

## COVID-19 legislative scrutiny

May 2021

1 – 7 May 2021

Bill/ Instrument	Date registered/ introduced	Description
<a href="#">Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—High Risk Country Travel Pause) Determination 2021 [F2021L00533]</a>	1/05/2021	This instrument requires that, until 15 May 2021, passengers on a relevant international flight must not enter Australian territory at a landing place if they have been in India within 14 days of the day the flight was scheduled to commence.
<a href="#">Migration (Class of persons for Visitor (Class FA) visa nil VAC) Amendment Instrument (LIN 21/033) 2021 [F2021L00534]</a>	3/05/2021	This instrument clarifies the types of former Subclass 600 (Visitor) visa holders who can apply for a new Subclass 600 visa with a nil visa application charge where their travel to Australia has been affected by the COVID-19 pandemic.
<a href="#">Child Support (Assessment) (AWE amount) Determination 2021 [F2021L00535]</a>	4/05/2021	This instrument determines that, for the December quarter ending Dec 2020, the Average Weekly Earnings (AWE) for the purposes of calculating child support. The explanatory statement states that the Australian Statistician has otherwise temporarily suspended publication of the trend estimates for the AWE series as a result of the impact of the COVID-19 pandemic
<a href="#">Accounting Standard AASB 2021-3 Amendments to Australian Accounting Standards – Covid-19-Related Rent Concessions beyond 30 June 2021 [F2021L00545]</a>	5/05/2021	This instrument extends the practical expedient to rent concessions that reduce only lease payments originally due on or before 30 June 2022. The practical expedient permits lessees not to assess whether rent concessions that occur as a direct consequence of the Covid-19 pandemic.

8–14 May 2021

Bill/ Instrument	Date registered/ introduced	Description
<a href="#">Norfolk Island Applied Laws Amendment (2021 Measures No.1) Rules 2021 [F2021L00566]</a>	12/05/2021	<p>These rules remove any doubt as to the extraterritorial application of the Local Government Act (NI) so that functions can be undertaken and exercised where necessary outside of Norfolk Island. The explanatory materials note that Norfolk Island is remote, and that the need to operate remotely has been particularly exacerbated by the ongoing COVID-19 pandemic</p>
<a href="#">Defence Determination, Conditions of service Amendment Determination 2021 (No. 6) [F2021L00565]</a>	12/05/2021	<p>This determination makes changes to defence conditions of service, including to enable members on a long-term posting overseas who wish to travel domestically or to a third country other than Australia to seek relief and respite from their posting location during COVID-19 restrictions to have leave granted and to ensure not have their leave cancelled when travelling.</p>
<a href="#">Migration (COVID-19 Pandemic event for Subclass 408 (Temporary Activity) visa and visa application charge for Temporary Activity (Class CG) visa) Amendment Instrument (No. 2) (LIN 21/038) 2021 [F2021L00573]</a>	13/05/2021	<p>This instrument expands the specified class of persons who may be granted a Subclass 408 visa if they seek to enter or remain in Australia to undertake work directly associated with an event (in this case, in sectors particularly affected by the COVID-19 pandemic) to capture people who are employed by, or in receipt of an offer of employment from, an employer in the tourism and hospitality sector.</p>
<a href="#">Higher Education Support Amendment (Extending the Student Loan Fee Exemption) Bill 2021</a>	13 May 2021	<p>Bill seeks to extend the FEE-HELP loan fee exemption by a further 6 months to 31 December 2021 and apply a 20 per cent FEE-HELP loan fee for units with a census date on or after 1 Jan 2022. The explanatory material states that This will provide an incentive for those students who have been financially affected by COVID-19 to continue or commence study in 2021, in turn supporting higher education providers to continue to deliver the high quality education which will be essential to Australia’s economic recovery from the COVID-19 pandemic.</p>
<a href="#">Therapeutic Goods (Medical Devices— Information that Must Accompany Application for Inclusion) Amendment (COVID-19</a>	14/05/2021	<p>This instrument specifies that a declaration of conformity made by a manufacturer must accompany an application for inclusion in relation to export only medical devices and in relation to a system or procedure pack that is classified as a Class 1 in vitro</p>

<a href="#">Measures—Export Only and System or Procedure Packs) Determination 2021 [F2021L00582]</a>		<p>diagnostic medical device. The explanatory materials note that while the surge of applications reflects efforts to facilitate the availability of critical medical devices in Australia in response to COVID-19, it has also increased the potential for error, particularly on the part of new manufacturers who are not familiar with the conformity assessment procedures that must be applied in relation to medical devices.</p>
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#### 15–21 May 2021

Bill/ Instrument	Date registered/ introduced	Description
<a href="#">Migration (Income Threshold and Exemptions for Subclass 189 Visa (New Zealand Stream)) Instrument (LIN 21/018) 2021 [F2021L00596]</a>	19/05/2021	<p>This instrument adds a new class of applicants who are exempt from the minimum amount of taxable income requirements, which is a primary criterion for the grant of the Subclass 189 visa, and to add the evidence required for the new class of exempt applicants.</p>

#### 22–28 May 2021

Bill/ Instrument	Date registered/ introduced	Description
<a href="#">Poisons Standard June 2021 [F2021L00650]</a>	26/05/2021	<p>This instrument replaces and updates the Poisons Standard and lists the SARS-COV-2 (Covid-19) Vaccine as a schedule four prescription-only medicine.</p>
<a href="#">Social Security Legislation Amendment (Portability Extensions) Bill 2021</a>	27/05/2021	<p>The bill would establish a permanent discretion for the Secretary to give flexibility for Australian pensioners who have temporarily travelled to or from Australia due to unforeseen circumstances beyond their control and continue to receive their pension (without being subject to a recalculation of their rate after 26 weeks overseas). Circumstances would include serious accident/illness/death or hospitalisation of a family member or a public health crisis.</p>

#### 29–31 May 2021

Bill/ Instrument	Date registered/ introduced	Description

<a href="#">Migration Amendment (Subclass 189 Visas) Regulations 2021 [F2021L00668]</a>	31 May 2021	This instrument makes it easier for applicants for a Subclass 189 (Skilled – Independent) visa in the New Zealand stream to satisfy the annual income requirement (noting that their income may have been affected by the economic impacts of the COVID-19 pandemic).
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