

**DELEGATED LEGISLATION MONITOR
9-11 OCTOBER 2012**

This week at a glance

There were 100 disallowable instruments tabled in the Parliament.
These were made under 32 separate enabling Acts, through 15 Commonwealth departments.

Regulations

14 of the 100 instruments were regulations, comprising

- 2 made as primary instruments; and
- 12 made as amending instruments

Instrument makers

27 instruments were made by the Governor-General or ministers

73 instruments were made by public officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE
9-11 OCTOBER 2012**

DEPARTMENT	NUMBER OF INSTRUMENTS
Department of Agriculture, Fisheries and Forestry	1
Attorney-General's Department	3
Department of Broadband, Communications and the Digital Economy	7
Department of Climate Change and Energy Efficiency	2
Department of Defence	4
Department of Education, Employment and Workplace Relations	1
Department of Families, Housing, Community Services and Indigenous Affairs	4
Department of Finance and Deregulation	4
Department of Health and Ageing	29
Department of Immigration and Citizenship	2
Department of Industry, Innovation, Science, Research and Tertiary Education	7
Department of Infrastructure and Transport	8
Department of Sustainability, Environment, Water, Population and Communities	12
Department of the Treasury	13
Department of Veterans' Affairs	3
Total	100

**DELEGATED LEGISLATION TABLED IN THE SENATE
9-11 OCTOBER 2012**

NUMBER OF INSTRUMENTS MADE UNDER SPECIFIC ACTS

<i>Appropriation Act (No. 1) 2009-2010</i>	1
<i>Appropriation Act (No. 1) 2010-2011</i>	1
<i>Appropriation Act (No. 1) 2011-2012</i>	1
<i>Appropriation Act (No. 2) 2011-2012</i>	1
<i>Australian Film, Television and Radio School Act 1973</i>	1
<i>Australian Prudential Regulation Authority Act 1998</i>	4
<i>Broadcasting Services Act 1992</i>	4
<i>Civil Aviation Act 1988</i>	8
<i>Clean Energy Act 2011</i>	1
<i>Corporations Act 2001</i>	9
<i>Customs Act 1901</i>	2
<i>Defence Act 1903</i>	4
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	10
<i>Fair Work (Building Industry) Act 2012</i>	1
<i>Financial Management and Accountability Act 1997</i>	1
<i>Fisheries Management Act 1991</i>	1
<i>Health Insurance Act 1973</i>	3
<i>Higher Education Support Act 2003</i>	5
<i>Migration Act 1958</i>	2
<i>Military Rehabilitation and Compensation Act 2004</i>	1
<i>National Health Act 1953</i>	25
<i>Product Stewardship Act 2011</i>	1
<i>Radiocommunications Act 1992</i>	1
<i>Remuneration Tribunal Act 1973</i>	1
<i>Renewable Energy (Electricity) Act 2000</i>	1
<i>Social Security (Administration) Act 1999</i>	4
<i>Telecommunications (Interception and Access) Act 1979</i>	1
<i>Telecommunications Act 1997</i>	2
<i>Tertiary Education Quality and Standards Agency Act 2011</i>	1
<i>Therapeutic Goods Act 1989</i>	1
<i>Veterans' Entitlements Act 1986</i>	2
<i>Water Act 2007</i>	1
Total	102

(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

**Southern and Eastern Scalefish and Shark Fishery
(Closures) Direction No. 5 2012 [under subsection
41A(2) of the *Fisheries Management Act 1991*]
[F2012L01906]**

Fisheries Management Act 1991

Made	19/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Prohibits fishing by gillnets in
specified areas of the Southern and
Eastern Scalefish and Shark Fishery.

ATTORNEY-GENERAL'S DEPARTMENT

Customs Amendment Regulation 2012 (No. 7) [Select Legislative Instrument 2012 No. 224] [F2012L01956]

Customs Act 1901

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal regulations to provide that Russia is not treated as having an economy in transition for the purposes of assessing the normal value of goods.

Customs Legislation Amendment Regulation 2012 (No. 1) [Select Legislative Instrument 2012 No. 225] [F2012L01990]

Customs Act 1901

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the process for applying for permission to import goods which depict Commonwealth national symbols.

Telecommunications (Interception and Access) (Requirements for Authorisations, Notifications and Revocations) Determination 2012 [under subsection 183(2) of the *Telecommunications (Interception and Access) Act 1979*] [F2012L02008]

Telecommunications (Interception and Access) Act 1979

Made 09/10/12
Tabled 11/10/12 S 11/10/12 HR

Summary Determines requirements for the form, notification and revocation of authorisations made by ASIO or an enforcement agency for the disclosure of information or documents.

DEPARTMENT OF BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY

Broadcasting Services (Digital-Only Local Market Area for the Remote and Regional WA TV1, Western Zone TV1 and Geraldton TV1 Licence Areas) Determination (No. 1) 2012 [under subclause 5F(1) of Schedule 4 to the *Broadcasting Services Act 1992*] [F2012L01896]

Broadcasting Services Act 1992

Made 17/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines that a specified area within the Remote and Regional WA TV1, Western Zone TV1 and Geraldton TV1 Licence Areas is to become a digital-only local market area from a specified time.

