

# Seamless National Economy: Report on Performance— Overview

Report to the Council of Australian Governments

23 December 2011

**Seamless National Economy: Report on Performance—Overview**

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## About the COAG Reform Council

The COAG Reform Council has been established by the Council of Australian Governments (COAG) as the key accountability body under the new arrangements for federal financial relations. The council is independent of individual governments and reports directly to COAG.

The COAG Reform Council's mission is to assist COAG to drive its reform agenda by strengthening the public accountability of governments through independent and evidence-based assessment and performance reporting.

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## Acknowledgements

The council would like to acknowledge the assistance of many people and organisations in preparing this report. Valuable input and feedback was received from officers of the Commonwealth, State and Territory governments in developing the report.

In particular, officials in all jurisdictions supporting the Business Regulation and Competition Working Group, and its secretariat, have provided useful guidance and information on the reforms and the council's approach throughout the preparation of this report.

The Productivity Commission has been a helpful source of advice and this is greatly appreciated.



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The Hon Julia Gillard MP  
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Dear Prime Minister

On behalf of the COAG Reform Council, I am pleased to present the third annual report on the National Partnership Agreement to Deliver a Seamless National Economy.

As required by the Intergovernmental Agreement on Federal Financial Relations and clause 24 of the National Partnership, the council has assessed progress against the implementation plan for the Commonwealth and the States and Territories. This report presents the council's assessment of progress over the period from 2008–09 to 2010–11 as at 30 September 2011. Governments may have taken further steps to implement reforms since that time.

The council is pleased to have found that 37 of the regulatory and competition reforms have been delivered, are on track, or are likely to be achieved albeit late. Significant reforms completed to date include the national trade measurement system, the national health workforce registration and accreditation scheme, the Australian Consumer Law and related product safety reforms, and the consumer credit reforms.

The council has found, however, that 12 reforms (including five attracting reward payments) are at risk of not being achieved. Key reforms at risk include harmonised occupational health and safety laws, a national trade licensing system, better regulation of chemicals and plastics, a nationally consistent approach to the imposition of personal criminal liability on company directors, national regulation of the legal profession, and energy reforms.

These are important reforms with significant potential benefits to the Australian economy, which are due by December 2012. Significant effort will be required to bring these at-risk reforms back on track. The council has made four recommendations to COAG focussed on these at-risk reforms.

Consistent with the council's performance reporting and public accountability role, the council intends to publicly release this report in early February 2012.

Yours sincerely



Paul McClintock AO  
Chairman



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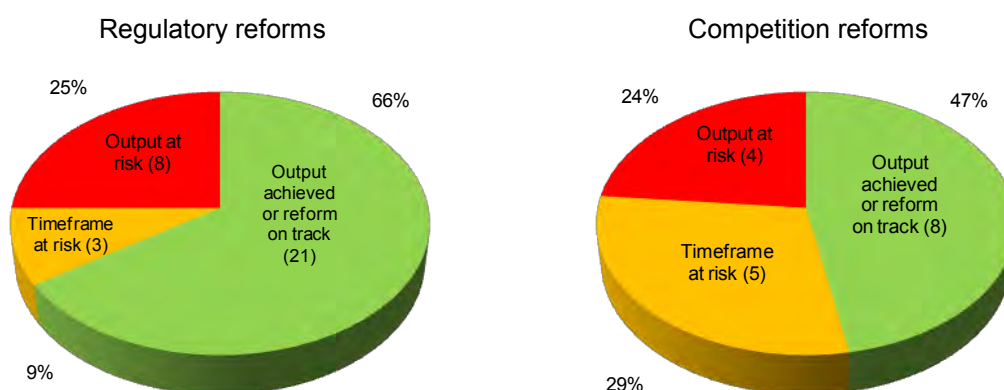
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## Seamless National Economy: key points

This is the COAG Reform Council's third annual report on the seamless national economy reforms. This report assesses progress over the period from 2008–09 to 2010–11. This report is the first to inform Commonwealth Government decisions on whether States and Territories should receive the first tranche of up to \$200 million in reward payments.

### Regulatory and competition reforms—a progress snapshot



### Thirty-seven reforms on track

- Nineteen reforms have been completed. Key achievements include the national trade measurement system, the national health workforce registration and accreditation scheme, the Australian Consumer Law and related product safety reforms, and the consumer credit reforms.
- Ten reforms are on track, and another eight reforms are expected to be completed but late. Significant reforms expected to be completed include the business names registration scheme, the proposed national e-conveyancing system, the national transport safety regulators, the road reform plan and infrastructure reforms.

### Twelve reforms at risk (including five attracting reward payments)

- Key reforms at risk include harmonised occupational health and safety laws, a national trade licensing system, better regulation of chemicals and plastics, a nationally consistent approach to the imposition of personal criminal liability on company directors, national regulation of the legal profession, and energy reforms.
- These are important reforms with significant potential benefits to the Australian economy, which are due to be completed by December 2012. Significant effort will be required to bring these at-risk reforms back on track. The council has made four recommendations to COAG focussed on these at-risk reforms.
- A new program of action is required to reinvigorate energy reform and advance the stated energy market objectives on harmonisation, adequate investment and balanced incentives for efficient demand side participation.



# Overview

## Introduction

In 2008, the Commonwealth, States and Territories agreed to implement regulation and competition reforms under the *National Partnership Agreement to Deliver a Seamless National Economy*.

Forty-five separate reforms are being progressed under this National Partnership, comprising:

- 27 deregulation priorities
- 17 areas of competition reform
- reform to regulation making and review processes.

In 2009 and 2010, COAG agreed to four additional regulatory reforms, which are not part of the National Partnership but are assessed in this report.

Under the National Partnership, the States and Territories together received a facilitation payment of \$100 million from the Commonwealth in 2008–09. The National Partnership provides for reward payments of up to \$200 million in 2011–12 and up to \$250 million in 2012–13 for delivery of the 27 deregulation priorities. The National Partnership does not make provision for reward payments for the delivery of competition reforms.

The COAG Reform Council's role is to provide an independent assessment to COAG each year on progress under the National Partnership.

This is the council's third annual report to COAG on this National Partnership. The council's previous two reports can be found at [www.coagreformcouncil.gov.au/reports/index.cfm](http://www.coagreformcouncil.gov.au/reports/index.cfm).

