

The Senate

Standing
Committee for the
Scrutiny of Delegated
Legislation

Delegated Legislation Monitor

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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.¹ 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

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.

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*.²

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.³

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.⁴

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;

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.

4 See 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.⁵

General information

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

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

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

Instruments considered in this monitor

The committee examined 115 disallowable legislative instruments registered on the Federal Register of Legislation between 14 October 2020 and 17 November 2020.

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.

5 See 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.

7 Parliament of Australia, *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/Committees/Senate/Scrutiny_of_Delegated_Legislation/Alerts.

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 the committee has significant unresolved scrutiny concerns about an instrument contained in this chapter, the committee may give a notice of motion to disallow it, subject to any further developments between the time that the notice is given and the time the notice is scheduled for debate in the Senate. Accordingly, where appropriate, this chapter also details the committee's reasons for withdrawing notices of motion to disallow such instruments.

ASIC Corporations – various instruments **[F2020L00962] [F2020L01045] [F2020L01064]** **[F2020L01066] [F2020L01069]**

FRL No.	F2020L00962, F2020L01045, F2020L01064, F2020L01066, and F2020L01069 ¹
Purpose	A description of the purpose of each instrument is set out under the heading 'Summary of instruments' beginning on page 2.
Authorising legislation	<i>Various</i>
Portfolio	Treasury
Disallowance	15 sitting days after tabling. Notice of motion to disallow ASIC Corporations, Credit and Superannuation (Internal Dispute Resolution) Instrument 2020/98 [F2020L00962] given on 30 November 2020; ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787 [F2020L01045] given on 1 December 2020; and ASIC Corporations (Amendment) Instrument 2020/721 [F2020L01064], ASIC Corporations (IPO Communications) Instrument 2020/722 [F2020L01066] and ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778 [F2020L01069] given on 7 December 2020.

1 Accessible on the Federal Register of Legislation at <https://www.legislation.gov.au/>.

Overview

1.3 Since October 2020 the committee has engaged with the Treasurer and the Assistant Minister for Superannuation, Financial Services and the Digital Economy (Assistant Minister) in relation to scrutiny concerns identified in five instruments administered by the Australian Securities and Investments Commission (ASIC). These instruments are examples of the systemic scrutiny issues that the committee is encountering in its scrutiny of delegated legislation made by ASIC.

1.4 The committee's scrutiny concerns are, however, not limited to the five instruments listed below.

1.5 In this instance, the committee is engaging with the Treasurer in relation to the following ASIC instruments:

- ASIC Corporations (Amendment) Instrument 2020/721 [F2020L01064] (Amendment Instrument);
- ASIC Corporations (IPO Communications) Instrument 2020/722 [F2020L01066] (IPO Instrument);
- ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778 [F2020L01069] (Hardship Instrument);
- ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787 [F2020L01045] (Litigation Instrument); and
- ASIC Corporations, Credit and Superannuation (Internal Dispute Resolution) Instrument 2020/98 [F2020L00962] (IDR Instrument).

1.6 The committee engaged with both the Treasurer and the Assistant Minister in various correspondence between October 2020 and January 2021.²

Summary of instruments

1.7 The Amendment Instrument and the IPO Instrument implement measures aimed at reducing the costs for issuers undertaking an initial public offer by providing for exemptions from, and modifying the operation of, certain provisions of Chapters 6, 6A, 6C and 6D of the *Corporations Act 2001* (the Corporations Act).

1.8 The Hardship Instrument exempts responsible entities of registered managed investment schemes from certain provisions in Chapter 5C of the Corporations Act to allow members suffering hardship to make withdrawals while the scheme is frozen.

2 Copies of the letters are available on the committee's [website](#).

1.9 The Litigation Instrument exempts responsible entities of litigation funding schemes from certain provisions in Chapter 7 and Chapter 5C of the Corporations Act to facilitate the new regulatory framework for litigation funding schemes.

1.10 The IDR Instrument provides new ASIC standards and requirements for internal dispute resolution procedures for financial firms.

Systemic scrutiny concerns in relation to ASIC instruments

Exemptions from and modifications to primary legislation³

Parliamentary oversight⁴

1.11 Senate standing order 23(3)(j) requires the committee to consider whether an instrument contains matters more appropriate for parliamentary enactment (that is, matters that should be enacted via primary rather than delegated legislation). This includes where an instrument modifies or exempts persons or entities from the operation of primary legislation. In addition, Senate standing order 23(3)(k) requires the committee to scrutinise each legislative instrument as to whether it complies with any other ground relating to the technical scrutiny of delegated legislation. This includes whether an instrument limits parliamentary oversight.

1.12 Provisions that modify or exempt persons or entities from the operation of primary legislation may limit parliamentary oversight and may subvert the appropriate relationship between Parliament and the executive. The committee considers that such measures should ordinarily be included in primary legislation, unless a sound justification for the use of delegated legislation is provided.