Broadcasting Services (Digital-Only Local Market Areas for Tasmania TV1) Determination (No. 2) 2012 [under subclause 5F(1) of Schedule 4 to the *Broadcasting Services Act 1992*] [F2012L01897]

Broadcasting Services Act 1992

Made 17/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines that specified areas within the Tasmania TV1 licence area are to become digital-only local market areas from a specified time.

Broadcasting Services (Regional Commercial Radio — Local Presence) Licence Condition 2012 [under subsection 43(1) of the *Broadcasting Services Act 1992*] [F2012L01987]

Broadcasting Services Act 1992

Made 21/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Imposes requirements on regional commercial radio broadcasting licensees regarding maintaining a local presence in a licence area after a trigger event as defined in the Act.

Broadcasting Services (Regional Commercial Radio — Material of Local Significance) Licence Condition 2012 [under subsection 43(1) of the *Broadcasting Services Act 1992*] [F2012L01985]

Broadcasting Services Act 1992

Made 21/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Imposes requirements on regional commercial radio broadcasting licensees regarding the broadcasting of material of local significance.

**Radiocommunications (Spectrum Access Charges — 800 MHz) Determination 2012 (No. 1) [under subsection 294(1) of the *Radiocommunications Act* 1992]
[F2012L01947]**

Radiocommunications Act 1992

Made	21/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies spectrum access charges payable by licensees for the re-issue of expiring spectrum licenses in the 800 MHz band.

**Telecommunications Technical Standard (Analogue Interworking and Non-interference Requirements for Customer Equipment for Connection to the Public Switched Telephone Network — AS/CA S002:2010) Amendment 2012 (No. 1) [under subsection 376(1) of the *Telecommunications Act* 1997]
[F2012L01900]**

Telecommunications Act 1997

Made	14/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal standard to adopt an amendment to the relevant industry standard.

**Telecommunications Technical Standard (Requirements for Customer Access Equipment for connection to Telecommunications Network – Part 1: General — AS/CA S003.1:2010) Amendment 2012 (No. 1) [under subsection 376(1) of the *Telecommunications Act* 1997]
[F2012L01986]**

Telecommunications Act 1997

Made	21/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal standard to reflect changes to an industry standard.

DEPARTMENT OF CLIMATE CHANGE AND ENERGY EFFICIENCY

Clean Energy Amendment Regulation 2012 (No. 6) **[Select Legislative Instrument 2012 No. 226]** **[F2012L01957]**

Clean Energy Act 2011

Made 27/09/12
 Tabled 09/10/12 S 09/10/12 HR

Summary Specifies the production of ceramic floor and wall tiles as an eligible emissions-intensive trade-exposed activity and makes other amendments to the principal regulations.

Renewable Energy (Electricity) Amendment Regulation 2012 (No. 7) **[Select Legislative Instrument 2012 No. 227]** **[F2012L01993]**

Renewable Energy (Electricity) Act 2000

Made 27/09/12
 Tabled 09/10/12 S 09/10/12 HR

Summary Permits accredited waste mine coal gas power stations to apply for a redistribution of their eligible generation limits, and makes other amendments to the principal regulations.

DEPARTMENT OF DEFENCE

Defence Determination 2012/53, Leave without pay and travelling allowance — amendment [under section 58B of the *Defence Act 1903*]

Defence Act 1903

Made 26/09/12
Tabled 11/10/12 S 10/10/12 HR

Summary Increases the accommodation component of travelling allowance, amends the lists of high-cost and medium-cost country centres and updates a cross-reference in the leave without pay provisions of the principal determination.

Defence Determination 2012/55, Military instructor on temporary duty and unpaid leave — amendment [under section 58B of the *Defence Act 1903*]

Defence Act 1903

Made 26/09/12
Tabled 11/10/12 S 10/10/12 HR

Summary Specifies additional personnel who can approve an interdependent partnership in exceptional circumstances and makes other amendments to the principal determination.

Defence Determination 2012/54, Overseas relocations, education assistance and benchmark schools — amendment [under section 58B of the *Defence Act 1903*]

Defence Act 1903

Made 26/09/12
Tabled 11/10/12 S 10/10/12 HR

Summary Amends limits on baggage transport costs, permits single parent members on long-term overseas postings to receive education assistance for school age children and makes other amendments to the principal determination.

Defence Determination 2012/56, Leave, settling out and overseas education assistance — amendment [under section 58B of the *Defence Act 1903*]

Defence Act 1903

Made 26/09/12
Tabled 11/10/12 S 10/10/12 HR

Summary Makes minor corrections and textual amendments to the principal determination.

