

The Senate

---

Standing  
Committee for the  
Scrutiny of Delegated  
Legislation

---

Delegated Legislation Monitor

Monitor 6 of 2021

14 April 2021

© Commonwealth of Australia 2021

ISSN: 2652-4139 (print)

ISSN: 2652-4147 (online)

This document was prepared by the Senate Standing Committee for the Scrutiny of Delegated Legislation and printed by the Senate Printing Unit, Department of the Senate, Parliament House, Canberra.

# Membership of the committee

## Current members

Senator the Hon Concetta Fierravanti-Wells (Chair)	New South Wales, LP
Senator the Hon Kim Carr (Deputy Chair)	Victoria, ALP
Senator Raff Ciccone	Victoria, ALP
Senator Perin Davey	New South Wales, NATS
Senator Nita Green	Queensland, ALP
Senator Paul Scarr	Queensland, LP

## Secretariat

Mr Glenn Ryall, Secretary  
Ms Hannah Wilkins, Principal Research Officer (A/g)  
Ms Anika Khwaja, Principal Research Officer  
Ms Sarah Batts, Senior Research Officer  
Ms Katie Helme, Senior Research Officer  
Ms Jayde Kominiarski, Senior Research Officer  
Ms Anita Zovak, Legislative Research Officer

## Committee legal adviser

Associate Professor Andrew Edgar

## Committee contact details

PO Box 6100  
Parliament House  
Canberra ACT 2600  
Ph: 02 6277 3066  
Email: [sdlc.sen@aph.gov.au](mailto:sdlc.sen@aph.gov.au)  
Website: [http://www.aph.gov.au/senate\\_sdlc](http://www.aph.gov.au/senate_sdlc)



# Contents

<b>Membership of the committee .....</b>	<b>iii</b>
<b>Introduction.....</b>	<b>vii</b>
<b>Chapter 1 – Instruments raising significant scrutiny concerns .....</b>	<b>1</b>
<b>Chapter 2 – Matters of interest to the Senate .....</b>	<b>3</b>
<b>Chapter 3 – Scrutiny of Commonwealth expenditure.....</b>	<b>7</b>
<b>Appendix A - New matters.....</b>	<b>9</b>
Ministerial engagement .....	9
Agency engagement .....	11
<b>Appendix B - Ongoing matters .....</b>	<b>13</b>
Ministerial engagement .....	13
Agency engagement .....	15
<b>Appendix C - Concluded matters .....</b>	<b>17</b>
Ministerial engagement .....	17
Agency engagement .....	18
<b>Appendix D - Undertakings .....</b>	<b>21</b>
Outstanding undertakings .....	21
Implemented undertakings .....	24
<b>List of instruments in current monitor .....</b>	<b>25</b>



# Introduction

The Senate Standing Committee on Regulations and Ordinances (the committee) was established in 1932. The committee's name was changed on 4 December 2019 to the Senate Standing Committee for the Scrutiny of Delegated Legislation.<sup>1</sup> The role of the committee is to examine the technical qualities of all disallowable legislative instruments, and to decide whether they comply with the committee's non-partisan scrutiny principles.

## Terms of reference

The committee's scrutiny principles are set out in Senate standing order 23(3) which requires the committee to scrutinise each instrument as to whether:

- (a) it is in accordance with its enabling Act and otherwise complies with all legislative requirements;
- (b) it appears to be supported by a constitutional head of legislative power and is otherwise constitutionally valid;
- (c) it makes rights, liberties, obligations or interests unduly dependent on insufficiently defined administrative powers;
- (d) those likely to be affected by the instrument were adequately consulted in relation to it;
- (e) its drafting is defective or unclear;
- (f) it, and any document it incorporates, may be freely accessed and used;
- (g) the accompanying explanatory material provides sufficient information to gain a clear understanding of the instrument;
- (h) it trespasses unduly on personal rights and liberties;
- (i) it unduly excludes, limits or fails to provide for independent review of decisions affecting rights, liberties, obligations or interests;
- (j) it contains matters more appropriate for parliamentary enactment; and
- (k) it complies with any other ground relating to the technical scrutiny of delegated legislation that the committee considers appropriate.

