

**DELEGATED LEGISLATION MONITOR
24 – 27 SEPTEMBER 2001**

This week at a glance

There were 19 disallowable instruments tabled in the Parliament.
These were made under 14 separate enabling Acts, through
8 Departments of State.

Statutory Rules

4 of the 19 instruments were Statutory Rules, comprising

- 1 made as a primary instrument; and
- 3 made as amending instruments

Instrument makers

15 instruments were made by the Governor-General or Ministers

4 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE
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DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Agriculture, Fisheries and Forestry	2
Attorney-General's	1
Communications, Information Technology and the Arts	3
Defence	1
Education, Training and Youth Affairs	0
Employment, Workplace Relations and Small Business	2
Environment and Heritage	0
Family and Community Services	0
Finance and Administration	1
Foreign Affairs and Trade	0
Health and Aged Care	7
Immigration and Multicultural Affairs	0
Industry, Science and Resources	0
Prime Minister and Cabinet	0
Reconciliation and Aboriginal and Torres Strait Islander Affairs	0
Transport and Regional Services	2
Treasury	0
Veterans' Affairs	0
Total	19

**DELEGATED LEGISLATION TABLED IN THE SENATE
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**ALPHABETICAL LIST OF ENABLING ACTS AND NUMBER OF INSTRUMENTS
MADE UNDER EACH ACT**

<i>Australian Meat and Live-stock Industry Act 1997</i>	1
<i>Broadcasting Services Act 1992</i>	2
<i>Christmas Island Act 1958</i>	1
<i>Cocos (Keeling) Islands Act 1955</i>	1
<i>Defence Act 1903</i>	1
<i>Health Insurance Act 1973</i>	3
<i>Imported Food Control Act 1992</i>	1
<i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i>	1
<i>National Health Act 1953</i>	1
<i>Remuneration Tribunal Act 1973</i>	1
<i>Safety, Rehabilitation and Compensation Act 1988</i>	1
<i>Telecommunications Act 1997</i>	1
<i>Telecommunications (Interception) Act 1979</i>	1
<i>Therapeutic Goods Act 1989</i>	3
Total	19

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Australian Meat and Live-stock Industry (Live Sheep Exports to Saudi Arabia) Amendment Order 2001 (No. 3) under s. 17 of the *Australian Meat and Live-stock Industry Act 1997*

Australian Meat and Live-stock Industry Act 1997

Made 19/09/2001
Tabled 26/09/2001 S 26/09/2001 HR

Summary Amends the Principal Order to include the current edition of the Saudi Arabia Live Export Preparation Program Industry Standards.

Imported Food Control Order 2001 under r. 7 and 8 of the *Imported Food Control Regulations 1993*

Imported Food Control Act 1992

Made 11/09/2001
Tabled 25/09/2001 S 25/09/2001 HR

Summary Identifies certain food as being either risk food, or active surveillance food for the purposes of the Food Inspection Scheme.

ATTORNEY-GENERAL'S DEPARTMENT

**Declaration of the Anti-Corruption Commission
under s. 34(1) of the *Telecommunications
(Interception) Act 1979***

Telecommunications (Interception) Act 1979

Made	24/09/2001	
Tabled	25/09/2001 S	25/09/2001 HR

Summary Specifies that the Anti-Corruption Commission of Western Australia is an agency for the purposes of the Act, thus allowing the Commission to apply for and execute warrants in its own right for the interception of telecommunications.

DEPARTMENT OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS

Broadcasting Services (Events) Notice No. 1 of 1994 (Amendment No. 2 of 2001) under s. 115(2) of the *Broadcasting Service Act 1992*

Broadcasting Service Act 1992

Made 26/09/2001
Tabled 27/09/2001 S 27/09/2001 HR

Summary Removes from the pay TV anti-siphoning list those test and one-day international cricket matches between Australia and South Africa from February to April 2002.

Exemption From Industry Development Plan Requirements (No. 1 of 2001) under subclause 5(1) of Schedule 1 to the *Telecommunications Act 1997*

Telecommunications Act 1997

Made 24/09/2001
Tabled 27/09/2001 S 26/09/2001 HR

Summary Exempts carriers that meet certain criteria from having to comply with the requirements to have an Industry Development Plan.

Broadcasting Services (Transmitter Access) Regulations 2001 Statutory Rules 2001 No. 249

Broadcasting Services Act 1992

Made 13/09/2001
Tabled 24/09/2001 S 24/09/2001 HR

Summary Provide owners or operators of designated associated facilities with certain exemptions from their obligations to provide access to access seekers under the *Broadcasting Services Act 1992*.

DEPARTMENT OF DEFENCE**Defence (Areas Control) Amendment Regulations
2001 (No. 2)
Statutory Rules 2001 No. 250*****Defence Act 1903***

Made	13/09/2001	
Tabled	24/09/2001 S	24/09/2001 HR

Summary Specify certain areas of land around the Royal Australian Air Force Base Amberley in Queensland as being subject to the Principal Regulations and thus subject to height restrictions on buildings and other structures.

