

The Senate

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Standing  
Committee for the  
Scrutiny of Delegated  
Legislation

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Delegated Legislation Monitor

Monitor 7 of 2021

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# Introduction

The Senate Standing Committee on Regulations and Ordinances (the committee) was established in 1932. The committee's name was changed on 4 December 2019 to the Senate Standing Committee for the Scrutiny of Delegated Legislation.<sup>1</sup> The role of the committee is to examine the technical qualities of all disallowable legislative instruments, and to decide whether they comply with the committee's non-partisan scrutiny principles.

## Terms of reference

The committee's scrutiny principles are set out in Senate standing order 23(3) which requires the committee to scrutinise each instrument as to whether:

- (a) it is in accordance with its enabling Act and otherwise complies with all legislative requirements;
- (b) it appears to be supported by a constitutional head of legislative power and is otherwise constitutionally valid;
- (c) it makes rights, liberties, obligations or interests unduly dependent on insufficiently defined administrative powers;
- (d) those likely to be affected by the instrument were adequately consulted in relation to it;
- (e) its drafting is defective or unclear;
- (f) it, and any document it incorporates, may be freely accessed and used;
- (g) the accompanying explanatory material provides sufficient information to gain a clear understanding of the instrument;
- (h) it trespasses unduly on personal rights and liberties;
- (i) it unduly excludes, limits or fails to provide for independent review of decisions affecting rights, liberties, obligations or interests;
- (j) it contains matters more appropriate for parliamentary enactment; and
- (k) it complies with any other ground relating to the technical scrutiny of delegated legislation that the committee considers appropriate.

Senate standing order 23(4) also requires the committee to scrutinise each instrument to determine whether the attention of the Senate should be drawn to

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1 On 27 November 2019, the Senate agreed to amend standing orders 23 and 25(2)(a), with effect from 4 December 2019. For further information, see [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Changes\\_to\\_committee\\_standing\\_orders](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Changes_to_committee_standing_orders).

the instrument on the ground that it raises significant issues, or otherwise gives rise to issues that are likely to be of interest to the Senate.

### **Nature of the committee's scrutiny**

The committee's work may be broadly described as technical legislative scrutiny. In this regard, the committee does not examine the policy merits of delegated legislation. However, if the committee determines that an instrument raises significant issues, it may write to the relevant legislation committee to alert that committee to the instrument, or otherwise draw the instrument to the attention of the Senate.

Where an instrument does not appear to comply with the committee's technical scrutiny principles, the committee's usual approach is to correspond with the responsible minister or relevant agency to seek further explanation or clarification of the matter at issue. The committee may also seek an undertaking for specific action to address its scrutiny concerns.

The committee's work is supported by the processes for the registration, tabling and disallowance of legislative instruments under the *Legislation Act 2003*.<sup>2</sup>

### **Publications**

The committee's usual practice is to table a report, the *Delegated Legislation Monitor*, each Senate sitting week. The monitor provides an overview of the committee's scrutiny of disallowable legislative instruments for the preceding period. Disallowable legislative instruments detailed in the monitor are also listed in the 'Index of instruments' on the committee's website.<sup>3</sup>

### **Ministerial correspondence**

The committee undertakes formal correspondence with ministers in order to resolve more significant scrutiny concerns. Ministerial correspondence is published on the committee's website.<sup>4</sup>

### **Agency correspondence**

The committee undertakes informal correspondence with agencies via its secretariat to gather information about potential scrutiny concerns. This correspondence assists the committee in deciding whether it is necessary to seek further advice from the relevant minister about those concerns. Agency correspondence is not published;

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2 For further information on the disallowance process and the work of the committee see *Oggers' Australian Senate Practice*, 14th Edition (2016), Chapter 15.

3 *Index of instruments*, [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Index](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Index).

4 See [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Monitor](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Monitor).



however, a record of the instrument, scrutiny issue and status of the correspondence is included in Appendix A (new matters), Appendix B (ongoing matters) and Appendix C (concluded matters) in the monitor.

## **Guidelines**

Guidelines relating to the committee's scrutiny principles are published on the committee's website.<sup>5</sup>

## **General information**

The Federal Register of Legislation should be consulted for the text of instruments, explanatory statements, and associated information.<sup>6</sup>

The Senate Disallowable Instruments List provides a listing of tabled instruments for which disallowance motions may be moved in the Senate.<sup>7</sup>

The Disallowance Alert records all notices of motion for the disallowance of instruments, and their progress and eventual outcome.<sup>8</sup>

## **Instruments considered in this monitor**

The committee examined 100 disallowable legislative instruments registered on the Federal Register of Legislation between 26 February 2021 and 19 March 2021.

This monitor identifies the instruments registered in this period about which the committee has or had scrutiny concerns. It also identifies instruments registered before this period in relation to which the committee is continuing to engage with the relevant minister or agency, or has concluded its examination.

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5 See [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Guidelines](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Guidelines).

6 See Australian Government, Federal Register of Legislation, [www.legislation.gov.au](http://www.legislation.gov.au).

7 Parliament of Australia, *Senate Disallowable Instruments List*, [http://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/leginstruments/Senate\\_Disallowable\\_Instruments\\_List](http://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/leginstruments/Senate_Disallowable_Instruments_List).

8 *Disallowance Alert 2021*, [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/Disallowance\\_Alert\\_2021](https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Disallowance_Alert_2021).