Senate standing order 23(4) also requires the committee to scrutinise each instrument to determine whether the attention of the Senate should be drawn to

---

1 On 27 November 2019, the Senate agreed to amend standing orders 23 and 25(2)(a), with effect from 4 December 2019. For further information, see [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Changes\\_to\\_committee\\_standing\\_orders](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Changes_to_committee_standing_orders).

the instrument on the ground that it raises significant issues, or otherwise gives rise to issues that are likely to be of interest to the Senate.

### **Nature of the committee's scrutiny**

The committee's work may be broadly described as technical legislative scrutiny. In this regard, the committee does not examine the policy merits of delegated legislation. However, if the committee determines that an instrument raises significant issues, it may write to the relevant legislation committee to alert that committee to the instrument, or otherwise draw the instrument to the attention of the Senate.

Where an instrument does not appear to comply with the committee's technical scrutiny principles, the committee's usual approach is to correspond with the responsible minister or relevant agency to seek further explanation or clarification of the matter at issue. The committee may also seek an undertaking for specific action to address its scrutiny concerns.

The committee's work is supported by the processes for the registration, tabling and disallowance of legislative instruments under the *Legislation Act 2003*.<sup>2</sup>

### **Publications**

The committee's usual practice is to table a report, the *Delegated Legislation Monitor*, each Senate sitting week. The monitor provides an overview of the committee's scrutiny of disallowable legislative instruments for the preceding period. Disallowable legislative instruments detailed in the monitor are also listed in the 'Index of instruments' on the committee's website.<sup>3</sup>

### **Ministerial correspondence**

The committee undertakes formal correspondence with ministers in order to resolve more significant scrutiny concerns. Ministerial correspondence is published on the committee's website.<sup>4</sup>

### **Agency correspondence**

The committee undertakes informal correspondence with agencies via its secretariat to gather information about potential scrutiny concerns. This correspondence assists the committee in deciding whether it is necessary to seek further advice from the relevant minister about those concerns. Agency correspondence is not published;

---

2 For further information on the disallowance process and the work of the committee see *Oggers' Australian Senate Practice*, 14th Edition (2016), Chapter 15.

3 *Index of instruments*, [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Index](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Index).

4 See [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Monitor](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Monitor).



however, a record of the instrument, scrutiny issue and status of the correspondence is included in Appendix A (new matters), Appendix B (ongoing matters) and Appendix C (concluded matters) in the monitor.

## **Guidelines**

Guidelines relating to the committee's scrutiny principles are published on the committee's website.<sup>5</sup>

## **General information**

The Federal Register of Legislation should be consulted for the text of instruments, explanatory statements, and associated information.<sup>6</sup>

The Senate Disallowable Instruments List provides a listing of tabled instruments for which disallowance motions may be moved in the Senate.<sup>7</sup>

The Disallowance Alert records all notices of motion for the disallowance of instruments, and their progress and eventual outcome.<sup>8</sup>

## **Instruments considered in this monitor**

The committee examined 183 disallowable legislative instruments registered on the Federal Register of Legislation between 22 December 2020 and 25 February 2021.

This monitor identifies the instruments registered in this period about which the committee has or had scrutiny concerns. It also identifies instruments registered before this period in relation to which the committee is continuing to engage with the relevant minister or agency, or has concluded its examination.

---

5 See [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Guidelines](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Guidelines).

6 See Australian Government, Federal Register of Legislation, [www.legislation.gov.au](http://www.legislation.gov.au).

7 Parliament of Australia, *Senate Disallowable Instruments List*, [http://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/leginstruments/Senate\\_Disallowable\\_Instruments\\_List](http://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/leginstruments/Senate_Disallowable_Instruments_List).

