Consulting Actuaries completed in December 2000.	The Government is considering the review recommendations.
Motor Vehicle Dealers Regulations	DBIRD	Motor Vehicles Dealers Licence Part X, Div 3, SubDiv A, s132.	See the Consumer Affairs and Fair Trading Act (NT Regulations) and Amendment Act 1996.	

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Motor Vehicles Act	DIPE	Motor omnibus licence (s10(2)), pastoral vehicle permit (s137B), driving instructor's licence (25B), commercial passenger vehicle licence, and driving instructors.	Review, except for Part V and section 137B, completed. Concluded while certain elements of the Act are anticompetitive, the results of a public benefit test show that the restrictions are in the public interest.	Cabinet endorsed the review recommendations.
Northern Territory Employment and Training Act	DEET	Registers training providers and accredits training courses. Act assessed as not containing unjustified restrictions on competition.	Full NCP review not required.	
Nursing Act	DH&CS	Restrictions on entry, registration, title, practice, advertising, and disciplinary provisions.	Review completed in May 2000. Review recommendations included removing advertising and practice restrictions, and retaining title protection.	Omnibus Bill to be drafted for consultation.
Oil Refinery Agreement Ratification Act	DBIRD	Requires Mereenie joint venture partners to meet certain lease conditions in investigating the possibility of constructing an oil refinery in Alice Springs. The refinery is not currently viable and has not been constructed.	Review completed in 1998. Review considered restrictions were justified in achieving regional development objectives, but considered the Act was no longer relevant. Review recommended the Act be repealed after the due date for renewal of the leases in 2002-03.	Act to be repealed.
Optometrists Act	DH&CS	Restrictions on entry, registration, title, practice, ownership, and disciplinary provisions.	Review completed in May 2000. Recommendations include removing ownership restrictions, modifying practice restrictions and retaining title protection.	Omnibus Bill being drafted in line with recommendations.
Ozone Protection Act and Regulations	DIPE	Licensing issues and environmental controls.	Targeted review completed in 1998.	Legislation repealed. Ozone protection provisions incorporated into regulations under the Waste Management and Pollution Control Act.

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Pawnbrokers Act	DBIRD	Licensing.	Review not required.	Act repealed in 1998 and pawnbrokers and second-hand dealers provisions included in the Consumer Affairs and Fair Trading Act.
Pay-Roll Tax Act	NTT	Licensing and registration issues.	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.	
Pet Meat Act	DBIRD	Licensing of slaughtering, processing and storage of pet meat, and the standard of premises.	Review completed in 1997.	Act repealed and replaced with the Meat Industries Act, which commenced in December 1997.
Petroleum (Prospecting and Mining) Act	DBIRD			Act repealed and replaced by the Petroleum Act.
Petroleum (Submerged Lands) Act	DBIRD	Regulates exploration for and development of undersea petroleum resources. This legislation forms part of a national scheme.	National review completed in 1999-2000. Endorsed by the Australian and New Zealand Minerals and Energy Council (ANZMEC) Ministers.	Amendments to be developed by the Commonwealth and subsequently reflected in State and Territory legislation.
Petroleum Act	DBIRD	Regulates onshore exploration and recovery of petroleum in NT; grants exclusive rights; and provides for technical and financial prescriptions.	Review underway. The Steering Committee is considering the final report.	Government endorsement of review outcomes to be sought in March 2001.

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Pharmacy Act	DH&CS	Restrictions on entry, registration, title, practice, and discipline provisions.	National Review of Pharmacy Regulation (Wilkinson Review) completed in February 2000. Review recommended retaining registration, 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.	The Council of Australian Governments (CoAG) referred the report of the Wilkinson Review to a senior officials' working party, which is yet to report back to CoAG.
Places of Public Entertainment Act	DCDS&CA	Controls places of public entertainment - Public Entertainment Licence (s6)	Review underway, expected to be finalised in October 2001.	
Planning Act	DIPE	Provides for land use controls, planning appeals, issuance of development permits and developer contributions.	Review of the 1999 Act completed in September 2000. Review concluded that the anticompetitive provisions deliver a net benefit to the community and recommended no amendments to the Act.	The Government endorsed the review recommendations.