# Chapter 1

## Instruments raising significant scrutiny concerns

1.1 This chapter details the instruments which raise significant scrutiny concerns in relation to which the committee is seeking further information from the relevant minister or of which the committee has concluded its examination.

1.2 Where necessary, the committee may place a notice of motion to disallow an instrument contained in this chapter to emphasise its scrutiny concerns and to provide the Senate with additional time to consider the instrument with the benefit of the committee's comments. Accordingly, where appropriate, this chapter also details the committee's reasons for withdrawing notices of motion to disallow such instruments.

1.3 The committee is currently seeking to resolve all outstanding scrutiny concerns by correspondence with the relevant minister or agency. Copies of relevant correspondence are available on the committee's website.<sup>1</sup>

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1 See [www.aph.gov.au/senate\\_sdlc](http://www.aph.gov.au/senate_sdlc).



## Chapter 2

### Matters of interest to the Senate

2.1 Senate standing order 23(4) requires the committee to scrutinise each instrument to determine whether the Senate's attention should be drawn to it on the ground that it raises significant issues, or otherwise gives rise to issues that are likely to be of interest to the Senate.

2.2 This chapter identifies the instruments which the committee has resolved to draw to the attention of the Senate and the relevant legislation committee under standing order 23(4), with the exception of instruments which specify significant executive expenditure, which are listed in Chapter 3.<sup>1</sup>

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Instrument	Purpose	Portfolio committee
<b>Aged Care Legislation Amendment (Serious Incident Response Scheme) Instrument 2021 [F2021L00222]</b>	To prescribe arrangements relating to the Serious Incident Response Scheme for residential aged care, including flexible care delivered in a residential care setting. This includes arrangements relating to an approved provider's responsibility to manage incidents and take reasonable steps to prevent incidents. The instrument includes arrangements on the implementation and maintenance of incident management systems including the notification and management of reportable incidents by approved providers.	Senate Community Affairs Legislation Committee

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1 Details of all instruments which the committee has resolved to draw to the attention of the Senate under standing order 23(4) are published on the committee's website: [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Matters\\_of\\_interest\\_to\\_the\\_Senate](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Matters_of_interest_to_the_Senate).



## Chapter 3

### Scrutiny of Commonwealth expenditure

3.1 The *Financial Framework (Supplementary Powers) Act 1997* (FF(SP) Act) and the *Industry Research and Development Act 1986* (IRD Act) authorise the Commonwealth to spend public money on grants and programs specified in instruments made under those Acts. Consequently, the specification of expenditure in an instrument made under these Acts effectively authorises the Commonwealth to spend public moneys on the relevant grant or program. The scrutiny of such instruments is a key aspect of parliamentary scrutiny and control of Commonwealth expenditure.<sup>1</sup>

3.2 To facilitate such scrutiny, this chapter draws the Senate's attention to the nature and extent of Commonwealth expenditure that is authorised by the FF(SP) Act and the IRD Act and specified in delegated legislation made under those Acts.<sup>2</sup>

3.3 The tables below outline the expenditure specified in legislative instruments registered between 26 February 2021 and 19 March 2021.

3.4 The committee has resolved to write to the relevant legislation committees to alert those committees to the expenditure listed below that falls within their area of portfolio responsibility. The committee does so under standing order 23(4) which requires the committee to scrutinise each instrument to determine whether the Senate's attention should be drawn to it on the ground that it raises significant issues, or otherwise gives rise to issues that are likely to be of interest to the Senate.

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1 For further information see the committee's guideline on [Scrutiny of Commonwealth expenditure](#) and Chapter 7 of the report of the committee's inquiry, [Parliamentary scrutiny of delegated legislation](#).

2 Details of all instruments which specify Commonwealth expenditure are published on the committee's website: [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Scrutiny\\_of\\_Commonwealth\\_expenditure](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Scrutiny_of_Commonwealth_expenditure).

<b>Instrument</b>	<b>Grant/ Program</b>	<b>Amount</b>	<b>Description</b>	<b>Portfolio committee</b>
<b>Industry Research and Development (Electric Vehicle Manufacturing Program) Instrument 2021 [F2021L00204]</b>	Electric Vehicle Manufacturing Program	\$5 million in 2020-2021	The Program provides \$5 million as part of the Australian Government's commitments to advanced manufacturing, increasing consumer choice for future fuels technologies, and supporting technologies to integrate battery electric vehicles into the grid. The initial funding available is for an ad hoc grant to Loddon Clean Energy Pty Ltd, trading as Australian Clean Energy Electric Vehicle Group, to establish an advanced manufacturing facility to assemble electric vehicles and to conduct a bidirectional vehicle-to-grid charging trial.	Senate Environment and Communications Legislation Committee
<b>Industry Research and Development (Portland Aluminium Smelter Program) Instrument 2021 [F2021L00244]</b>	Portland Aluminium Smelter Program	Up to \$19.2 million per year over four years from 2021-22	The purpose of the Program is to: <ul style="list-style-type: none"> <li>ensure the Portland Aluminium Smelter can provide grid reliability services to the national electricity market; and</li> <li>contribute to the reliability and security of the National Electricity Market.</li> </ul>	Senate Environment and Communications Committee



