

**DELEGATED LEGISLATION MONITOR
11 – 14 SEPTEMBER 2006**

This week at a glance

There were 30 disallowable instruments tabled in the Parliament. These were made under 15 separate enabling Acts, through 9 Departments of State.

Regulations

7 of the 30 instruments were Regulations, comprising

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

Instrument makers

12 instruments were made by the Governor-General or Ministers

18 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE
11 – 14 SEPTEMBER 2006**

DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Agriculture, Fisheries and Forestry	1
Attorney-General's	2
Communications, Information Technology and the Arts	1
Defence	4
Education, Science and Training	3
Environment and Heritage	1
Immigration and Multicultural Affairs	5
Transport and Regional Services	11
Treasury	2
Total	30

**DELEGATED LEGISLATION TABLED IN THE SENATE
11 – 14 SEPTEMBER 2006**

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

<i>Australian Capital Territory (Planning and Land Management) Act 1988</i>	1
<i>Christmas Island Act 1958</i>	1
<i>Civil Aviation Act 1988</i>	7
<i>Cocos (Keeling) Islands Act 1955</i>	1
<i>Corporations Act 2001</i>	1
<i>Defence Act 1903</i>	4
<i>Federal Court of Australia Act 1976</i>	1
<i>Federal Magistrates Act 1999</i>	1
<i>Fisheries Administration Act 1991</i>	1
<i>Higher Education Support Act 2003</i>	3
<i>Migration Act 1958</i>	5
<i>Motor Vehicle Standards Act 1989</i>	1
<i>Ozone Protection and Synthetic Greenhouse Gas Management Act 1989</i>	1
<i>Payment Systems (Regulation) Act 1998</i>	1
<i>Telecommunications Act 1997</i>	1
Total	30

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Fisheries (Administration)
Amendment Regulations 2006 (No. 1)
Select Legislative Instrument 2006 No. 233
[F2006L02996]

Fisheries Administration Act 1991

Made	07/09/2006	
Tabled	12/09/2006 S	11/09/2006 HR

Summary Specify the Commonwealth Fisheries Association as the peak body for the purposes of the *Fisheries Administration Act 1991*.

ATTORNEY-GENERAL'S DEPARTMENT

**Federal Court of Australia
Amendment Regulations 2006 (No. 2)
Select Legislative Instrument 2006 No. 234
[F2006L02968]**

Federal Court of Australia Act 1976

Made	07/09/2006	
Tabled	12/09/2006 S	11/09/2006 HR

Summary Specify an increase in Federal Court fees.

**Federal Magistrates Amendment
Regulations 2006 (No. 3)
Select Legislative Instrument 2006 No. 235
[F2006L02967]**

Federal Magistrates Act 1999

Made	07/09/2006	
Tabled	12/09/2006 S	11/09/2006 HR

Summary Specify an increase in certain Federal Magistrates Court fees.

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

**Telecommunications Amendment Regulations
2006 (No. 1)
Select Legislative Instrument 2006 No. 236
[F2006L02964]**

Telecommunications Act 1997

Made	07/09/2006	
Tabled	12/09/2006 S	11/09/2006 HR

Summary Prescribe the Office of Police Integrity
in the State of Victoria for the purposes
of s. 282 of the *Telecommunications
Act 1997*.

DEPARTMENT OF DEFENCE

Defence Determination 2006/47

Defence Act 1903

Made 17/08/2006
 Tabled 12/09/2006 S 12/09/2006 HR

Summary Provides for access to the High Readiness Reserve health support allowance by members of the Air Force, and corrects a cross-referencing error in the Principal Determination.

Defence Determination 2006/50

Defence Act 1903

Made 05/09/2006
 Tabled 12/09/2006 S 12/09/2006 HR

Summary Amends the Principal Determination concerning long-term posting overseas and warlike and non-warlike deployments for members of the Australian Defence Force.