DEPARTMENT OF EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS

**Fair Work (Building Industry — Accreditation
Scheme) Amendment Regulation 2012 (No. 1)**
[Select Legislative Instrument 2012 No. 235]
[F2012L01960]

Fair Work (Building Industry) Act 2012

Made	27/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary	Amends the principal regulations to exempt the Commonwealth and Commonwealth authorities from requirements to engage builders accredited under the Australian Government Building and Construction Occupational Health and Safety Accreditation Scheme in certain circumstances.
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DEPARTMENT OF FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS

Social Security (Administration) (Declared income management area — Anangu Pitjantjatjara Yankunytjatjara lands) Determination 2012 [under paragraph 132TGA(c) and subsection 123UCA(3) of the *Social Security (Administration) Act 1999*] [F2012L01943]

Social Security (Administration) Act 1999

Made	25/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies Anangu Pitjantjatjara Yankunytjatjara lands as a declared voluntary income management area.

Social Security (Administration) (Recognised State/Territory Authority — NT Alcohol and Drugs Tribunal) Determination 2012 [under subsection 123TGAA(1) of the *Social Security (Administration) Act 1999*] [F2012L01980]

Social Security (Administration) Act 1999

Made	27/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Determines that the Northern Territory Alcohol and Drugs Tribunal is a recognised state or territory authority for the purposes of part 3B of the Act.

Social Security (Administration) (Recognised State or Territory — Northern Territory) Determination 2012 [under section 123TGAB of the *Social Security (Administration) Act 1999*] [F2012L01979]

Social Security (Administration) Act 1999

Made	27/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Determines that the Northern Territory is a recognised state or territory for the purposes of part 3B of the Act.

Social Security Regulation 2012 [Select Legislative Instrument 2012 No. 228] [F2012L01978]

Social Security (Administration) Act 1999

Made	27/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies attendance at certain events as being for a humanitarian purpose, for the purposes of overseas portability of certain social security payments.

DEPARTMENT OF FINANCE AND DEREGULATION

Determination to Reduce Appropriations Upon Request (No. 10 of 2011-2012) [under subsection 10(2) of *Appropriation Act (No.1) 2011-2012*; and subsection 13(2) of *Appropriation Act (No.2) 2011-2012*]
[F2012L01925]

Appropriation Act (No. 1) 2011-2012
Appropriation Act (No. 2) 2011-2012

Made 07/05/12
Tabled 09/10/12 S 09/10/12 HR

Summary Reduces departmental appropriation items for the Department of Defence by specified amounts.

Determination to Reduce Appropriations Upon Request (No. 11 of 2011-2012) [under subsection 10(2) of the *Appropriation Act (No. 1) 2009-2010* and subsection 10(2) of *Appropriation Act (No. 1) 2010-2011*]
[F2012L01927]

Appropriation Act (No. 1) 2009-2010
Appropriation Act (No. 1) 2010-2011

Made 11/05/12
Tabled 09/10/12 S 09/10/12 HR

Summary Reduces departmental appropriation items for the Department of Foreign Affairs and Trade by specified amounts.

Financial Management and Accountability Amendment Regulation 2012 (No. 7)
[Select Legislative Instrument 2012 No. 229]
[F2012L01988]

Financial Management and Accountability Act 1997

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Adds one new government program to part 4 of schedule 1AA to the principal regulations.

Remuneration Tribunal Determination 2012/20 — Remuneration and Allowances for Holders of Public Office, Principal Executive Office — Classification Structure and Terms and Conditions and Judicial and Related Offices [under subsections 7(3), 7(4) and 5(2A) of the *Remuneration Tribunal Act 1973*]
[F2012L01996]

Remuneration Tribunal Act 1973

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Specifies the remuneration and allowances payable to certain holders of full-time or part-time public office, principal executive offices and judicial and related office.

DEPARTMENT OF HEALTH AND AGEING

Commonwealth price (Pharmaceutical benefits supplied by approved pharmacists) Amendment Determination 2012 (No. 2) [under paragraph 98B(1)(a) of the *National Health Act 1953*] [F2012L01940]

National Health Act 1953

Made	07/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal determination to reflect changes in the base price used for the Commonwealth price.

Health Insurance (Allied Health Services) Amendment Determination 2012 (No. 3) [under subsection 3C(1) of the *Health Insurance Act 1973*] [F2012L02001]

Health Insurance Act 1973

Made	04/10/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the eligibility requirements for psychologists providing Medicare-rebateable allied health services.

Health Insurance Act 1973 — Amendment Declaration of Quality Assurance Activity QAA 4/2011 under section 124X (QAA No. 4/2012) [F2012L01917]

Health Insurance Act 1973

Made	04/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends a specified quality assurance activity to include reporting of incidents from specified bodies.

National Health Act 1953 — Amendment determination under paragraph 98C(1)(b) (No. PB 75 of 2012) [under paragraph 98C(1)(b) of the *National Health Act 1953*] [F2012L01969]

National Health Act 1953

Made	25/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal determination which specifies conditions under which payments will be made in respect of the supply of pharmaceutical benefits by approved pharmacists and approved medical practitioners.

Health Insurance Act 1973 — Declaration of Quality Assurance Activity under section 124X (QAA No. 3/2012) [F2012L01922]

Health Insurance Act 1973

Made	04/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies the Emergency Medicine Events Register as a quality assurance activity to which Part VC of the Act applies.