<b>Instrument</b>	<b>Grant/ Program</b>	<b>Amount</b>	<b>Description</b>	<b>Portfolio committee</b>
<b>Industry Research and Development (Support for Industry Service Organisations Program) Instrument 2021 [F2021L00218]</b>	Support for Industry Service Organisations Program	\$2.1 million in 2020-2021	The Program provides financial support to Australia's three peak non-government technical infrastructure organisations: Standards Australia, the National Association of Testing Authorities, and the Joint Accreditation System of Australia and New Zealand. The Program funding provided to these three organisations will enable them to assist Australia, and Australian businesses, to influence, apply and conform to international standards. Initially, the financial support provided will be for the specific purpose of supporting the influence or uptake of digital, critical technology or critical minerals standards work both domestically and internationally.	Senate Economics Legislation Committee
<b>Industry Research and Development (Temporary Refinery Production Payment Program) Instrument 2021 [F2021L00202]</b>	Temporary Refinery Production Payment Program	\$83.5 million in 2020-2021	Funding, to be calculated on a cent-per-litre basis, will be available to major Australian oil refineries that produce eligible transport fuels relevant to Australia's fuel security. Eligible refineries are entities with ownership of the Lytton refinery in Queensland and the Geelong refinery in Victoria.	Senate Environment and Communications Legislation Committee



# Appendix A

## New matters

4.1 The committee engages with relevant ministers and agencies to attempt to resolve its concerns about scrutiny issues raised by disallowable legislative instruments. This appendix documents the committee's new scrutiny concerns in relation to disallowable legislative instruments registered on the Federal Register of Legislation between 26 February 2021 and 19 March 2021.

### Ministerial engagement

4.2 The committee is writing to the relevant minister about the scrutiny issues raised by the instruments listed below for the first time. Copies of the ministerial correspondence are available on the committee's website.<sup>1</sup>

Instrument	Issue	Status
<b>Aged Care Legislation Amendment (Serious Incident Response Scheme) Instrument 2021 [F2021L00222]</b>	Principle (j) significant matters in delegated legislation Principle (k) parliamentary oversight	Seeking advice from the minister.
<b>Bankruptcy Regulations 2021 [F2021L00261]</b>	Principle (j) modifications to primary legislation Principle (k) parliamentary oversight	Seeking advice from the Assistant Minister to the Attorney-General.
<b>National Health (Data-matching) Principles 2020 [F2021L00006]</b>	Principle (i) availability of independent merits review Principle (k) parliamentary oversight	Seeking advice from the minister. Notice of motion to disallow placed on 11/05/2021.

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1 See [www.aph.gov.au/senate\\_sdlc](http://www.aph.gov.au/senate_sdlc).

## Agency engagement

4.3 The committee is engaging with the relevant agencies via its secretariat to seek further information about potential scrutiny concerns raised by the instruments listed below.

Instrument	Issue	Status
ASIC Market Integrity Rules (Securities Markets) Determination 2021/135 [F2021L00193]	Principle (d) consultation on specific instrument	Committee secretariat considering response.
ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2021/136 [F2021L00194]		
Australia's Foreign Relations (State and Territory Arrangements) Amendment (Prospective Arrangements and Other Measures) Rules 2021 [F2021L00229]	Principle (d) consultation on specific instrument	Seeking advice from the agency.
Australia's Foreign Relations (State and Territory Arrangements) Amendment (Education) Rules 2021 [F2021L00212]		
Civil Aviation Legislation Amendment (Flight Operations—Consequential Amendments and Transitional Provisions) Regulations 2021 [F2021L00200]	Principle (a) compliance with authorising legislation Principle (c) conferral of discretionary powers Principle (h) reverse evidential burden of proof Principle (j) matters more appropriate for parliamentary enactment	Seeking advice from the agency.
Export Control (Tariff Rate Quotas) Amendment (Brexit) Order 2021 [F2021L00243]	Principle (a) compliance with <i>Legislation Act 2003</i> – incorporation	Committee secretariat considering response.
Fair Work (Registered Organisations) Amendment (Withdrawal from Amalgamations) Regulations 2021 [F2021L00263]	Principle (e) clarity of drafting	Committee secretariat considering response.
Fisheries Management (Northern Prawn Fishery) – various instruments - [F2021L00250] [F2021L00251] [F2021L00253] [F2021L00254]	Principle (e) clarity of drafting	Committee secretariat considering response.
Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 2) 2021 [F2021L00178]	Principle (a) compliance with the <i>Legislation Act 2003</i> – incorporation	Committee secretariat considering response

Instrument	Issue	Status
<b>Income Tax Assessment (1997 Act) Regulations 2021 [F2021L00206]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation  Principle (g) adequacy of explanatory materials  Principle (h) privacy  Principle (j) significant penalties in delegated legislation	Seeking advice from the agency.
<b>Migration Legislation Amendment (English Tuition) Regulations 2021 [F2021L00262]</b>	Principle (d) adequacy of consultation	Committee secretariat considering response.
<b>National Health (Paraplegic and Quadriplegic Program) Special Arrangement 2021 (PB 31 of 2021) [F2021L00235]</b>	Principle (i) availability of independent merits review	Seeking advice from the agency.
<b>Radiocommunications (Spectrum Access Charges – 20 GHz and 30 GHz Bands) Determination 2021 [F2021L00230]</b>	Principle (k) parliamentary oversight	Committee secretariat considering response.
<b>Student Assistance Regulations 2021 [F2021L00201]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> – incorporation  Principle (d) adequacy of consultation  Principle (e) clarity of drafting  Principle (i) availability of independent merits review	Seeking advice from the agency.



## Appendix B

### Ongoing matters

5.1 This appendix documents the committee's ongoing scrutiny concerns in relation to matters raised in earlier *Delegated Legislation Monitors*.

