



Senator the Hon Bridget McKenzie

Deputy Leader of The Nationals
Minister for Regional Services
Minister for Sport
Minister for Local Government and Decentralisation
Senator for Victoria

Ref No: MC18-018586

Senator John Williams
Chair
Senate Regulations and Ordinances Committee
Suite S1.111
Parliament House
CANBERRA ACT 2600

18 SEP 2018

Dear Chair *John*

Thank you for your request of 16 August 2018 regarding the below disallowable legislative instruments recently provided to the Senate Regulations and Ordinances Committee.

- Australian Radiation Protection and Nuclear Safety Amendment (2018 Measures No. 1) Regulations 2018 [F2018L00850]
- Australian Radiation Protection and Nuclear Safety (Licence Charges) Amendment (2018 Measures No. 1) Regulations 2018 [F2018L00851]

In response to the committee's *Delegated legislation monitor 8 of 2018* and request for information about scrutiny issues identified, I provide the following response.

The Australian/New Zealand Standards that have been incorporated by reference into both Regulations are copyrighted to Standards Australia who have been designated by the Australian Government as the nation's peak non-government standards development organisation and who have exclusively licenced SAI Global to publish standards developed by it. Other than accessing a copy, where available, at a public library, there is no alternative method to legally obtain Australian Standards free-of-charge.

Please note that both Regulations only apply to the Australian Radiation Protection and Nuclear Safety Agency's licence holders and potential licence holders, which are other Commonwealth departments or agencies. Therefore, in this context, these standards would only affect a small number of technical and scientific personnel from Commonwealth entities and not the general public.

Yours sincerely

Bridget McKenzie



TREASURER

Senator John Williams (Chair)
Senate Regulations and Ordinances Committee
Suite 1.111
Parliament House
Canberra ACT 2600

Dear Chair

Thank you for your correspondence on behalf of the Senate Standing Committee on Regulations and Ordinances (the Committee) requesting advice in relation to the *Australian Prudential Regulation Authority (confidentiality) determination No. 1 of 2018* (the instrument). The instrument determines certain data provided to the Australian Prudential Regulation Authority (APRA) by general insurers and Lloyds non-confidential for the purposes of an annual publication by APRA called the National Claims and Policies Database (NCPD). The data is provided to APRA on a half-yearly basis under six reporting standards determined under the *Financial Sector (Collection of Data) Act 2001*.

I note the Committee's concerns that the Explanatory Statement to the instrument does not provide information on any consultations undertaken, as required under paragraphs 15J(2)(d) and (e) of the *Legislation Act 2001*.

I have raised the Committee's concerns with APRA. They have advised me that as set out in the Explanatory Statement of the 2018 Determination, APRA conducted extensive external consultations in 2008 and 2009 for the purpose of determining data provided by general insurers and Lloyd non-confidential for the NCPD. In 2010, APRA determined the data non-confidential for the NCPD after considering responses to the consultation and being satisfied the consultation was appropriate and reasonably practicable.

Since 2010, APRA has determined the same types of data, as submitted by general insurers and Lloyds every six months, non-confidential. The population of general insurers whose data is determined non-confidential has remained substantially the same since 2010. There are a small number of new entrants to the reporting population, all of whom were aware at the time of authorisation that certain data they report to APRA is made non-confidential for publication purposes. The new entrants had opportunity to raise concerns about non-confidentiality determinations during their authorisation process, and had access to all non-confidentiality determinations on the Federal Register of Legislation. On this basis, APRA has made similar legislative instruments determining certain data provided to APRA by general insurers and Lloyds non-confidential since 2010.

APRA did not consider that further consultation was necessary in relation to the 2018 Determination. APRA is satisfied that the extensive external consultations in 2008 and 2009 continue to be to be appropriate in relation to the 2018 Determination.

However, in response to the Committee's concerns, APRA has agreed to lodge a replacement Explanatory Statement for inclusion on the Register of Legislative Instruments, which outlines the reasons above.

Yours sincerely

Josh Frydenberg

18 / 9 / 2018



TREASURER

Senator John Williams (Chair)
Senate Standing Committee on Regulations and Ordinances
Suite S1.111
Parliament House
Canberra ACT 2600

Dear Senator *John*

Thank you for your correspondence on behalf of the Senate Standing Committee on Regulations and Ordinances (the Committee) requesting advice in relation to the *Competition and Consumer (Airservices Australia Prices Surveillance) Declaration 2018* (Declaration).