1.13 The committee raised concerns that four of the instruments appear to be intended to remain in force for at least 10 years (when the instruments are due to sunset under the *Legislation Act 2003*), while the Hardship Instrument appears to be intended to remain in force for at least five years. The committee's longstanding view is that provisions which modify or exempt persons or entities from the operation of primary legislation should cease to operate within three years after commencement. This is to ensure a minimum degree of regular parliamentary oversight.

1.14 In light of this, the committee requested that the Treasurer provide advice as to whether the instruments could be amended to specify that the measures cease within three years after commencement (or five years after commencement in the case of the IDR Instrument which will not effectively commence until 5 October 2021). The committee considers that if it becomes necessary to extend the operation of these provisions beyond this period, this should be done by amending the relevant

3 Scrutiny principle: Senate standing order 23(3)(j).

4 Scrutiny principle: Senate standing order 23(3)(k).

primary legislation or via a subsequent legislative instrument that is subject to disallowance and parliamentary scrutiny.

Correspondence from the Treasurer

1.15 On 28 January 2021 the Treasurer wrote to the committee, responding to the committee's request for advice as to whether all five ASIC instruments could be amended to limit their duration to three years from the date of commencement.

1.16 The Treasurer proposed a list of principles which he considers should be taken into account by ASIC when determining the appropriate duration of legislative instruments which modify or exempt persons or entities from the operation of primary legislation. Specifically, the Treasurer advised that he considers that a 10 year sunset period will generally be more appropriate where the following principles are met:

- Principle A: the instrument is made under a specifically delegated power which is set out in the primary legislation and is intended to complement the requirements or objectives in the primary legislation;
- Principle B: there would be appreciable business uncertainty about the treatment of, or framework for, business activities giving rise to significant commercial risks and/or costs if the sunset period was shorter (for example, uncertainty which impacts investment in compliance systems, or the effective operation of a market, are examples where this principle may apply);
- Principle C: the instrument deals with confined or unique circumstances affecting a particular class of entities or products which do not fit within the strict operation of the primary law but would result in anomalous or inconsistent outcomes given the intent of the primary legislation as set by Parliament; and
- Principle D: the instrument makes minor and technical changes which support the practical operation of the legislative regime.

1.17 Where these principles are not met, the Treasurer considers that ASIC instruments may appropriately be in force for a shorter duration, generally of five years (but possibly three years depending on circumstances).

Litigation Instrument

1.18 The Treasurer advised that this instrument is not made under a specifically delegated power and that the changes, which include exemptions from significant components of the managed investment scheme regime, are more than minor. As a result, the Treasurer has advised ASIC that a shorter sunset period of five years is more appropriate for this instrument.

Hardship Instrument

1.19 The Treasurer noted that this instrument will sunset five years after commencement and that this is an appropriate duration as the measures are intended to respond to the immediate and further possible medium-term effects of the COVID-19 pandemic by allowing funds to respond to the hardship faced by their investors without seeking individual relief from ASIC. The Treasurer advised that the measures provide the flexibility to give businesses certainty that they can respond to hardship claims quickly and that no obligations are imposed on entities.

IDR instrument; Amendment Instrument; IPO Instrument

1.20 The Treasurer considered that it is appropriate for these three instruments to sunset after the standard 10-year period, and provided the following advice:

- the measures in the IDR Instrument are made under specific powers provided by Parliament and are minor and technical modifications to the primary law. In addition, the Treasurer noted that industry has already made significant undertakings to ensure compliance with the instrument, including planning, systems development and training.
- the measures in the Amendment Instrument and the IPO Instrument are minor and technical in nature, facilitate business certainty, and deal with anomalous outcomes.

Committee comment

1.21 The committee thanks the Treasurer for his response and welcomes his constructive engagement in relation to these systemic issues which the committee has been raising over many years.⁵ The committee notes that the Treasurer has provided justifications for the proposed duration of each of the five ASIC instruments based on his proposed principles. The committee, however, remains of the view that each of the five ASIC instruments should be limited to the duration previously suggested by the committee, for the reasons outlined below.

1.22 Whilst acknowledging the Treasurer's considered approach to finding a way forward to ensure more regular parliamentary oversight of ASIC instruments, the committee reiterates its view that instruments which modify or exempt persons or entities from the operation of primary legislation should not continue in force for more than three years. The committee's expectation about such instruments is informed by its longstanding view that delegated legislation should not continue in force for such a period as to act as a de facto amendment to primary legislation. The

5 See, for example, Senate Standing Committee on Regulations and Ordinances, *Report on the work of the committee in the 42nd Parliament*, Report No. 115, 27 June 2013, pp. 23–24.

committee's views have been formalised in the committee's guidelines since February 2020.⁶

1.23 The committee's scrutiny principles are set out in Senate standing orders which were most recently endorsed by the Senate on 27 November 2019.⁷ These principles are applied by the committee consistently across all disallowable delegated legislation that the committee assesses as part of its regular scrutiny work. To endorse and apply the Treasurer's proposed principles in relation to ASIC instruments which modify or exempt persons or entities from the operation of primary legislation would represent a departure from this longstanding consistent practice. In effect, for the committee to consider such ASIC instruments against the proposed principles would require the committee to scrutinise ASIC instruments to a different level and standard than all other disallowable legislative instruments. Although the committee appreciates the Treasurer's constructive engagement on this issue, the committee does not consider this an appropriate course of action and resolves to continue to scrutinise such ASIC instruments in line with its existing scrutiny principles.

