

DELEGATED LEGISLATION MONITOR
24 – 27 JUNE 2002

This week at a glance

There were 32 disallowable instruments tabled in the Parliament.
These were made under 17 separate enabling Acts, through
8 Departments of State.

Statutory Rules

2 of the 32 instruments were Statutory Rules, both of which were made as amending instruments

Instrument makers

14 instruments were made by the Governor-General or Ministers

18 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE
24 – 27 JUNE 2002**

DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Agriculture, Fisheries and Forestry	3
Attorney-General's Department	6
Communications, Information Technology and the Arts	3
Defence	0
Education, Science and Training	0
Employment and Workplace Relations	0
Environment and Heritage	0
Family and Community Services	3
Finance and Administration	0
Foreign Affairs and Trade	3
Health and Ageing	3
Immigration and Multicultural and Indigenous Affairs	0
Industry, Tourism and Resources	0
Prime Minister and Cabinet	0
Transport and Regional Services	7
Treasury	4
Veterans' Affairs	0
Total	32

**DELEGATED LEGISLATION TABLED IN THE SENATE
24 – 27 JUNE 2002**

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

<i>Acts Interpretation Act 1901</i>	1
<i>Aged Care Act 1997</i>	1
<i>Australian Meat and Live-stock (Quotas) Act 1990</i>	1
<i>Australian Meat and Live-stock Industry Act 1997</i>	1
<i>Civil Aviation Act 1988</i>	7
<i>Customs Act 1901</i>	6
<i>Disability Services Act 1986</i>	3
<i>Export Control Act 1982</i>	1
<i>Export Market Development Grants Act 1997</i>	3
<i>Financial Sector (Collection of Data) Act 2001</i>	1
<i>Hearing Services Administration Act 1997</i>	1
<i>Income Tax Assessment Act 1997</i>	1
<i>Life Insurance Act 1995</i>	2
<i>National Health Act 1953</i>	1
<i>Telecommunications (Carrier Licence Charges) Act 1997</i>	1
<i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i>	1
<i>Telecommunications Act 1997</i>	1
Total	33

(Some instruments are made under more than one enabling Act. The number of instruments listed under enabling Acts is, therefore, greater than the number of instruments.)

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Australian Meat and Live-stock Industry Amendment Regulations 2002 (No. 1) Statutory Rules 2002 No. 136

Australian Meat and Live-stock Industry Act 1997

Made 26/06/2002
Tabled 27/06/2002 S 27/06/2002 HR

Summary Define the quota year applying to beef exports to the United States of America.

Australian Meat and Live-stock (Quotas) Amendment Regulations 2002 (No. 1) Statutory Rules 2002 No. 137

Australian Meat and Live-stock (Quotas) Act 1990

Made 26/06/2002
Tabled 27/06/2002 S 27/06/2002 HR

Summary Define the quota year applying to beef exports to the United States of America.

Livestock Export (Merino) Orders (Amendment) under r. 3 of the *Export Control (Orders)* Regulations 1982

Export Control Act 1982

Made 20/06/2002
Tabled 25/06/2002 S 25/06/2002 HR

Summary Specifies the export auction date for the 2002 season.

ATTORNEY-GENERAL'S DEPARTMENT

CEO Instrument of Approval No. 18 of 2002 under s. 4A and paragraphs 114(2)(c) and 162AA(3)(a) of the *Customs Act 1901*

Customs Act 1901

Made 20/06/2002
Tabled 27/06/2002 S 26/06/2002 HR

Summary Approves new forms for the purposes of communicating to Customs a documentary export entry and a documentary application for permission to take goods aboard a ship or aircraft for export.

CEO Instrument of Approval No. 19 of 2002 under s. 64AA(2) of the *Customs Act 1901*

Customs Act 1901

Made 20/06/2002
Tabled 27/06/2002 S 26/06/2002 HR

Summary Approves a new form for the purposes of communicating to Customs a documentary arrival report.

CEO Instrument of Approval No. 20 of 2002 under s. 4A and paragraphs 117A(2)(b) and 119(2)(b) of the *Customs Act 1901*

Customs Act 1901

Made 20/06/2002
Tabled 27/06/2002 S 26/06/2002 HR

Summary Approves new forms for the purposes of communicating to Customs a documentary submanifest in respect of cargo for exportation by a ship and a documentary outward manifest in respect of goods on board a ship.