Unfortunately, due to an oversight in drafting the Explanatory Statement that accompanied the Declaration, a Statement of Compatibility with Human Rights was not included.

I can advise the Committee that I have taken steps to amend the Explanatory Statement in accordance with the requirements of the *Human Rights (Parliamentary Scrutiny) Act 2011* and the *Legislation Act 2003*. The revised Explanatory Statement will be lodged shortly on the Federal Register of Legislation. I have also attached a copy of the revised Explanatory Statement for your information.

I have also copied this letter to the Parliamentary Joint Committee on Human Rights.

Yours sincerely

The Hon Josh Frydenberg MP

12 / 9 / 2018



**SENATOR LINDA REYNOLDS CSC
ASSISTANT MINISTER FOR HOME AFFAIRS**

MS18-006327

Senator John Williams
Chair
Senate Regulations and Ordinances Committee
Suite S1.111
Parliament House
CANBERRA ACT 2600

Dear Senator

I refer to the correspondence from the Senate Standing Committee on Regulations and Ordinances (the Committee) dated 16 August 2018 in relation to the *Customs (Prohibited Exports) Amendment (Defence and Strategic Goods) Regulations 2018* (the Amendment Regulations), which amongst other matters amends regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* (the Export Regulations).

Regulation 13E of the Export Regulations prohibits the export of defence and strategic goods from Australia unless permission has been granted by the Minister for Defence, or an approved delegate.

The Minister for Defence has portfolio responsibility for Australia's defence policy, including the export of defence and strategic goods. The Minister for Defence requested the Amendment Regulations be made to amend regulation 13E of the Export Regulations to align the Export Regulations with the *Defence Trade Controls Act 2012*.

The Department of Defence administers the defence and strategic goods provisions of the Export Regulations, including issuing permits and providing policy guidance on their operation. The Department of Home Affairs and the Australian Border Force implement and enforce the controls respectively. The Department of Home Affairs has consulted with the Department of Defence on the Committee's request to the Amendment Regulations and the response to the questions posed by the Committee is at **Attachment A**.

Thank you for bringing these matters to my attention.

Yours sincerely

LINDA REYNOLDS

12/9 /2018

The committee notes the existing power of the Attorney-General under the *Administrative Appeals Tribunal Act 1975* (the AAT Act) to issue a public interest certificate to restrict disclosure of matters relating to a reviewable decision, where the disclosure would prejudice the security, defence or international relations of Australia. As such, it remains unclear to the committee why it is necessary that the instrument empower the Minister for Defence to withhold reasons from an applicant on the grounds of prejudice to the security, defence or international relations of Australia. The committee therefore seeks the minister's further advice as to the need for this power in light of the existing provisions in the AAT Act.

The Amendment Regulations amend the *Customs (Prohibited Exports) Regulations 1958* (Principal Regulations) to, among other modifications, introduce an ability for certain decisions to be reviewed by the Administrative Appeals Tribunal, and to impose a requirement for the decision-maker to provide reasons where they make an adverse decision – except to the extent that the disclosure of those reasons would prejudice the security, defence or international relations of Australia.

The requirement in the Amendment Regulations for the Minister for Defence (the Minister) to withhold reasons is necessary to ensure consistency in the administration of Australia's defence export control framework. Specifically, it aligns the requirements on the Minister concerning the disclosure of certain information in the Principal Regulations with the position that exists in related export control legislation.

Australia's defence export controls are underpinned by four key pieces of legislation, including the *Defence Trade Controls Act 2012* (DTC Act) and the *Weapons of Mass Destruction (Prevention of Proliferation) Act 1995* (WMD Act). The DTC Act and the WMD Act require the Minister to provide reasons to an applicant when making certain adverse decisions. However, section 68 of the DTC Act and regulation 5 of the *Weapons of Mass Destruction Regulations 1995* prohibit the Minister from including reasons where it would prejudice the security, defence or international relations of Australia, or where disclosure is not in the national interest.