1.24 The committee acknowledges that there are circumstances where it may be appropriate for ASIC to quickly address anomalous or inconsistent outcomes in the application of primary legislation by delegated legislation when authorised to do so by the Parliament. However, the committee considers that a three year timeframe for such instruments is appropriate as it allows for ASIC to rapidly address such issues, while providing a significant period of time while the instrument is in force to consider whether the modification or exemption provided by the instrument will be required for a longer period. If it is determined that a modification or exemption is required for a longer period, the committee considers that certainty for business and the market can be best provided by incorporating the modification or exemption onto the face of the primary legislation. However, if this is not considered appropriate in the circumstances, the committee considers that the Parliament should at least be given a regular opportunity to review and scrutinise modifications or exemptions to primary legislation that it has enacted.

1.25 The committee will continue to monitor ASIC instruments which amend primary legislation made in the future to ensure that they comply with the committee's expectations in relation to parliamentary oversight.

1.26 The committee reiterates its view that, considering the systemic scrutiny concerns outlined above, it is not appropriate for ASIC instruments which modify or exempt persons or entities from the operation of primary legislation to remain in

6 The committee's guidelines are available on its [website](#).

7 *Journals of the Senate*, 27 November 2019, pp. 933–935.

force for longer than three years after commencement. This is to ensure the appropriate level of regular parliamentary oversight and scrutiny of such measures.

1.27 The committee therefore requests that each of the following instruments be amended to provide that they cease three years after commencement:

- ASIC Corporations (Amendment) Instrument 2020/721 [F2020L01064];
- ASIC Corporations (IPO Communications) Instrument 2020/722 [F2020L01066];
- ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778 [F2020L01069]; and
- ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787 [F2020L01045].

1.28 In relation to the ASIC Corporations, Credit and Superannuation (Internal Dispute Resolution) Instrument 2020/98 [F2020L00962], as set out in previous correspondence and recognising that the operative provisions of the instrument will not effectively commence until 5 October 2021, the committee requests that the instrument be amended to cease five years after it was registered on the Federal Register of Legislation.

1.29 The committee has resolved to retain its notices of motion to disallow in relation to each of the five ASIC instruments. The Treasurer's response to the committee's requests will inform the committee's consideration of whether to withdraw the notices of motion to disallow these instruments.

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 3.¹

Instrument	Purpose	Portfolio committee
ASIC Corporations (Product Intervention Order—Contracts for Difference) Instrument 2020/986 [F2020L01338]	To impose certain conditions on dealing in over-the-counter contracts for difference (CFDs) in relation to retail clients and prohibit providing inducements to retail clients in relation to CFDs.	Senate Economics Legislation Committee
Federal Court and Federal Circuit Court Amendment (Fees) Regulations 2020 [F2020L01416]	To increase the Federal Circuit Court application fee for migration litigants from \$690 to \$3,330, and introduce a partial fee exemption which allows individuals to pay a reduced application fee of \$1,665 where paying the full fee would cause financial hardship.	Senate Legal and Constitutional Affairs Legislation Committee
Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Amendment Rules 2020 [F2020L01429]	To increase the monetary threshold for annual turnover from \$50 million to \$120 million so that an entity is defined for the purposes of the <i>Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Act 2020</i> to be an 'SME entity' if the entity has an annual turnover of less than \$120 million.	Senate Economics Legislation Committee Senate Select Committee on COVID-19

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.apf.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Matters_of_interest_to_the_Senate.

Instrument	Purpose	Portfolio committee
Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020 [F2020L01327]	To amend the narcotic drugs license charges regime to extend cost recovery to cannabis-related manufacture licences and allow for the classification of such licences as non-commercial.	N/A
Other Grants Guidelines (Research) Amendment (No. 2) 2020 [F2020L01437]	To provide for an additional \$1 billion in Research Support Program funding in response to the impacts of the COVID-19 pandemic on the Australian university sector and to recognise and fund the Australian Academy of Health and Medical Sciences under the Higher Education Research promotion scheme.	Senate Education and Employment Legislation Committee Senate Select Committee on COVID-19
Radiocommunications (Transmitter Licence Tax) Amendment Determination 2020 (No. 3) [F2020L01337]	To set the rate of taxes for transmitter licences.	N/A

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.¹

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.²

3.3 The tables below outline the expenditure specified in legislative instruments registered between 14 October 2020 and 17 November 2020.

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.

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.