National Health Act (Pharmaceutical Benefits — Early Supply) Amendment October 2012 — specification under subsection 84AAA(2) (No. PB 86 of 2012) [F2012L01931]

National Health Act 1953

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Specifies an amended list of pharmaceutical items for the purposes of provisions in the Act dealing with early supply of pharmaceutical benefits.

National Health (Claims and under co-payment data) Amendment Rules 2012 (No. 2) (No. PB 79 of 2012) [under subsections 98AC(4) and 99AAA(8) of the *National Health Act 1953*] [F2012L01951]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the rules for the transmission of claims data and the transmission of data for medicines priced at or below the patient co-payment threshold.

National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2012 (No. 8) (No. PB 77 of 2012) [under subsections 100(1) and (2) of the *National Health Act 1953*] [F2012L01966]

National Health Act 1953

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the special arrangement for the availability of drugs and medicinal preparations for chemotherapy.

National Health (Emergency Treatment Program) Revocation Instrument 2012 (No. PB 74 of 2012) [under subsection 100(2) of the *National Health Act 1953*] [F2012L01967]

National Health Act 1953

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Revokes a redundant special arrangement.

National Health (Highly specialised drugs program for hospitals) Special Arrangement Amendment Instrument 2012 (No. 8) (No. PB 76 of 2012) [under subsections 100(1) and (2) of the *National Health Act 1953*] [F2012L01971]

National Health Act 1953

Made 26/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the arrangements for the availability of drugs and medicinal preparations under the highly specialised drugs program.

National Health (Immunisation Program — Designated Vaccines) Determination 2012 (No. 1) [under subsections 9B(2) and (5) of the *National Health Act 1953*] [F2012L01945]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Designates vaccines for the purposes of the Act and specifies the circumstances in which those vaccines may be provided.

National Health (Immunisation Program — Designated Vaccines) Variation Determination 2012 (No. 1) [under subsections 9B(2) and (5) of the *National Health Act 1953*] [F2012L02002]

National Health Act 1953

Made 04/10/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal determination to specify an additional vaccine and to vary the circumstances in which two other vaccines may be provided.

National Health (Listed drugs on F1 or F2) Amendment Determination 2012 (No. 7) (No. PB 81 of 2012) [under subsection 85AB(1) of the *National Health Act 1953*] [F2012L01938]

National Health Act 1953

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the list of drugs that are assigned to the F1 or F2 formularies.

National Health (Indigenous Chronic Disease — PBS Co-payment Measure) Special Arrangement Amendment Instrument 2012 (No. 2) (No. PB 89 of 2012) [under subsections 100(1) and (2) of the *National Health Act 1953*] [F2012L01970]

National Health Act 1953

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the special arrangement to assist eligible indigenous patients to access Pharmaceutical Benefits Scheme medicines with reduced co-payments.

National Health (Listing of Pharmaceutical Benefits) Instrument 2012 (No. PB 71 of 2012) [under sections 84AF, 84AK, 85, 85A, 88 and 101 of the *National Health Act 1953*] [F2012L01982]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Revokes and replaces a previous instrument and specifies the pharmaceutical benefits that are on the Pharmaceutical Benefits Scheme and specifies forms, brands, responsible persons, circumstances for prescribing and the maximum quantities and number of repeats that may be prescribed.

National Health (IVF/GIFT Program) Special Arrangement Amendment Instrument 2012 (No. 2) (No. PB 78 of 2012) [under subsections 100(1) and (2) of the *National Health Act 1953*] [F2012L01968]

National Health Act 1953

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the special arrangement for the supply of special pharmaceutical products to persons receiving IVF or gamete intra-fallopian transfer treatment.

National Health (Paraplegic and Quadriplegic Program) Special Arrangement Amendment Instrument 2012 (No. 2) (No. PB 91 of 2012) [under subsections 100(1) and (2) of the *National Health Act 1953*] [F2012L01974]

National Health Act 1953

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the special arrangement relating to the paraplegic and quadriplegic program.

National Health (Payments for prescriber bag supplies) Determination 2012 (No. PB 92 of 2012) [under regulation 18 of the National Health (Pharmaceutical Benefits) Regulations 1960] [F2012L01959]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines the rates and conditions of payment by the Commonwealth to approved pharmacists for the supply of pharmaceutical benefits to practitioners under the prescriber bag provisions of the *National Health Act 1953*.

National Health (Pharmaceutical benefits supplied by public hospitals) Amendment Determination 2012 (No. 1) (No. PB 84 of 2012) [under subsection 99(4) of the *National Health Act 1953*] [F2012L01953]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal determination which specifies the rates and conditions of payment by the Commonwealth to public hospitals for the supply of pharmaceutical benefits to patients.

National Health (Pharmaceutical Benefits — Therapeutic Groups) Amendment Determination 2012 (No. 2) (No. PB 80 of 2012) [under subsection 84AG(1) of the *National Health Act 1953*] [F2012L01930]

National Health Act 1953

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Adds a listed drug to one of the therapeutic groups in the principal determination.

