COVID-19 legislative scrutiny

July 2020

1-6 June 2020

Bill/ Instrument	Date registered	Description
CASA EX97/20 — Aircraft Engineer Licence and Rating Training and Qualification (Extension of Time Due to COVID-19) Exemption 2020 [F2020L00866]	01/07/2020	This instrument provides temporary relief from legislative time-based obligations for completion of license training and examination programs for the grant of aircraft engineer licences and aircraft type training courses for the grant of a rating for an aircraft type on a licence. This relief is provided because candidates may not be able to meet these timeframes due to COVID-19 restrictions such as the closure of examination venues and travel restrictions.
Defence Determination, Conditions of service (Star rank increment advancement) Amendment Determination 2020 (No. 12) [F2020L00867]	01/07/2020	This instrument applies the Australian Government's request regarding a stay on the remuneration of the Australian Public Service (APS) to senior officers in the Australian Defence Force (ADF), noting that Defence has an integrated workforce of both APS and ADF personnel.
Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 1) 2020 [F2020L00868]	01/07/2020	This instrument exempts specified air conditioners from the minimum energy performance standard levels set in Part 3 and Schedule 1 of the Greenhouse and Energy Minimum Standards (Air Conditioners up to 65kW) Determination 2019. The explanatory materials note that COVID-19 related supply chain disruptions have delayed the shipping of some related units.
Part 66 Manual of Standards Amendment Instrument 2020 (No. 1) [F2020L00874]	3/07/2020	This instrument temporarily extends a transitional arrangement allowing the Civil Aviation Safety Authority to grant a limited aircraft engineer licence to a person who had already commenced training and examinations under repealed regulation 31, until 30 June 2021. The explanatory materials note that COVID-19 has impacted the practical aspects of training.
Advance to the Finance Minister Determination (No. 1 of 2020-2021) [F2020L00875]	3/07/2020	This instrument determines that the balance available for allocations under the Supply Act (No 2) 20220 2021 is increased by $250,000,000. The explanatory materials advise that the Commonwealth Government agreed that this appropriation is essential to provide funding to local governments for delivery of road resilience and community infrastructure projects to boost economic activity following the initial impact of COVID-19.

Accounting Standard AASB 2020-4 Amendments to Australian Accounting Standards – Covid−19−Related Rent Concessions [F2020L00877]	3/07/2020	This instrument provides a practical expedient for lessees regarding the accounting under a lease for rent concessions granted due to the COVID-19 pandemic.

7-13 July 2019

Bill/ Instrument	Date registered	Description
Veterans' Entitlements (Asset-test Exempt Income Stream (Market-linked) — Payment Factors) Principles Amendment Instrument 2020 [F2020L00894]	9/07/2020	This instrument implement changes to the minimum payment amounts for income streams payable during the 2019-2020 and 2020-2021 financial years. The amendments to the Payment Factors Principles are being made to ensure consistency with the amendments made by Schedule 10 to the Coronavirus Economic Response Package Omnibus Act 2020 (Coronavirus Omnibus Act).
Coronavirus Economic Response Package (Deferral of Sunsetting—Treasury Portfolio Instruments) Determination 2020 [F2020L00895]	9/07/2020	This instrument defers the sunsetting date of the ASIC Class Order [CO 10/407], ASIC Class Order [CO 10/654] and Australian Securities and Investments Commission Act 2001 – Takeovers Panel – Procedural Rules (12/04/2010) until 1 April 2021. The explanatory materials state that ASIC and the Takeovers Panel requested this deferral as the preparation of replacement instruments was delayed by urgent work in response to the Coronavirus pandemic.
Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Repeal Determination 2020 [F2020L00897]	9/07/2020	This instrument revokes the Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements for Remote Communities) Determination 2020 to remove the remaining three designated areas in South Australia on and from 10 July 2020.
Poisons Standard July 2020 [F2020L00899]	9/07/2020	This Standard incorporates a small number of changes to the Poisons Standard (No.3) June 2020, principally, the scheduling of the new substance, remdesivir, in Schedule 4 to the current Poisons Standard. The explanatory materials note that Recent studies have indicated that remdesivir may have potential in the treatment of COVID-19, and there is a need to ensure that the substance is appropriately scheduled in Australia to support controls relating to its supply.

Education Services for Overseas Students (Registration Charges) Amendment (COVID–19 Exemptions) Regulations 2020 [F2020L00905]		This instrument exempts all new and existing CRICOS registered providers from the requirement to pay the 2021 annual registration charge, and exempt all new and existing CRICOS registered providers from the requirement to pay the entry to market charges from 12 April 2020 until 30 June 2021. The explanatory materials state that This measure is designed to reduce the regulatory and cost burden on education providers during the COVID-19 pandemic.