Instrument	Grant/Program	Amount	Description	Portfolio committee
Financial Framework (Supplementary Powers) Amendment (Agriculture, Water and the Environment Measures No. 6) Regulations 2020 [F2020L01309]	Tracking Waste Program	\$24.6 million over four years from 2020-21	Funding will be provided for the development and operation of an online platform displaying visualised data relating to waste and including analytical capabilities in order to reveal opportunities to invest in waste collection, recycling and manufacturing.	Senate Environment and Communications Legislation Committee Senate Rural and Regional Affairs and Transport Legislation Committee
	Grant for national food waste governance entity	Up to \$4 million over four years from 2020-21	Funding will be provided to establish a national food waste governance entity which will work with industry and researchers to reduce food waste in the supply chain through a voluntary commitment program and to influence behavioural change in business and households.	
	Financial counselling for small regional businesses affected by drought, bushfires or COVID-19	\$12.8 million over two years from 2019-20	Funding will be provided for the provision of financial counselling services to small regional businesses facing financial hardship due to drought, the 2019-20 bushfires or the COVID-19 pandemic.	
	Bushfire Recovery for Species and Landscapes— Tranche 2 Emergency Intervention Fund	\$149.7 million over two years from 2020-21	Funding will be provided to support emergency intervention works for threatened species and landscapes affected by the 2019-20 bushfire emergency.	

Instrument	Grant/Program	Amount	Description	Portfolio committee
Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 6) Regulations 2020 [F2020L01310]	PaTH Business Placement Partnerships	\$11.9 million over three years from 2019-20	Funding will be provided to trial the development and delivery, in collaboration with industry and employer groups, of measures to assist young people to find employment, including apprenticeships, traineeships and other work experience opportunities.	Senate Education and Employment Legislation Committee
	Australian Training Awards	\$1.1 million per financial year, with current funding levels in place until 2023-24	Funding will be provided to the peak, national awards program for the vocational education and training sector.	
	National Careers Institute—Digital Platform	\$9.4 million over five years from 2019-20	Funding will be provided for the development of a national website that will provide careers information to support individuals and organisations to access, understand and compare post-compulsory skills development pathways, occupation choices and labour market needs.	
	National Training System Commonwealth Own Purpose Expenditure Program	\$107.1 million over three years from 2020-21	Funding will be provided for certain projects and activities under the National Training System Commonwealth Own Purpose Expenditure Program, including statistical and research services provided by the National Centre for Vocational Education Research, the Vocational Education and Training Data Streamlining project, the National Register for Vocational	

Instrument	Grant/Program	Amount	Description	Portfolio committee
			Education and Training (training.gov.au), and the Performance Information for Vocational Education and Training projects.	
Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 7) Regulations 2020 [F2020L01360]	Relocation Assistance to Take Up a Job Program	\$17.4 million over two years from 2020-21 for the program, including \$15.4 million for the program modification	Funding will be provided for the temporary modification of the existing Relocation Assistance to Take Up a Job Program to make it available to eligible individuals who relocate to other areas of Australia to take up short-term agricultural work, including for the purpose of addressing labour shortages resulting from COVID-19.	Senate Education and Employment Legislation Committee Senate Select Committee on COVID-19
	Extended New Enterprise Incentive Scheme— COVID-19 response	\$5.7 million over two years from 2020-21	Funding will be provided for the expansion of the New Enterprise Incentive Scheme to provide existing micro-business owners impacted by COVID-19 with access to small business assistance services.	
Financial Framework (Supplementary Powers) Amendment (Health Measures No. 5) Regulations 2020 [F2020L01312]	Support for Australia's Thalidomide Survivors	\$44.9 million over four years from 2020-21	Funding will be provided for measures under the support package, including: <ul style="list-style-type: none"> • a one-off lump sum payment scaled according to level of disability; • an Extraordinary Assistance Fund to support activities of daily living which are adversely affected due to the nature of disability or impaired functional capacity, such as home and 	Senate Community Affairs Legislation Committee

Instrument	Grant/Program	Amount	Description	Portfolio committee
			<p>vehicle modifications;</p> <ul style="list-style-type: none"> • a Health Care Assistance Fund to provide reimbursement of out-of-pocket health care expenses required as a result of the thalidomide related injuries; • annual payments scaled according to level of disability; • to third party organisations to administer payments and to establish a national disability support service to identify and coordinate specific thalidomide support services for the survivors; and • a national site of recognition for thalidomide survivors and their families in the form of a public memorial to be located within the Parliamentary Triangle in Canberra. <p>The support package addresses a number of the recommendations of the final report of the Senate Community Affairs References Committee inquiry into Support for Australia's Thalidomide Survivors, presented on 22 March 2019.</p>	