8 *Disallowance Alert 2021*, [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_Legislation/Disallowance\\_Alert\\_2021](https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Disallowance_Alert_2021).



# Chapter 1

## Instruments raising significant scrutiny concerns

1.1 This chapter details the instruments which raise significant scrutiny concerns in relation to which the committee is seeking further information from the relevant minister or of which the committee has concluded its examination.

1.2 Where necessary, the committee may place a notice of motion to disallow an instrument contained in this chapter to emphasise its scrutiny concerns and to provide the Senate with additional time to consider the instrument with the benefit of the committee's comments. Accordingly, where appropriate, this chapter also details the committee's reasons for withdrawing notices of motion to disallow such instruments.

1.3 The committee is currently seeking to resolve all outstanding scrutiny concerns by correspondence with the relevant minister or agency. Copies of relevant correspondence are available on the committee's website.<sup>1</sup>

---

1 See [www.aph.gov.au/senate\\_sd/c](http://www.aph.gov.au/senate_sd/c).



## Chapter 2

### Matters of interest to the Senate

2.1 Senate standing order 23(4) requires the committee to scrutinise each instrument to determine whether the Senate's attention should be drawn to it on the ground that it raises significant issues, or otherwise gives rise to issues that are likely to be of interest to the Senate.

2.2 This chapter identifies the instruments which the committee has resolved to draw to the attention of the Senate and the relevant legislation committee under standing order 23(4), with the exception of instruments which specify significant executive expenditure, which are listed in Chapter 3.<sup>1</sup>

Instrument	Purpose	Portfolio committee
<b>Australian Immunisation Register Amendment (Reporting) Rules 2021 [F2021L00133]</b>	To amend the Australian Immunisation Register Rule 2015 to provide that recognised vaccination providers must report specified information relating to all COVID-19 vaccines and all influenza vaccines.	Senate Community Affairs Legislation Committee
<b>Autonomous Sanctions (Designated and Declared Persons—Former Federal Republic of Yugoslavia) Amendment (Continuation of Effect) Instrument 2020 [F2021L00059]</b>	To continue in effect the targeted financial sanctions and travel bans through the designations and declarations of 108 persons on the Autonomous Sanctions (Designated and Declared Persons – Former Federal Republic of Yugoslavia) List 2012.	Senate Foreign Affairs, Defence and Trade Legislation Committee
<b>Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Iran) Amendment (Continuation of Effect) Instrument 2020 [F2021L00058]</b>	To continue in effect the targeted financial sanctions and travel bans through the designations and declarations of 23 persons and the designations of 67 entities on the Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Iran) List 2012.	Senate Foreign Affairs, Defence and Trade Legislation Committee

---

1 Details of all instruments which the committee has resolved to draw to the attention of the Senate under standing order 23(4) are published on the committee's website: [https://www.apf.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Matters\\_of\\_interest\\_to\\_the\\_Senate](https://www.apf.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Matters_of_interest_to_the_Senate).