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Plumbers and Drainers Licensing Act	DBIRD	Licensing, registration, entry requirements (qualifications or experience, fitness of character), the reservation of practice (for plumbing: installing, altering, removing or repairing fixtures, fittings and pipes designed to receive and carry sewage or water, and the ventilation of those fixtures, fittings and pipes), business conduct (supervision).	Review completed in September 2000, recommending: the Act should give explicit recognition of national competencies-based approach, the Board's range of options in dealing with complaints should be made widely known, 'fit and proper person' test power of the Board should be maintained so long as appeal mechanisms are clear and accessible, and membership of the Board should be reviewed to establish whether the continued Power and Water Authority (PAWA) membership is desirable. Also recommended a more general review of the Act to in part examine the case for compliance certificates and the case for restricted plumbing licences to meet the needs of other trades.	The Government endorsed the review recommendations.
Poisons and Dangerous Drugs Act	DH&CS	Certificates of competency for pest controllers, and prescription of drugs by health professionals other than medical practitioners. The Act sets out controls and licensing for manufacture, wholesale, and retail sales.	Part of Galbally Review. Final review report under consideration by the Australian Health Ministers Advisory Council.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Power and Water Authority Act	PAWA	Establishes the Power and Water Authority, and prescribes functions and powers of the Authority, gives control of provision and supply etc of electricity, water and sewerage services in the NT. Exemption from rates; competitive neutrality issue. Price fixing regarding the Authority's agents; possible Part IV of TPA conflict. Regulation making powers; statutory power. Exemption from charges; competitive neutrality issue (s14, 15, 19, 25(b) and 33).	Review completed in March 2000.	Amendments in line with the review recommendations implemented.
Prices Regulation Act	DOJ	Provides for the appointment of Controller of Prices who can declare maximum prices for services and goods prescribed by the Administrator.	Review completed, recommending the exercise of restrictions only at times of natural disaster, the specification of objectives and the regulation of monopoly behaviour under separate legislation.	The Government accepted the review recommendations.
Private Hospitals and Nursing Homes Act	DH&CS	Licensing.	Review completed in May 2000. Review recommendations include the separation of the regulation of hospitals and nursing homes, that the objectives be clearly stated, that licensing be retained and extended to all aged care facilities, that current incorporation requirements be rescinded, and that approval for manager relief arrangements be rescinded.	The Government proposes to implement all of the review recommendations but one. The Government delayed giving further consideration to splitting the legislation into separate Acts, pending the outcomes of an ongoing review of medical services framework legislation.
Private Security Act	NTT	Regulation of the provision of security services and for related purposes - accredited training requirement and a licensing regime for crowd controllers.	Review underway. Final report being prepared.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Prostitution Regulation Act	NTT	Escort agents licensing, entry requirement (sex workers who provide sex services under agency agreements with escort agents must have an appropriate certificate from the Commissioner of Police), and business conduct (wide range of conditions that may be imposed by the licensing authority). Brothels are illegal.	General review completed. Review not the subject of separate public consultation due to recent reviews.	The Government adopted the review recommendation to make no change to the substance of the scheme of regulation. However, consistent with its policy of lessening the number of statutory bodies, the Government decided to abolish the Escort Agency Licensing Board and to transfer those functions to the NT Licensing Commission. This transfer became effective on 19 February 2001.
Public Health (Shops, Eating-Houses, Boarding Houses, Hotels and Hostels) Regulations	DH&CS	Registration of a boarding house (s35, 36), registration of an eating house (s12, 13).	Targeted review completed.	
Public Health Act	DH&CS	Includes registration of barbers' shops (s5), registration of a boarding house (s 35, 36), registration of an eating house (s12, 13), general sanitation, noxious trades, medical and dental inspection of school children and cytology register, among other things.	Review completed in May 2000. Review recommends that no attempt be made to amend the current legislation but rather completely new legislation be drafted. A general structure for public health legislation has been circulated by the Government in an issues paper. This proposed structure reduces inconsistency and favours outcome rather than input standards.	

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Public Trustee Act, and Public Trustee Amendment Act 1998	DOJ	Some provisions may give the public trustee an advantage over competitors. These provisions include those that permit the Public Trustee to administer estates of small value without the need to obtain the approval of the Supreme Court. Also, the Public Trustee has the right to obtain information about estates and to take various measures designed to minimise unnecessary levels of disputation. A second group of provisions provide Government support to the business operations of the Public Trustee (for example through a Government indemnity for the administration of funds).	Review completed. Review recommended that the provisions giving advantages to the Public Trustee be retained but that they be extended so as to apply to other professional personal representatives. Review also recommended the provisions supporting the business operations of the public trustee be amended so as to ensure competitive neutrality between the Public Trustee and its private sector competitors.	The Government accepted the review recommendations. The Public Trustee Amendment Bill and the Administration and Probate Amendment Bill, second reading, in November 2001.
Racing and Betting Act	NTT	Licensing and registration.	Full public review underway.	
Radiation (Safety Control) Act 1978, and Radiation Safety Control Regulations 1980	DH&CS	Controls and regulates the possession, use, transport and storage of radioactive substances and irradiating apparatus.	National review completed.	
Radiographers Act	DH&CS	Restrictions on entry, registration, title, practice, advertising and disciplinary provisions.	Review completed May 2000. Review Recommendations included repealing the Act and transferring powers to the Chief Health Inspector under the Radiation (Safety Control) Act.	The Government approved the drafting of legislation in line with the review recommendations.

