

DELEGATED LEGISLATION MONITOR
25 – 28 JUNE 2001

This week at a glance

There were 44 disallowable instruments tabled in the Parliament.
These were made under 21 separate enabling Acts, through
10 Departments of State.

Statutory Rules

21 of the 44 instruments were Statutory Rules, comprising

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

Instrument makers

25 instruments were made by the Governor-General or Ministers

19 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE
25 – 28 JUNE 2001**

DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Agriculture, Fisheries and Forestry	2
Attorney-General's	3
Communications, Information Technology and the Arts	0
Defence	1
Education, Training and Youth Affairs	0
Employment, Workplace Relations and Small Business	2
Environment and Heritage	0
Family and Community Services	1
Finance and Administration	0
Foreign Affairs and Trade	0
Health and Aged Care	4
Immigration and Multicultural Affairs	3
Industry, Science and Resources	6
Prime Minister and Cabinet	0
Reconciliation and Aboriginal and Torres Strait Islander Affairs	0
Transport and Regional Services	20
Treasury	2
Veterans' Affairs	0
Total	44

**DELEGATED LEGISLATION TABLED IN THE SENATE
25 – 28 JUNE 2001**

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

<i>Air Navigation Act 1920</i>	1
<i>Airports Act 1996</i>	1
<i>A New Tax System (Goods and Services Tax) Act 1999</i>	1
<i>Civil Aviation Act 1988</i>	15
<i>Crimes Act 1914</i>	1
<i>Defence Act 1903</i>	1
<i>Electronic Transactions Act 1999</i>	1
<i>Export Inspection (Establishment Registration Charges) Act 1985</i>	1
<i>Health Insurance Act 1973</i>	3
<i>Marine Navigation Levy Act 1989</i>	1
<i>Marine Navigation (Regulatory Functions) Levy Act 1991</i>	1
<i>Migration Act 1958</i>	2
<i>Migration Agents Registration Application Charge Act 1997</i>	1
<i>Mutual Assistance in Criminal Matters Act 1987</i>	1
<i>National Health Act 1953</i>	1
<i>Navigation Act 1912</i>	1
<i>National Residue Survey (Customs) Levy Act 1998</i>	1
<i>Primary Industries and Energy Research and Development Act 1989</i>	6
<i>Safety, Rehabilitation and Compensation Act 1988</i>	1
<i>Social Security Act 1991</i>	1
<i>Trade Practices Act 1974</i>	1
<i>Workplace Relations Act 1996</i>	1
Total	44

(Some instruments are made under more than one enabling Act. The number of instruments listed under enabling Acts is, therefore, greater than the number of instruments.)

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Export Inspection and Meat (Establishment Registration Charges) Amendment Regulations 2001 (No. 2) Statutory Rules 2001 No. 135

Export Inspection (Establishment Registration Charges) Act 1985

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Amend the registration charges that apply to establishments associated with preparing, storing or inspecting dried fruits, fresh fruit, and vegetables for export.

Primary Industries Levies and Charges (National Residue Survey Levies) Amendment Regulations 2001 (No. 2) Statutory Rules 2001 No. 136

National Residue Survey (Customs) Levy Act 1998

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Reduce the National Residue Survey Levy on the export of aquatic animal and aquatic animal products to zero.

ATTORNEY-GENERAL'S DEPARTMENT

Crimes Amendment Regulations 2001 (No. 3) Statutory Rules 2001 No. 138

Crimes Act 1914

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Prescribe New South Wales, Australian Capital Territory, and Tasmanian forensic procedure laws as 'corresponding laws' in relation to Part 1D of the *Crimes Act 1914*, and prescribe certain forensic experts as a person who can lawfully access and disclose information on the national DNA database for law enforcement purposes.

Mutual Assistance in Criminal Matters (Monaco) Regulations 2001

Statutory Rules 2001 No. 139

Mutual Assistance in Criminal Matters Act 1987

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Give effect in Australia domestic law to the Treaty between Australia and the Government of His Serene Highness the Prince of Monaco on Mutual Assistance in Criminal Matters, signed on 13 September 1999.

Electronic Transactions Amendment Regulations 2001 (No. 2) Statutory Rules 2001 No. 137

Electronic Transactions Act 1999

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Insert a new Schedule 1 to the Regulations which specifies Commonwealth laws to which certain provisions of the *Electronic Transactions Act 1999* do not apply.

DEPARTMENT OF DEFENCE**Defence Determination 2001/17*****Defence Act 1903***

Made	21/06/2001	
Tabled	28/06/2001 S	28/06/2001 HR

Summary Increases rates of isolated and remote
localities allowance for certain
localities.