#### Ministerial engagement

5.2 The committee is continuing to engage with the relevant minister about the scrutiny issues raised by the instruments listed below. Copies of the ministerial correspondence are available on the committee's website.<sup>1</sup>

Instrument	Issue	Status
<b>Australia's Foreign Relations (State and Territory Arrangements) Rules 2020 [F2020L01569]</b>	Principle (e) clarity of drafting	Committee considering response.
	Principle (j) matters more appropriate for parliamentary enactment	Notice of motion to disallow placed on 11/05/2021.
<b>Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020 [F2020L01688]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation	Seeking further advice from the Treasurer.
	Principle (c) conferral of discretionary powers	Notice of motion to disallow placed on 11/05/2021.
	Principle (e) clarity of drafting	
	Principle (i) availability of independent merits review	
	Principle (j) significant penalties in delegated legislation	
<b>Law Enforcement Integrity Commissioner Amendment (Law Enforcement Agencies) Regulations 2020 [F2020L01506]</b>	Principle (j) matters more appropriate for parliamentary enactment	Seeking further advice from the Assistant Minister to the Attorney-General.
		Notice of motion to disallow placed on 23/02/2021.

<sup>1</sup> See [www.aph.gov.au/senate\\_sd/c](http://www.aph.gov.au/senate_sd/c).

Instrument	Issue	Status
<b>Telecommunications (Fibre-ready Facilities — Exempt Real Estate Development Projects) Instrument 2021 [F2021L00105]</b>	Principle (j) exemption from the operation of primary legislation  Principle (k) parliamentary oversight	Seeking further advice from the minister.

### Agency engagement

5.3 The committee is not currently engaging with agencies via its secretariat to seek further information in relation to matters raised in earlier *Delegated Legislation Monitors*.



## Appendix C

### Concluded matters

6.1 This appendix records the instruments in relation to which the committee has concluded its inquiries, following correspondence with the relevant minister or agency.

#### Ministerial engagement

6.2 The committee has concluded its examination of the instruments listed below following correspondence with the relevant minister. Copies of the ministerial correspondence are available on the committee's website.<sup>1</sup>

Instrument	Issue	Status
<b>ASIC Corporations (Amendment) Instrument 2020/1064 [F2020L01571]</b>	Principle (i) availability of independent merits review	Concluded following response from Treasurer on 26/04/2021.
<b>ASIC Corporations (Amendment) Instrument 2020/1065 [F2020L01572]</b>	Principle (j) matters more appropriate for parliamentary enactment  Principle (k) parliamentary oversight	Notice of motion to disallow placed on 11/05/2021.  The Australian Securities and Investments Commission amended the explanatory statement to the instruments in response to the committee's scrutiny concerns.
<b>ASIC Corporations (Design and Distribution Obligations—Exchange Traded Products) Instrument 2020/1090 [F2020L01600]</b>	Principle (j) modification of primary legislation  Principle (k) parliamentary oversight	Concluded following response from Treasurer on 09/04/2021.  Notice of motion to disallow placed on 11/05/2021.
<b>Commonwealth Grant Scheme Guidelines 2020 [F2020L01609]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> – incorporation  Principle (j) matters more appropriate for parliamentary enactment	Concluded following response from minister on 12/04/2021.  Notice of motion to disallow placed on 11/05/2021.  The Minister for Education and Youth undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.

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<sup>1</sup> See [www.aph.gov.au/senate\\_sdlc](http://www.aph.gov.au/senate_sdlc).

<b>Instrument</b>	<b>Issue</b>	<b>Status</b>
<b>Competition and Consumer (Class Exemption—Collective Bargaining) Determination 2020 [F2020L01334]</b>	Principle (i) availability of independent merits review	Concluded following further consideration by the committee.
	Principle (j) modification of primary legislation	Notice of motion to disallow placed on 15/02/2021.
	Principle (k) parliamentary oversight	
<b>Competition and Consumer Amendment (AER Functions) Regulations 2020 [F2020L01606]</b>	Principle (c) conferral of discretionary powers	Concluded following response from Treasurer on 28/04/2021.
		Notice of motion to disallow placed on 11/05/2021.
<b>Corporations (Stay on Enforcing Certain Rights) Amendment (Corporate Insolvency Reforms) Declaration 2020 [F2020L01682]</b>	Principle (d) consultation on specific instrument	Concluded following response from Treasurer on 26/04/2021.
	Principle (j) exemptions from the operation of primary legislation	Notice of motion to disallow placed on 11/05/2021.
	Principle (k) parliamentary oversight	
<b>Corporations Amendment (Corporate Insolvency Reforms) Regulations 2020 [F2020L01654]</b>	Principle (e) clarity of drafting	Concluded following response from Treasurer on 09/04/2021.
	Principle (j) exemptions from and modification to primary legislation	Notice of motion to disallow placed on 11/05/2021.
	Principle (k) parliamentary oversight	The Treasurer undertook to amend the instrument in response to the committee's scrutiny concerns.
<b>Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01361]</b>	Principle (a) compliance with authorising legislation – compliance with legislative requirements	Concluded following response from Chief Justice on 30/04/2021.
		Notice of motion to disallow placed on 15/02/2021.
<b>Federal Circuit Court Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01362]</b>		
<b>Foreign Investment Reform (Protecting Australia's National Security) Regulations 2020 [F2020L01568]</b>	Principle (a) compliance with the <i>Legislation Act 2003</i> - incorporation	Concluded following response from Treasurer on 27/04/2021.
	Principle (j) exemption from primary legislation	Notice of motion to disallow placed on 11/05/2021.
	Principle (j) matters more appropriate for parliamentary enactment	The Treasurer undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
	Principle (j) modification of primary legislation	
	Principle (k) parliamentary oversight	