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Retirement Villages Act and Regulations	DOJ	Regulates the operation of retirement villages and confers on the courts powers in respect of certain matters relating to retirement villages and for related purposes.	Review underway.	
Sale of NT TAB Act	NTT		Review of parimutuel betting completed in February 2001.	The Government is considering the review recommendations.
Stock (Artificial Breeding) Act	DBIRD	Licensing and regulation of insemination.	Review completed in 1998.	Act repealed by the Stock (Artificial Breeding) Repeal Act.
Superannuation Act	NTT	Establishes Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS).	Review, conducted in 1998, recommended that NTGPASS be closed with new employees being given the choice of compliant private superannuation funds.	The Government accepted the review recommendations, and NTGPASS closed in July 1999.
Taxation (Administration) Act	NTT	Registration as an Accommodation House (s80c), registration as a lender (div 13, s72), register of a financial institution for electronic debit transaction duty (s29M), registration of insurers (div 6, s40), and register of life insurers (div 7, s46).	Targeted review completed in 1998. Licensing and registration requirements are not considered to restrict competition.	
Territory Insurance Office (TIO) Act	TIO	Insurer for government, monopoly insurer for Compulsory Third Party (CTP), government guarantee of deposits and contracts without fee.	Review completed in 2000. Review conducted in conjunction with recommendations of Wallis enquiry, recommending changes to two restrictions. The fees for guarantees are under review and can be levied without legislative amendment.	The Territory Insurance Office Act passed in December 2000, changing references to 'the insurer' to 'an insurer' to remove technical monopoly, in effect just reflecting current arrangements, and removing TIO exclusivity with respect to CTP. (Separate review of CTP monopoly under the Motor Accidents Compensation Act).

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Territory Parks and Wildlife Conservation Act	DIPE	Establishes parks and reserves, and protects and conserves wildlife.	Review completed in 1998. Act assessed as not restricting competition.	Act retained without reform.
Totalizator Administration and Betting Act	NTT	Grants sole rights to this form of betting.		Act repealed to accommodate the sale of NT TAB, and replaced by two new Acts - Totalizator Licensing and Regulation Act and the Sale of the NT TAB Act.
Totalizator Licensing and Regulation Act	NTT	Establishes the regulatory framework for parimutuel betting.	Public review completed in February 2001.	The Government is yet to consider the review recommendations.
Trade Development Zone Act	TDZ	Licence to operate in the Trade Development Zone (s21,28).	Review underway.	
Trade Measurement (Administration) Act	DOJ	Makes provision with respect to the administration of the Trade Measurement Act, and for related purposes.	Review contingent on outcome of the national review of the Trade Measurement Act.	
Trade Measurement Act	DOJ	Makes provision with respect to trade measurement in the NT as part of the scheme for uniform trade measurement legislation throughout Australia.	National review underway.	
Uranium Mining (Environmental Control) Act	DBIRD	Controls uranium mining in the Alligator Rivers Region. Imposes restrictions, conditions and requirements that could discourage innovation and add to costs.	Review not required.	Act to be repealed and replaced. Certain current provisions of the Act will be incorporated in a newly drafted Mine Management Bill. (See the Mine Management Act.)

<i>Name of legislation</i>	<i>Agency</i>	<i>Major restrictions</i>	<i>Review activity</i>	<i>Reform activity</i>
Veterinarians Act 1994	DBIRD	Licensing of veterinary surgeons, reservation of practice, reservation of title, and advertising restrictions.	Review completed in December 1999. Review recommended retention of licensing, reservation of title and practice, removal of some advertising restrictions, and additional consumer representation on the Veterinary Board.	The Government endorsed the review recommendations.
Work Health Act and Work Health (Occupational Health and Safety) Regulations	DEET	<p>Establishes the Work Health Authority and sets requirements for occupational health and safety. Registration requirements for the design of designated plant; pressure equipment, cranes and hoists, lifts, escalators and moving walks, amusement structures and scaffolding (Reg 93).</p> <p>Licensing of operators: pressure equipment operation, crane and hoist operators, industrial truck operation, scaffolding, rigging and asbestos removal (Reg 15).</p> <p>Workers compensation claims management.</p>	Full public review of occupational health and safety provisions by CIE completed in September 2000. Issues paper on workers compensation provisions released.	The Government is considering the review recommendations.