The powers in Australia's defence export control framework overlap in certain respects. In particular, the Minister regularly receives applications under both the Principal Regulations and the DTC Act for permission to export and supply the same controlled technology to the same destination and end user, with one application being for physical transfer and one for intangible transfer of the technology. In such situations, the risks and considerations relating to the export and supply are generally the same. Accordingly, the Minister's reasons for refusing permission are likely to be identical under both the Principal Regulations and DTC Act.

The inclusion of the requirement for the Minister to withhold reasons in the Amendment Regulations addresses the inconsistency that would arise if the Minister was required to withhold reasons under the DTC Act, but was required to disclose those same reasons under the Principal Regulations unless the Attorney-General had issued a public interest certificate under subsection 28(2) of the AAT Act.

Finally, the Department of Defence notes that the withholding of reasons does not preclude an applicant from seeking merits review of a Minister's decision by the Administrative Appeals Tribunal (the Tribunal). In this regard, if an applicant applied to the Tribunal for review of the Minister's decision, the Minister is required under section 37 of the AAT Act to lodge a statement with the Tribunal and the applicant that:

- sets out the findings on material questions of fact;
- refers to the evidence for the findings;
- gives reasons for the decision; and
- includes every document that is in the decision maker's possession or control that is relevant to the review.

At this point, the Minister would be required to include the reasons and documents which the Minister did not disclose to the applicant in the statement of reasons, due to concerns of prejudice to security, defence or international relations under regulation 13EH of the Defence Amendment Regulations unless:

- the AAT agrees that the information should be prohibited or restricted from disclosure (as per subsection 35(4) of the AAT Act); or
- the Attorney-General issues a public interest certificate requiring the Tribunal to not disclose the information (as per section 36 of the AAT Act).

The Minister is best placed to assess whether the disclosure of reasons for refusing an application to export defence and strategic goods would prejudice the security, defence or international relations of Australia.

The Amendment Regulations will align the Principal Regulations with the position in related legislation and ensure the requirements on the Minister concerning the release of information is consistent across Australia's defence export control framework.



**The Hon Stuart Robert MP
Assistant Treasurer**

Ref: MS18-000185

Senator John Williams (Chair)
Senate Regulations and Ordinances Committee
Suite S1.111
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Canberra ACT 2600

Dear Senator Williams

RE: *Income Tax (Effective Life of Depreciating Assets) Amendment Determination 2018 (No 1)*
[F2018L00895] (the Determination)

I refer to the Committee's letter of 16 August 2018 in relation to the above Determination, in which the Committee asked:

In each case where the 'effective life' determined for an asset by the instrument has a retrospective date of application, the committee seeks the minister's advice as to:

- **whether the retrospective operation of the provision complies with the conditions set out in subsection 40-100(3) of the *Income Tax Assessment Act 1997*; and**
- **whether the operation of the provision would have the effect of disadvantaging any person.**

The Determination does not operate retrospectively and does not disadvantage any person.

Application dates prior to 1 July 2018 are in the amended Determination so these dates may appear to be retrospective. However, in every case the date has not changed from the original determination. There has only been an update to the asset or an extension to the industry listing, which requires the Commissioner to update the original list with new assets. The original application date remains unaltered.

The details contained in the Determination are influenced by many factors. The Determination is reviewed continuously and updated annually to reflect the most recent changes. Appendix 1 to this letter has four examples of amendments to the Determination. These examples represent all of the changes to the determination.

Example 1 adds information to the asset descriptor.

Example 2 updates the date when the effective life of a particular asset was reviewed.

Example 3 moves a class of assets to become a subclass of another asset type. This amendment was made because the Australian Bureau of Statistics made changes to the Australian and New Zealand Standard Industrial Classification (ANZSIC) Code.

Example 4 adds additional assets to a class of assets. The original assets in that class are unchanged.

In every case or example both the effective life of the assets and the commencement date remain unchanged. No changes were retrospective and no persons are disadvantaged by the amendments.

Yours sincerely

Stuart Robert

Appendix 1

1. Example of a change to the assets description at the request of the industry, which will allow for easier searching for the asset in the determination, ruling and [Depreciation and Capital Allowances Tool](#). In this case, automated guided vehicles are commonly known as AGVs according to taxpayers:

Omit

ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Automated guided vehicles	12	*	1 Jul 2017

Substitute

ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Automated guided vehicles (AGVs)	12	*	1 Jul 2017

This asset was updated for each industry sector where AGVs were listed (multiple entries), but they all kept their original life and application date.