CEO Instrument of Approval No. 21 of 2002 under s. 243XA(1) of the *Customs Act 1901*

Customs Act 1901

Made 24/06/2002
Tabled 27/06/2002 S 26/06/2002 HR

Summary Approves guidelines for serving infringement notices in respect of Division 5, Part XIII of the Act.

CEO Instrument of Approval No. 22 of 2002 under s. 4A and paragraphs 117A(2)(b) and 119(2)(b) of the *Customs Act 1901*

Customs Act 1901

Made 23/06/2002
Tabled 27/06/2002 S 26/06/2002 HR

Summary Approves new forms for the purposes of communicating to Customs a documentary submanifest in respect of cargo for exportation by an aircraft and a documentary outward manifest in respect of goods on board an aircraft.

CEO Instrument of Approval No. 23 of 2002 under s. 4A and paragraph 77LA(2)(b) of the *Customs Act 1901*

Customs Act 1901

Made 24/06/2002
Tabled 27/06/2002 S 26/06/2002 HR

Summary Approves a new form for the purposes of communicating to Customs an application to vary a depot licence.

DEPARTMENT OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS

Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997 (Amendment No. 2 of 2002) under s. 63(5) of the *Telecommunications Act 1997*

Telecommunications Act 1997

Made 17/06/2002
Tabled 26/06/2002 S 25/06/2002 HR

Summary Specifies revised requirements to the offering by Telstra of products and arrangements for low-income customers, and maintaining of a Low-Income Measures Assessment Committee.

Telstra Carrier Charges — Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2002 under ss. 154(1), 155(1) and 157(1) of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* and s. 33(3) of the *Acts Interpretation Act 1901*

Acts Interpretation Act 1901

Telecommunications (Consumer Protection and Service Standards) Act 1999

Made 17/06/2002
Tabled 26/06/2002 S 25/06/2002 HR

Summary Specifies the controls and limits that are to apply to prices and charges for a range of services provided by Telstra.

Telecommunications (Recovery of ITU Budget Contribution) Determination 2002 under paragraph 15(1)(c) of the *Telecommunications (Carrier Licence Charges) Act 1997*

Telecommunications (Carrier Licence Charges) Act 1997

Made 04/06/2002
Tabled 24/06/2002 S 19/06/2002 HR

Summary Specifies the amount that is the proportion of the Commonwealth's contribution to the budget of the International Communications Union for the 2001 calendar year that is associated with telecommunications.

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES

Disability Services (Administration of Part II of the Act) Guidelines 2002 under s. 5(1) of the Disability Services Act 1986

Disability Services Act 1986

Made 19/06/2002
 Tabled 25/06/2002 S 25/06/2002 HR

Summary Specify the guidelines to be used in the administration of Part II of the Act which concerns the funding of services for persons with disabilities.

Disability Services (Disability Employment and Rehabilitation Program) Standards 2002 under paragraphs 5A(1)(b) and 5A(1)(c) and s. 5A(2) of the Disability Services Act 1986

Disability Services Act 1986

Made 19/06/2002
 Tabled 25/06/2002 S 25/06/2002 HR

Summary Specify disability employment standards to be applied in the provision of employment services and rehabilitation program standards to be observed in the provision of rehabilitation programs to people with a disability.

Disability Services (Rehabilitation Programs) Guidelines 2002 under s. 5(1) of the Disability Services Act 1986

Disability Services Act 1986

Made 19/06/2002
 Tabled 25/06/2002 S 25/06/2002 HR

Summary Specify guidelines on matters relating to the provision of rehabilitation programs to people with a disability.

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

Export Market Development Grants (Close Relationships — Events Promoters) Determination 2002 under paragraph 101(1)(b) of the *Export Market Development Grants Act 1997*

Export Market Development Grants Act 1997

Made	20/06/2002	
Tabled	27/06/2002 S	27/06/2002 HR

Summary Specifies the guidelines that are to be used by Austrade in forming an opinion whether an events promoter is closely related to an event holder.

Export Market Development Grants (Close Relationships — General) Determination 2002 under paragraph 101(1)(b) of the *Export Market Development Grants Act 1997*

Export Market Development Grants Act 1997

Made	20/06/2002	
Tabled	27/06/2002 S	27/06/2002 HR

Summary Specifies the guidelines that are to be used by Austrade in forming an opinion whether an entity is closely related to another entity.

Export Market Development Grants (Grants Entry Requirements) Determination 2002 under s. 21(1) of the *Export Market Development Grants Act 1997*

Export Market Development Grants Act 1997

Made	30/04/2002	
Tabled	24/06/2002 S	20/06/2002 HR

Summary Amends and simplifies the grants entry requirements for the Export Market Development Grants scheme.

