

DELEGATED LEGISLATION MONITOR

13-16 MARCH 2000

This week at a glance

There were 36 disallowable instruments tabled in the Parliament. These were made under 22 separate enabling Acts, through 10 Departments of State.

Statutory Rules

18 of the 36 instruments were Statutory Rules, comprising

- one made as a primary instrument; and
- 17 made as amending instruments

Instrument makers

21 instruments were made by the Governor-General or Ministers

15 instruments were made by Public Officials

TABLE OF CONTENTS

DELEGATED LEGISLATION TABLED IN THE SENATE 13-16 MARCH 2000

	Page
 DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY	
Export Inspection (Quantity Charge) Amendment Regulations 2000 (No.1)	6
 ATTORNEY-GENERAL'S DEPARTMENT	
Administrative Appeals Tribunal Amendment Regulations 2000 (No.1)	7
CEO Instruments of Approval Nos 2 and 3 of 2000 under section 4A of the <i>Customs Act 1901</i>	7
Customs Amendment Regulations 2000 (No.1)	7
Electronic Transactions Regulations 2000	7
Family Law Amendment Regulations 2000 (No.1)	7
Federal Court of Australia Amendment Regulations 2000 (No.1)	8
High Court of Australia (Fees) Amendment Regulations 2000 (No.1)	8
Native Title (Tribunal) Amendment Regulations 2000 (No.1)	8
 DEPARTMENT OF EDUCATION, TRAINING AND YOUTH AFFAIRS	
Determination No.T7-2000 under subsection 27A of the <i>Higher Education Funding Act 1988</i>	9
 DEPARTMENT OF FINANCE AND ADMINISTRATION	
Determination No.2000/02 to Establish a Special Account under section 20 of the <i>Financial Management and Accountability Act 1997</i>	10
Financial Management and Accountability Amendment Regulations 2000 (No.1)	10
Judicial and Statutory Officers (Remuneration and Allowances) Amendment Regulations 2000 (No.1)	10
 DEPARTMENT OF FOREIGN AFFAIRS AND TRADE	
Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2000 (No.1)	11
 DEPARTMENT OF HEALTH AND AGED CARE	
Private Health Insurance Complaints Levy Amendment Regulations 2000 (No.1)	12
 DEPARTMENT OF INDUSTRY, SCIENCE AND RESOURCES	
Petroleum Excise (Prices) Amendment Regulations 2000 (No.1)	13

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Airports (Control of On-Airport Activities) Amendment Regulations 2000 (No.1)	14
Amendment 31 of the National Capital Plan under section 19 of the <i>Australian Capital Territory (Planning and Land Management) Act 1988</i>	14
Civil Aviation Amendment Order (No.3) 2000	14
Civil Aviation Orders, Part 105 (9)	14-15
Instrument No.CASA 81/00 under regulation 208 of the Civil Aviation Regulations	15
List of Acts of the Western Australian Parliament under section 8B of the <i>Christmas Island Act 1958</i>	16
List of Acts of the Western Australian Parliament under section 8B of the <i>Cocos (Keeling) Islands Act 1955</i>	16

DEPARTMENT OF THE TREASURY

Australian Securities and Investments Commission Amendment Regulations 2000 (No.1)	17
Corporations Amendment Regulations 2000 (No.1)	17
Corporations (Fees) Amendment Regulations 2000 (No.1)	17

DEPARTMENT OF VETERANS' AFFAIRS

Air Force Amendment Regulations 2000 (No.1)	18
---	----

**DELEGATED LEGISLATION TABLED IN THE SENATE
13-16 MARCH 2000**

DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Agriculture, Fisheries and Forestry	1
Attorney-General's	9
Communications, Information Technology and the Arts	0
Defence	0
Education, Training and Youth Affairs	1
Employment, Workplace Relations and Small Business	0
Environment and Heritage	0
Family and Community Services	0
Finance and Administration	3
Foreign Affairs and Trade	1
Health and Aged Care	1
Immigration and Multicultural Affairs	0
Industry, Science and Resources	1
Prime Minister and Cabinet	0
Transport and Regional Services	15
Treasury	3
Veterans' Affairs	1
Total	36