Defence Determination 2006/48

Defence Act 1903

Made 23/08/2006
 Tabled 12/09/2006 S 12/09/2006 HR

Summary Amends provisions in the Principal Determination concerning a completion bonus and two allowances.

Defence Determination 2006/49

Defence Act 1903

Made 30/08/2006
 Tabled 12/09/2006 S 12/09/2006 HR

Summary Specifies revised post indexes that apply to overseas locations where members of the Australian Defence Force serve.

DEPARTMENT OF EDUCATION, SCIENCE AND TRAINING

Higher Education Provider Approval (No. 10 of 2006) under s. 16-50(1) of the Higher Education Support Act 2003 [F2006L02997]

Higher Education Support Act 2003

Made 01/09/2006
Tabled 12/09/2006 S 11/09/2006 HR

Summary Approves Insearch Ltd as a Higher Education Provider.

Higher Education Provider Approval (No. 11 of 2006) under s. 16-50(1) of the Higher Education Support Act 2003 [F2006L03002]

Higher Education Support Act 2003

Made 04/09/2006
Tabled 12/09/2006 S 11/09/2006 HR

Summary Approves the International College of Management, Sydney Pty Ltd as Trustee for the ICTHM Trust as a Higher Education Provider.

List Prepared of Maximum Amounts of All Grant Paid in 2006 under s. 41-50 of the Higher Education Support Act 2003 [F2006L02978]

Higher Education Support Act 2003

Made 25/07/2006
Tabled 12/09/2006 S 11/09/2006 HR

Summary Specifies the maximum amount of grants which may be paid in 2006 for the purposes specified in s. 41-10 of the Act.

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

**Ozone Protection and Synthetic Greenhouse
Gas Management Amendment Regulations
2006 (No. 1)
Select Legislative Instrument 2006 No. 237
[F2006L02998]**

***Ozone Protection and Synthetic Greenhouse
Gas Management Act 1989***

Made	07/09/2006	
Tabled	12/09/2006 S	11/09/2006 HR

Summary Change the 'as in force' date of the
2006 Exemption List for Non-QPS
applications of methyl bromide to 15
September 2006.

DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AFFAIRS

Migration Agents (Continuing Professional Development — Attendance at a Seminar, Workshop, Conference or Lecture) under clause 3 of Schedule 1 to the *Migration Agents Regulations 1998* (MARA Notice MN36-06c of 2006) [F2006L03010]

Migration Act 1958

Made	07/09/2006	
Tabled	13/09/2006 S	13/09/2006 HR

Summary Specifies approved attendance at seminars, workshops, conferences or lectures for the purposes of continuing professional development of migration agents.

Migration Agents (Continuing Professional Development — Private Study of Audio, Video or Written Material) under clause 3 of Schedule 1 to the *Migration Agents Regulations 1998* (MARA Notice MN36-06b of 2006) [F2006L03009]

Migration Act 1958

Made	07/09/2006	
Tabled	13/09/2006 S	13/09/2006 HR

Summary Specifies approved private study of audio, video or written material for the purposes of continuing professional development of migration agents.

Migration Agents (Continuing Professional Development — Miscellaneous Activities) under clause 3 of Schedule 1 to the *Migration Agents Regulations 1998* (MARA Notice MN36-06f of 2006) [F2006L03011]

Migration Act 1958

Made	07/09/2006	
Tabled	13/09/2006 S	13/09/2006 HR

Summary Specifies approved activities for the purposes of the continuing professional development of migration agents.

Migration Agents (Continuing Professional Development — *Pro Bono* Activities) under clause 3 of Schedule 1 to the *Migration Agents Regulations 1998* (MARA Notice MN36-06g of 2006) [F2006L03012]

Migration Act 1958

Made	07/09/2006	
Tabled	13/09/2006 S	13/09/2006 HR

Summary Specifies activities involving provision of immigration assistance without charge for the purposes of continuing professional development of migration agents.