DEPARTMENT OF HEALTH AND AGEING

Determination No. PB 9 of 2002 under s. 99L(1) of the *National Health Act 1953*

National Health Act 1953

Made 10/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Amends the Principal Determination No. PB 8 of 2000 as a consequence of the Third Community Pharmacy Agreement between the Commonwealth and the Pharmacy Guild of Australia.

Determination of amount of flexible care subsidy under s. 52-1 of the *Aged Care Act 1997*

Aged Care Act 1997

Made 14/06/2002
Tabled 24/06/2002 S 24/06/2002 HR

Summary Prescribes the Flexible Care Subsidy Rate for the Tasmanian Extended Rehabilitation Service.

Hearing Services Rules of Conduct Amendment Rules 2002 (No. 1) under s. 17(1) of the *Hearing Services Administration Act 1997*

Hearing Services Administration Act 1997

Made 14/06/2002
Tabled 25/06/2002 S 24/06/2002 HR

Summary Make a variety of amendments and corrections to the Principal Rules.

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Civil Aviation Amendment Order (No. 07) 2002 under the *Civil Aviation Regulations*

Civil Aviation Act 1988

Made 14/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Amends the class endorsement in Column 3 of item 67 in Appendix 1B to section 40.1.0 of the Civil Aviation Orders by substituting a simplified description of aircraft covered by that class endorsement.

Instrument No. CASA 339/02 under r. 208 of the *Civil Aviation Regulations*

Civil Aviation Act 1988

Made 19/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Permits the hot air balloon VH-EOA to operate without a cabin attendant, subject to certain conditions.

Exemption No. CASA EX09/2002 under r. 308 of the *Civil Aviation Regulations*

Civil Aviation Act 1988

Made 20/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Permits powered hang gliders to be flown in certain types of aerial work operations without having to comply with certain Parts and provisions of the Regulations.

Instrument No. CASA 340/02 under r. 208 of the *Civil Aviation Regulations*

Civil Aviation Act 1988

Made 19/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Permits the hot air balloon VH-AUK to operate without a cabin attendant, subject to certain conditions.

Instrument No. CASA 335/02 under r. 156(1) of the *Civil Aviation Regulations*

Civil Aviation Act 1988

Made 19/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Permits aircraft taking part in the RAAF Museum Interactive Flying programs to be flown over a public gathering, subject to certain conditions.

Instrument No. CASA 341/02 under r. 208 of the *Civil Aviation Regulations*

Civil Aviation Act 1988

Made 19/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Permits the hot air balloon VH-PAX to operate without a cabin attendant, subject to certain conditions.

**Instrument No. CASA 345/02 under r. 208 of the
*Civil Aviation Regulations***

Civil Aviation Act 1988

Made	19/06/2002	
Tabled	26/06/2002 S	26/06/2002 HR

Summary Permits the hot air balloon VH-JLZ to
operate without a cabin attendant,
subject to certain conditions.

DEPARTMENT OF THE TREASURY

Determination of Reporting Standards under paragraph 13(1)(a) of the *Financial Sector (Collection of Data) Act 2001*

Financial Sector (Collection of Data) Act 2001

Made 19/06/2002
Tabled 24/06/2002 S 24/06/2002 HR

Summary Specifies a number of reporting standards that apply to, and must be complied with, by financial sector entities in reporting to the Australian Prudential Regulation Authority.

Variation (No. 2) of Prudential Rules No. 47 under s. 252(1) of the *Life Insurance Act 1995*

Life Insurance Act 1995

Made 13/06/2002
Tabled 24/06/2002 S 20/06/2002 HR

Summary Specifies requirements relating to the form and content of financial reports to be given to APRA by friendly societies.

Refundable Film Tax Offset Rules 2002 under s. 376-105 of the *Income Tax Assessment Act 1997*

Income Tax Assessment Act 1997

Made 25/06/2002
Tabled 26/06/2002 S 26/06/2002 HR

Summary Establish a Film Certification Advisory Board and specify matters associated with the structure and work of that Board.

Variation (No. 2) of Prudential Rules No. 35 under s. 252(1) of the *Life Insurance Act 1995*

Life Insurance Act 1995

Made 13/06/2002
Tabled 24/06/2002 S 20/06/2002 HR

Summary Requires the addition of a Note to the financial statements of a life company concerning disclosure of the capital requirements of the shareholders' fund.