This report presents the council's assessment of the performance of governments against milestones set from 2008–09 to 2010–11. It should be noted that governments might have taken further steps to implement reforms since the reporting cut-off date of 30 September 2011.

Further information about the role of the council and the methodology for this work can be found in Chapter 1 of this report.

## Benefits of ongoing microeconomic reform

The world economy has changed significantly since COAG first met in 1992. Global economic weight has been gradually shifting to Asia, led by the rise of China and India. However, since the global financial crisis, this shift has accelerated.

The remarkable industrialisation in our region has initiated a major transformation in the Australian economy. Demand for our natural resources and service sectors has surged. Meanwhile, a high Australian dollar and low unemployment are challenging some sectors of the economy and creating a 'patchwork economy'. Productivity, participation and flexibility will be key to enabling the Australian economy to address its historic opportunities.

Australia’s strong performance to date in the face of economic transition has clearly demonstrated the benefits of earlier reforms. Over recent years, the Productivity Commission and the Commonwealth Department of Finance and Deregulation have estimated the potential benefits of the microeconomic reform agenda, respectively concluding they would add around 2 per cent to GDP, and \$3.5 billion per year to the economy (see Chapter 2). The Productivity Commission’s first report on the economic impacts and benefits of the current seamless national economy reforms, due March 2012, will update these estimates.

In an economy still going through substantial transition, COAG has recognised that much of the hard work is still to come. It has committed to completing its first wave of seamless national economy reforms six months early, in December 2012, and—vitaly—to consider options for a second tranche of competition and regulatory reform before the start of 2012.

## Visual schema—overview

A traffic-light colour scheme is used in this overview to provide a visual representation of the progress and risk status of each reform at a national level (Table 1).

**Table 1 Explanation of visual representation of progress**

	Reforms due to be completed		Reforms not yet due to be completed	
	Progress status	Risk status	Progress status	Risk status
Green means:	all milestones have been completed	the output has been fully or largely achieved	all milestones (due to date) have been completed	no significant risks to the output have been identified
Amber means:	some milestones have not been met	the output is likely to be achieved, but late	some milestones have not been met	the output is likely to be achieved but the timeframe is at risk
Red means:	key milestones have not been met	the output (in full or in substantial part) has not been achieved and the reform requires attention	key milestones have not been met	the output (in full or in substantial part) is at risk of not being achieved without significant intervention

## Deregulation priorities

Governments have agreed to progress deregulation or regulatory harmonisation in 27 priority areas.

The council’s formal assessment of progress against 2010–11 milestones and any outstanding milestones from the previous two financial years is presented in chapters 4 to 23 of Part B of this report.

Because this report will precede Commonwealth determinations regarding the first tranche of reward payments, the council has also provided a detailed presentation of the individual

progress of all nine governments—Commonwealth, State and Territory—against all milestones set over the three years to date. This is presented in Chapter 3 in Part A of this report.

### Deregulation priorities due for completion

Fourteen of the 27 deregulation priorities were due to be completed by 30 June 2011. Table 2 presents a summary of the overall progress of governments in implementing these fourteen deregulation priorities.

Table 2 shows that twelve reforms have been fully completed. There are two cases where all milestones have been completed and the original output has only been largely achieved.

**Table 2** Deregulation priorities (due to be completed by 30 June 2011)

Reform	Deadline	Progress status	Risk status
Environmental assessment	June 09	All milestones completed	Output achieved
Health workforce	July 10	All milestones completed	Output achieved
Trade measurement	July 10	All milestones completed	Output achieved
Rail safety	March 10	All milestones completed	Output achieved
Consumer law	Dec 10	All milestones completed	Output achieved
Product safety	Dec 10	All milestones completed	Output achieved
Trustee corporations	May 10	All milestones completed	Output achieved
Consumer credit <sup>1</sup> (phase 1)	June 10	All milestones completed	Output achieved
Development assessment	July 10	All milestones completed <sup>2</sup>	Output largely achieved
Standard business reporting	July 10	All milestones completed	Output achieved
Food	March 11	All milestones completed	Output largely achieved
Wine labelling	July 09	All milestones completed	Output achieved

Notes:

1. Consumer credit (phase 1) comprises three reforms.
2. One specific milestone was only partially completed by Western Australia.

### Milestones completed and output achieved

Of the fourteen reforms due to be completed by 30 June 2011, twelve have been fully completed.

Last year, the council assessed four reforms as completed: **environmental assessment**, **trade measurement** (see [www.measurement.gov.au](http://www.measurement.gov.au)), **standard business reporting** (see [www.sbr.gov.au](http://www.sbr.gov.au)) and **wine labelling**. These four reforms have not been reassessed in this report.

While environmental assessment milestones have been completed, on 19 August 2011 COAG agreed:

... on the need for major reform of environmental regulation across all levels of government to reduce regulatory burden and duplication for business and to deliver better environmental outcomes, including through greater use of regional planning and strategic assessments. ... This reform will be part of the next tranche of the Seamless National Economy agenda (COAG 2011e, p. 3).

Over the past year, the milestones and outputs for another eight reforms have been completed:

- **Health workforce:** All jurisdictions have enacted legislation to establish the national registration and accreditation scheme. The scheme was operational from July 2010 (Western Australia joined the scheme in October 2010) and applies to chiropractors, dental care professionals, medical practitioners, nurses and midwives, optometrists, osteopaths, pharmacists, physiotherapists, podiatrists and psychologists (see [www.ahpra.gov.au](http://www.ahpra.gov.au)).
- **Rail safety:** All jurisdictions have enacted legislation to achieve nationally consistent rail safety regulation. The establishment of a national rail safety regulator is an ongoing process under competition reform 7 (see [www.ntc.gov.au](http://www.ntc.gov.au)).
- **Consumer law and product safety (two reforms):** The new national consumer policy framework and product safety regime has been established, with the Australian Consumer Law commencing on 1 January 2011 (see [www.consumerlaw.gov.au](http://www.consumerlaw.gov.au)).
- **Trustee corporations:** The national system of regulation for the licensing and supervision of trustee corporations has commenced.
- **Consumer credit (three reforms):** Phase 1—national regulation of mortgage broking, margin lending and non-deposit lending institutions—commenced on 1 July 2010 (see [www.asic.gov.au/credit](http://www.asic.gov.au/credit)).