Migration Amendment Regulations 2006 (No. 5)
Select Legislative Instrument 2006 No. 238
[F2006L02979]

Migration Act 1958

Made	07/09/2006	
Tabled	13/09/2006 S	13/09/2006 HR

Summary Amend provisions in the Principal Regulations concerning sponsorship of family visitors, certification of documents, disclosure of information relating to persons on board departing aircraft, and other matters.

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Amendment 55 (Office Reail and Community Facility Uses (Block 16 Section 28 City Australian National University) under s. 6 of the Australian Capital Territory (Planning and Land Management) Act 1988
[F2006L03008]

Australian Capital Territory (Planning and Land Management) Act 1988

Made	06/09/2006	
Tabled	11/09/2006 S	HR

Summary Amends the range of uses permitted on Block 16 Section 28 City of the National Capital Plan.

Civil Aviation Order 40.1.0 Amendment Order (No. 2) 2006
[F2006L03013]

Civil Aviation Act 1988

Made	05/09/2006	
Tabled	13/09/2006 S	13/09/2006 HR

Summary Amends the Principal Order to specify new aeroplane endorsements, and amends an existing aeroplane endorsement.

Civil Aviation Orders, Part 105
Airworthiness Directive AD/A320/178 Amdt 1
[F2006L02989]

Civil Aviation Act 1988

Made	14/08/2006	
Tabled	12/09/2006 S	11/09/2006 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/A320/192 Amdt 1
[F2006L02988]

Civil Aviation Act 1988

Made	16/08/2006	
Tabled	12/09/2006 S	11/09/2006 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B737/24 Amdt 1
[F2006L02990]

Civil Aviation Act 1988

Made	17/08/2006	
Tabled	12/09/2006 S	11/09/2006 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B737/29 Amdt 2
[F2006L02991]

Civil Aviation Act 1988

Made	28/07/2006	
Tabled	12/09/2006 S	11/09/2006 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/TBM 700/45 Amdt 1
[F2006L03003]

Civil Aviation Act 1988

Made 06/09/2006
 Tabled 12/09/2006 S 11/09/2006 HR

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

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

Cocos (Keeling) Islands Act 1955

Made 01/09/2006
 Tabled 12/09/2006 S 11/09/2006 HR

Summary Lists those Acts of the Western Australian Parliament that were in force for the Cocos (Keeling) Islands during the period 22 March to 12 September 2006.

Civil Aviation Orders, Part 106
Airworthiness Directive AD/CF6/51 Amdt 1
[F2006L03048]

Civil Aviation Act 1988

Made 11/09/2006
 Tabled 13/09/2006 S 13/09/2006 HR

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

Motor Vehicle Standards (Approval to Place
Used Import Plates) Guidelines 2006 (No. 1)
Amendment 1 under s. 13D(3) of the *Motor*
Vehicle Standards Act 1989
[F2006L03046]

Motor Vehicle Standards Act 1989

Made 23/08/2006
 Tabled 13/09/2006 S 13/09/2006 HR

Summary Amends the Principal Determination concerning the fitting of used import plates on vehicles.

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

Christmas Island Act 1958

Made 01/09/2006
 Tabled 12/09/2006 S 11/09/2006 HR

Summary Lists those Acts of the Western Australian Parliament that were in force for Christmas Island during the period 22 March to 12 September 2006.

DEPARTMENT OF THE TREASURY

ASIC Class Order [CO 06/709] [F2006L02985]

Corporations Act 2001

Made	31/08/2006	
Tabled	12/09/2006 S	11/09/2006 HR

Summary Makes minor technical amendments to specified Class Orders and revokes other Class Orders.

Payment Systems (Regulation) Regulations 2006 Select Legislative Instrument 2006 No. 239 [F2006L02980]

Payment Systems (Regulation) Act 1998

Made	07/09/2006	
Tabled	12/09/2006 S	11/09/2006 HR

Summary Authorise conduct required in order to comply with specified Reserve Bank of Australia Standards for the setting of interchange fees.