14-20 July 2020

Bill/ Instrument	Date registered	Description
Corporations (Relevant Providers Continuing Professional Development Standard) Determination (Amendment) 2020 [F2020L00912]	15/07/2020	This instrument modifies the current requirements for continuing professional development that relevant providers (financial planners and financial advisers) must undertake to meet the fourth of the education and training standards under the Corporations Act 2001, providing additional time to provide relief in the context of COVID-19.
Civil Aviation Legislation Amendment (Part 139 Aerodromes—Transitional Provisions and Consequential Amendments) Regulations 2020 [F2020L00913]	15/07/2020	This instrument implements transition provisions to ensure aerodromes can commence on 22 August 2020. It will also bring forward the commencement date of the new regulatory framework to 13 August 2020 to align with the Aeronautical Information Publication (AIP) publication date. These provisions are in response to health risks associated with the COVID-19 pandemic.
Southern Bluefin Tuna Fishery (Overcatch and Undercatch) Determination No. 2 of 2020 [F2020L00915]	15/07/2020	This instrument determines the amounts and percentages for undercatch and overcatch for the 2020 fishing season commencing on 1 December 2019 and ending on 30 November 2020. These provide for 'carry over' or 'carry under' of a small amount of end of season quota between fishing seasons thereby allowing fishers the flexibility to catch a certain amount of fish over or under their quota, and debit or credit this to or from the following season's quota. This follows consultation as to the impact of COVID-19 on markets and fishing operations.
Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 6) 2020 [F2020L00921]	17/07/2020	The instrument provides a mechanism to allow an Australian government agency or local governing body to confirm that notices have been issued by the Commissioner of Taxation to entities concerning their election to participate in the JobKeeper scheme. This is because a number of states have introduced assistance programs for entities affected by the impact of COVID-19 health measures for which

		eligibility is conditional on the entities participating in the JobKeeper scheme.
Health Insurance (Section 3C General Medical Services – COVID-19 Telehealth and Telephone GP Attendances) Amendment (Patient's Usual Medical Practitioner) Determination 2020 [F2020L00922]	17/07/2020	This instrument introduces a requirement that GPs and other medical practitioners working in general practice must only perform a remote service where they have relationship with the patient. This requirement does not apply to a person who is under the age of 12 months, a person who is experiencing homelessness, a person who is in a COVID-19 impacted area, a person receiving an urgent after-hours service (in unsociable hours), or a person who receives the service from a medical practitioner located at an Aboriginal Medical Service or an Aboriginal Community Controlled Health Service. The explanatory materials state that this change responds to advice from medical experts.
Norfolk Island Continued Laws Amendment (Coronavirus Economic Response Measures) Rules 2020 [F2020L00926]	20/07/2020	This instrument amends the Norfolk Island Continued Laws Ordinance 2015 with the effect of amending two continued Norfolk Island laws, specifically the Bankruptcy Act 2006 (NI) and the Companies Act 1985 (NI) to implement temporary Coronavirus economic relief measures.

21-27 July 2020

Bill/ Instrument	Date registered	Description
Child Care Subsidy Amendment (Coronavirus Response Measures No. 5) Minister's Rules 2020 [F2020L00930]	21/07/2020	This instrument permits approved child care providers to waive their fees for child care services in areas subject to Stage 3 or higher "stay at home" restrictions in response to the COVID-19 pandemic.
Part 139 (Aerodromes) Manual of Standards Amendment Instrument 2020 (No. 1) [F2020L00931]	22/07/2020	This instrument makes transitional arrangements in anticipation of the commencement of the new Manual of Standards on 13 August 2020. This will provide aerodrome operators with more time to implement certain aspects of the new Manual of Standards. This extension of time is in response to the COVID-19 pandemic.
ASIC Corporations (Amendment and Repeal) Instrument 2020/579 [F2020L00932]	22/07/2020	This instrument clarifies the intended operation of aspects of the fees and costs disclosure regime for Product Disclosure Statements and periodic statements that will apply to superannuation products and collective investment products under the ASIC Corporations (Disclosure of Fees and Costs) Instrument 2019/1070. These amendments are in response to the