2. Example of a change to include assets that were incorrectly missed from the ruling:

Omit

ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Sewing machines	10		1 Jan 2001

Substitute

ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Sewing machines	10	*	1 Jul 2014

When the Uniform Capital Allowances regime commenced on 1 January 2001 the asset 'Sewing machines' had an effective life of 10 years. This was the effective life for sewing machines from the regime that immediately preceded the Uniform Capital Allowances regime. At the request of industry the effective life of the asset was reviewed in 2013-14 income year and hence had an application date of 1 Jul 2014. The effective life remained 10 years; however the Determination was not updated in the 2013-14 income year when the review was completed. This current Determination was updated to correct this omission.

3. Example of a change to match Australian and New Zealand Standard Industry Classification (ANZSIC) code name changes:

Omit

<i>Irrigation water providers (28110)</i>			
ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Channel regulators	80	*	1 Jan 2005
Cranes (including gantries)	40	*	1 Jan 2005

Irrigation water providers (28110)			
ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Dams and weirs ((incorporating gates and actuators) consisting of a barrier to obstruct the flow of water constructed from any or all of the following: concrete, earth and rockfill)	100	*	1 Jan 2005
etc			

Omit

Water supply (28110)			
ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Aerators and blowers	20	*	1 Jan 2005
Cathodic protection systems	20	*	1 Jan 2005
Chemical dosing pumps	25	*	1 Jan 2005
Pump sets (incorporating switch boards, starters, motors and pumps)	25	*	1 Jan 2005
Raw water storage and supply assets			
Bores	30	*	1 Jan 2005
etc			

Substitute

Water supply (28110)			
ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Assets used by irrigation water providers:			
Channel regulators	80	*	1 Jan 2005
Cranes (including gantries)	40	*	1 Jan 2005
Dams and weirs ((incorporating gates and actuators) consisting of a barrier to obstruct the flow of water constructed from any or all of the following: concrete, earth and rockfill)	100	*	1 Jan 2005
etc			
Assets used in water supply:			
Aerators and blowers	20	*	1 Jan 2005
Cathodic protection systems	20	*	1 Jan 2005
Chemical dosing pumps	25	*	1 Jan 2005
Pump sets (incorporating switch boards, starters, motors and pumps)	25	*	1 Jan 2005
Raw water storage and supply assets:			
Bores	30	*	1 Jan 2005
etc			

The ANZSIC code 28110 is now known as 'Water supply'. In the determination it was previously listed as 'Irrigation water providers' and 'Water supply'. The Commissioner merged the two lists to create one under the correct ANZSIC descriptor and put the original assessments under subheadings shown in **bold** above. The original 'Date of Application' remains unchanged.

4. Example of a change to include new lives as a result of an industry review, where the original assets are still relevant but the list includes new assets:

Omit

Other mining support services (10900)			
ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Blasting assets:			
Augers	10	*	1 Jul 2017
Blast hole pumps	7	*	1 Jul 2017
Explosive boxes	5	*	1 Jul 2017
Magazines	10	*	1 Jul 2017
Mobile processing units (MPU)			
Surface			
Motor vehicles – see Table B Motor vehicles and trailers			
MPU	9	*	1 Jul 2017
Underground MPU (incorporating motor vehicle and MPU)	6	*	1 Jul 2017
Remote control blasting units	5	*	1 Jul 2017
Stemming buckets	7	*	1 Jul 2017
Dewatering pumps	12	*	1 Jul 2017
Surface drill rigs (production)	10	*	1 Jul 2017