<b>Instrument</b>	<b>Purpose</b>	<b>Portfolio committee</b>
<b>Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Libya) Amendment (Continuation of Effect) Instrument 2020 [F2021L00050]</b>	To continue in effect the targeted financial sanctions and travel bans through the designations and declarations of 17 persons and the designations of eight entities on the Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Libya) List 2012.	Senate Foreign Affairs, Defence and Trade Legislation Committee
<b>Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Syria and Proliferation of Weapons of Mass Destruction) Amendment (Continuation of Effect) Instrument 2020 [F2021L00066]</b>	To continue in effect the targeted financial sanctions and travel bans through the designations and declarations of 88 persons and the designations of 28 entities on the Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Syria and Proliferation of Weapons of Mass Destruction) List 2012.	Senate Foreign Affairs, Defence and Trade Legislation Committee
<b>Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Zimbabwe) Amendment (Continuation of Effect) Instrument 2020 [F2021L00051]</b>	To continue in effect the designations and declarations of 5 persons and 1 entity on the Autonomous Sanctions (Designated Persons and Entities and Declared Persons – Zimbabwe) List 2012 (2012 List); and to remove two items from the 2012 List that relate to two persons who are now deceased.	Senate Foreign Affairs, Defence and Trade Legislation Committee
<b>Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020 [F2020L01688]</b>	To amend the Competition and Consumer (Consumer Data Right) Rules 2020 to expand the functionality of the Consumer Data Right regime, in line with the recommendations of the Open Banking Review.	Senate Economics Legislation Committee
<b>Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Instrument 2020 [F2020L01672]</b>	To specify a method for working out the amount payable by all non-exempt Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered providers for the risk rated premium and special tuition protection components of the Tuition Protection Service levy.	n/a
<b>Electoral and Referendum Amendment (AUSTRAC) Regulations 2020 [F2020L01666]</b>	To provide that AUSTRAC may use electoral roll data for intelligence and regulatory functions relating to the Anti-Money Laundering and Counter-Terrorism Financing regime.	Senate Finance and Public Administration Legislation Committee

Instrument	Purpose	Portfolio committee
<b>Financial Sector Reform (Hayne Royal Commission Response) (2021 Measures No. 1) Regulations 2021 [F2021L00127]</b>	To amend the Insurance Contracts Regulations 2017 to remove the concept of eligible contracts of insurance. It also amends the Corporations Regulations 2001 to make handling an insurance claim a 'financial service' under the <i>Corporations Act 2001</i> .	Senate Economics Legislation Committee
<b>Greenhouse and Energy Minimum Standards (Registration Fees) Instrument (No. 2) 2020 [F2021L00039]</b>	To set out the fees payable in relation to applications under section 41 of the <i>Greenhouse and Energy Minimum Standards Act 2012</i> to register models of Greenhouse and Energy Minimum Standards products.	n/a
<b>Public Governance, Performance and Accountability Amendment (Office of the Special Investigator) Rules 2020 [F2020L01669]</b>	To amend the Public Governance, Performance and Accountability Rule 2014 to list the Office of the Special Investigator as a listed entity for the purposes of the finance law as defined by the <i>Public Governance, Performance and Accountability Act 2013</i> . The Office of the Special Investigator will have responsibility for: <ul style="list-style-type: none"> <li>• reviewing findings of the Inspector-General of the Australian Defence Force Afghanistan Inquiry;</li> <li>• working with the Australian Federal Police to investigate the commission of criminal offences under Australian law arising from or related to any breaches of the laws of armed conflict by members of the Australian Defence Force in Afghanistan from 2005 to 2016; and</li> <li>• developing briefs of evidence in respect of any offences that are established, for referral to the Director of Public Prosecutions.</li> </ul>	Senate Finance and Public Administration Legislation Committee

Instrument	Purpose	Portfolio committee
<b>Radiocommunications (Receiver Licence Tax) Amendment Determination 2021 (No. 1) [F2021L00086]</b>	To set out the fees payable for receiver licences under the Radiocommunications (Receiver Licence Tax) Determination 2015.	n/a
<b>Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No.1) [F2021L00088]</b>	To set out the fees payable for transmitter licences under the Radiocommunications (Transmitter Licence Tax) Determination 2015.	n/a
<b>Social Security (Parenting payment participation requirements – class of persons) Instrument 2021 [F2021L00064]</b>	To remove and replace the Intensive and Targeted Streams of ParentsNext with a single specified class of persons. The effect of the instrument is that Parenting Payment recipients in this class of persons may be required to meet the participation requirements in section 500A of the <i>Social Security Act 1991</i> , unless an exemption applies.	Senate Community Affairs Legislation Committee  Senate Education and Employment Legislation Committee
<b>Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020 [F2020L01679]</b>	To implement consequential amendments from the <i>Sport Integrity Australia Amendment (World Anti-Doping Code Review) Act 2020</i> and other amendments to reflect the 2021 revisions to the World Anti-Doping Code.	Senate Community Affairs Legislation Committee
<b>Therapeutic Goods (Excluded Goods) Amendment (Vaping Devices) Determination 2021 [F2021L00112]</b>	To amend the Therapeutic Goods (Excluded Goods) Determination 2018 to exclude certain vaping devices from the operation of the <i>Therapeutic Goods Act 1989</i> ; clarifying that the only vaping devices regulated as therapeutic goods in Australia are those devices intended by their supplier to be used exclusively for the vaporisation and administration of a medicine, including vaporiser nicotine.	Senate Community Affairs Legislation Committee