### Milestones completed and output largely achieved

There are two cases where the current set of milestones have been completed and the original outputs have been largely achieved:

- **Development assessment:** A ‘system of national performance monitoring’ has been established and a ‘set of supporting national planning system principles’ has been agreed. The output of ‘accelerated use of ‘code assessment’ has been achieved for low risk, low impact single residential dwellings. The ‘roll out of electronic DA processing nationally’ and the ‘assessment of benefits accruing from DA reforms’ have not been achieved. The current implementation plan does not contain any milestones beyond 2010–11 to guide the achievement of these remaining outputs. COAG has referred the reform to the Standing Council on Federal Financial Relations.
- **Food:** Two of the stated outputs—reform of ANZFRMC voting arrangements and national consistency in monitoring and enforcement of food standards—have been achieved. However, the stated output of ‘improved food labelling policies and laws’ has not yet been achieved. The current implementation plan does not contain any milestones to guide the completion of this remaining output. COAG has determined that this reform is concluded.

## Deregulation priorities—not yet due to be completed

Thirteen of the 27 deregulation priorities are not yet due to be completed. Table 3 presents a summary of the overall progress of governments in implementing these thirteen deregulation priorities.

Table 3 shows that one reform has been completed, four reforms are on track, three are at risk of being delayed, and five face more serious risks of the intended output not being achieved.

**Table 3** Deregulation priorities (not yet due to be completed)

Reform	Deadline	Progress status	Risk status
Occupational health & safety	Dec 11	Key milestones not met <sup>1</sup>	Output at risk
Payroll tax	June 12	All milestones completed	Output achieved
Licensing system	June 13	Key milestones not met <sup>2</sup>	Output at risk
Construction code	Oct 12	Some milestones not met	No significant risks identified
Chemicals and plastics	June 12	Key milestones not met	Output at risk
Business names	May 12	Some milestones not met	No significant risks identified
Personal property securities	Oct 11	All milestones completed	Timeframe at risk
Mine safety	July 12	All milestones completed	Output at risk
Electronic conveyancing	Dec 12	All milestones completed	No significant risks identified
Oil & gas	Jan 12	Some milestones not met	Timeframe at risk
Maritime safety	Jan 13	All milestones completed	Timeframe at risk
Directors' liability	Dec 12	All milestones completed	Output at risk
Consumer credit (phase 2)	June 12	All milestones completed	No significant risks identified

*Notes:*

1. Occupational health and safety: Western Australia and Victoria are assessed as not having met the milestone to agree on the model legislation and New South Wales is assessed as having only partially met this milestone.
2. Licensing system: Western Australia and the ACT are yet to enact application legislation; Tasmania and the Northern Territory are yet to commence legislative provisions establishing a national licensing authority.

## Milestones completed and output achieved

The council has found that one reform of the thirteen reforms not yet due to be completed has been completed:

- **Payroll tax:** The milestones for this reform have been completed. While some minor variations remain, COAG has determined that the objectives of this reform have largely been met and the council agrees that the output for this reform has been substantively achieved.

## On track

Of the thirteen reforms not yet due to be completed, four are largely on schedule and no major risks have been identified:

- **Construction code:** Steps towards nationally consistent regulation of building and plumbing have been completed: a regulatory impact statement has been finalised and released, governance and funding arrangements have been agreed, and the 2011 version of the National Construction Code was released in May 2011. While an IGA setting out governance and funding arrangements was not agreed by June 2011 as required, this reform is largely on track to be completed by October 2012.
- **Business names:** While some 2010–11 milestones have only been partially achieved, the development of a national business names registration scheme is on track for completion by May 2012.
- **Electronic conveyancing:** Jurisdictions are making progress: the entity to administer the proposed national e-conveyancing system has been established. While interim milestones due in the first quarter of 2011–12 may be delayed, the council believes that this reform remains on track to be achieved on time (see [www.nationaleconveyancing.com.au](http://www.nationaleconveyancing.com.au)).
- **Consumer credit (phase 2):** Phase 2—dealing with ‘remaining areas’ of consumer credit—is to be implemented in two parts by December 2012. This reform appears to be on track, although the council suggests that COAG clarify the scope of this reform.

## Timeframe at risk

The council has identified three cases where it would appear that governments remain committed to the objective of the reform stream but where there are risks of delays:

- **Personal property securities:** Jurisdictions have met a number of milestones for this reform, including the signing of an IGA and enactment of legislation in all jurisdictions. There is a risk that commencement of the system may slip from October 2011 to early 2012 due to difficulties with user acceptance testing.
- **Oil and gas:** The *Offshore Petroleum and Greenhouse Gas Storage Act 2006* has been amended, and its regulations consolidated. The Environmental Assessors Forum terms of reference and work program has been endorsed by the Ministerial Council on Mineral and Petroleum Resources. The Commonwealth has completed a review of the guidelines. However, the two milestones for which the States and Territories were responsible—to review state and territory petroleum legislation applying to coastal waters and onshore areas, and to draft a Memorandum of Understanding—were not completed. The council recommends that COAG consider clarifying the two incomplete milestones to better articulate the action, timelines and accountabilities of the States and Territories.
- **Maritime safety:** Importantly, on 19 August 2011 COAG signed an intergovernmental agreement on national commercial vessel safety reforms. The IGA was signed one year late and there is some risk, given the detailed work yet to be completed, that full implementation will not be achieved on time by January 2013 as required.

## Output at risk

The council has identified five more serious cases where the stated output is at risk of not being achieved:

- **Occupational health and safety:** There has been significant progress towards a nationally harmonised system, due to be enacted in all jurisdictions by December 2011. Model legislation has been developed and work on model regulations and codes of practice has progressed. However, there is a risk to the December 2011 deadline, as not all members of the Workplace Relations Ministers' Council have agreed to the model regulations. The council is also concerned that legislative variations across some jurisdictions may undermine the harmonisation objectives of this reform. The council is due to assess the substantive completion of this reform next year.
- **Licensing system:** There was good early progress on this reform with the principal legislation enacted in 2010. However, the scheduled commencement of the scheme from 1 July 2012 is at risk as some jurisdictions did not enact application laws by December 2010 and governments did not appoint the board and CEO by June 2011 as required (see [www.nola.gov.au](http://www.nola.gov.au)). Furthermore, uncertainty regarding some jurisdictions' participation in the national system and legislative variations raise a risk that the stated output of this reform—to establish a national trade licensing system—may not be achieved.
- **Chemicals and plastics:** Progress on reforms to the regulation of chemicals and plastics is mixed:
  - Three of the sixteen so-called 'early harvest' reforms being led by the Commonwealth remain incomplete.
  - Reforms in areas such as drug precursors, chemicals of security concern and dangerous goods transport are generally on track.
  - Reforms to environmental labelling of chemicals, being led by environment ministers, are behind schedule.
  - Updated implementation plans for industrial chemicals reforms, being led by the National Industrial Chemicals Notification and Assessment Scheme in the Commonwealth health portfolio, and poisons and medicines scheduling reforms, being led by health ministers, remain outstanding.
  - COAG has not received an implementation plan from the Commonwealth Attorney-General's Department for agreed reforms to the regulation of security sensitive ammonium nitrate.
- **Mine safety:** The mining OH&S drafting instructions were delivered to Safe Work Australia and an online repository for compliance information has been launched. The milestone for NSW, Queensland and Western Australia to provide uniform non-core drafting instructions to MCMPR by June 2011 has been completed. However, the council is concerned that:
  - delays to the finalisation of core and non-core mine safety provisions, as well as the development of the mine safety database could impact on the timely commencement of this reform

- jurisdictional variations arising from the core and non-core legislative approach may impact on a key stated output of this reform—the establishment of a nationally consistent legislative framework for mine safety
- jurisdictional notes contained in the non-core provisions may compound the risk that the harmonisation objective of this reform stream will not be achieved.
- **Directors’ liability:** Last year, the council was concerned that there had been no process at a multi-jurisdictional level to consider whether the reforms proposed by individual jurisdictions were sufficient. The council recommended that COAG establish a new process to realise a nationally consistent, principles-based approach to the imposition of personal criminal liability of directors. COAG has set new milestones. However, the council remains concerned that the output for this reform may not be achieved on time, based on the poor progress made to date and the fact that the final milestone for this reform only requires jurisdictions to introduce, rather than pass, legislation by December 2012.

## Conclusions and recommendations

Overall progress on the deregulation priorities is positive. Fifteen reforms have been completed on time. Of the thirteen not yet due to be completed, four are on track, and another three are expected to be achieved but are at risk of being delayed. Therefore, across the 27 deregulation priorities, 22 reforms are travelling well.

Of the thirteen not yet due to be completed, the council has identified five reforms that are at risk of not being achieved (in part or in full). The council recommends that COAG focus on remedial action to bring these five reforms back on track.

### Box 1 Recommendation 1

The COAG Reform Council recommends that COAG:

- **note** that, of the fourteen deregulation priorities due to be completed by 30 June 2011, twelve have been completed and two have been largely completed
- **note** that, of the thirteen deregulation priorities not yet due to be completed, one has been completed, four are on track, and three are likely to be achieved but are at risk of being delayed
- **take steps** to remedy the five cases where the council has identified that the intended output is at risk of not being achieved:
  - occupational health and safety (including by ensuring that jurisdictional variations from the model bill will not materially harm the harmonisation objective of this reform)
  - national licensing system
  - chemicals and plastics (including by asking the BCRWC and the Standing Committee on Chemicals, and the relevant bodies—NICNAS in the Commonwealth health portfolio, AHMC and the Attorney General’s Department (Cwlth)—to bring forward the updated implementation plans)
  - mine safety (including by clarifying the role of core and non-core occupational health and safety provisions and ensuring that jurisdictional variations from the model bill will

not materially harm the national consistency objective of this reform)

- directors' liability (including by using the work completed for the council by Corrs Chambers Westgarth to advance the work to be completed in 2011–12).

## Additional regulatory reforms

On 7 December 2009, COAG approved implementation plans for regulatory reform of the legal profession, competitiveness of retail tenancy, and the establishment of a Standard Chart of Accounts (SCOA) for the not-for-profit sector. On 19–20 April 2010, COAG agreed to additional reforms for the not-for-profit sector, including an implementation plan and governance structure to develop a nationally consistent approach to fundraising regulation.

These reforms are separate to the National Partnership and are not linked to reward payments (Commonwealth Government 2010b, p. 5), but they have been referred to the COAG Reform Council for progress monitoring.

In responding to the council's 2009–10 report, COAG decided that no further work was required on competitiveness of retail tenancy. This reform has not been reassessed in this report.

The council's summary of overall progress of the nine Australian governments on the additional regulatory reforms is presented in Table 4.

**Table 4 Additional regulatory reforms**

Reform	Deadline	Progress status	Risk status
Legal profession	Unknown	Key milestones not met	Output at risk
Not-for-profit sector (SCOA)	July 12	All milestones on track	No significant risks identified
Not-for-profit sector (fundraising)	July 12	Key milestones not met	Output at risk
Retail tenancy	June 10	All milestones completed	Output achieved

Of the remaining additional regulatory reforms, Table 4 shows that one reform is on track and that two face serious risks that the intended output will not be achieved:

- **Legal profession:** The proposed reform—uniform laws regulating the legal profession to enable legal practitioners and practices to operate in *all* jurisdictions without having to meet multiple professional registration requirements—is at risk of not being achieved. This reform is at risk because:
  - a final package of the proposed reforms has not yet been agreed by COAG
  - on 19 August 2011, COAG noted that Tasmania and the ACT joined Western Australia and South Australia in agreeing not to participate in the system
  - there are insufficient milestones in the implementation plan to support realisation of the intended reform (the intended completion date is also unknown).
- **Not-for-profit sector (SCOA):** Under Stage 1 of this reform, all jurisdictions have adopted the national Standard Chart of Accounts, which should reduce the financial reporting burden

on the sector. The potential scope of Stage 2 of this reform remains uncertain due to problems with the related fundraising reform stream.

- **Not-for-profit sector (fundraising):** This reform stream has not progressed. The Ministerial Council on Consumer Affairs has not been able to release a consultation RIS in line with the implementation plan. These delays may impact on the ability of COAG to agree a decision RIS by December 2011.

## Conclusions and recommendations

The council recommends that COAG focus on remedial action to bring two reforms that have been identified as at risk back on track.

### Box 2 Recommendation 2

The COAG Reform Council recommends that COAG **take steps** to remedy the two cases where the council has identified that the intended output is at risk of not being achieved:

- legal profession
- not-for-profit sector (fundraising).