Substitute

Other mining support services (10900)			
ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
Gas and oil mining support services (excluding offshore services):			
Cementing assets:			
Batch mixing assets:			
Batch mixing units (excluding batch mixing units incorporated with trailers)	8	*	1 Jul 2018
Trailers (incorporating batch mixing unit and trailer)	10	*	1 Jul 2018
Cement silos:			
Fixed steel	30	*	1 Jul 2018
Mobile	10	*	1 Jul 2018
Cement tankers (incorporating tank and trailer) – see Table B Motor vehicles and trailers, trailers having a gross vehicle mass greater than 4.5 tonnes			
Pumping units	10	*	1 Jul 2018
Drilling assets:			
Bottom hole assemblies (including logging while drilling tools, measuring while drilling tools, motors and stabilisers)	5	*	1 Jul 2018
Coil tubing assets:			
Pumping units	7	*	1 Jul 2018
Reel and power units	10	*	1 Jul 2018
Downhole fishing and remedial tools (including casing swages, junk magnets and milling tools)	5	*	1 Jul 2018
Drill rigs	10	*	1 Jul 2018
Drill strings	5	*	1 Jul 2018

Other mining support services (10900)			
ASSET	LIFE (YEARS)	REVIEWED	DATE OF APPLICATION
and Fluid assets (including centrifuges, pumps and shear units)	10	*	1 Jul 2018
Mobile fluid tanks	10	*	1 Jul 2018
out Well control equipment (including blow preventers and choke manifolds)	5	*	1 Jul 2018
Hydraulic fracturing assets:			
Blenders	8	*	1 Jul 2018
Frac tanks	10	*	1 Jul 2018
Pumps	8	*	1 Jul 2018
Mineral mining support services:			
Blasting assets:			
Augers	10	*	1 Jul 2017
Blast hole pumps	7	*	1 Jul 2017
Explosive boxes	5	*	1 Jul 2017
Magazines	10	*	1 Jul 2017
Mobile processing units (MPUs):			
Surface			
Motor Motor vehicles – see Table B vehicles and trailers			
MPUs	9	*	1 Jul 2017
Underground MPUs (incorporating motor vehicle and MPU)	6	*	1 Jul 2017
Remote control blasting units	5	*	1 Jul 2017
Stemming buckets	7	*	1 Jul 2017
Dewatering pumps	12	*	1 Jul 2017
Surface drill rigs (production)	10	*	1 Jul 2017

As the Commissioner was adding assets to this industry, the original 2017 effective lives for mineral mining support services remain. New 2018 effective lives are added for gas and oil mining support services (excluding offshore services).



Senator the Hon Bridget McKenzie

Deputy Leader of The Nationals
Minister for Regional Services
Minister for Sport
Minister for Local Government and Decentralisation
Senator for Victoria

Ref No: MC18-019170

Senator John Williams
Chair
Senate Regulations and Ordinances Committee
Suite S1.111, Parliament House
CANBERRA ACT 2600

18 SEP 2018

Dear Senator Williams *Waleka -*

Thank you for your letter of 23 August 2018 regarding the Industrial Chemicals (Notification and Assessment) Amendment (Miscellaneous Measures) Regulations 2018 (F2018L01046).

The basis for calculating fees and charges is detailed in the National Industrial Chemicals Notification and Assessment Scheme Cost Recovery Implementation Statement 2018-19. The Cost Recovery Implementation Statement, prepared in accordance with the Australian Government Charging Framework, was reviewed by the Department of Finance and subject to public consultation, with stakeholder views taken into account in finalising the fees and charges. The certified Cost Recovery Implementation Statement is now available at www.nicnas.gov.au/about-us/how-we-work/cost-recovery-implementation-statement-201819.

Under the *Industrial Chemicals (Notification and Assessment) Act 1989* all importers and manufacturers of industrial chemicals must be registered with National Industrial Chemicals Notification and Assessment Scheme. Registrants are grouped into four levels (A-D), according to the (increasing) value of relevant industrial chemicals introduced in a registration year.

Schedule 2 of the Industrial Chemicals (Notification and Assessment) Regulations 1990 (Principal Regulations amended by this instrument) prescribes, among other fees for services, the annual registration fee payable by all introducers (Levels A-D). In 2018-19, the registration fee is increased by \$56 per introducer to match the actual costs of maintaining the Register of Industrial Chemical Introducers.