DEPARTMENT OF EMPLOYMENT, WORKPLACE RELATIONS AND SMALL BUSINESS

Australian Industrial Relations Commission (Allowances) Regulations 2001 Statutory Rules 2001 No. 140

Workplace Relations Act 1996

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Prescribe new rates of travel allowance and motor vehicle allowance for AIRC members in accordance with Determination 2000/06 of the Remuneration Tribunal.

Notice under s. 16(6) of the *Safety, Rehabilitation and Compensation Act 1988* (Notice No. 2 of 2001)

Safety, Rehabilitation and Compensation Act 1988

Made 20/06/2001
Tabled 27/06/2001 S 27/06/2001 HR

Summary Increases the compensation rate per kilometre for employees who use their own motor vehicle to travel more than 50 kilometres to obtain medical treatment for compensable injuries.

DEPARTMENT OF FAMILY AND COMMUNITY SERVICES**Social Security (Threshold Rates) Determination
2001 under s. 1082 of the *Social Security Act 1991******Social Security Act 1991***

Made	12/06/2001	
Tabled	27/06/2001 S	27/06/2001 HR

Summary Specifies a revised, decreased, above threshold rate and below threshold rate.

DEPARTMENT OF HEALTH AND AGED CARE

Declaration QAA No. 3/2001 under s. 124X of the *Health Insurance Act 1973*

Health Insurance Act 1973

Made 07/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Applies Part VC of the Act to the Australian New Zealand Association of Physicians in Nuclear Medicine Inc, Nuclear Medicine Practice Accreditation Program, and the Australian Patient Safety Foundation, Australian Incident Monitoring Study.

Health Insurance Determination HS/2/01 under s. 3C of the *Health Insurance Act 1973*

Health Insurance Act 1973

Made 21/06/2001
Tabled 28/06/2001 S 27/06/2001 HR

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

Health Benefits Reinsurance (Records of Organisations) Amendment Determination 2001 (No. 1) under s. 73BB(1) of the *National Health Act 1953*

National Health Act 1953

Made 14/05/2001
Tabled 28/06/2001 S 28/06/2001 HR

Summary Specifies an additional set of data, concerning gap cover schemes, to be provided to the Private Health Insurance Administration Council.

Health Insurance (Diagnostic Imaging Services Table) Amendment Regulations 2001 (No. 3) Statutory Rules 2001 No. 141

Health Insurance Act 1973

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Make a number of updating amendments to the Table.

DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AFFAIRS

Migration Agents Amendment Regulations 2001

(No. 1)

Statutory Rules 2001 No. 143

Migration Act 1958

Made	13/06/2001	
Tabled	25/06/2001 S	21/06/2001 HR

Summary Amend Schedule 1 to the Regulations concerning continuing professional development of registered migration agents, and make other amendments.

Migration Agents Registration Application Charge Amendment Regulations 2001 (No. 1)

Statutory Rules 2001 No. 144

Migration Agents Registration Application Charge Act 1997

Made	13/06/2001	
Tabled	25/06/2001 S	21/06/2001 HR

Summary Specify an increase in the charges payable by certain persons seeking registration or renewal of registration as a migration agent.

Migration Amendment Regulations 2001 (No. 4)

Statutory Rules 2001 No. 142

Migration Act 1958

Made	13/06/2001	
Tabled	25/06/2001 S	21/06/2001 HR

Summary Make a number of changes to the Regulations, especially in relation to rules governing visa eligibility.

DEPARTMENT OF INDUSTRY, SCIENCE AND RESOURCES

Cotton Research and Development Amendment Regulations 2001 (No. 1) Statutory Rules 2001 No. 129

Primary Industries and Energy Research and Development Act 1989

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Update the terminology relating to the establishment of the Cotton Research and Development Corporation, revise the means of calculating the average gross value of production, and make other changes.

Forest and Wood Products Research and Development Corporation Amendment Regulations 2001 (No. 1) Statutory Rules 2001 No. 131

Primary Industries and Energy Research and Development Act 1989

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Update the terminology relating to the establishment of the Forest and Wood Products Research and Development Corporation, revise the means of calculating the average gross value of production, and make other changes.

Dairy Research and Development Corporation Amendment Regulations 2001 (No. 1) Statutory Rules 2001 No. 130

Primary Industries and Energy Research and Development Act 1989

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Update the terminology relating to the establishment of the Dairy Research and Development Corporation, revise the means of calculating the average gross value of production, and make other changes.

Grape and Wine Research and Development Corporation Amendment Regulations 2001 (No. 1) Statutory Rules 2001 No. 132

Primary Industries and Energy Research and Development Act 1989

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Update the terminology relating to the establishment of the Grape and Wine Research and Development Corporation, revise the means of calculating the average gross value of production, and make other changes.