Instrument	Issue	Status
<p><b>Norfolk Island Employment Rules 2020 [F2020L01536]</b></p>	<p>Principle (h) privacy</p>	<p>Concluded following response from assistant minister on 28/04/2021.</p> <p>Notice of motion to disallow placed on 17/03/2021.</p> <p>The Assistant Minister amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>
<p><b>Takeovers Panel Procedural Rules 2020 [F2021L00131]</b></p>	<p>Principle (c) scope of administrative powers</p> <p>Principle (c) scope of administrative powers - insufficiently defined power</p> <p>Principle (e) clarity of drafting</p> <p>Principle (g) adequacy of explanatory materials</p> <p>Principle (h) freedom of expression</p> <p>Principle (h) personal rights and liberties – legal professional privilege</p> <p>Principle (h) personal rights and liberties – procedural fairness</p> <p>Principle (h) privacy</p> <p>Principle (h) procedural fairness</p>	<p>Concluded following response from Treasurer on 28/04/2021.</p> <p>The Treasurer advised that the Takeovers Panel undertook to amend explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>
<p><b>Tax Agent Services (Specified BAS Services No. 2) Instrument 2020 [F2020L01406]</b></p>	<p>Principle (a) compliance with authorising legislation</p> <p>Principle (j) modification of primary legislation</p> <p>Principle (k) parliamentary oversight</p>	<p>Concluded following response from Assistant Treasurer on 30/04/2021.</p> <p>Notice of motion to disallow placed on 15/02/2021.</p>
<p><b>Taxation Administration (Remedial Power – Seasonal Labour Mobility Program) Determination 2020 [F2020L01474]</b></p>	<p>Principle (j) modification of primary legislation</p>	<p>Concluded following response from Treasurer on 22/04/2021.</p> <p>Notice of motion to disallow placed on 22/02/2021.</p>

## Agency engagement

6.3 The committee has concluded its examination of the instruments listed below following informal correspondence with the relevant agencies via its secretariat.

Instrument	Issue	Status
<b>Agricultural and Veterinary Chemicals Code (MRL Standard) Amendment Instrument (No. 2) 2021 [F2021L00124]</b>	Principle (a) compliance with the <i>Legislation Act 2003</i> - incorporation  Principle (k) other technical scrutiny grounds – exemption from sunseting	Concluded following response from the agency on 16/04/2021.
<b>CASA EX16/21 — CASR Subpart 99.B DAMP Requirements for Foreign Air Transport AOC Holders Exemption 2021 [F2021L00149]</b>	Principle (d) adequacy of consultation  Principle (h) privacy: collection, use and disclosure of personal information	Concluded following response from the agency on 10/05/2021.  The Civil Aviation Safety Authority undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Child Care Subsidy Amendment (Coronavirus Response Measures No. 1) Minister's Rules 2021 [F2021L00055]</b>	Principle (e) clarity of drafting	Concluded following response from the agency on 20/04/2021.  The Department of Education, Skills and Employment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Civil Aviation Order 95.55 (Exemption from provisions of the Civil Aviation Regulations 1988 — certain ultralight aeroplanes) Instrument 2021 [F2021L00073]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation  Principle (d) adequacy of consultation  Principle (i) availability of independent merits review	Concluded following response from the agency on 21/04/2021.  The Civil Aviation Safety Authority amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Amendment Instrument 2021 [F2021L00091]</b>	Principle (h) detrimental effect	Concluded following response from the agency on 07/05/2021.  The Department of Education, Skills and Employment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.

Instrument	Issue	Status
<b>Industry Research and Development (Hotel Energy Uplift Program) Instrument 2021 [F2021L00095]</b>	Principle (k) parliamentary oversight	Concluded following response from the agency on 14/04/2021.
<b>Migration Amendment (Temporary Graduate Visas) Regulations 2020 [F2020L01639]</b>	Principle (d) adequacy of consultation	Concluded following response from the agency on 23/04/2021.  The Department of Home Affairs amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Part 133 (Australian Air Transport Operations—Rotorcraft) Manual of Standards 2020 [F2020L01614]</b>	Principle (a) compliance with Legislation Act 2003 - incorporation	Concluded following response from the agency on 20/04/2021.  The Civil Aviation Safety Authority undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020 [F2020L01679]</b>	Principle (a) compliance with the <i>Legislation Act 2003</i> - consultation  Principle (a) compliance with the <i>Legislation Act 2003</i> - incorporation  Principle (h) privacy	Concluded following response from the agency on 03/05/2021.  The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Therapeutic Goods (Medical Devices) Amendment (Vaporisers for Smoking Cessation) Regulations 2020 [F2020L01645]</b>	Principle (c) conferral of discretionary powers  Principle (h) privacy  Principle (d) consultation on specific instrument	Concluded following response from the agency on 15/04/2021.  The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 11 [F2021L00063]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - consultation	Concluded following response from the agency on 22/04/2021.  The Department of Infrastructure, Transport, Regional Development and Communications undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.

Instrument	Issue	Status
<b>Work Health and Safety Amendment (Hazardous Chemicals) Regulations 2020 [F2020L01593]</b>	Principle (a) compliance with Legislation Act 2003 - incorporation  Principle (f) access and use	Concluded following response from the agency on 16/04/2021.  The Attorney-General's Department amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.

