

**DELEGATED LEGISLATION MONITOR
22-25 NOVEMBER 2010**

This week at a glance

There were 21 disallowable instruments tabled in the Parliament. These were made under 13 separate enabling Acts, through 10 Departments of State.

Regulations

5 of the 21 instruments were Regulations, comprising

- 0 made as primary instruments; and
- 5 made as amending instruments

Instrument makers

11 instruments were made by the Governor-General or Ministers

10 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE
22-25 NOVEMBER 2010**

DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Department of Agriculture, Fisheries and Forestry	2
Attorney-General's Department	1
Department of Broadband, Communications and the Digital Economy	1
Department of Defence	2
Department of Education, Employment and Workplace Relations	5
Department of Foreign Affairs and Trade	1
Department of Health and Ageing	1
Department of Infrastructure and Transport	1
Department of Sustainability, Environment, Water, Population and Communities	4
Department of the Treasury	3
Total	21

**DELEGATED LEGISLATION TABLED IN THE SENATE
22-25 NOVEMBER 2010**

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

<i>Antarctic Treaty (Environment Protection) Act 1980</i>	2
<i>Australian Meat and Live-stock Industry Act 1997</i>	2
<i>Australian Securities and Investments Commission Act 2001</i>	1
<i>Broadcasting Services Act 1992</i>	1
<i>Civil Aviation Act 1988</i>	1
<i>Customs Act 1901</i>	1
<i>Defence Act 1903</i>	2
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	2
<i>Higher Education Support Act 2003</i>	5
<i>National Health Security Act 2007</i>	1
<i>Nuclear Non-Proliferation (Safeguards) Act 1987</i>	1
<i>Payment Systems (Regulation) Act 1998</i>	1
<i>Trade Practices Act 1974</i>	1
Total	21

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Australian Meat and Live-stock Industry (Beef Export to the USA — Quota Year 2011) Order 2010 under section 17 of the *Australian Meat and Live-stock Industry Act 1997*
[F2010L03043]

Australian Meat and Live-stock Industry Act 1997

Made 15/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Specifies the method by which in-quota beef may be exported to the United States of America in 2011.

Australian Meat and Live-stock Industry (Sheepmeat and Goatmeat Export to the European Union — Quota Year 2011) Order 2010 under section 17 of the *Australian Meat and Live-stock Industry Act 1997*
[F2010L03042]

Australian Meat and Live-stock Industry Act 1997

Made 15/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Specifies the method by which quotas to export sheepmeat and goatmeat to the European Union will be allocated among licensed exporters for the quota year 2011.

ATTORNEY-GENERAL'S DEPARTMENT

**Customs (Prohibited Imports) Amendment
Regulations 2010 (No. 2)
Select Legislative Instrument 2010 No. 275
[F2010L03011]**

Customs Act 1901

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Make various amendments to the principal Regulations concerning import permissions granted by the Attorney-General, and references to imitation firearms.

DEPARTMENT OF BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY

Broadcasting Services (Primary Commercial Television Broadcasting Service) Amendment Declaration 2010 (No. 2) under clause 41G of Schedule 4 to the *Broadcasting Services Act 1992* [F2010L03004]

Broadcasting Services Act 1992

Made 9/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Declares a particular SDTV multi-channelled commercial television broadcasting service to the primary commercial television broadcasting service for licencees in specified licence areas.

DEPARTMENT OF DEFENCE**Defence Determination 2010/55***Defence Act 1903*

Made 11/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

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

Defence Determination 2010/56*Defence Act 1903*

Made 11/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Amends the eligible locations for hardship allowance.

**DEPARTMENT OF EDUCATION, EMPLOYMENT AND WORKPLACE
RELATIONS**

**Declaration of List of Other Grants (Research)
under Division 41 for 2011 under section 41-50 of
the *Higher Education Support Act 2003*
[F2010L03056]**

Higher Education Support Act 2003

Made 12/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Provides a list of the maximum amounts of all Other Grants (Research) which may be paid in 2011 for certain purposes.

**VET Provider Approval No. 18 of 2010 under
clauses 6 and 11 of Schedule 1A of the *Higher
Education Support Act 2003*
[F2010L03026]**

Higher Education Support Act 2003

Made 12/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Approves Alphacrucis College Ltd. as a VET provider.

**VET Provider Approval No. 16 of 2010 under
clauses 6 and 11 of Schedule A of the *Higher
Education Support Act 2003*
[F2010L03022]**

Higher Education Support Act 2003

Made 12/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Approves Australian Academy of Vocational Education and Trades Pty Ltd. as a VET provider.