**DELEGATED LEGISLATION TABLED IN THE SENATE
13-16 MARCH 2000**

**ALPHABETICAL LIST OF ENABLING ACTS AND NUMBER OF INSTRUMENTS
MADE UNDER EACH ACT**

<i>Administrative Appeals Tribunal Act 1975</i>	1
<i>Air Force Act 1923</i>	1
<i>Airports Act 1996</i>	1
<i>Australian Capital Territory (Planning and Land Management) Act 1988</i>	1
<i>Australian Securities and Investments Commission Act 1989</i>	1
<i>Christmas Island Act 1958</i>	1
<i>Civil Aviation Act 1988</i>	11
<i>Cocos (Keeling) Islands Act 1955</i>	1
<i>Corporations Act 1989</i>	2
<i>Customs Act 1901</i>	3
<i>Electronic Transactions Act 1999</i>	1
<i>Export Inspection (Quantity Charge) Act 1985</i>	1
<i>Family Law Act 1975</i>	1
<i>Federal Court of Australia Act 1976</i>	1
<i>Financial Management and Accountability Act 1997</i>	2
<i>Higher Education Funding Act 1988</i>	1
<i>Judiciary Act 1903</i>	1
<i>Judicial and Statutory Officers (Remuneration and Allowances) Act 1984</i>	1
<i>Native Title Act 1993</i>	1
<i>Nuclear Non-Proliferation (Safeguards) Act 1987</i>	1
<i>Petroleum Excise (Prices) Act 1987</i>	1
<i>Private Health Insurance Complaints Levy Act 1995</i>	1
Total	36

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Export Inspection (Quantity Charge) Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.26

Export Inspection (Quantity Charge) Act 1985

Made	8/03/2000	
Tabled	16/03/2000 S	16/03/2000 HR

Summary Reduce the rate of charge for grain that is shipped for export in a container system and which is prepared for export under a certification assurance arrangement, and correct various minor drafting errors and make some technical amendments to the Principal Regulations.

ATTORNEY-GENERAL'S DEPARTMENT

Administrative Appeals Tribunal Amendment Regulations 2000 (No.1) **Statutory Rules 2000 No.17**

Administrative Appeals Tribunal Act 1975

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Replace references in the Principal Regulations to AUSTUDY with references to youth allowance and austudy payment, and make other changes consequential thereupon.

Customs Amendment Regulations 2000 (No.1) **Statutory Rules 2000 No.13**

Customs Act 1901

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Add three circumstances in which a person may apply for a refund or remission of Customs duty on imported benzene, toluene, xylene and mixed alkybenzenes.

CEO Instrument of Approval No.2 of 2000 under s.4A of the Customs Act 1901

Customs Act 1901

Made 17/02/2000
Tabled 16/03/2000 S 15/03/2000 HR

Summary Approves an "Incoming Passenger Card" form (No.15 (Design date 11/99)) relating to accompanied personal or household effects imported into Australia.

Electronic Transactions Regulations 2000 **Statutory Rules 2000 No.19**

Electronic Transactions Act 1999

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Specify those laws of the Commonwealth, the obligations under which may now be satisfied by electronic communication.

CEO Instrument of Approval No.3 of 2000 under s.4A of the Customs Act 1901

Customs Act 1901

Made 17/02/2000
Tabled 16/03/2000 S 15/03/2000 HR

Summary Approves an "Incoming Passenger Card (Express)" form (No.15 APP (Design date 11/99)) relating to accompanied personal or household effects imported into Australia.

Family Law Amendment Regulations 2000 (No.1) **Statutory Rules 2000 No.16**

Family Law Act 1975

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Replace references in the Principal Regulations to AUSTUDY with references to youth allowance and austudy payment.

**Federal Court of Australia Amendment
Regulations 2000 (No.1)
Statutory Rules 2000 No.15**

Federal Court of Australia Act 1976

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Replace references in the Principal Regulations to AUSTUDY with references to youth allowance and austudy payment.