National Health (Pharmaceutical benefits supplied under subsection 93A(4)) Amendment Determination 2012 (No. 1) (No. PB 90 of 2012) [under regulation 37AA of the National Health (Pharmaceutical Benefits) Regulations 1960] [F2012L01964]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Makes a minor amendment to the principal determination to reflect a change to section 85B of the *National Health Act 1953*.

National Health (Pharmaceutical benefits supplied by private hospitals) Amendment Determination 2012 (No. 1) (No. PB 83 of 2012) [under subsection 99(4) of the *National Health Act 1953*] [F2012L01954]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal determination, which specifies the rates and conditions of payment by the Commonwealth to private hospitals for the supply of pharmaceutical benefits to patients.

National Health (Prescriber bag supplies) Determination 2012 (No. PB 73 of 2012) [under section 93AB of the *National Health Act 1953*] [F2012L01955]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines the pharmaceutical benefits that can be supplied by medical practitioners and authorised nurse practitioners, and provides for related matters.

National Health (Price and Special Patient Contribution) Amendment Determination 2012 (No. 6) (No. PB 72 of 2012) [under section 85B of the *National Health Act 1953*] [F2012L01952]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal determination, which specifies prices of brands of pharmaceutical items and provides for the circumstances in which the Commonwealth will pay the special patient contribution resulting from those price determinations.

National Health (Remote Aboriginal Health Services Program) Special Arrangements Amendment Instrument 2012 (No. 2) (No. PB 87 of 2012) [under subsections 100(1) and (2) of the *National Health Act 1953*] [F2012L01976]

National Health Act 1953

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the remote aboriginal health services program as a consequence of changes made by the *National Health Amendment (Pharmaceutical Benefits Scheme) Act 2012*.

National Health (Subsection 84C(7)) Amendment Determination 2012 (No. 2) (No. PB 85 of 2012) [under subsection 84C(7) of the *National Health Act 1953*] [F2012L01958]

National Health Act 1953

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal determination to reflect changes in the base price used for the Commonwealth price.

National Health (Supplies of out-patient medication) Amendment Determination 2012 (No. 1) (No. PB 88 of 2012) [under subsection 84BA(2) of the *National Health Act 1953*] [F2012L01972]

National Health Act 1953

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal determination as a consequence of changes made by the *National Health Amendment (Pharmaceutical Benefits Scheme) Act 2012*.

National Health (Weighted average disclosed price — interim supplementary disclosure cycle) Amendment Determination 2012 (No. PB 70 of 2012) [under subsection 99ADB(4) of the *National Health Act 1953*] [F2012L01907]

National Health Act 1953

Made 20/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Specifies the weighted average disclosed price of certain listed brands of pharmaceutical products in the interim disclosure cycle.

**Therapeutic Goods Order No. 80A —
 Amendments to Therapeutic Goods Order No. 80
 — Child-Resistant Packaging Requirements for
 Medicines [under section 10 of the *Therapeutic
 Goods Act 1989*]
 [F2012L01920]**

Therapeutic Goods Act 1989

Made	17/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal order to specify additional medicines for which child-resistant packaging is required.

DEPARTMENT OF IMMIGRATION AND CITIZENSHIP

**Migration Agents Regulations 1998 —
Specification under regulation 5 — Prescribed
courses and exams for applicants for registration
as a Migration Agent — September 2012
[F2012L01932]**

Migration Act 1958

Made	11/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Revokes and replaces a previous instrument and prescribes exams and courses for persons who seek to become registered migration agents.

**Migration Amendment Regulation 2012 (No. 5)
[Select Legislative Instrument 2012 No. 230]
[F2012L01961]**

Migration Act 1958

Made	27/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal regulations to define the term ‘irregular maritime arrival’ and to provide for consequential matters.

DEPARTMENT OF INDUSTRY, INNOVATION, SCIENCE, RESEARCH AND TERTIARY EDUCATION

Determination of Degrees, Diplomas and Certificates No. 2012/3 [under section 6A of the *Australian Film, Television and Radio School Act 1973*] [F2012L01903]

Australian Film, Television and Radio School Act 1973

Made 07/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Adds a new graduate certificate to the list of certificates that may be awarded by the Australian Film, Television and Radio School.

Higher Education Support Act 2003 — Other Grants Guidelines (Research) 2012 (DIISRTE) [under section 238-10 of the *Higher Education Support Act 2003*] [F2012L02010]

Higher Education Support Act 2003

Made 24/09/12
Tabled 11/10/12 S 11/10/12 HR

Summary Specifies the purpose for which, and the programs under which, grants may be made to higher education providers for research and research training.

Higher Education Provider Approval No. 10 of 2012 [under section 16-25 and paragraphs 16-50(1)(a) and (b) of the *Higher Education Support Act 2003*] [F2012L02007]

Higher Education Support Act 2003

Made 28/09/12
Tabled 11/10/12 S 11/10/12 HR

Summary Approves Tabor College Incorporated as a higher education provider.

Higher Education Support Act 2003 — VET Provider Approval (No. 20 of 2012) [under clause 6, paragraphs 11(1)(a) and (b) of Schedule 1A to the *Higher Education Support Act 2003*] [F2012L01895]

Higher Education Support Act 2003

Made 13/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Approves Design Schools Australia Pty Ltd. As a VET provider.