**Rural Industries Research and Development
Corporation Amendment Regulations 2001 (No. 1)
Statutory Rules 2001 No. 133**

***Primary Industries and Energy Research and
Development Act 1989***

Made	13/06/2001	
Tabled	25/06/2001 S	21/06/2001 HR

Summary Insert a new Division in Part 2 of the Principal Regulations, concerning the Deer Levy, revise the means of calculating the average gross value of production, and make other changes.

**Sugar Research and Development Corporation
Amendment Regulations 2001 (No. 1)
Statutory Rules 2001 No. 134**

***Primary Industries and Energy Research and
Development Act 1989***

Made	13/06/2001	
Tabled	25/06/2001 S	21/06/2001 HR

Summary Update the terminology relating to the establishment of the Sugar Research and Development Corporation, revise the means of calculating the average gross value of production, and make other changes.

DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Air Navigation (Coolangatta Airport Curfew) Amendment Regulations 2001 (No. 1) Statutory Rules 2001 No. 145

Air Navigation Act 1920

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Correct an error in subregulation 5(1) concerning the Chicago Convention.

Civil Aviation Orders, Part 105 Airworthiness Directive AD/AT/20 Amdt 1

Civil Aviation Act 1988

Made 21/06/2001
Tabled 28/06/2001 S 28/06/2001 HR

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

Airports (Control of On-Airport Activities) Amendment Regulations 2001 (No. 1) Statutory Rules 2001 No. 146

Airports Act 1996

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Make a retrospective transfer of a liquor licence to the new owner of premises in the international terminal at Sydney (Kingsford-Smith) Airport.

Civil Aviation Orders, Part 105 Airworthiness Directive AD/AT 800/2 Amdt 4

Civil Aviation Act 1988

Made 21/06/2001
Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105 Airworthiness Directive AD/AMD 10/23

Civil Aviation Act 1988

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

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

Civil Aviation Orders, Part 105 Airworthiness Directive AD/AT 800/3

Civil Aviation Act 1988

Made 21/06/2001
Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B747/247 Amdt 1

Civil Aviation Act 1988

Made 21/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B767/141 Amdt 1

Civil Aviation Act 1988

Made 21/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B757/49

Civil Aviation Act 1988

Made 20/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B767/144

Civil Aviation Act 1988

Made 20/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B757/65

Civil Aviation Act 1988

Made 20/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/EC 120/4 Amdt 1

Civil Aviation Act 1988

Made 14/06/2001
 Tabled 25/06/2001 S 21/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/B767/113

Civil Aviation Act 1988

Made 20/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/EMB-120/29

Civil Aviation Act 1988

Made 21/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 105
Airworthiness Directive AD/S-PUMA/38 Amdt 2

Civil Aviation Act 1988

Made 21/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Civil Aviation Orders, Part 106
Airworthiness Directive AD/CF 34/5

Civil Aviation Act 1988

Made 14/06/2001
 Tabled 25/06/2001 S 21/06/2001 HR

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

Civil Aviation Orders, Part 107
Airworthiness Directive AD/INST/47 Amdt 1

Civil Aviation Act 1988

Made 20/06/2001
 Tabled 28/06/2001 S 28/06/2001 HR

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

Marine Navigation Levy Amendment Regulations 2001 (No. 1)
Statutory Rules 2001 No. 147

Marine Navigation Levy Act 1989

Made 13/06/2001
 Tabled 25/06/2001 S 21/06/2001 HR

Summary Prescribe a decrease in the Marine Navigation Levy.

Marine Navigation (Regulatory Functions) Levy Amendment Regulations 2001 (No. 1)
Statutory Rules 2001 No. 148

Marine Navigation (Regulatory Functions) Levy Act 1991

Made 13/06/2001
 Tabled 25/06/2001 S 21/06/2001 HR

Summary Prescribe an increase in the Marine Navigation (Regulatory Functions) Levy.

Marine Orders, Part 54 — Coastal Pilotage, Issue 3
Marine Orders No. 6 of 2001

Navigation Act 1912

Made 19/06/2001
 Tabled 26/06/2001 S 25/06/2001 HR

Summary Replaces Marine Orders Part 4 Issue 2 and provides for the licensing, functions, conduct and liability of pilots.

DEPARTMENT OF THE TREASURY

A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2001 under s. 81-5 of the *A New Tax System (Goods and Services Tax) Act 1999*

A New Tax System (Goods and Services Tax) Act 1999

Made 19/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Specifies taxes, fees and other charges
that are not subject to GST.

Trade Practices Amendment Regulations 2001 (No. 4) Statutory Rules 2001 No. 149

Trade Practices Act 1974

Made 13/06/2001
Tabled 25/06/2001 S 21/06/2001 HR

Summary Prescribe additional measures to be
included in the definition of 'New Tax
System changes' for the purposes of
section 75AT of the *Trade Practices
Act 1974*, including the abolition of
financial institutions duty.