## Appendix D

### Undertakings

7.1 From time to time, a minister or agency may make an undertaking to address the committee's scrutiny concerns. These may include, for example, an undertaking to amend a legislative instrument or an explanatory statement, or to review an Act or a departmental practice. The committee expects that, when a minister or agency has made an undertaking, it will be implemented in a timely manner. Accordingly, this appendix records outstanding ministerial and agency undertakings, and the undertakings implemented since the committee's last *Delegated Legislation Monitor*.

#### Outstanding undertakings

7.2 The following table records undertakings that remain outstanding, from oldest to newest. The committee draws these undertakings to the attention of the Senate.

Instrument	Undertaking	Date of Undertaking
<b>Water Amendment (Murray Darling Basin Agreement—Basin Salinity Management) Regulations 2018 [F2018L01674]</b>	The Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management undertook to progress amendments to the <i>Water Act 2007</i> in response to the committee's scrutiny concerns.	11/09/2019
<b>Competition and Consumer (Industry Codes—Dairy) Regulations 2019 [F2019L01610]</b>	The Attorney-General undertook to commence an inquiry into good faith obligations in Commonwealth legislation in response to the committee's scrutiny concerns.	31/08/2020
<b>Continence Aids Payment Scheme 2020 [F2020L00758]</b>	The Minister for Aged Care and Senior Australians undertook to progress amendments to the <i>National Health Act 1953</i> in response to the committee's scrutiny concerns.	24/11/2020
<b>Reserve Bank of Australia Head Office, 65 Martin Place, Sydney Heritage Management Plan 2020 [F2020L01031]</b>	The Minister for the Environment advised that the Reserve Bank of Australia undertook to amend the instrument in response to the committee's scrutiny concerns.	01/12/2020
<b>Disability (Access to Premises – Buildings) Amendment Standards 2020 [F2020L01245]</b>	The Assistant Minister to the Attorney-General undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	11/02/2021

<b>Instrument</b>	<b>Undertaking</b>	<b>Date of Undertaking</b>
<b>Amendment of List of Exempt Native Specimens – Commission for the Conservation of Antarctic Marine Living Resources Exploratory Fisheries in Statistical Divisions 58.4.1 and 58.4.2 (the East Antarctica Fishery) and Statistical Subareas 88.1 and 88.2 (the Ross Sea Fishery), November 2020 [F2020L01484]</b>	The Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	15/02/2021
<b>ASIC Corporations – various instruments [F2020L00962] [F2020L01045] [F2020L01064] [F2020L01066] [F2020L01069] [F2020L01199] [F2020L01261] and [F2020L01259]</b>	The Treasurer undertook to continue to engage with the committee in good faith to seek a resolution to the committee's systemic concerns regarding the duration of instruments which provide for exemptions or modifications to primary legislation.	18/02/2021
<b>Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations (No. 2) 2020 [F2020L01620]</b>	The Department of Agriculture, Water Resources and the Environment undertook to revoke the instrument in response to the committee's scrutiny concerns.	16/03/2021
<b>Industry Research and Development (Digital Directors Program) Instrument 2020 [F2020L01554]</b>	The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	06/04/2021
<b>Regional Investment Corporation (Agristarter Loans) Amendment Rule 2020 [F2020L01625]</b>	The Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	09/04/2021
<b>Corporations Amendment (Corporate Insolvency Reforms) Regulations 2020 [F2020L01654]</b>	The Treasurer undertook to amend the instrument in response to the committee's scrutiny concerns.	09/04/2021
<b>Commonwealth Grant Scheme Guidelines 2020 [F2020L01609]</b>	The Minister for Education and Youth undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	12/04/2021
<b>Therapeutic Goods (Medical Devices) Amendment (Vaporisers for Smoking Cessation) Regulations 2020 [F2020L01645]</b>	The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	15/04/2021
<b>Part 133 (Australian Air Transport Operations—Rotorcraft) Manual of Standards 2020 [F2020L01614]</b>	The Civil Aviation Safety Authority undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	20/04/2021



<b>Instrument</b>	<b>Undertaking</b>	<b>Date of Undertaking</b>
<b>Child Care Subsidy Amendment (Coronavirus Response Measures No. 1) Minister's Rules 2021 [F2021L00055]</b>	The Department of Education, Skills and Employment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	20/04/2021
<b>Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 11 [F2021L00063]</b>	The Department of Infrastructure, Transport, Regional Development and Communications undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	22/04/2021
<b>Foreign Investment Reform (Protecting Australia's National Security) Regulations 2020 [F2020L01568]</b>	The Treasurer undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	27/04/2021
<b>Takeovers Panel Procedural Rules 2020 [F2021L00131]</b>	The Treasurer advised that the Takeovers Panel undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	28/04/2021
<b>Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020 [F2020L01679]</b>	The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	03/05/2021
<b>Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Amendment Instrument 2021 [F2021L00091]</b>	The Department of Education, Skills and Employment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	07/05/2021
<b>CASA EX16/21 — CASR Subpart 99.B DAMP Requirements for Foreign Air Transport AOC Holders Exemption 2021 [F2021L00149]</b>	The Civil Aviation Safety Authority undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	10/05/2021

## Implemented undertakings

7.3 The following table records undertakings that have been implemented since the committee's last *Delegated Legislation Monitor*.