## Regulation making and review processes

Under Part 3 of the National Partnership, governments have agreed to improve processes for making and reviewing regulations.

The council’s formal assessment of progress against 2010–11 milestones and any outstanding milestones from the previous two financial years is presented in Chapter 24 of Part C of this report.

Table 5 presents a summary of overall progress of the nine Australian governments against the commitments to improve regulation making and review processes.

**Table 5 Regulation making and review reforms**

Reform	Deadline	Progress status	Risk status
Regulation making and review	Feb 13	All milestones on track	Output at risk

Early actions in this reform stream focused on implementing COAG’s April 2007 *Regulatory Reform Plan*. Most of these have been completed. However, Western Australia and the ACT each have one outstanding commitment.

The council found that all jurisdictions have met the 2010–11 milestones. These milestones required jurisdictions to review regulation impact assessment processes and regulatory stock reduction mechanisms, and to develop proposals and recommendations for discussion by the BRCWG. The council also found that there are no significant risks to future milestones, which focus on a benchmarking study by the Productivity Commission to be completed by December 2012.

However, completion of the current set of milestones, which focus on reviews, will not necessarily mean jurisdictions will achieve the intended output. The council recommends that COAG include new milestones that commit jurisdictions to take specific actions to improve their regulation and review processes.

## Competition reforms

Governments have agreed to progress eight streams of competition reform. The energy, infrastructure and transport reforms have been divided into sub-streams such that there are 17 competition reforms in total.

The council's formal assessment of progress against 2010–11 milestones and any outstanding milestones from the previous two financial years is presented in Chapters 28 to 43 of Part D of this report.

### Competition reforms due for completion

Six of the seventeen competition reforms were due to be completed by 30 June 2011. Table 6 presents a summary of the overall progress of governments in implementing these six competition reforms.

Table 6 shows that three reforms have been completed, one has been delayed and two face more serious risks of the intended output not being achieved.

**Table 6** Competition reforms (due to be completed by 30 June 2011)

Reform	Deadline	Progress status	Risk status
Anti-dumping & countervailing	June 10	All milestones completed	Output achieved
Parallel book importation	Dec 09	All milestones completed	Output achieved
Energy (market investment)	Dec 10	Key milestones not met	Output not achieved
Infrastructure (rail access)	June 11	All milestones completed	Output achieved
Infrastructure (port regulation)	June 11	Some milestones not met <sup>1</sup>	Likely to be completed late
Occupational licensing	Sept 10	Key milestones not met	Output not achieved

Notes:

1. Infrastructure (port regulation): Western Australia and the Northern Territory have not completed all milestones.

### Milestones completed and output achieved

Of the six reforms due to be completed by 30 June 2011, milestones and outputs for three reforms have been completed:

- **Anti-dumping & countervailing:** All milestones for this reform are now complete. The stated output for this reform—a review of Australia's anti-dumping and countervailing

system—has been achieved. The Commonwealth Government has committed to implement 15 of the 20 review recommendations completely or in part.

- **Parallel book importation:** This reform was assessed as fully completed last year and has not been reassessed in this report. The council noted last year that the output for this reform stream was only the completion of a review and that no relevant reform activity actually occurred.
- **Infrastructure (rail access):** This reform has been completed:
  - The Western Australian Rail Access Regime has been certified as an effective regime by the National Competition Council
  - The rail line from Brisbane to the NSW border has been transferred to the ARTC.

### Timeframe at risk

The council has identified one reform that has not been completed on time by all jurisdictions:

- **Infrastructure (port regulation):** This reform has been completed by all jurisdictions except Western Australia and the Northern Territory:
  - the Northern Territory has completed several actions but has some unfinished business to complete implementation of all recommendations from its ports review
  - Western Australia has not implemented any recommendations from its ports review.

### Output at risk

The council has identified two more serious cases where the reform has not been completed on time and the stated output is at risk:

- **Energy (market investment):** The only milestone for this reform requires the Ministerial Council on Energy to receive a report on a framework for assessing the adequacy of energy market investment. This milestone was not completed. Further, completion of this milestone may not be sufficient to achieve the stated output of ensuring adequate energy market investment. The council recommends that COAG consider adding milestones to the implementation plan to set out the further steps required to achieve the stated output (see recommendations below).
- **Occupational licensing:** The council considers the timeframe and output for this reform to be at risk on the basis that substantive reforms have only been progressed in some jurisdictions and because the milestones requiring consideration of the scope of reform have been deferred to a future date. The council recommends that COAG set a new program of action to implement the intended output for this reform stream (see recommendations below).

### Competition reforms—not yet due to be completed

Eleven of the seventeen competition reforms are not yet due to be completed. Table 7 presents a summary of the overall progress of governments in implementing these eleven competition reforms.

Table 7 shows that five reforms are on track, four are at risk of being delayed, and two face more serious risks of the intended output not being achieved.

**Table 7 Competition reforms (not yet due to be completed)**

Reform	Deadline	Progress status	Risk status
Energy (retail price regulation)	June 16	All milestones on track	No significant risks identified
Energy (market legislation)	June 13	All milestones on track	Output at risk
Energy (demand side part.)	Dec 17	All milestones on track	Output at risk
National access regime	Dec 12	All milestones on track	No significant risks identified
Infrastructure (access regimes)	Dec 12	Some milestones not met <sup>1</sup>	Timeframe at risk
Infrastructure (comp. tendering)	Dec 12	All milestones on track	No significant risks identified
Infrastructure (comp. neutrality)	June 12	All milestones on track	No significant risks identified
Transport (heavy vehicles)	Dec 12	All milestones on track	Timeframe at risk
Transport (rail safety)	Dec 12	All milestones on track	Timeframe at risk
Transport (maritime safety)	Jan 13	All milestones on track	Timeframe at risk
Road reform plan	June 19	All milestones on track	No significant risks identified

Notes:

1. Infrastructure (access regimes): Victoria has not submitted its rail access regime nor repealed its grain and port access regimes. The national electricity and gas access regimes have not been submitted for certification.