Regulation 11AB (as amended by item 1 of Schedule 1 of this instrument), sets out the registration charge imposed on introducers with an annual introduction value in excess of \$100,000 (Levels B-D only). The total increase in registration charges for 2018-19 is due to two factors:

1. An increase of 5 per cent is applied to the charges (Levels B to D) to accommodate the additional effort required to deliver the regulatory service. This includes both increased costs for business as usual activities and limited expenditure of resources to complete work for reforms to the National Industrial Chemicals Notification and Assessment Scheme (in order to meet the announced commencement date of 1 July 2019).
2. An additional levy of \$427,000 is apportioned to Levels B to D based on a sliding scale applied to introduction values. This additional levy was authorised by the 2015-16 Budget Measure (Reducing the Burden of the Industrial Chemicals Regulatory Framework to Industry www.budget.gov.au/2015-16/content/bp2/html/bp2_expense-14.htm).

Thank you for the opportunity to clarify this matter.

Yours sincerely

Bridget McKenzie



The Hon Darren Chester MP


Minister for Veterans' Affairs

Minister for Defence Personnel

Minister Assisting the Prime Minister for the Centenary of ANZAC

MS18-000767

Senator John Williams (Chair)
Senate Regulations and Ordinances Committee
Suite S1.111
Parliament House
CANBERRA ACT 2600


Dear Senator

Thank you for your correspondence of 23 August 2018 in relation to the Military Rehabilitation and Compensation (Family Support) Instrument (No.2) 2018 (the Instrument).

I understand that the Committee has requested my advice as to whether decisions made under sections 8 and 14 of the Instrument are subject to independent merits review.

As you are aware the Instrument addressed recommendation 19 of the Senate Foreign Affairs, Defence and Trade Reference's committee report *The Constant Battle: Suicide by Veterans*.

Recommendation 19, at 6.109, states: *the committee recommends that the Department of Veterans' Affairs review the support of partners of veterans to identify avenues for assistance. This review should include services such as information, advice, counselling, peer support and options for family respite care to support partners of veterans.*

Chapter 8 of the *Military Rehabilitation Compensation Act 2004* (the Act) provides for the review of determinations ('original determinations') made under the Act by the Military Rehabilitation and Compensation Commission (Commission) and the Veterans' Review Board (VRB). Applications may be made to the Administrative Appeals Tribunal (AAT) for review of a determination revoking, varying or confirming an original determination. It follows that decisions of the Commission under section 8 (Part 2) and section 14 (Part 3) of the Instrument, being original determinations, would be subject to the full range of merits review by both the VRB and the AAT.

I understand that it may not be clear that a determination made under an instrument is also a determination made under the Act for the purposes of the definition of '*original determination*' under paragraph 345(1)(a). It is intended that decisions of the Commission under section 8 (Part 2) and section 14 (Part 3) of the Instrument would be subject to independent merits review. An interpretation that excludes merits review of a beneficial scheme would be contrary to the policy objective of the measure.

To facilitate finalisation of this matter, I undertake to ensure that a replacement Explanatory Statement is lodged on the Register of Legislative Instruments as soon as possible, clarifying that Commission determinations made under the Instrument are subject to independent merits review.

Thank you for bringing this matter to my attention. I trust the above explanation is satisfactory for your purposes.

yours sincerely

DARREN CHESTER

COPY



SENATOR THE HON MATHIAS CORMANN
Minister for Finance and the Public Service
Leader of the Government in the Senate

REF: MS18-000178

Senator John Williams (Chair)
Senate Regulations and Ordinances Committee
Suite S1.111
Parliament House
CANBERRA ACT 2600


Dear Senator Williams

Thank you for the letter from your Committee Secretary of 16 August 2018 in relation to *Remuneration Tribunal (Compensation for Loss of Office for Holders of Certain Public Offices) Determination 2018* and *Remuneration Tribunal (Recreation Leave for Holders of Relevant Offices) Determination 2018*.

The Committee's Delegated legislation monitor 8 of 2018 requests my advice as to what consultation was undertaken in relation to these instruments. The attached amended explanatory statements advise that no consultation occurred on either instrument given they were redrafted to reflect standard Commonwealth drafting practice and to improve clarity and readability.

Other than the inclusion of two new references in the Recreation Leave Determination, there were no changes to the terms and conditions contained in the previous instruments. The Tribunal's secretariat will arrange for the registration of the amended explanatory statements on the Federal Register of Legislation.

Kind regards

Mathias Cormann
Minister for Finance and the Public Service

 31 August 2018