Higher Education Provider Approval No. 9 of 2012 [under paragraphs 16-50(1)(a) and (b) of the *Higher Education Support Act 2003*] [F2012L02006]

Higher Education Support Act 2003

Made 28/09/12
Tabled 11/10/12 S 11/10/12 HR

Summary Approves Kaplan Higher Education Pty Ltd as a higher education provider.

Higher Education Support Act 2003 — VET Provider Approval (No. 21 of 2012) [under clause 6, paragraphs 11(1)(a) and (b) of Schedule 1A to the *Higher Education Support Act 2003*] [F2012L02000]

Higher Education Support Act 2003

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Approves Raffles College Pty Ltd. as a VET provider.

**Tertiary Education Quality and Standards Agency
Act 2011 — Determination of Fees No. 3 of 2012**
[under subsection 158(1) of the *Tertiary Education
Quality and Standards Agency Act 2011*]
[F2012L01905]

***Tertiary Education Quality and Standards Agency
Act 2011***

Made	17/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Determines fees that the Tertiary
Education Quality and Standards
Agency may charge and the
circumstances under which fees may be
waived.

DEPARTMENT OF INFRASTRUCTURE AND TRANSPORT

AD/GA200/1 Amdt 1 — Wing Strut Bolt [under regulation 39.001(1) of the Civil Aviation Safety Regulations 1998]
[F2012L01926]

Civil Aviation Act 1988

Made	21/09/12	
Tabled	09/10/12 S	09/10/12 HR

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

CASA ADCX 022/12 — Revocation of Airworthiness Directives [under regulation 39.001(1) of the Civil Aviation Safety Regulations 1998]
[F2012L01929]

Civil Aviation Act 1988

Made	21/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Revokes airworthiness directives AD/DO 328/69 on 26 September 2012 and AD/B737/129 and AD/LYC/117 Amdt 2 on 24 October 2012.

CASA 309/12 — Instructions — for approved use of P-RNAV procedures — Qantas A330-200/300 [under subregulation 179A(1) of the Civil Aviation Regulations 1998]
[F2012L01923]

Civil Aviation Act 1988

Made	21/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies instructions for certain navigation procedures which must be complied with by specified aircraft operated by Qantas Airways Ltd.

CASA EX 150/12 — Exemption — from standard take-off and landing minima — British Airways [under regulation 11.160 of the Civil Aviation Safety Regulations 1998]
[F2012L01999]

Civil Aviation Act 1988

Made	28/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies exemptions from standard take-off and landing minima for British Airways Public Ltd.

CASA 326/12 — Approval of area of operation — unmanned aerial vehicles (UAVs) participating in the 2012 UAV Outback Challenge; Exemption — requirement for UAV operator's certificate [under regulations 11.160 and 101.030 of the Civil Aviation Safety Regulations 1998]
[F2012L01973]

Civil Aviation Act 1988

Made	27/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies exemptions from compliance with certain requirements in connection with the Unmanned Aerial Vehicle Outback Challenge.

CASA EX146/12 — Exemption — CASR Subpart 99.B DAMP requirements for foreign aircraft AOC holders [under regulation 11.160 of the Civil Aviation Safety Regulations 1998] [F2012L01936]

Civil Aviation Act 1988

Made	20/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Exempts foreign aircraft Air Operator's Certificate holders engaged in international but not domestic air navigation in Australia from certain requirements concerning drug and alcohol management plans.

CASA EX149/12 — Exemption — solo flight training using ultralight aeroplanes registered with Recreational Aviation Australia Incorporated at Launceston Aerodrome [under regulation 11.160 of the Civil Aviation Safety Regulations 1998] [F2012L01899]

Civil Aviation Act 1988

Made	19/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Permits the Tasmanian Aero Club to conduct solo flight training for student pilots using ultralight aeroplanes.

CASA EX148/12 — Exemption — solo flight training at Rockhampton Aerodrome using ultralight aeroplanes registered with the RAA [under subregulation 11.160(1) of the Civil Aviation Safety Regulations 1998] [F2012L01983]

Civil Aviation Act 1988

Made	25/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies exemptions from compliance with certain requirements in connection with the conduct of solo flight training by a specified operator using ultralight aeroplanes.

DEPARTMENT OF SUSTAINABILITY, ENVIRONMENT, WATER, POPULATION AND COMMUNITIES

Amendment — List of Specimens taken to be Suitable for Live Import (10/09/2012) [under paragraph 303EC(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999*] [F2012L01984]

Environment Protection and Biodiversity Conservation Act 1999

Made 10/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Adds a species of sea snail to the list of specimens that are suitable for live import.

Amendment of List of Exempt Native Specimens — Western Deepwater Trawl Fishery and North West Slope Trawl Fishery (28/09/2012) [under subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999*] [F2012L02004]

Environment Protection and Biodiversity Conservation Act 1999

Made 28/09/12
Tabled 11/10/12 S 11/10/12 HR

Summary Revokes and replaces the conditions under which specimens taken in the Western Deepwater Trawl Fishery and the North West Slope Trawl Fishery are included in the list of native specimens that are exempt from trade control provisions.