## On track

Of the eleven reforms not yet due to be completed, five are on schedule and no significant risks have been identified:

- **Energy (retail price regulation):** The milestone for the Australian Energy Market Commission to undertake a review of competition in the ACT energy market was completed on time. The council has not identified any risks to the future milestones involving AEMC reviews of retail price regulation in NSW, Queensland, South Australia and the ACT.
- **National access regime:** The single milestone requiring the Commonwealth to amend the National Access Regime was completed on time. The next step in this reform is for the Productivity Commission to commence a review of the National Access Regime to satisfy clause 8.1 of the Competition and Infrastructure Reform Agreement by December 2012.
- **Infrastructure (competitive tendering):** The next step in this reform is for the Productivity Commission to commence a review of the effectiveness of the Competition and Infrastructure Reform Agreement and the impact of competitive tendering regulations by December 2012. The council has not identified any risks to this milestone.
- **Infrastructure (competitive neutrality):** The annual milestone requiring Heads of Treasuries to submit a competitive neutrality matrix to COAG was completed.

- **Road reform plan:** The two milestones—requiring the Australian Transport Commission to report on feasibility studies and options for freight infrastructure pricing—were completed on time. The council has not identified any significant risks to the future milestones. Further milestones will be required, following completion of the RIS due in December 2012, if reform is to be progressed.

### Timeframe at risk

The council has identified four cases where it would appear that governments remain committed to the objective of the reform but where it is at risk of being delayed:

- **Infrastructure (access regimes):** Several States submitted their access regimes on time. The National Competition Council certified these regimes on time. However, Victoria has not submitted its rail access regime nor repealed its grain and port access regimes as planned. Further, the national access regimes for electricity and gas networks remain to be submitted. This work was due to be completed by June 2011. COAG may wish to consider setting new milestones for the completion of unfinished business under this reform.
- **Transport (heavy vehicles, rail safety and maritime safety):** On 19 August 2011, significant milestones were completed for these three reforms when COAG signed the Intergovernmental Agreement on Heavy Vehicle Regulatory Reform, the Intergovernmental Agreement on Rail Safety Regulation and Investigation Reform, and the Intergovernmental Agreement on Commercial Vessel Safety Reform. While this was a significant achievement, there is some risk, given the detailed work yet to be completed, that the December 2012/January 2013 deadlines for full implementation of the reforms may not be achieved. The council is also concerned that there are insufficient interim milestones specified in 2011–12 to properly track progress towards these major deadlines.

### Output at risk

The council has identified two more serious cases where the stated output is at risk of not being achieved:

- **Energy (market legislation):** The milestone for legislation to give effect to the National Energy Customer Framework to be introduced into the South Australian Parliament by Spring 2010 was completed on time. The council assesses this reform as at risk because there are no milestones relating to the review of derogations, which is the second part of the stated output.
- **Energy (demand side participation):** The milestone for the Ministerial Council on Energy to approve regulatory obligations for Energy Bill Benchmarking was completed on time. However, the council is concerned that there are insufficient milestones in the implementation plan for the stated output to be fully achieved.

### Conclusions and recommendations

There is mixed progress across the competition reforms.

The most notable achievement in the reporting period was in the transport sector. On 19 August 2011, COAG signed intergovernmental agreements on heavy vehicle regulatory

reform, rail safety regulation and investigation reform, and commercial vessel safety reform. While this was a significant achievement, there is some risk, given the detailed work yet to be completed, that the December 2012/January 2013 deadlines for full implementation of the reforms may not be achieved.

There was also steady progress on the road reform plan.

Infrastructure reforms have also progressed. Amendments to the National Access Regime were finally completed in the 2010–11 reporting period. Some specific commitments in relation to infrastructure access were also completed, although more work is to be completed by Victoria (rail, grain and ports), Western Australia (ports) and the Northern Territory (ports). The main issue requiring attention is that all jurisdictions need to address certification of the access regimes for the national electricity (except WA) and gas networks.

The infrastructure reforms include milestones for a Productivity Commission review of the National Access Regime and the effectiveness of the Competition and Infrastructure Reform Agreement (CIRA), to be commenced by December 2012. The review could be an effective mechanism to reinvigorate the infrastructure reform agenda beyond the CIRA commitments.

Progress on energy reforms is less positive. Commitments on retail price regulation and demand side participation have been progressed. However, some milestones have not been met and the council has identified three areas where the intended output is not supported by sufficient prescribed action: harmonisation of energy market legislation, adequacy of energy market investment and incentives for demand side participation.

Last year, the council recommended that COAG consider inclusion of additional milestones to support some aspects of the energy reform objectives. In response, COAG stated that:

COAG will continue to monitor advice from the Ministerial Council on Energy on the Australian Energy Market Commission's (AEMC) reviews of retail price competition as well as trends in investment. COAG notes that future policy decisions in this area are likely to have regard to related activity by the Commonwealth Government to explore options for the implementation of a carbon price (COAG 2011n).

Given the council's findings on progress this year, and national developments in climate change and energy policy over the past twelve months, it may be timely for COAG to set new milestones in the implementation plan to reinvigorate energy reform and advance the stated energy market objectives on legislative harmonisation, investment adequacy and balanced incentives for efficient demand side participation.

The timeframe and output for occupational licensing reforms are at risk. Substantive reforms have only been progressed in some jurisdictions. Consideration of further scope for reform has been deferred. A new program for this reform needs to be set.

**Box 3**      **Recommendation 3**

The COAG Reform Council recommends that COAG:

- **take steps** to remedy the four cases where the council has identified that the intended output is at risk of not being achieved:
  - energy (market legislation)
  - energy (market investment)
  - energy (demand side participation)
  - occupational licensing
- **set** new commitments to reinvigorate energy reform and to advance the stated energy market objectives on legislative harmonisation, investment adequacy and balanced incentives for efficient demand side participation.

## Performance reporting framework

Governments have committed to ‘working together to improve performance reporting for the sake of enhanced public accountability’ (COAG 2008g, cl. 16). The COAG Reform Council has an important responsibility to ‘advise on where changes might be made to the performance reporting framework’ (COAG 2008h, cl. C30).

The performance reporting framework has generally worked well for the production of the three reports to COAG on this National Partnership. COAG and the relevant supporting committees and government officials have been effective in responding to the recommendations made by the council in previous reports and the implementation plan has been updated regularly as required by the National Partnership agreement.

This year, the council asked jurisdictions to provide their progress reports up to one month earlier than required to aid in the report preparation process. Jurisdictions were responsive to this request and this has been of assistance to the council in preparing this report. The council does not propose any further refinements to the performance reporting process at this time.

## Implementation plans

Throughout the chapters in Parts B, C and D of this report, the council has highlighted instances where further milestones are required to support full implementation of the stated output or where improved specification of milestones would aid the public performance reporting process.