**High Court of Australia (Fees) Amendment
Regulations 2000 (No.1)
Statutory Rules 2000 No.14**

Judiciary Act 1903

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Replace references in the Principal Regulations to AUSTUDY with references to youth allowance and austudy payment.

**Native Title (Tribunal) Amendment Regulations
2000 (No.1)
Statutory Rules 2000 No.18**

Native Title Act 1993

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Replace references in the Principal Regulations to AUSTUDY with references to youth allowance and austudy payment.

DEPARTMENT OF EDUCATION, TRAINING AND YOUTH AFFAIRS

**Determination No.T7-2000 under s.27A of the
*Higher Education Funding Act 1988***

Higher Education Funding Act 1988

Made	7/03/2000	
Tabled	15/03/2000 S	15/03/2000 HR

Summary Revises the allocation of funds to three
tertiary education institutions for
Special Capital Projects in 2000.

DEPARTMENT OF FINANCE AND ADMINISTRATION

Determination No.2000/02 to Establish a Special Account under s.20 of the *Financial Management and Accountability Act 1997*

Financial Management and Accountability Act 1997

Made 13/03/2000
 Tabled 15/03/2000 S 15/03/2000 HR

Summary Establishes the Department of Employment, Workplace Relations and Small Business – *Employee Entitlements Support Scheme Account* as a Special Account.

Judicial and Statutory Officers (Remuneration and Allowances) Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.21

Judicial and Statutory Officers (Remuneration and Allowances) Act 1984

Made 8/03/2000
 Tabled 16/03/2000 S 16/03/2000 HR

Summary Provide for the remuneration and allowances to be paid to the new appointee to the office of Chairperson of the Superannuation Complaints Tribunal.

Financial Management and Accountability Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.20

Financial Management and Accountability Act 1997

Made 8/03/2000
 Tabled 16/03/2000 S 16/03/2000 HR

Summary Amend the Principal Regulations to take account of the replacement of the *Public Service Act 1922* by the *Public Service Act 1999*, and add the Human Rights and Equal Opportunity Commission and Australian Archives to the list of Agencies which are prescribed for the purpose of the enabling Act.

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

**Nuclear Non-Proliferation (Safeguards)
Amendment Regulations 2000 (No.1)
Statutory Rules 2000 No.22**

Nuclear Non-Proliferation (Safeguards) Act 1987

Made	8/03/2000	
Tabled	16/03/2000 S	16/03/2000 HR

Summary Prescribe the Agreement between Australia and New Zealand concerning the transfer of uranium for the purposes of the enabling Act.

DEPARTMENT OF HEALTH AND AGED CARE**Private Health Insurance Complaints Levy
Amendment Regulations 2000 (No.1)
Statutory Rules 2000 No.9*****Private Health Insurance Complaints Levy Act 1995***

Made	8/03/2000	
Tabled	16/03/2000 S	16/03/2000 HR

Summary	Increase the rate of levy payable by private health insurance organisations to fund the costs of the Private Health Insurance Ombudsman.
----------------	--

DEPARTMENT OF INDUSTRY, SCIENCE AND RESOURCES**Petroleum Excise (Prices) Amendment Regulations
2000 (No.1)
Statutory Rules 2000 No.23*****Petroleum Excise (Prices) Act 1987***

Made	8/03/2000	
Tabled	16/03/2000 S	16/03/2000 HR

Summary Ensure that Goods and Services Tax is not included in the calculation of the price on which petroleum excise is based.

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Airports (Control of On-Airport Activities) Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.24

Airports Act 1996

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Ensure that Bar Ristretto Pty Ltd may have an interim liquor licence for its premises in the Ansett domestic terminal at Sydney Airport, and make a number of corrections to the drafting of the Principal Regulations.

Amendment 31 of the National Capital Plan under s.19 of the Australian Capital Territory (Planning and Land Management) Act 1988

Australian Capital Territory (Planning and Land Management) Act 1988

Made 13/03/2000
Tabled 14/03/2000 S 13/03/2000 HR

Summary Permits the use of land in the York Park precinct in Forrest both for offices as well as for national capital use.

