

COVID-19 legislative scrutiny

October 2020

1-9 October 2020

| Bill/ Instrument | Date registered | Description |
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| VET Student Loans Amendment Rules (No.2) 2020 [F2020L01270] | 1/10/2020 | This instrument waives the payment of the VSL tuition protection levy for all approved course providers for the calendar year 2020. |
| Financial Sector (Collection of Data) (reporting standard) determination No. 9 of 2020 [F2020L01272] | 1/10/2020 | This instrument determines Reporting Standard ARS 920.0 Australian Government Small and Medium Enterprise (SME) Guarantee Scheme Phase 1 (a coronavirus-related measure). |
| Advance to the Finance Minister Determination (No. 4 of 2020-2021) [F2020L01273] | 1/10/2020 | The instrument determines that the administered assets and liabilities item for Outcome 5 for the Department of Health is increased by \$384,060,000. |
| Financial Sector (Collection of Data) (reporting standard) determination No. 10 of 2020 [F2020L01274] | 1/10/2020 | This instrument determines Reporting Standard ARS 920.2 Australian Government Small and Medium Enterprise (SME) Guarantee Scheme Phase 2 (a coronavirus-related measure). |
| Child Care Subsidy Amendment (Coronavirus Response Measures No. 7) Minister's Rules 2020 [F2020L01276] | 1/10/2020 | This instrument extends the relaxation of the CCS activity test to help individuals impacted by COVID-19 to get back into their workforce participation activities; and increases the cap on the appropriation for payments under the Community Child Care Fund Special Circumstances (CCCF-SC) Grant Opportunity program for the 2020-2021 financial year from \$623 million to \$949 million. |
| National Consumer Credit Protection Amendment (Responsible Lending Obligations) Regulations 2020 [F2020L01277] | 1/10/2020 | This instrument makes a targeted adjustment to the regulatory settings pertaining to the responsible lending obligations contained in the National Consumer Credit Protection Act 2009. The explanatory materials state that this is to facilitate the timely flow of credit to small businesses during the COVID-19 pandemic. |
| Commonwealth Inscribed Stock (Maximum Total Face Value of Stock and Securities) Amendment Direction 2020 [F2020L01284] | 6/10/2020 | This instrument increases the maximum total face value of stock and securities that may be on issue under the Commonwealth Inscribed Stock Act 1911 and the Loans Securities Act 1919 in relation to borrowings under section 3A of the Act and section 4 of the Loans Redemption and Conversion Act 1921, from \$850 billion to \$1,200 billion. The explanatory materials state that this provides certainty to financial |

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| | | markets about the Government's ability to issue additional debt in response to the COVID-19 pandemic. |
| Economic Recovery Package (JobMaker Hiring Credit) Amendment Bill 2020 | 07/10/2020 | This Act provides for an additional kind of payment during October 2020 for the purposes of improving the prospects of individuals getting employment in Australia, and increasing workforce participation in Australia. This Act also facilitates the JobMaker Hiring Credit scheme |
| Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Act 2020 | 07/10/2020 | This Act amends the rates of income tax payable by persons, in response to the COVID-19 pandemic. |
| Health Insurance (Section 3C General Medical – Expansion of GP and Allied Health Mental Health Services) Amendment (Expand Eligible Patients) Determination 2020 [F2020L01290] | 8/10/2020 | This instrument expands the 10 additional Medicare-subsidised psychological therapy sessions to any Medicare-eligible person. |