**VET Provider Approval No. 19 of 2010 under
clauses 6 and 11 of Schedule 1A of the *Higher
Education Support Act 2003*
[F2010L03027]**

Higher Education Support Act 2003

Made 12/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Approves Actors Centre Australia Pty Ltd. as a VET provider.

**VET Provider Approval No. 17 of 2010 under
clauses 6 and 11 of Schedule 1A of the *Higher
Education Support Act 2003*
[F2010L03024]**

Higher Education Support Act 2003

Made 12/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Approves Avondale College Ltd. as a VET provider.

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

**Nuclear Non-Proliferation (Safeguards)
Amendment Regulations 2010 (No. 1)
Select Legislative Instrument 2010 No. 276
[F2010L03016]**

Nuclear Non-Proliferation (Safeguards) Act 1987

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Specify an increase in the rate used to determine the amount of charge payable by a producer of uranium ore concentrates.

DEPARTMENT OF HEALTH AND AGEING**Temporary Suspension of Provisions of Part 3
under subsections 60A(1A) and (1) of the *National
Health Security Act 2007*
[F2010L03025]*****National Health Security Act 2007***

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Suspends certain regulatory requirements and specifies new conditions to permit laboratory diagnosis of suspected cholera samples.

DEPARTMENT OF INFRASTRUCTURE AND TRANSPORT

**Exemption No. CASA EX92/10 under
subregulation 308(1) of the *Civil Aviation
Regulations 1988*
[F2010L02841]**

Civil Aviation Act 1988

Made 15/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Permits Jetstar Airways Pty Ltd to use
an approved flight simulator to satisfy
recency requirements.

**DEPARTMENT OF SUSTAINABILITY, ENVIRONMENT, WATER, POPULATION
AND COMMUNITIES**

**Amendment of List of Exempt Native Specimens
under subsection 303DC(1) of the *Environment
Protection and Biodiversity Conservation Act 1999*
EPBC303DC/SFS/2010/57
[F2010L03057]**

*Environment Protection and Biodiversity
Conservation Act 1999*

Made 17/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Removes from the list of native specimens that are exempt from trade control provisions specimens taken in the Coral Sea Fishery.

**Amendment of List of Exempt Native Specimens
under subsection 303DC(1) of the *Environment
Protection and Biodiversity Conservation Act 1999*
EPBC303DC/SFS/2010/58
[F2010L03058]**

*Environment Protection and Biodiversity
Conservation Act 1999*

Made 17/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Adds specimens taken in the Coral Sea Fishery to the list of native specimens that are exempt from trade control provisions and specifies conditions for inclusion in that list.

**Antarctic Treaty (Environment Protection —
Historic Sites and Monuments) Amendment
Proclamation 2010 (No. 1) under section 8A of the
Antarctic Treaty (Environment Protection) Act 1980
[F2010L03020]**

Antarctic Treaty (Environment Protection) Act 1980

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Amends the principal Proclamation to declare three new Antarctic Historic Sites and Monuments.

**Antarctic Treaty (Environment Protection)
Amendment Proclamation 2010 (No. 1) under
section 8 of the *Antarctic Treaty (Environment
Protection) Act 1980*
[F2010L03021]**

Antarctic Treaty (Environment Protection) Act 1980

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Amends the principal Proclamation to declare five new Antarctic specially protected areas and three new Antarctic specially managed areas, and to vary eight existing Antarctic specially protected areas.

DEPARTMENT OF THE TREASURY

**Australian Securities and Investments Commission
Amendment Regulations 2010 (No. 4)
Select Legislative Instrument 2010 No. 278
[F2010L03015]**

*Australian Securities and Investments Commission
Act 2001*

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Prescribe informational requirements for invoices or other documents that seek payment for unsolicited financial services.

**Payment Systems (Regulation) Amendment
Regulations 2010 (No. 1)
Select Legislative Instrument 2010 No. 279
[F2010L03013]**

Payment Systems (Regulation) Act 1998

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Amend the principal Regulations to specify a revised standard for the EFTPOS system.

**Trade Practices (Australian Consumer Law)
Amendment Regulations 2010 (No. 1)
Select Legislative Instrument 2010 No. 280
[F2010L03014]**

Trade Practices Act 1974

Made 16/11/2010
Tabled 22/11/2010 S 22/11/2010 HR

Summary Amend the principal Regulations to make provision for various matters as a consequence of the *Trade Practices Amendment (Australian Consumer Law) Act (No. 2) 2010*.