Instrument	Grant/Program	Amount	Description	Portfolio committee
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 5) Regulations 2020 [F2020L01313]	National identity crime and cybercrime support service	\$6.1 million over four years from 2020-21	Funding will be provided to third party service providers to assist individuals and businesses that have been affected by cybercrime or had their identity stolen or misused online.	Senate Legal and Constitutional Affairs Legislation Committee
Financial Framework (Supplementary Powers) Amendment (Social Services Measures No. 4) Regulations 2020 [F2020L01314]	Disability Royal Commission and Other Support Services	\$117 million over three years from 2019-20	Funding will be provided for the Disability Royal Commission and other support services for people with disability who have experienced violence, abuse, neglect or exploitation (and others affected by this ill-treatment).	Senate Community Affairs Legislation Committee
	Seniors Connected—Village Hubs	\$4.7 million over four years from 2020-21	Funding will be provided for the Village Hubs initiative under the Seniors Connected Program, which supports the establishment and operation of community-based organisations (Village Hubs) offering social, physical and other activities or opportunities to older Australians living in their community.	
Industry Research and Development (BusinessBalance Program) Instrument 2020 [F2020L01345]	BusinessBalance Program	\$6.5 million, comprised of a grant to Beyond Blue of up to \$4.26 million and a grant to Deakin University of up to \$2.24 million	Funding will be provided for activities aimed at increasing the number of small business owners taking proactive, preventative and early steps to improve their mental health. Activities that will be supported under the BusinessBalanceProgram include: <ul style="list-style-type: none"> • providing free, accessible and 	Senate Education and Employment Legislation Committee

Instrument	Grant/Program	Amount	Description	Portfolio committee
			<p>tailored support for small business owners by expanding Beyond Blue's NewAccess program; and</p> <ul style="list-style-type: none"> building the 'mental health literacy' of trusted business advisers (such as accountants and financial advisers) by expanding a free accredited professional development program to be delivered online by Deakin University. 	
Industry Research and Development (Supporting Agricultural Shows and Field Days Program) Instrument 2020 [F2020L01401]	Supporting Agricultural Shows and Field Days Program	\$39.025 million in 2020-21	Funding will be provided for reimbursements to agricultural show societies and organisers of field days that cancelled their 2020 show because of COVID-19. In addition, \$100,000 grants will be provided to Agricultural Shows Australia and the Association of Agricultural Field Days of Australasia.	Senate Rural and Regional Affairs and Transport Legislation Committee Senate Select Committee on COVID-19
Industry Research and Development (Supporting Small Business to Go Digital Post-COVID-19 Program) Instrument 2020 [F2020L01413]	Supporting Small Business to Go Digital Post-COVID-19 Program	\$7.47 million in 2020-21	Funding will be provided for a 'Go Digital' advertising campaign to promote the benefits of digital technology to small business, and to fund the Australian Small Business Advisory Services Program and other Australian Government services directed at supporting small businesses' digital capability.	Senate Education and Employment Legislation Committee Senate Select Committee on COVID-19

Instrument	Grant/Program	Amount	Description	Portfolio committee
Industry Research and Development (Thermochemical Conversion Technology Trial Facility Program) Instrument 2020 [F2020L01425]	Thermochemical Conversion Technology Trial Facility Program	\$8 million in 2020-21	Funding will be provided to ARI Global Technologies Australasia Pty Ltd to conduct preliminary work and preparations to establish a cost-effective, viable asbestos destruction facility in Australia that complies with all relevant regulatory requirements and addresses key pre-construction planning, issues and risks.	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 14 October 2020 and 17 November 2020.

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.¹ In some instances, the committee may write to a minister to draw attention to technical scrutiny issues raised by an instrument, but will not request a response.

Instrument	Issue	Status
Competition and Consumer (Class Exemption—Collective Bargaining) Determination 2020 [F2020L01334]	Principle (i) availability of independent merits review Principle (j) modification of primary legislation Principle (k) parliamentary oversight	Seeking advice from the Treasurer.
Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01361] Federal Circuit Court Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01362]	Principle (a) compliance with authorising legislation – compliance with legislative requirements Principle (h) retrospective effect	Seeking advice from the Chief Justice of the Family Court of Australia.
Industry Research and Development (Supporting Agricultural Shows and Field Days Program) Instrument 2020 [F2020L01401]	Principle (k) parliamentary oversight	Seeking advice from the minister.
Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020 [F2020L01327]	Principle (j) levying of taxation in delegated legislation	Drawing to the attention of the minister.

1 See www.aph.gov.au/senate_sdlc.

Instrument	Issue	Status
Part 138 (Aerial Work Operations) Manual of Standards 2020 [F2020L01402]	Principle (e) drafting	Seeking advice from the minister.
Radiocommunications (Transmitter Licence Tax) Amendment Determination 2020 (No. 3) [F2020L01337]	Principle (j) levying of taxation in delegated legislation	Drawing to the attention of the minister.
Tax Agent Services (Specified BAS Services No. 2) Instrument 2020 [F2020L01406]	Principle (a) compliance with authorising legislation Principle (j) modification of primary legislation Principle (k) parliamentary oversight	Seeking advice from the Treasurer.

Agency engagement

4.3 Since the last *Delegated Legislation Monitor*, the committee has engaged with relevant agencies via its secretariat for the first time, to seek information about potential scrutiny concerns raised by the instruments below.

