

**DELEGATED LEGISLATION MONITOR
09 – 12 DECEMBER 2002**

This week at a glance

There were 50 disallowable instruments tabled in the Parliament.
These were made under 10 separate enabling Acts, through
8 Departments of State.

Statutory Rules

No Statutory Rules were tabled during this period

Instrument makers

4 instruments were made by the Governor-General or Ministers

46 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE
09 – 12 DECEMBER 2002**

DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Agriculture, Fisheries and Forestry	6
Attorney-General's	0
Communications, Information Technology and the Arts	2
Defence	1
Education, Science and Training	1
Employment and Workplace Relations	2
Environment and Heritage	0
Family and Community Services	0
Finance and Administration	0
Foreign Affairs and Trade	0
Health and Ageing	0
Immigration and Multicultural and Indigenous Affairs	1
Industry, Tourism and Resources	1
Prime Minister and Cabinet	0
Transport and Regional Services	36
Treasury	0
Veterans' Affairs	0
Total	50

**DELEGATED LEGISLATION TABLED IN THE SENATE
09 – 12 DECEMBER 2002**

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

<i>Aboriginal and Torres Strait Islander Commission Act 1989</i>	1
<i>Civil Aviation Act 1988</i>	36
<i>Defence Act 1903</i>	1
<i>Export Control Act 1982</i>	1
<i>Fisheries Management Act 1991</i>	5
<i>Higher Education Funding Act 1988</i>	1
<i>Radiocommunications Act 1992</i>	1
<i>Remuneration Tribunal Act 1973</i>	2
<i>Telecommunications Act 1997</i>	1
<i>Textile, Clothing and Footwear Strategic Investment Program Act 1999</i>	1
Total	50

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Direction No. HIMIFD 1 under s. 17(5A) of the Fisheries Management Act 1991

Fisheries Management Act 1991

Made 30/11/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Provides for the permanent closure of the area outside the Heard Island Plateau to mackerel icefish fishing.

Direction No. HIMIFD 4 under s. 17(5A) of the Fisheries Management Act 1991

Fisheries Management Act 1991

Made 30/11/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Prohibits the use of fishing methods other than trawling in the Heard Island and McDonald Islands Fishery.

Direction No. HIMIFD 2 under s. 17(5A) of the Fisheries Management Act 1991

Fisheries Management Act 1991

Made 30/11/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Provides for the permanent closure of the waters adjacent to Heard Island and McDonald Islands.

Export Control (Fees) Amendment Orders 2002 (No. 2) under r. 3 of the Export Control (Orders) Regulations 1982

Export Control Act 1982

Made 03/12/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Provide for new fees for the processing of manual or electronic documents for the export of fish and dairy products, and amend the annual service charge and the fee for service for in-house services provided for export organic produce certification.

Direction No. HIMIFD 3 under s. 17(5A) of the Fisheries Management Act 1991

Fisheries Management Act 1991

Made 30/11/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Provides for the permanent closure of the area known as Shell Bank to mackerel icefish fishing.

Heard Island and McDonald Islands Total Allowable Catch Determination — 2002/2003 Season under section 11 of the Heard Island and McDonald Islands Fishery Management Plan 2002

Fisheries Management Act 1991

Made 30/11/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Specifies the total allowable catch for certain species of fish in the Fishery area for the year beginning 01 December 2002.

**DEPARTMENT OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND
THE ARTS**

Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997 (Amendment No. 4 of 2002) under s. 63(5) of the *Telecommunications Act 1997*

Telecommunications Act 1997

Made 03/12/2002
Tabled 10/12/2002 S 09/12/2002 HR

Summary Specifies new licence conditions to apply to Telstra Corporation Limited concerning the Network Reliability Framework.

Radiocommunications Licence Conditions (Amateur Licence) Amendment Determination 2002 (No. 1) under paragraph 107(1)(f) of the *Radiocommunications Act 1992*

Radiocommunications Act 1992

Made 28/11/2002
Tabled 09/12/2002 S 09/12/2002 HR

Summary Amends the Principal Determination to provide that interference does not occur to an Amateur station if it is the result of the operation of a transmitter authorised to operate under the Low Interference Potential Devices Class Licence, limits the operation of Amateur stations in the 420-430 MHz band within 250km of Perth, and makes other minor amendments.

DEPARTMENT OF DEFENCE**Defence Determination 2002/27*****Defence Act 1903***

Made 09/12/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Increases the amounts of attendance allowance for members of the Australian Defence Force.

DEPARTMENT OF EDUCATION, SCIENCE AND TRAINING

**Determination No. T26-2002 under s. 15 of the
*Higher Education Funding Act 1988***

Higher Education Funding Act 1988

Made 28/11/2002
Tabled 12/12/2002 S 11/12/2002 HR

Summary Provides funding to certain universities
for the Workplace Reform Program in
2002.

DEPARTMENT OF EMPLOYMENT AND WORKPLACE RELATIONS**Remuneration Tribunal Determination 2002/19*****Remuneration Tribunal Act 1973***

Made 19/11/2002
Tabled 09/12/2002 S 05/12/2002 HR

Summary Specifies a performance bonus for the First Parliamentary Counsel and specifies rates of allowance for certain other part-time holders of public office.