Amendment of List of Exempt Native Specimens — Northern Territory Mud Crab Fishery (17/09/2012) [under subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999*] [F2012L01908]

Environment Protection and Biodiversity Conservation Act 1999

Made 17/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Revokes and replaces the conditions under which specimens taken in the Northern Territory Mud Crab Fishery are included in the list of native specimens that are exempt from trade control provisions.

Amendment of List of Exempt Native Specimens — Northern Territory Offshore Net and Line Fishery (17/09/2012) (deletion) [under subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999*] [F2012L01910]

Environment Protection and Biodiversity Conservation Act 1999

Made 17/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Deletes specimens taken in the Northern Territory Offshore Net and Line Fishery from the list of native specimens that are exempt from trade control provisions.

**Amendment of List of Exempt Native Specimens
— Northern Territory Offshore Net and Line
Fishery (17/09/2012) (inclusion) [under subsection
303DC(1) of the *Environment Protection and
Biodiversity Conservation Act 1999*]
[F2012L01909]**

***Environment Protection and Biodiversity
Conservation Act 1999***

Made 17/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Includes specimens taken in the Northern Territory Offshore Net and Line Fishery in the list of native specimens that are exempt from trade control provisions and specifies conditions for that inclusion.

**Amendment of List of Exempt Native Specimens
— Queensland Gulf of Carpentaria Inshore Fin
Fish Fishery (21/09/2012) (inclusion) [under
subsection 303DC(1) of the *Environment Protection
and Biodiversity Conservation Act 1999*]
[F2012L01913]**

***Environment Protection and Biodiversity
Conservation Act 1999***

Made 21/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Includes specimens taken in the Gulf of Carpentaria Inshore Fin Fish Fishery in the list of native specimens that are exempt from trade control provisions and specifies conditions for that inclusion.

**Amendment of List of Exempt Native Specimens
— Queensland Gulf of Carpentaria Inshore Fin
Fish Fishery (21/09/2012) (deletion) [under
subsection 303DC(1) of the *Environment Protection
and Biodiversity Conservation Act 1999*]
[F2012L01911]**

***Environment Protection and Biodiversity
Conservation Act 1999***

Made 21/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Deletes specimens taken in the Gulf of Carpentaria Inshore Fin Fish Fishery from the list of native specimens that are exempt from trade control provisions.

**Amendment to the list of threatened species under
section 178 of the *Environment Protection and
Biodiversity Conservation Act 1999* (123)
(20/09/2012) [under subsection 184(1) of the
*Environment Protection and Biodiversity
Conservation Act 1999*]
[F2012L02009]**

***Environment Protection and Biodiversity
Conservation Act 1999***

Made 20/09/12
Tabled 11/10/12 S 11/10/12 HR

Summary Adds two species of handfish to the critically endangered category of the list of threatened species and deletes one species from the vulnerable category due to taxonomic changes.

Amendment to the list of threatened species under section 178 of the Environment Protection and Biodiversity Conservation Act 1999 (138) (17/09/2012) [under paragraph 184(1)(d) of the Environment Protection and Biodiversity Conservation Act 1999]
[F2012L01915]

Environment Protection and Biodiversity Conservation Act 1999

Made 17/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Updates the name of three listed threatened species.

Water Amendment Regulation 2012 (No. 2) [Select Legislative Instrument 2012 No. 232]
[F2012L01991]

Water Act 2007

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Excludes certain water resources from the definition of Basin water resources, and makes other amendments to the principal regulations.

Interim (Small Pelagic Fishery) Declaration 2012 [under section 390DS of the Environment Protection and Biodiversity Conservation Act 1999]
[F2012L01901]

Environment Protection and Biodiversity Conservation Act 1999

Made 20/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Declares a specified type of commercial fishing activity and thus prohibits fishing by large mid-water trawl freezer vessels in the Small Pelagic Fishery for a period of 60 days.

Product Stewardship (Advisory Group) Regulation 2012 [Select Legislative Instrument 2012 No. 231]
[F2012L01995]

Product Stewardship Act 2011

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Prescribes the remuneration and allowances for the advisory group.

DEPARTMENT OF THE TREASURY

AASB 2012-6 — Amendments to Australian Accounting Standards — Mandatory Effective Date of AASB 9 and Transition Disclosures [under section 334 of the *Corporations Act 2001*] [F2012L01935]

Corporations Act 2001

Made	10/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends six accounting standards as a consequence of the issuance of International Financial Reporting Standard Mandatory Effective Date and Transition Disclosures.

ASIC Class Order [CO 12/1266] [under paragraph 911A(2) (l) of the *Corporations Act 2001*] [F2012L01918]

Corporations Act 2001

Made	20/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends several class orders to correct an unintended consequence of a previous amendment, to provide that an exempt foreign financial services provider must notify ASIC of significant investigations unless this is prohibited by foreign law.