10-16 October 2020

| Bill/ Instrument | Date registered | Description |
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| Coronavirus Economic Response Package (Payments and Benefits) Alternative Decline in Turnover Test Amendment Rules 2020 [F2020L01295] | 9/10/2020 | This instrument set out an additional alternative decline in turnover test for the purposes of JobKeeper eligibility. That is, where there is not an appropriate relevant comparison period in 2019 for the purpose of an entity in the class of entities satisfying both the actual decline in turnover test in section 8B of the Coronavirus Economic Response Package (Payments and Benefits) Rules 2020 (Rules) and the decline in turnover test in section 8 of the Rules (including as modified by section 8A of the Rules). |
| Tax Administration Withholding Schedules No.2 2020 [F2020L01297] | 12/10/2020 | This instrument makes publicly available the withholding schedules updated in accordance with the pay as you go system. These provide certainty to payers about withholding correct amounts of tax on behalf of their payees, which then assists payees to meet their annual income tax liability. The explanatory materials state that these schedules are being updated in response to the changes to tax scales that are contained in Treasury Laws Amendment (A Tax Plan for the COVID-19 Economic Recovery) Bill 2020, which passed Parliament on 9 October 2020. |

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| Industry Research and Development (Exploring for the Future Program) Instrument 2020 [F2020L01299] | 13/10/2020 | <p>This instrument prescribes the Exploring for the Future Program, which provides \$124.5M over four years to Geoscience Australia. The explanatory materials explain that the program seeks to deliver public geoscientific data and the evidentiary basis required to attract future investment in resource exploration and development, including in minerals, critical minerals and hydrocarbon energy, as well as information on groundwater to inform agricultural developments and boost the knowledge and understanding of our natural resources. The explanatory materials state that this program will support the survival and recovery of the resources and agricultural sectors from the negative economic impact of COVID-19.</p> |
| Defence Determination, Conditions of service (COVID-19 response) Amendment Determination 2020 (No. 21) [F2020L01304] | 14/10/2020 | <p>This instrument expands certain benefits that have been provided in response to the COVID-19 pandemic and to provide additional benefits to the Australian Defence Force workforce during this period.</p> |
| Biosecurity (Entry Requirements—Human Coronavirus with Pandemic Potential) Determination 2020 [F2020L01307] | 15/10/2020 | <p>This instrument provides for individuals who are arriving in Australia and who are not subject to mandatory hotel quarantine on arrival to provide contact information for the purposes of contact tracing, and to make a declaration as to their travel history in the 14 days before arrival.</p> |
| Financial Framework (Supplementary Powers) Amendment (Agriculture, Water and the Environment Measures No. 6) Regulations 2020 [F2020L01309] | 16/10/2020 | <p>This instrument establishes legislative authority for government spending on certain activities administered by the Department of Agriculture, Water and the Environment, including financial counselling for small regional businesses affected by COVID-19.</p> |
| Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 6) Regulations 2020 [F2020L01310] | 16/10/2020 | <p>This instrument establishes legislative authority for government spending on certain activities administered by the Department of Education, Skills and Employment, including a program to help address high rates of youth unemployment by engaging with industries and employers looking for staff during the impacts of the COVID-19 pandemic.</p> |
| Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 5) Regulations 2020 [F2020L01313] | 16/10/2020 | <p>This instrument establishes legislative authority for government spending on the National identity crime and cybercrime support service, administered by the Department of Home Affairs. The explanatory materials notes the recent increase in opportunistic cybercrime related to the COVID-19 pandemic.</p> |

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| Financial Framework (Supplementary Powers) Amendment (Social Services Measures No. 4) Regulations 2020 [F2020L01314] | 16/10/2020 | This instrument establishes legislative authority for government spending on certain activities administered by the Department of Social Services, including a program to address addressing loneliness and isolation (including due to the COVID-19 pandemic). |
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17-23 October 2020