## Chapter 3

### Scrutiny of Commonwealth expenditure

3.1 The *Financial Framework (Supplementary Powers) Act 1997* (FF(SP) Act) and the *Industry Research and Development Act 1986* (IRD Act) authorise the Commonwealth to spend public money on grants and programs specified in instruments made under those Acts. Consequently, the specification of expenditure in an instrument made under these Acts effectively authorises the Commonwealth to spend public moneys on the relevant grant or program. The scrutiny of such instruments is a key aspect of parliamentary scrutiny and control of Commonwealth expenditure.<sup>1</sup>

3.2 To facilitate such scrutiny, this chapter draws the Senate's attention to the nature and extent of Commonwealth expenditure that is authorised by the FF(SP) Act and the IRD Act and specified in delegated legislation made under those Acts.<sup>2</sup>

3.3 The tables below outline the expenditure specified in legislative instruments registered between 22 December 2020 and 25 February 2021.

3.4 The committee has resolved to write to the relevant legislation committees to alert those committees to the expenditure listed below that falls within their area of portfolio responsibility. The committee does so under standing order 23(4) which requires the committee to scrutinise each instrument to determine whether the Senate's attention should be drawn to it on the ground that it raises significant issues, or otherwise gives rise to issues that are likely to be of interest to the Senate.

---

1 For further information see the committee's guideline on [Scrutiny of Commonwealth expenditure](#) and Chapter 7 of the report of the committee's inquiry, [Parliamentary scrutiny of delegated legislation](#).

2 Details of all instruments which specify Commonwealth expenditure are published on the committee's website: [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Scrutiny\\_of\\_Delegated\\_Legislation/Scrutiny\\_of\\_Commonwealth\\_expenditure](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Scrutiny_of_Commonwealth_expenditure).

<b>Instrument</b>	<b>Grant/ Program</b>	<b>Amount</b>	<b>Description</b>	<b>Portfolio committee</b>
<b>Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 1) Regulations 2021 [F2021L00129]</b>	Coronavirus economic response—pandemic leave disaster payments	\$34.3 million in 2020-21	To provide funding for a pandemic leave disaster payments program. Under the program, pandemic payments of \$1,500 will be available to eligible individuals in all States and Territories who are unable to earn income while under a direction to self-isolate or quarantine as a result of COVID-19.	Senate Legal and Constitutional Affairs Legislation Committee  Senate Select Committee on COVID-19
<b>Industry Research and Development (Hotel Energy Uplift Program) Instrument 2021 [F2021L00095]</b>	Hotel Energy Uplift Program	\$12 million in 2020-2021	To provide funding for activities to support hotels to reduce their energy consumption, including through: <ul style="list-style-type: none"> <li>• upgrading equipment;</li> <li>• upgrading building fabric;</li> <li>• undertaking energy management and carrying out energy management assessments such as energy systems assessments and feasibility studies; and</li> <li>• investing in energy monitoring and management systems.</li> </ul>	Senate Environment and Communications Legislation Committee

# Appendix A

## New matters

4.1 The committee engages with relevant ministers and agencies to attempt to resolve its concerns about scrutiny issues raised by disallowable legislative instruments. This appendix documents the committee's new scrutiny concerns in relation to disallowable legislative instruments registered on the Federal Register of Legislation between 22 December 2020 and 25 February 2021.