AASB 2012-7 — Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements — September 2012 [under section 334 of the *Corporations Act 2001*] [F2012L01937]

Corporations Act 2001

Made	10/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends four accounting standards to establish reduced disclosure requirements for certain entities.

ASIC Class Order [CO 12/1267] [under paragraphs 601QA(1)(a), 741(1)(a) and (b), 911A(2)(1), 1020F(1)(a) and (c) of the *Corporations Act 2001*] [F2012L01919]

Corporations Act 2001

Made	20/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends several class orders to correct an unintended consequence of a previous amendment, to provide that an exempt foreign collective investment scheme operator must notify ASIC of significant investigations unless this is prohibited by foreign law.

ASIC Class Order [CO 12/1295] [under paragraph 926A(2)(c) of the *Corporations Act 2001*] [F2012L01975]

Corporations Act 2001

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends a previous class order to specify the net tangible assets financial requirement that applies to Australian Financial Services licensees who are not operating a registered managed investment scheme.

Australian Prudential Regulation Authority (confidentiality) determination No. 17 of 2012 [under section 57 of the *Australian Prudential Regulation Authority Act 1998*] [F2012L01994]

Australian Prudential Regulation Authority Act 1998

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines that information provided to APRA by registered financial corporations under certain reporting standards is non-confidential.

ASIC Class Order [CO 12/1301] [under paragraphs 601QA(1)(b), 926A(2)(a), 992B(1)(a) and 1020F(1)(a) of the *Corporations Act 2001*] [F2012L01965]

Corporations Act 2001

Made 25/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Provides continued temporary and transitional relief from licensing, conduct and disclosure requirements for litigation funding schemes and proof of debt funding schemes, pending the commencement of new regulations.

Australian Prudential Regulation Authority (confidentiality) determination No. 18 of 2012 [under section 57 of the *Australian Prudential Regulation Authority Act 1998*] [F2012L01921]

Australian Prudential Regulation Authority Act 1998

Made 20/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines that information provided to APRA by locally-incorporated banks and foreign authorised deposit taking institutions under Reporting Standard ARS 320.0 is non-confidential.

Australian Prudential Regulation Authority (confidentiality) determination No. 16 of 2012 [under section 57 of the *Australian Prudential Regulation Authority Act 1998*] [F2012L01992]

Australian Prudential Regulation Authority Act 1998

Made 24/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines that information provided to APRA by authorised deposit taking institutions under certain reporting standards is non-confidential.

**Australian Prudential Regulation Authority
(confidentiality) determination No. 19 of 2012
[under section 57 of the *Australian Prudential
Regulation Authority Act 1998*]
[F2012L01977]**

***Australian Prudential Regulation Authority Act
1998***

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines that information provided to APRA by general insurers and Lloyd's underwriters under certain reporting standards is non-confidential

**Ministerial Determination in relation to voluntary
transfer determination applications made to ASIC
[under paragraph 601WBD(1)(b) of the
Corporations Act 2001]
[F2012L01904]**

Corporations Act 2001

Made 06/08/12
Tabled 09/10/12 S 09/10/12 HR

Summary Determines that ministerial consent is not required for all voluntary transfers of estate assets and liabilities between companies within the same corporate group and voluntary transfers between unrelated companies.

**Corporations Amendment Regulation 2012 (No. 7)
[Select Legislative Instrument 2012 No. 233]
[F2012L01981]**

Corporations Act 2001

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal regulations to provide that unsolicited share offers made or received outside Australia fall within the definition of 'improper purpose' for the purposes of refusing access to a company's share register.

**Corporations Amendment Regulation 2012 (No. 8)
[Select Legislative Instrument 2012 No. 234]
[F2012L01989]**

Corporations Act 2001

Made 27/09/12
Tabled 09/10/12 S 09/10/12 HR

Summary Amends the principal regulations to provide that the conflicted remuneration provisions in the *Corporations Act 2001* do not apply to a benefit given by a platform operator under an arrangement that was entered into before the application day.

DEPARTMENT OF VETERANS' AFFAIRS

MRCA Treatment Principles (Outreach Program Counsellors) Instrument 2012 (No. MRCC40/2012)
[under subsection 286(3) of the *Military Rehabilitation and Compensation Act 2004*]
[F2012L01944]

Military Rehabilitation and Compensation Act 2004

Made	24/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal instrument to extend 'statutory registration' to specified outreach program counsellors.

Veterans' Entitlements (Outreach Program Counselling — Extension of Eligibility) Determination 2012 (No. R42/2012) [under section 88A of the *Veteran's Entitlements Act 1986*]
[F2012L01941]

Veterans' Entitlements Act 1986

Made	14/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Specifies classes of persons who can receive outreach program counselling.

Veterans' Entitlements (Treatment Principles — Outreach Program Counsellors) Instrument 2012 (No. R39/2012) [under subsection 90(5) of the *Veteran's Entitlements Act 1986*]
[F2012L01942]

Veterans' Entitlements Act 1986

Made	24/09/12	
Tabled	09/10/12 S	09/10/12 HR

Summary Amends the principal instrument to extend 'statutory registration' to specified outreach program counsellors.