Remuneration Tribunal Determination 2002/20***Remuneration Tribunal Act 1973***

Made 19/11/2002
Tabled 09/12/2002 S 05/12/2002 HR

Summary Specifies the provisions for annual leave for recreational purposes for full-time holders of relevant offices.

DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS

**Regional Council Election (Casual Vacancies)
Amendment Rules 2002 (No. 1) under s. 113(1) of
the *Aboriginal and Torres Strait Islander
Commission Act 1989***

*Aboriginal and Torres Strait Islander Commission
Act 1989*

Made 20/11/2002
Tabled 09/12/2002 S 09/12/2002 HR

Summary Remove the requirement that unsuccessful candidates in an election for a casual vacancy must wait for 21 days before being included in a recount in cases where there is only one unsuccessful candidate.

DEPARTMENT OF INDUSTRY, TOURISM AND RESOURCES

**Textile, Clothing and Footwear Strategic
Investment Program Scheme Amendment 2002
(No. 2) under ss. 8 and 34 of the *Textile, Clothing
and Footwear Strategic Investment Program Act
1999***

***Textile, Clothing and Footwear Strategic Investment
Program Act 1999***

Made 02/12/2002
Tabled 12/12/2002 S 12/12/2002 HR

Summary Amends the deadlines for applying for regular advances of grants in connection with the manufacture or design of eligible TCF products so that they are consistent with the deadlines for claiming grants.

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Civil Aviation Orders, Part 105 Airworthiness Directive AD/A320/119 Amdt 1

Civil Aviation Act 1988

Made 21/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105 Airworthiness Directive AD/A320/147

Civil Aviation Act 1988

Made 29/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105 Airworthiness Directive AD/A320/144 Amdt 1

Civil Aviation Act 1988

Made 29/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105 Airworthiness Directive AD/B737/202

Civil Aviation Act 1988

Made 25/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105 Airworthiness Directive AD/A320/146

Civil Aviation Act 1988

Made 29/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105 Airworthiness Directive AD/B747/283

Civil Aviation Act 1988

Made 25/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/B767/180**

Civil Aviation Act 1988

Made 25/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/BELL 205/71**

Civil Aviation Act 1988

Made 22/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/BAe 146/102**

Civil Aviation Act 1988

Made 28/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/BELL 212/65**

Civil Aviation Act 1988

Made 21/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/BEECH 35/58 Amdt 5**

Civil Aviation Act 1988

Made 29/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/BELL 214/1**

Civil Aviation Act 1988

Made 22/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/BEECH 35/70 Amdt 1**

Civil Aviation Act 1988

Made 29/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/BELL 214/2**

Civil Aviation Act 1988

Made 29/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/BELL 407/21 Amdt 1

Civil Aviation Act 1988

Made 28/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/IAI-W/26

Civil Aviation Act 1988

Made 25/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/DAUPHIN/62

Civil Aviation Act 1988

Made 27/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/PC-6/49

Civil Aviation Act 1988

Made 29/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/DHC-8/90

Civil Aviation Act 1988

Made 28/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/S-PUMA/41 Amdt 1

Civil Aviation Act 1988

Made 27/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/ECUREUIL/81

Civil Aviation Act 1988

Made 27/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/S-PUMA/45 Amdt 1

Civil Aviation Act 1988

Made 25/11/2002
 Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/SD3-30/44 Amdt 1**

Civil Aviation Act 1988

Made 28/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 106
Airworthiness Directive AD/ALF/19**

Civil Aviation Act 1988

Made 28/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/SD3-60/62 Amdt 1**

Civil Aviation Act 1988

Made 28/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 106
Airworthiness Directive AD/ARRIUS/2 Amdt 1**

Civil Aviation Act 1988

Made 27/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/Y12/1**

Civil Aviation Act 1988

Made 21/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 106
Airworthiness Directive AD/FK-P/7**

Civil Aviation Act 1988

Made 26/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 105
Airworthiness Directive AD/Y12/2**

Civil Aviation Act 1988

Made 22/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 106
Airworthiness Directive AD/LYC/109 Amdt 1**

Civil Aviation Act 1988

Made 21/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 106
Airworthiness Directive AD/PW500/1**

Civil Aviation Act 1988

Made 27/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 106
Airworthiness Directive AD/ROTAX/12**

Civil Aviation Act 1988

Made 27/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 106
Airworthiness Directive AD/TPE 331/50 Amdt 1**

Civil Aviation Act 1988

Made 28/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Civil Aviation Orders, Part 107
Airworthiness Directive AD/PR/33 Amdt 2**

Civil Aviation Act 1988

Made 28/11/2002
Tabled 11/12/2002 S 11/12/2002 HR

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

**Exemption No. CASA EX35/2002 under r. 235(11)
of the Civil Aviation Regulations**

Civil Aviation Act 1988

Made 29/11/2002
Tabled 10/12/2002 S 10/12/2002 HR

Summary Exempts certain aircraft operated by the Royal Flying Doctor Service of Australia (South Eastern Section) from compliance with specified requirements governing the loading of fuel on aircraft.

**Exemption No. CASA EX45/2002 under r. 235(11)
of the Civil Aviation Regulations**

Civil Aviation Act 1988

Made 06/12/2002
Tabled 10/12/2002 S 10/12/2002 HR

Summary Exempts the aircraft VH-NLX from compliance with specified requirements governing the re-weighing of aircraft.