| Bill/ Instrument | Date introduced/ registered | Description |
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| Telecommunications (NBN Consumer Information) Industry Standard Variation 2020 (No. 1) [F2020L01317] | 19/10/2020 | This instrument clarifies some of the existing requirements or simplifies some of the requirements on retail carriage service providers to provide information to consumers in the key facts sheet. The explanatory materials note that the impact of the COVID-19 pandemic was raised as a consideration during consultation on this instrument. |
| Telecommunications (Consumer Complaints Handling) Industry Standard Variation 2020 (No.1) [F2020L01321] | 19/10/2020 | This instrument varies the Telecommunications (Consumer Complaints Handling) Industry Standard 2018. The explanatory materials note that the impact of the COVID-19 pandemic was raised as a consideration during consultation on this instrument. |
| Higher Education Provider Amendment (Levy Waiver) Guidelines 2020 [F2020L01332] | 21/10/2020 | This instrument provides a waiver of the payment of the HELP tuition protection levy for all higher education providers for the 2020 calendar year, due to the financial consequences of the global outbreak of COVID-19. |
| Radiocommunications (Spectrum Access Charges—26 GHz Band) Direction 2020 [F2020L01333] | 21/10/2020 | This instrument directs the Australian Communications and Media Authority to permit successful bidders in the 26 GHz spectrum auction to pay the relevant spectrum access charge in five instalments, due to the financial consequences of the global outbreak of COVID-19. |
| Social Services and Other Legislation Amendment (Coronavirus and Other Measures) Act 2020 | 22/10/2020 | This Act provides for further \$250 payments for some income support recipients; temporarily alters the youth allowance independence test; creates an incentive for youth allowance recipients to undertake seasonal farm work; allows the minister to determine average weekly earnings trend figures during the COVID pandemic; and introduces a revised Paid Parental Leave work test. |
| ASIC Credit (Amendment) Instrument 2020/963 | 23/10/2020 | This instrument extends the deferral to benefits paid in relation to credit services provided before 1 January 2021. The explanatory materials state that this is to |

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| [F2020L01335] | | allow industry participants to focus on their immediate priorities and customers during the COVID-19 pandemic period. |
| ASIC Corporations (Product Intervention Order—Contracts for Difference) Instrument 2020/986 [F2020L01338] | 23/10/2020 | This instrument is a product intervention order that imposes certain conditions on issuing and other specified dealing in over-the-counter (OTC) contracts for difference (CFDs) in relation to retail clients, prohibits giving or offering specified benefits to retail clients or prospective retail clients in specified circumstances and requires CFD issuers to take reasonable steps to notify their retail clients of the terms of the instrument. It provides CFD issuers with a total transition period of approximately 5 months. The explanatory materials state that amid public health orders and heightened market volatility during the COVID-19 pandemic, this sets an appropriate balance between the objective of reducing consumer harm and the requirement for an orderly transition period for CFD issuers |

24-31 October 2020

| Bill/ Instrument | Date registered | Description |
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| Industry Research and Development (BusinessBalance Program) Instrument 2020 [F2020L01345] | 27/10/2020 | The instrument prescribes the BusinessBalance Program, which has the purpose of providing immediate, short term support for small business owners' mental and financial well-being through the response and recovery phases of the COVID-19 pandemic. |
| National Health (Electronic National Residential Medication Chart Trial) Amendment Special Arrangement 4 of 2020 [F2020L01352] | 28/10/2020 | This instrument allows additional residential aged care facilities to participate in the Electronic National Residential Medication Chart Trial, to support their response to the COVID-19 pandemic. |
| ASIC Market Integrity Rules (Securities Markets) Class Waiver Instrument 2020/870 [F2020L01354] | 29/10/2020 | This instrument relieves Market Participants from the need to renew the accreditation of each of their Accredited Advisers by submitting a written application to ASIC during the current Renewal Period for those accreditations, due to the COVID-19 pandemic. |
| Financial Framework (Supplementary Powers) Amendment | 30/10/2020 | This instrument establishes legislative authority for government spending on two activities administered by the Department of Education, Skills and |

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| (Education, Skills and Employment Measures No. 7) Regulations 2020 [F2020L01360] | | Employment, both of which are in response to the COVID-19 pandemic. |
| Private Health Insurance Legislation Amendment Rules (No. 7) 2020 [F2020L01378] | 30/10/2020 | This instrument make consequential amendments to the Benefit Requirements Rules and the Complying Products Rules to reflect changes to items of the Medicare Benefits Schedule, which take effect from 1 November 2020 |