Instrument	Issue	Status
Export Control (Sheepmeat and Goatmeat Export to the European Union Tariff Rate Quotas) Amendment (Brexit Transition Period) Order 2020 [F2020L01340]	Principle (a) compliance with <i>Legislation Act 2003</i> – incorporation Principle (f) incorporated material freely accessible	Concluded following response from the agency on 29/01/2021.
Macquarie Lightstation Heritage Management Plan 2020 [F2020L01339]	Principle (f) instrument subject to copyright	Concluded following response from the agency on 29/01/2021.

Appendix B

Ongoing matters

5.1 This appendix documents the committee's ongoing/unresolved scrutiny concerns in relation to matters previously 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.¹

Instrument	Issue	Status
ASIC Corporations (Amendment) Instrument 2020/721 [F2020L01064]	Principle (j) exemptions from primary legislation	Seeking further advice from the Treasurer.
ASIC Corporations (IPO Communications) Instrument 2020/722 [F2020L01066]	Principle (j) modification of primary legislation Principle (k) parliamentary oversight	Notice of motion to disallow placed on 07/12/2020.
ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778 [F2020L01069]	Principle (j) exemptions from primary legislation Principle (k) parliamentary oversight	Seeking further advice from the Treasurer. Notice of motion to disallow placed on 07/12/2020.
ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787 [F2020L01045]	Principle (j) exemptions from primary legislation Principle (k) parliamentary oversight	Seeking further advice from the Treasurer. Notice of motion to disallow placed on 01/12/2020.
ASIC Corporations (Stub Equity in Control Transactions) Instrument 2020/734 [F2020L01199]	Principle (j) modification of primary legislation Principle (k) parliamentary oversight	Seeking further advice from the Treasurer. Notice of motion to disallow placed on 02/02/2021.

¹ See www.aph.gov.au/senate_sd/c.

Instrument	Issue	Status
ASIC Corporations, Credit and Superannuation (Internal Dispute Resolution) Instrument 2020/98 [F2020L00962]	Principle (j) modification of primary legislation Principle (k) parliamentary oversight	Seeking further advice from the Treasurer. Notice of motion to disallow placed on 30/11/2020.
ASIC Credit (Electronic Precontractual Disclosure) Instrument 2020/835 [F2020L01261]	Principle (j) exemption from primary legislation	Seeking advice from the Treasurer. Notice of motion to disallow placed on 02/02/2021.
ASIC Credit (Notice Requirements for Unlicensed Carried Over Instrument Lenders) Instrument 2020/834 [F2020L01259]	Principle (c) conferral of discretionary powers Principle (j) modification to the operation of primary legislation Principle (j) significant penalties Principle (k) parliamentary oversight	Seeking advice from the Treasurer. Notice of motion to disallow placed on 02/02/2021.
Disability (Access to Premises – Buildings) Amendment Standards 2020 [F2020L01245]	Principle (a) compliance with <i>Legislation Act 2003</i> – incorporation Principle (f) incorporated materials freely accessible	Seeking advice from the Attorney-General. Notice of motion to disallow placed on 02/02/2021.
Legislation (Deferral of Sunsetting— Telecommunications Universal Service Obligation (Standard Telephone Service—Requirements and Circumstances) Determination) Certificate 2020 [F2020L01301]	Principle (a) compliance with <i>Legislation Act 2003</i> – sunseting Principle (d) consultation with persons affected Principle (g) adequacy of explanatory materials	Seeking advice from the Attorney-General.
Radiocommunications (Police Forces – Disruption of Unmanned Aircraft) Exemption Determination 2020 [F2020L01296]	Principle (a) compliance with authorising legislation Principle (j) matters more appropriate for parliamentary enactment	Seeking advice from the minister.

Instrument	Issue	Status
Veterans' Affairs (Treatment Principles – Rehabilitation in the Home and Other Amendments) Determination 2020 [F2020L01028]	Principle (i) availability of independent merits review	Seeking further advice from the minister. Notice of motion to disallow placed on 30/11/2020.

Agency engagement

5.3 The committee is not currently engaging with agencies via its secretariat to seek further information about potential scrutiny concerns raised by any instruments.

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.¹

Instrument	Issue	Status
Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020 [F2020L01327]	Principle (j) levying of taxation in delegated legislation	Concluded following consideration by the committee.
Radiocommunications (Transmitter Licence Tax) Amendment Determination 2020 (No. 3) [F2020L01337]	Principle (j) levying of taxation in delegated legislation	Concluded following consideration by the committee.
Telecommunications (Superfast Broadband Network Class Exemption) Determination 2020 [F2020L01061]	Principle (j) modification of primary legislation Principle (k) parliamentary oversight	Concluded following response from the minister on 14/01/2021. The Minister for Communications, Urban Infrastructure, Cities and the Arts undertook to amend the instrument in response to the committee's scrutiny concerns.

¹ See www.aph.gov.au/senate_sdlc.

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
Export Control (Sheepmeat and Goatmeat Export to the European Union Tariff Rate Quotas) Amendment (Brexit Transition Period) Order 2020 [F2020L01340]	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation Principle (f) incorporated material freely accessible	Concluded following response from the agency on 29/01/2021.
Macquarie Lightstation Heritage Management Plan 2020 [F2020L01339]	Principle (f) instrument subject to copyright	Concluded following response from the agency on 29/01/2021.