Instrument	Undertaking	Date implemented
<b>Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2020 (No. 1) [F2020L01655]</b>	The Australia Communications and Media Authority amended the instrument in response to the committee's scrutiny concerns.	16/04/2021
<b>National Health (Pharmaceutical Benefits) Amendment (Active Ingredient Prescribing) Regulations 2020 [F2020L01055]</b>	The Department of Health amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	19/04/2021
<b>Migration Amendment (Temporary Graduate Visas) Regulations 2020 [F2020L01639]</b>	The Department of Home Affairs amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	22/04/2021
<b>Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 6) Regulations 2020 [F2020L01589]</b>	The Department of Finance amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	27/04/2021
<b>Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 1) 2021 [F2021L00041]</b>	The Department of Industry, Science, Energy and Resources amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	28/04/2021
<b>Montague Island Lighthouse Heritage Management Plan 2020 [F2020L01547]</b>	The Australian Maritime Safety Authority amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	29/04/2021
<b>Norfolk Island Employment Rules 2020 [F2020L01536]</b>	The Assistant Minister amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	30/04/2021
<b>Civil Aviation Order 95.55 (Exemption from provisions of the Civil Aviation Regulations 1988 — certain ultralight aeroplanes) Instrument 2021 [F2021L00073]</b>	The Civil Aviation Safety Authority amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	03/05/2021
<b>Biosecurity Amendment (Infringement Notices) Regulations 2020 [F2020L01630]</b>	Department of Agriculture, Water and the Environment amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	04/05/2021

Instrument	Undertaking	Date implemented
<b>Private Health Insurance (Complaints Levy) Rules 2020 [F2020L01195]</b>	The Department of Health amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	04/05/2021
<b>Biosecurity Amendment (International Mail Fee) Regulations 2020 [F2020L00576]</b>	The Department of Agriculture, Water and the Environment amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	05/05/2021
<b>Industry Research and Development (Ferretti International Whyalla Steel Processing and Galvanising Plant Program) Instrument 2020 [F2020L01618]</b>	The Department of Industry, Science, Energy and Resources amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	05/05/2021
<b>ASIC Corporations (Amendment) Instrument 2020/1065 [F2020L01572]</b> <b>ASIC Corporations (Amendment) Instrument 2020/1064 [F2020L01571]</b>	The Australian Securities and Investments Commission amended the explanatory statement to the instruments in response to the committee's scrutiny concerns.	06/05/2021
<b>Work Health and Safety Amendment (Hazardous Chemicals) Regulations 2020 [F2020L01593]</b>	The Attorney-General's Department amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	07/05/2021



## List of instruments in current monitor

Note: Instruments listed with an asterisk (\*) following the instrument name were raised for the first time in this Delegated legislation monitor.

Instrument	FRL No	Page
Aged Care Legislation Amendment (Serious Incident Response Scheme) Instrument 2021	F2021L00222	3, 9
Agricultural and Veterinary Chemicals Code (MRL Standard) Amendment Instrument (No. 2) 2021	F2021L00124	18
Amendment of List of Exempt Native Specimens – Commission for the Conservation of Antarctic Marine Living Resources Exploratory Fisheries in Statistical Divisions 58.4.1 and 58.4.2 (the East Antarctica Fishery) and Statistical Subareas 88.1 and 88.2 (the Ross Sea Fishery), November 2020	F2020L01484	22
ASIC Corporations (Amendment) Instrument 2020/1064	F2020L01571	15, 25
ASIC Corporations (Amendment) Instrument 2020/1065	F2020L01572	15, 25
ASIC Corporations (Amendment) Instrument 2020/721	F2020L01064	22
ASIC Corporations (Design and Distribution Obligations—Exchange Traded Products) Instrument 2020/1090	F2020L01600	15
ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778	F2020L01069	22
ASIC Corporations (IPO Communications) Instrument 2020/722	F2020L01066	22
ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787	F2020L01045	22
ASIC Corporations (Stub Equity in Control Transactions) Instrument 2020/734	F2020L01199	22
ASIC Corporations, Credit and Superannuation (Internal Dispute Resolution) Instrument 2020/98	F2020L00962	22
ASIC Credit (Electronic Precontractual Disclosure) Instrument 2020/835	F2020L01261	22
ASIC Credit (Notice Requirements for Unlicensed Carried Over Instrument Lenders) Instrument 2020/834	F2020L01259	22

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
ASIC Market Integrity Rules (Securities Markets) Determination 2021/135	F2021L00193	10
ASIC Market Integrity Rules (Securities Markets) Repeal Instrument 2021/136	F2021L00194	10
Australia's Foreign Relations (State and Territory Arrangements) Amendment (Prospective Arrangements and Other Measures) Rules 2021	F2021L00229	10
Australia's Foreign Relations (State and Territory Arrangements) Amendment (Education) Rules 2021	F2021L00212	10
Australia's Foreign Relations (State and Territory Arrangements) Rules 2020	F2020L01569	13
Bankruptcy Regulations 2021	F2021L00261	9
Biosecurity Amendment (Infringement Notices) Regulations 2020	F2020L01630	24
Biosecurity Amendment (International Mail Fee) Regulations 2020	F2020L00576	25
CASA EX16/21 — CASR Subpart 99.B DAMP Requirements for Foreign Air Transport AOC Holders Exemption 2021	F2021L00149	18, 23
Child Care Subsidy Amendment (Coronavirus Response Measures No. 1) Minister's Rules 2021	F2021L00055	18, 23
Civil Aviation Legislation Amendment (Flight Operations—Consequential Amendments and Transitional Provisions) Regulations 2021	F2021L00200	10
Civil Aviation Order 95.55 (Exemption from provisions of the Civil Aviation Regulations 1988 — certain ultralight aeroplanes) Instrument 2021	F2021L00073	18, 24
Commonwealth Grant Scheme Guidelines 2020	F2020L01609	15, 22
Competition and Consumer (Class Exemption—Collective Bargaining) Determination 2020	F2020L01334	16
Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020	F2020L01688	13