DEPARTMENT OF EMPLOYMENT, WORKPLACE RELATIONS AND SMALL BUSINESS

**Notice of Declaration under s. 9(5) of the
*Occupational Health and Safety (Commonwealth
Employment) Act 1991*
Notice No. 3 of 2001**

***Occupational Health and Safety (Commonwealth
Employment) Act 1991***

Made	13/09/2001	
Tabled	24/09/2001 S	24/09/2001 HR

Summary Declares volunteers assisting in the administration of the Commonwealth Heads of Government Meeting 2001 to be 'employees' for the purposes of the Act.

**Notice of Declaration under s. 5(6) of the *Safety, Rehabilitation and Compensation Act 1988*
Notice No. 6 of 2001**

Safety, Rehabilitation and Compensation Act 1988

Made	13/09/2001	
Tabled	24/09/2001 S	24/09/2001 HR

Summary Declares volunteers assisting in the administration of the Commonwealth Heads of Government Meeting 2001 to be 'employees' for the purposes of the Act.

DEPARTMENT OF FINANCE AND ADMINISTRATION**Remuneration Tribunal (Members' Fees and Allowances) Amendment Regulations 2001 (No. 1)
Statutory Rules 2001 No. 251*****Remuneration Tribunal Act 1973***

Made	13/09/2001	
Tabled	24/09/2001 S	24/09/2001 HR

Summary	Provide for an increase in the fees prescribed for the President and Members of the Tribunal.
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DEPARTMENT OF HEALTH AND AGED CARE

Determination No. PHI 25/2001 under Schedule 1, paragraph (bj) of the *National Health Act 1953*

National Health Act 1953

Made 19/09/2001
Tabled 24/09/2001 S 24/09/2001 HR

Summary Makes amendments to Appendix A and Appendix C of Schedule 5 to the Determination, dealing with Benefits Payable in Respect of Surgically Implanted Prostheses, Human Tissue Items and other Medical Devices.

Health Insurance Determination HS/04/2001 under s. 3C of the *Health Insurance Act 1973*

Health Insurance Act 1973

Made 17/09/2001
Tabled 27/09/2001 S 27/09/2001 HR

Summary Provides that the specified indium-labelled octreotide study services are to be treated as if they were listed in the Medicare Benefits Schedule for the purpose of certain provisions in the Act, the *National Health Act 1953* and regulations under each Act.

Health Insurance Determination HS/01/2001 under s. 3C of the *Health Insurance Act 1973*

Health Insurance Act 1973

Made 22/08/2001
Tabled 27/09/2001 S 17/09/2001 HR

Summary Provides that specified Domiciliary Medication Management Review services are, in certain circumstances, to be treated as if they were listed in the Medicare Benefits Schedule.

Section 19AB Guidelines under s. 73F of the *Health Insurance Act 1973*

Health Insurance Act 1973

Made 18/09/2001
Tabled 27/09/2001 S 27/09/2001 HR

Summary Provides guidelines concerning the granting of exemptions under s. 19AB of the Act by the Minister or the Minister's delegate.

**Therapeutic Goods Amendment Regulations 2001
(No. 3)
Statutory Rules 2001 No. 252**

Therapeutic Goods Act 1989

Made 13/09/2001
Tabled 24/09/2001 S 24/09/2001 HR

Summary Amend the list of listable goods in Schedule 4 of the Principal Regulations, amend provisions relating to the listing and advertising of therapeutic goods, and provide new procedures for the handling of samples of therapeutic good sent by sponsors.

**Therapeutic Goods Order No. 64A under s. 10 of
the *Therapeutic Goods Act 1989***

Therapeutic Goods Act 1989

Made 23/08/2001
Tabled 27/09/2001 S 27/09/2001 HR

Summary Requires tampon packages to include a specified advisory statement concerning the sterility of tampons.

**Therapeutic Goods Order No. 69 under s. 10 of the
*Therapeutic Goods Act 1989***

Therapeutic Goods Act 1989

Made 27/08/2001
Tabled 27/09/2001 S 27/09/2001 HR

Summary Specifies a new set of labelling requirements that apply to medicines supplied in Australia.

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

List of Acts of the Western Australian Parliament under s. 8B of the *Christmas Island Act 1958*

Christmas Island Act 1958

Made	21/09/2001	
Tabled	27/09/2001 S	26/09/2001 HR

Summary Specifies all Acts of the Western Australian Parliament in force in the Territory of Christmas Island for the stated period, not including Acts specified in previous lists.

List of Acts of the Western Australian Parliament under s. 8B of the *Cocos (Keeling) Islands Act 1955*

Cocos (Keeling) Islands Act 1955

Made	21/09/2001	
Tabled	27/09/2001 S	26/09/2001 HR

Summary Specifies all Acts of the Western Australian Parliament in force in the Territory of Cocos (Keeling) Islands for the stated period, not including Acts specified in previous lists.