		COVID-19 pandemic.
Commonwealth Scholarships Guidelines (Research) Amendment (No. 1) 2020 [F2020L00934]	22/07/2020	This instrument extends the Research Training Program funding allocation arrangements for higher education providers and support for Research Training Program scholarships for research students adversely affected by COVID-19.
Other Grants Guidelines (Research) Amendment (No. 1) 2020 [F2020L00936]	22/07/2020	This instrument extends the transitional safety net for higher education providers to 31 December 2021. These changes were requested by a range of higher education stakeholders to support students during the COVID-19 pandemic.
Commonwealth Grant Scheme Guidelines Amendment (No. 1) 2020 [F2020L00940]	23/07/2020	This instrument allows grants to be paid to a number of non-university higher education providers to provide retraining and upskilling opportunities in 2020 in national priority fields of education, including for workers impacted by COVID-19.
Financial Framework (Supplementary Powers) Amendment (Infrastructure, Transport, Regional Development and Communications Measures No. 6) Regulations 2020 [F2020L00944]	23/07/2020	This instrument establishes legislative authority for government spending on the Local Roads and Community Infrastructure Program, which aims to support community-led recovery from the adverse effects of the coronavirus.
Therapeutic Goods Legislation Amendment (2020 Measures No. 1) Regulations 2020 [F2020L00946]	23/07/2020	This instrument supports measures recently introduced into the Therapeutic Goods Act 1989 by the Therapeutic Goods Amendment (2020 Measures No. 1) Act 2020, and makes a number of other changes including to delay the commencement of certain medical device reforms. These delays reflect the impact of the public health emergency related to COVID-19.
Higher Education Support (HELP Tuition Protection Levy) (Administrative Fee) Determination 2020 [F2020L00947]	23/07/2020	This determination specifies the amounts that enable the administrative fee component of the HELP tuition protection levy to be calculated. In setting this levy, consideration was had as to the impacts of COVID-19.

24-31 July 2020

Bill/ Instrument	Date registered	Description
VET Student Loans (VSL Tuition Protection Levy) (Administrative Fee)	28/07/2020	This instrument specifies the amounts that enable the administrative fee of the VSL tuition protection levy to

Determination 2020 [F2020L00951]		be determined. The explanatory materials note that the current pandemic was a considering in the setting of the levy.
Health Insurance (Section 3C Pathology Services – COVID-19) Amendment (No. 4) Determination 2020 [F2020L00954]	28/07/2020	This instrument lists a new item for SARS-COV-2 testing of aged care workers.
Migration (LIN 20/158: Classes of Persons for Student (Temporary) (Class TU) Visa Applications) Instrument 2020 [F2020L00955]	29/07/2020	This instrument specifies an additional class of persons applying for a Subclass 500 visa to whom the nil visa application charge (VAC) amount applies. The explanatory materials notes that, as a result of the coronavirus known as COVID-19 and the consequential pandemic, some Subclass 500 visa holders will be unable to complete their studies within the validity period of their Subclass 500 visa. A nil VAC amount would be applicable to such a visa holder seeking to reapply for further Subclass 500 visa to complete their study, if they were unable to complete their course within their original visa validity due to the COVID-19 pandemic.
Higher Education Support (HELP Tuition Protection Levy) (Risk Rated Premium and Special Tuition Protection Components) Determination 2020 [F2020l00960]	30/07/2020	This instrument determines various matters relevant to the calculation of the risk rated premium component and special tuition protection component of the HELP Tuition Protection Levy for the 2020 calendar year. The explanatory materials note that the pandemic was a relevant consideration.
VET Student Loans (VSL Tuition Protection Levy) (Risk Rated Premium and Special Tuition Protection Components) Determination 2020 [F2020L00961]	30/07/2020	This instrument determines various matters relevant to the calculation of the risk rated premium component and special tuition protection component of the VSL Tuition Protection Levy for the 2020 calendar year. The explanatory materials note that the pandemic was a relevant consideration.
Biosecurity (Human Biosecurity Emergency) (Human Coronavirus with Pandemic Potential) (Emergency Requirements—Retail Outlets at International Airports) Amendment (No. 1) Determination 2020 [F2020L00964]	30/07/2020	This instrument allows designated retail outlets to trade in the departure areas of international airports. The operator of the retail outlet can trade provided they maintain social distancing amongst customers and measures to minimise the risk of transmission of COVID-19 from international transit passengers.
Customs By-law No.2041552	31/07/2020	This by-law covers certain medical products and

[F2020L00965]		hygiene products imported as part of the response to the COVID-19 pandemic.
National Health (Continued Dispensing – Emergency Measures) Amendment Determination 2020 (No.6) (PB 70 of 2020) [F2020L00977]	31/07/2020	This instrument provides for the addition of forms of the listed drugs metformin and salbutamol to the list of pharmaceutical benefits that can be supplied as a Continued Dispensing supply. The explanatory materials state that this is to assist in managing the demand on the health system during the COVID-19 outbreak
Social Security (Coronavirus Economic Response—2020 Measures No. 13) Determination 2020 [F2020L00980]	31/07/2020	This instrument extends the nil rate period, meaning that a social security recipient who is currently subject to a nil rate period under subsection 23(4A) of the Social Security Act, or who commence a nil rate period before 16 November 2020, will be taken to be receiving a social security payment at a rate of nil until at least 16 November 2020.