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
Water Amendment (Murray Darling Basin Agreement—Basin Salinity Management) Regulations 2018 [F2018L01674]	The Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management undertook to progress amendments to the Water Act 2007 in response to the committee's scrutiny concerns.	11/09/2019
Veterans' Affairs Pharmaceutical Benefits Schemes (Electronic Prescriptions and Active Ingredient Prescribing) Amendment Instrument 2019 [F2019L01387]	The Department of Veterans' Affairs undertook to amend the Repatriation Pharmaceutical Benefits Scheme [F2013L02009] and the MRCA Pharmaceutical Benefits Scheme (No. MRCC 44/2013) [F2013L02012] to correct drafting errors.	28/01/2020
Biosecurity Amendment (International Mail Fee) Regulations 2020 [F2020L00576]	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.	25/06/2020
Competition and Consumer (Industry Codes—Dairy) Regulations 2019 [F2019L01610]	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

Instrument	Undertaking	Date of Undertaking
<p>Industrial Chemicals Charges (Customs) Regulations 2020 [F2020L00795]</p> <p>Industrial Chemicals Charges (General) Regulations 2020 [F2020L00797]</p> <p>Industrial Chemicals Charges (Excise) Regulations 2020 [F2020L00799]</p>	<p>The Department of Health undertook to amend the explanatory statements to the instruments in response to the committee's scrutiny concerns.</p>	12/10/2020
<p>National Health (Pharmaceutical Benefits Amendment (Active Ingredient Prescribing) Regulations 2020 [F2020L01055]</p>	<p>The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>	12/11/2020
<p>Aged Care (Transitional Provisions) (Subsidy and Other Measures) Amendment (Cessation of Temporary Funding Increases) Determination 2020 [F2020L01076]</p> <p>Aged Care (Subsidy, Fees and Payments) Amendment (Cessation of Temporary Funding Increases) Determination 2020 [F2020L01077]</p>	<p>The Department of Health undertook to amend the explanatory statements to the instruments in response to the committee's scrutiny concerns.</p>	16/11/2020
<p>Continence Aids Payment Scheme 2020 [F2020L00758]</p>	<p>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.</p>	24/11/2020
<p>Taxation Administration (Remedial Power – Certificate for GST-free supplies of Cars for Disabled People) Determination 2020 [F2020L01079]</p>	<p>The Assistant Treasurer undertook to amend the instrument in response to the committee's scrutiny concerns.</p>	25/11/2020
<p>Electoral and Referendum Amendment (Prescribed Authorities) Regulations 2020 [F2020L01058]</p>	<p>The Australian Electoral Commission undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>	27/11/2020
<p>Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 4) Regulations 2020 [F2020L00994]</p>	<p>The Minister for Finance undertook to amend item 434 in Part 4 of Schedule 1AB to the <i>Financial Framework (Supplementary Powers) Regulations 1997</i> in response to the committee's scrutiny concerns.</p> <p>The Minister for Finance undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>	01/12/2020

Instrument	Undertaking	Date of Undertaking
Reserve Bank of Australia Head Office, 65 Martin Place, Sydney Heritage Management Plan 2020 [F2020L01031]	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
Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00579]	The Minister for Communications, Cyber Safety and the Arts undertook to advise the committee of the outcomes of the government's review of the effect of the temporary arrangements set out in the instrument.	03/12/2020
Age Discrimination Regulations 2020 [F2020L01138]	The Attorney-General's Department undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	04/12/2020
Telecommunications (Superfast Broadband Network Class Exemption) Determination 2020 [F2020L01061]	The Minister for Communications, Urban Infrastructure, Cities and the Arts undertook to amend the instrument in response to the committee's scrutiny concerns.	14/01/2021
Private Health Insurance (Complaints Levy) Rules 2020 [F2020L01195]	The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	15/01/2021

Implemented undertakings

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

Instrument	Undertaking	Date implemented
Civil Aviation Order 95.10 (Exemption from provisions of the Civil Aviation Regulations 1988 and the Civil Aviation Safety Regulations 1998 — microlight aeroplanes) Instrument 2020 [F2020L01242]	The Civil Aviation Safety Authority amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	22/01/2021
Superannuation Legislation Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00645]	The Treasury amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	22/01/2021

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Age Discrimination Regulations 2020 [F2020L01138]	29
Aged Care (Subsidy, Fees and Payments) Amendment (Cessation of Temporary Funding Increases) Determination 2020 [F2020L01077]	28
Aged Care (Transitional Provisions) (Subsidy and Other Measures) Amendment (Cessation of Temporary Funding Increases) Determination 2020 [F2020L01076]	28
ASIC Corporations (Amendment) Instrument 2020/721 [F2020L01064]	1, 21
ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778 [F2020L01069]	1, 21
ASIC Corporations (IPO Communications) Instrument 2020/722 [F2020L01066]	1, 21
ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787 [F2020L01045]	1, 21
ASIC Corporations (Product Intervention Order—Contracts for Difference) Instrument 2020/986 [F2020L01338]	9
ASIC Corporations (Stub Equity in Control Transactions) Instrument 2020/734 [F2020L01199]	21
ASIC Corporations, Credit and Superannuation (Internal Dispute Resolution) Instrument 2020/98 [F2020L00962]	1, 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
Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00579]	29
Biosecurity Amendment (International Mail Fee) Regulations 2020 [F2020L00576]	27