Last year, the council also highlighted a number of ways in which the technical specification of milestones and deadlines could be improved. Some of these matters require continuing attention, such as improved specification of jurisdictional accountabilities and deadlines.

The National Partnership requires that the implementation plan be reviewed annually and provides scope for the Commonwealth, with the agreement of the States and Territories, to update the plan as progress is reviewed (COAG 2008k, cl. 11). It would be appropriate for the

implementation plans to be reviewed and updated before the end of the next reporting period, so that there is a clear basis for public accountability.

The council notes that, for the past two reporting years, some of the implementation plans were not revised until weeks after the end of the relevant reporting periods (in August in both cases). Such timing undermines the credibility of the accountability process. The council recommends that a revised implementation plan should be approved by COAG by no later than 30 June 2012.

Box 4 sets out the council's recommendations for improvements to the implementation plans supporting the National Partnership.

The council has made recommendations for COAG to include additional or revised milestones in the implementation plans for some reforms. The council has highlighted instances where further milestones are required to support full implementation of the stated output or where improved specification of milestones would aid the public performance reporting process.

#### Box 4 Recommendation 4

The COAG Reform Council recommends that COAG **ask** the Business Regulation and Competition Working Group to bring forward updated implementation plans before 31 March 2012, for approval by COAG by 30 June 2012, for:

##### *Deregulation priorities*

- consumer credit: to clarify the intent and scope of Phase Two of the reforms and to clarify the extent to which States and Territories are bound to adopt Part Two of Phase Two of these reforms
- chemicals and plastics: to reflect updated ministerial council implementation plans (it is suggested that the National Partnership implementation plan set out key milestones for each of the eight bodies with unfinished responsibilities for implementing agreed Productivity Commission recommendations)
- mine safety: to clarify the role of core and non-core mine safety provisions by amending the output in the implementation plan, to track the making and adoption of codes of practice and enforcement guidelines, and to bring forward the milestone for all jurisdictions to input data into the national database base from 1 July 2012 to 30 June 2012
- oil and gas: to clarify the two incomplete milestones and to better articulate the action, timelines and accountabilities of the States and Territories
- directors' liability: to bring the deadline for achieving the output of this reform into alignment with COAG's decision that all deregulation priorities are to be completed by December 2012.

##### *Additional regulatory reforms*

- legal profession: to set a new program of action to implement the intended output
- not-for-profit sector (fundraising): to set milestones for both 2011–12 and 2012–13 to specify the steps required (beyond the completion of a RIS) to deliver a nationally

consistent approach to fundraising regulation.

*Improved regulation making and review processes*

- to include new milestones that commit jurisdictions to take specific actions to improve their regulation making and review processes.

*Competition reforms*

- energy: to reflect any new commitments to advance the stated energy market objectives on harmonisation, investment adequacy and balanced incentives for efficient demand side participation, specifically:
  - energy (market legislation): to set steps required to meet the stated output of a review of derogations
  - energy (market investment): to set out the further steps required to achieve the stated output of ensuring adequate investment
  - energy (demand side participation): to set actions to implement any agreed findings from the AEMC’s Review of Demand Side Participation (Stages 1–3), and opportunities for intergovernmental cooperation to encourage demand side participation in the energy market
- infrastructure (access regimes): to set new milestones to address unfinished business under this reform: Victoria (rail, grain and port channels) and all jurisdictions (national electricity and gas access regimes)
- transport (heavy vehicles, rail safety and maritime safety): to set some interim milestones between January 2012 and December 2012 to guide progress and aid performance reporting
- occupational licensing: to set a new program of action to implement the intended output.

## Summary of milestone achievement

The purpose of this summary is to show, in one place, the performance of governments, both collectively and individually, in meeting agreed milestones across the deregulation priorities, other regulatory reforms, and competition reforms in the first three years of the National Partnership.<sup>1</sup>

The assessment is based on the most recent versions of the implementation plans.<sup>2</sup>

### Deregulation priorities—summary of progress to date

Drawing from earlier reports and chapters 4 to 23 in part B of this report, Table 8 presents a consolidated summary of the council's assessment of the current status of all milestones required to be completed over the three years to 30 June 2011 for the 27 deregulation priorities.

**Table 8 Deregulation priorities—summary of progress to date**

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
<b>1. Occupational Health and Safety (see Chapter 4)</b>									
2008–09 (1)									
2008–09 (2)									
2008–09 (3)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2009–10 (4)									
2010–11 (1)									
<b>2. Environmental Assessment (see 2009–10 report)</b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (1)									

<sup>1</sup> For an understanding of the requirements of individual milestones, readers should refer to the implementation plan or the relevant chapter of this report. Readers should refer to Chapter 1 to understand the meaning of the traffic-light colours.

<sup>2</sup> The implementation plans are available at:  
[http://www.federalfinancialrelations.gov.au/content/national\\_partnership\\_agreements/other.aspx](http://www.federalfinancialrelations.gov.au/content/national_partnership_agreements/other.aspx)

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
<b>3. Payroll Tax (see Chapter 5)</b>									
2008–09 (1)									
2009–10 (1)									
2009–10 (2)									
2010–11 (1)									
2010–11 (2)									
2011–12 (1) <sup>3</sup>									
<b>4. Licensing System (see Chapter 6)</b>									
2008–09 (1)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
2010–11 (4) <sup>4</sup>									
<b>5. Health Workforce (see Chapter 7)</b>									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
<b>6. Trade Measurement (see 2009–10 report)</b>									
2008–09 (1)									
2008–09 (2)									
2008–09 (3)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									

<sup>3</sup> At the request of governments, the council has prospectively assessed this 2011–12 milestone.

<sup>4</sup> This milestone was completed within three months of the end of the reporting period.

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
2010–11 (1)									
<b>7. Rail Safety (see Chapter 8)</b>									
2008–09 (1)									
2009–10 (1)									
<b>8. Consumer Law (see Chapter 9)</b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>9. Product Safety (see Chapter 10)</b>									
2008–09 (1)									
2008–09 (2)									
2008–09 (3)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>10. Trustee Corporations (see Chapter 11)</b>									
2008–09 (1)									
2008–09 (2)									
2008–09 (3)									
2009–10 (1) <sup>5</sup>									
2009–10 (2)									
<b>11–13 &amp; 27. Consumer Credit (see Chapter 12)</b>									
2008–09 (1)									

<sup>5</sup> This milestone was completed by Western Australia within three months of the end of the reporting period.