Civil Aviation Amendment Order (No.3) 2000 under the Civil Aviation Regulations

Civil Aviation Act 1988

Made 10/03/2000
Tabled 15/03/2000S 14/03/2000 HR

Summary Inserts a new section 40.2.3 into the Civil Aviation Orders dealing with a new private Instrument Flight Rules rating for holders of pilot licences.

Civil Aviation Orders, Part 105 Airworthiness Directive AD/BEECH 200/67

Civil Aviation Act 1988

Made 6/03/2000
Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Civil Aviation Orders, Part 105 Airworthiness Directive AD/CESSNA 170/67

Civil Aviation Act 1988

Made 2/03/2000
Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Civil Aviation Orders, Part 105 Airworthiness Directive AD/CESSNA 180/80

Civil Aviation Act 1988

Made 2/03/2000
Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Civil Aviation Orders, Part 105
Airworthiness Directive AD/CESSNA 206/51

Civil Aviation Act 1988

Made 2/03/2000
 Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Civil Aviation Orders, Part 105
Airworthiness Directive AD/GBK 117/17

Civil Aviation Act 1988

Made 9/03/2000
 Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Civil Aviation Orders, Part 105
Airworthiness Directive AD/CESSNA 560/5

Civil Aviation Act 1988

Made 9/03/2000
 Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Civil Aviation Orders, Part 105
Airworthiness Directive AD/SWSA 226/85 Amdt 1

Civil Aviation Act 1988

Made 17/02/2000
 Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Civil Aviation Orders, Part 105
Airworthiness Directive AD/GBK 117/6 Amdt 2

Civil Aviation Act 1988

Made 9/03/2000
 Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

Instrument No.CASA 81/00 under r.208 of the
Civil Aviation Regulations

Civil Aviation Act 1988

Made 2/03/2000
 Tabled 15/03/2000 S 14/03/2000 HR

Summary Permits hot air balloon VH-OFA to carry more than 15 passengers without also carrying a cabin attendant.

Civil Aviation Orders, Part 105
Airworthiness Directive AD/GBK 117/17

Civil Aviation Act 1988

Made 6/03/2000
 Tabled 14/03/2000 S 14/03/2000 HR

Summary Varies the technical requirements for a particular type of aircraft.

**List of Acts of the Western Australian Parliament
under s.8B of the *Christmas Island Act 1958***

Christmas Island Act 1958

Made	10/03/2000	
Tabled	16/03/2000 S	16/03/2000 HR

Summary Specifies the names of all Acts of that Parliament which are wholly or partly in force in the Territory of Christmas Island on 10 March 2000 and have not been previously so specified.

**List of Acts of the Western Australian Parliament
under s.8B of the *Cocos (Keeling) Islands Act 1955***

Cocos (Keeling) Islands Act 1955

Made	10/03/2000	
Tabled	16/03/2000 S	16/03/2000 HR

Summary Specifies the names of all Acts of that Parliament which are wholly or partly in force in the Territory of Cocos (Keeling) Islands on 10 March 2000 and have not been previously so specified.

DEPARTMENT OF THE TREASURY

Australian Securities and Investments Commission Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.10

Australian Securities and Investments Commission Act 1989

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Amend the Principal regulations to take account of changes made to the Corporations Law by the *Corporate Law Economic Reform Program Act 1999*.

Corporations (Fees) Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.12

Corporations Act 1989

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Amend the Principal Regulations to take account of changes made to the Corporations Law by the *Corporate Law Economic Reform Program Act 1999*.

Corporations Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.11

Corporations Act 1989

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Amend the Principal Regulations to take account of changes made to the Corporations Law by the *Corporate Law Economic Reform Program Act 1999*.

DEPARTMENT OF VETERANS' AFFAIRS**Air Force Amendment Regulations 2000 (No.1)**
Statutory Rules 2000 No.25***Air Force Act 1923***

Made 8/03/2000
Tabled 16/03/2000 S 16/03/2000 HR

Summary Allow various Air Force officers to transfer to the Air Force Reserve on the expiration of the term of their appointment or promotion.