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Civil Aviation Order 95.10 (Exemption from provisions of the Civil Aviation Regulations 1988 and the Civil Aviation Safety Regulations 1998 — microlight aeroplanes) Instrument 2020 [F2020L01242]	30
Competition and Consumer (Class Exemption—Collective Bargaining) Determination 2020 [F2020L01334]	19
Competition and Consumer (Industry Codes—Dairy) Regulations 2019 [F2019L01610]	27
Contingence Aids Payment Scheme 2020 [F2020L00758]	28
Disability (Access to Premises – Buildings) Amendment Standards 2020 [F2020L01245]	22
Electoral and Referendum Amendment (Prescribed Authorities) Regulations 2020 [F2020L01058]	28
Export Control (Sheepmeat and Goatmeat Export to the European Union Tariff Rate Quotas) Amendment (Brexit Transition Period) Order 2020 [F2020L01340]	20, 26
Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01361]	19
Federal Court and Federal Circuit Court Amendment (Fees) Regulations 2020 [F2020L01416]	9
Federal Circuit Court Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01362]	19
Financial Framework (Supplementary Powers) Amendment (Agriculture, Water and the Environment Measures No. 6) Regulations 2020 [F2020L01309]	12
Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 6) Regulations 2020 [F2020L01310]	13
Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 7) Regulations 2020 [F2020L01360]	14
Financial Framework (Supplementary Powers) Amendment (Health Measures No. 5) Regulations 2020 [F2020L01312]	14

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Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 5) Regulations 2020 [F2020L01313]	16
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 4) Regulations 2020 [F2020L00994]	28
Financial Framework (Supplementary Powers) Amendment (Social Services Measures No. 4) Regulations 2020 [F2020L01314]	16
Guarantee of Lending to Small and Medium Enterprises (Coronavirus Economic Response Package) Amendment Rules 2020 [F2020L01429]	9
Industrial Chemicals Charges (Customs) Regulations 2020 [F2020L00795]	28
Industrial Chemicals Charges (Excise) Regulations 2020 [F2020L00799]	28
Industrial Chemicals Charges (General) Regulations 2020 [F2020L00797]	28
Industry Research and Development (BusinessBalance Program) Instrument 2020 [F2020L01345]	16
Industry Research and Development (Supporting Agricultural Shows and Field Days Program) Instrument 2020 [F2020L01401]	17, 19
Industry Research and Development (Supporting Small Business to Go Digital Post-COVID-19 Program) Instrument 2020 [F2020L01413]	17
Industry Research and Development (Thermochemical Conversion Technology Trial Facility Program) Instrument 2020 [F2020L01425]	18
Legislation (Deferral of Sunsetting—Telecommunications Universal Service Obligation (Standard Telephone Service—Requirements and Circumstances) Determination) Certificate 2020 [F2020L01301]	22
Macquarie Lightstation Heritage Management Plan 2020 [F2020L01339]	20, 26
Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020 [F2020L01327]	10, 19, 25
National Health (Pharmaceutical Benefits) Amendment (Active Ingredient Prescribing) Regulations 2020 [F2020L01055]	28

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Other Grants Guidelines (Research) Amendment (No. 2) 2020 [F2020L01437]	10
Part 138 (Aerial Work Operations) Manual of Standards 2020 [F2020L01402]	20
Private Health Insurance (Complaints Levy) Rules 2020 [F2020L01195]	29
Radiocommunications (Police Forces – Disruption of Unmanned Aircraft) Exemption Determination 2020 [F2020L01296]	22
Radiocommunications (Transmitter Licence Tax) Amendment Determination 2020 (No. 3) [F2020L01337]	10, 20, 25
Reserve Bank of Australia Head Office, 65 Martin Place, Sydney Heritage Management Plan 2020 [F2020L01031]	29
Superannuation Legislation Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00645]	30
Tax Agent Services (Specified BAS Services No. 2) Instrument 2020 [F2020L01406]	20
Taxation Administration (Remedial Power – Certificate for GST-free supplies of Cars for Disabled People) Determination 2020 [F2020L01079]	28
Telecommunications (Superfast Broadband Network Class Exemption) Determination 2020 [F2020L01061]	25, 29
Veterans' Affairs (Treatment Principles – Rehabilitation in the Home and Other Amendments) Determination 2020 [F2020L01028]	23
Veterans' Affairs Pharmaceutical Benefits Schemes (Electronic Prescriptions and Active Ingredient Prescribing) Amendment Instrument 2019 [F2019L01387]	27

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Water Amendment (Murray Darling Basin Agreement—Basin Salinity Management) Regulations 2018 [F2018L01674]	27

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