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
2008–09 (2)									
2008–09 (3)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
<b>14. Development Assessment (see Chapter 13)</b>									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
2010–11 (2) <sup>6</sup>									
<b>15. Construction Code (see Chapter 14)</b>									
2008–09 (1)									
2009–10 (1)									
2009–10 (2)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
2010–11 (4)									
<b>16. Chemicals and Plastics (see Chapter 15)</b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
2010–11 (2)									

<sup>6</sup> This milestone was completed by Tasmania within three months of the end of the reporting period. This milestone has only been partially completed by Western Australia.

Milestone	Cwth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
<b>17. Business Names (see Chapter 16)</b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>18. Personal Property Securities (see Chapter 17)</b>									
2008–09 (1)									
2008–09 (2)									
2008–09 (3)									
2008–09 (4)									
2009–10 (1) <sup>7</sup>									
2009–10 (2)									
2010–11 (1) <sup>8</sup>									
2010–11 (2)									
2010–11 (3)									
2010–11 (4) <sup>9</sup>									
<b>19. Standard Business Reporting (see 2009–10 report)</b>									
2008–09 (1)									
2008–09 (2)									
2008–09 (3)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									

<sup>7</sup> This milestone was completed by Western Australia within three months of the end of the reporting period.

<sup>8</sup> This milestone was completed by the Commonwealth within three months of the end of the reporting period.

<sup>9</sup> This milestone was completed by the Commonwealth within three months of the end of the reporting period.

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
2010–11 (1)									
<b>20. Food (see Chapter 18)</b>									
2008–09 (1)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
2010–11 (2)									
<b>21. Mine Safety (see Chapter 19)</b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2009–10 (4)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3) <sup>10</sup>									
<b>22. Electronic Conveyancing (see Chapter 20)</b>									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2010–11 (1)									
2010–11 (2)									
<b>23. Oil &amp; Gas (see Chapter 21)</b>									
2008–09 (1)									
2009–10 (1)									
2009–10 (2)									

<sup>10</sup> This milestone was completed by NSW, Queensland and Western Australia within three months of the end of the reporting period.

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
2009–10 (3)									
2009–10 (4)									
2009–10 (5)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
2010–11 (4)									
<b>24. Maritime Safety (see Chapter 22)</b>									
2008–09 (1)									
2008–09 (2)									
2010–11 (1) <sup>11</sup>									
<b>25. Wine Labelling (see 2009–10 report)</b>									
2008–09 (1)									
2009–10 (1)									
<b>26. Directors' Liability (see Chapter 23)<sup>12</sup></b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (3)									
2009–10 (4)									
2009–10 (5)									
2009–10 (7)									
2010–11 (2)									

<sup>11</sup> This milestone was completed within three months of the end of the reporting period.

<sup>12</sup> This table excludes previous year milestones that were not completed and which have been superseded by a new program of milestones over the next two years.

## Other regulatory reforms—summary of progress to date

Drawing from earlier reports and chapters 24 to 27 in part C of this report, Table 9 presents a summary of the council's assessment of the current status of all milestones required to be completed over the three years to 30 June 2011 for the five other regulatory reforms.

**Table 9 Other regulatory reforms—summary of progress to date**

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
<b>1. Regulation making and review (see Chapter 24)</b>									
2008–09 (1)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>2. Legal Profession (see Chapter 25)</b>									
2008–09 (1)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
2009–10 (4)									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>3. Not-for-profit sector: standard chart of accounts (see Chapter 26)</b>									
2009–10 (1)									
2009–10 (2)									
2010–11 (1)									
2010–11 (2)									
<b>4. Not-for-profit sector: fundraising (see Chapter 27)</b>									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>5. Retail tenancy reform (see 2009–10 report)</b>									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									

## Competition reforms—summary of progress to date

Drawing from earlier reports and chapters 28 to 43 in part D of this report, Table 10 presents a consolidated summary of the council's assessment of the current status of all milestones required to be completed over the three years to 30 June 2011 for the 17 competition reforms.

**Table 10 Competition reforms—summary of progress to date**

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
<b>1. Anti-dumping (see Chapter 28)</b>									
2008–09 (1)									
2009–10 (1)									
2009–10 (2)									
2009–10 (3)									
<b>2. Parallel book importation (see 2009–10 report)</b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (1)									
<b>3. Energy: retail price regulation (see Chapter 29)</b>									
2010–11 (1)									
<b>4. Energy: energy market legislation (see Chapter 30)</b>									
2010–11 (1)									
<b>5. Energy: market investment (see Chapter 31)</b>									
2010–11 (1)									
<b>6. Energy: demand side participation in energy markets (see Chapter 32)</b>									
2009–10 (1)									
2010–11 (1)									
<b>7. National access regime (see Chapter 33)</b>									
2010–11 (1)									
<b>8. Infrastructure: certification of state access regimes (see Chapter 34)</b>									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>9. Infrastructure: access regulation of rail track/rail networks (see Chapter 35)</b>									
2010–11 (1)									
2010–11 (2)									

Milestone	Cwlth	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
2010–11 (3)									
<b>10. Infrastructure: regulation of significant ports (see Chapter 36)</b>									
2010–11 (1)									
2010–11 (2)									
2010–11 (3)									
<b>11. Infrastructure: competitive tendering principles (see Chapter 37)</b>									
2009–10 (1)									
<b>12. Infrastructure: competitive neutrality principles and reporting (see Chapter 38)</b>									
2009–10 (1)									
2010–11 (1)									
<b>13. Occupational licensing (see Chapter 39)</b>									
2008–09 (1)									
2008–09 (2)									
2009–10 (1)									
2010–11 (1)									
<b>14. Transport: heavy vehicles (see Chapter 40)</b>									
2009–10 (1)									
<b>15. Transport: rail safety (see Chapter 41)</b>									
2009–10 (1)									
2009–10 (2)									
2010–11 (1)									
<b>16. Transport: maritime safety (see Chapter 42)</b>									
2010–11 (1) <sup>13</sup>									
<b>17. Road reform plan (see Chapter 43)</b>									
2010–11 (1)									
2010–11 (2)									

<sup>13</sup> This milestone was completed within three months of the end of the reporting period.