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
Competition and Consumer (Industry Codes—Dairy) Regulations 2019	F2019L01610	21
Competition and Consumer Amendment (AER Functions) Regulations 2020	F2020L01606	16
Continence Aids Payment Scheme 2020	F2020L00758	21
Corporations (Stay on Enforcing Certain Rights) Amendment (Corporate Insolvency Reforms) Declaration 2020	F2020L01682	16
Corporations Amendment (Corporate Insolvency Reforms) Regulations 2020	F2020L01654	16, 22
Disability (Access to Premises – Buildings) Amendment Standards 2020	F2020L01245	21
Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Amendment Instrument 2021	F2021L00091	18, 23
Export Control (Tariff Rate Quotas) Amendment (Brexit) Order 2021	F2021L00243	10
Fair Work (Registered Organisations) Amendment (Withdrawal from Amalgamations) Regulations 2021	F2021L00263	10
Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020	F2020L01361	16
Federal Circuit Court Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020	F2020L01362	16
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 6) Regulations 2020	F2020L01589	24
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations (No. 2) 2020	F2020L01620	22
Fisheries Management (Northern Prawn Fishery Gear Requirements) Direction 2021	F2021L00251	10
Fisheries Management (Northern Prawn Fishery Limited-take and Prohibited-take Species) Direction 2021	F2021L00253	10

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
Fisheries Management (Northern Prawn Fishery Permanent Closures) Direction 2021	F2021L00254	10
Fisheries Management (Northern Prawn Fishery Seasonal Closures) Direction 2021	F2021L00250	10
Foreign Investment Reform (Protecting Australia's National Security) Regulations 2020	F2020L01568	16, 23
Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 2) 2021	F2021L00178	10
Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 1) 2021	F2021L00041	24
Income Tax Assessment (1997 Act) Regulations 2021	F2021L00206	11
Industry Research and Development (Digital Directors Program) Instrument 2020	F2020L01554	22
Industry Research and Development (Electric Vehicle Manufacturing Program) Instrument 2021	F2021L00204	6
Industry Research and Development (Ferretti International Whyalla Steel Processing and Galvanising Plant Program) Instrument 2020	F2020L01618	25
Industry Research and Development (Hotel Energy Uplift Program) Instrument 2021	F2021L00095	19
Industry Research and Development (Support for Industry Service Organisations Program) Instrument 2021	F2021L00218	7
Industry Research and Development (Temporary Refinery Production Payment Program) Instrument 2021	F2021L00202	7
Law Enforcement Integrity Commissioner Amendment (Law Enforcement Agencies) Regulations 2020	F2020L01506	13
Migration Amendment (Temporary Graduate Visas) Regulations 2020	F2020L01639	19, 24
Migration Legislation Amendment (English Tuition) Regulations 2021	F2021L00262	11
Montague Island Lighthouse Heritage Management Plan 2020	F2020L01547	24



<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
National Health (Data-matching) Principles 2020	F2021L00006	9
National Health (Paraplegic and Quadriplegic Program) Special Arrangement 2021 (PB 31 of 2021)	F2021L00235	11
National Health (Pharmaceutical Benefits) Amendment (Active Ingredient Prescribing) Regulations 2020	F2020L01055	24
Norfolk Island Employment Rules 2020	F2020L01536	17, 24
Part 133 (Australian Air Transport Operations—Rotorcraft) Manual of Standards 2020	F2020L01614	19, 22
Private Health Insurance (Complaints Levy) Rules 2020	F2020L01195	25
Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2020 (No. 1)	F2020L01655	24
Radiocommunications (Spectrum Access Charges – 20 GHz and 30 GHz Bands) Determination 2021	F2021L00230	11
Regional Investment Corporation (Agristarter Loans) Amendment Rule 2020	F2020L01625	22
Reserve Bank of Australia Head Office, 65 Martin Place, Sydney Heritage Management Plan 2020	F2020L01031	21
Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020	F2020L01679	19, 23
Student Assistance Regulations 2021	F2021L00201	11
Takeovers Panel Procedural Rules 2020	F2021L00131	17, 23
Tax Agent Services (Specified BAS Services No. 2) Instrument 2020	F2020L01406	17
Taxation Administration (Remedial Power – Seasonal Labour Mobility Program) Determination 2020	F2020L01474	17
Telecommunications (Fibre-ready Facilities — Exempt Real Estate Development Projects) Instrument 2021	F2021L00105	14
Therapeutic Goods (Medical Devices) Amendment (Vaporisers for Smoking Cessation) Regulations 2020	F2020L01645	19, 22

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 11	F2021L00063	19, 23
Water Amendment (Murray Darling Basin Agreement—Basin Salinity Management) Regulations 2018	F2018L01674	21
Work Health and Safety Amendment (Hazardous Chemicals) Regulations 2020	F2020L01593	20, 25

**Senator the Hon Concetta Fierravanti-Wells**  
**Chair**  
**Senate Standing Committee for the Scrutiny of Delegated Legislation**