### Ministerial engagement

4.2 The committee is writing to the relevant minister about the scrutiny issues raised by the instruments listed below for the first time. Copies of the ministerial correspondence are available on the committee's website.<sup>1</sup>

Instrument	Issue	Status
<b>Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020 [F2020L01688]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation Principle (c) conferral of discretionary powers Principle (e) clarity of drafting Principle (i) availability of independent merits review Principle (j) significant penalties in delegated legislation	Seeking advice from the Treasurer.
<b>Competition and Consumer Amendment (AER Functions) Regulations 2020 [F2020L01606]<sup>2</sup></b>	Principle (c) conferral of discretionary powers	Seeking advice from the Treasurer.
<b>Corporations (Stay on Enforcing Certain Rights) Amendment (Corporate Insolvency Reforms) Declaration 2020 [F2020L01682]</b>	Principle (d) consultation on specific instrument Principle (j) exemptions from the operation of primary legislation Principle (k) parliamentary oversight	Seeking advice from the Treasurer.

1 See [www.aph.gov.au/senate\\_sd/c](http://www.aph.gov.au/senate_sd/c).

2 Note this instrument was registered on 14 December 2020.

Instrument	Issue	Status
<b>Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Instrument 2020 [F2020L01672]</b>	Principle (j) levying of taxation in delegated legislation	Drawing to the attention of the minister.
<b>Greenhouse and Energy Minimum Standards (Registration Fees) Instrument (No. 2) 2020 [F2021L00039]</b>	Principle (j) levying of taxation in delegated legislation	Drawing to the attention of the minister.
<b>Radiocommunications (Receiver Licence Tax) Amendment Determination 2021 (No. 1) [F2021L00086]</b>	Principle (j) levying of taxation in delegated legislation	Drawing to the attention of the minister.
<b>Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No.1) [F2021L00088]</b>		
<b>Takeovers Panel Procedural Rules 2020 [F2021L00131]</b>	Principle (c) scope of administrative powers  Principle (c) scope of administrative power - insufficiently defined power  Principle (e) clarity of drafting  Principle (g) adequacy of explanatory materials  Principle (h) freedom of expression  Principle (h) personal rights and liberties – legal professional privilege  Principle (h) personal rights and liberties – procedural fairness  Principle (h) privacy  Principle (h) procedural fairness	Seeking advice from the Treasurer.
<b>Telecommunications (Fibre-ready Facilities – Exempt Real Estate Development Projects) Instrument 2021 [F2021L00105]</b>	Principle (j) exemption from the operation of primary legislation  Principle (k) parliamentary oversight	Seeking advice from the minister.

## Agency engagement

4.3 The committee is engaging with the relevant agencies via its secretariat to seek further information about potential scrutiny concerns raised by the instruments listed below.

Instrument	Issue	Status
<b>Agricultural and Veterinary Chemicals Code (MRL Standard) Amendment Instrument (No. 2) 2021 [F2021L00124]</b>	Principle (a) compliance with the <i>Legislation Act 2003</i> - incorporation of documents  Principle (k) other technical scrutiny grounds – exemption from sunseting	Seeking advice from the agency.
<b>CASA EX16/21 — CASR Subpart 99.B DAMP Requirements for Foreign Air Transport AOC Holders Exemption 2021 [F2021L00149]</b>	Principle (d) adequacy of consultation  Principle (h) privacy: collection, use and disclosure of personal information	Seeking advice from the agency.
<b>Child Care Subsidy Amendment (Coronavirus Response Measures No. 1) Minister's Rules 2021 [F2021L00055]</b>	Principle (e) clarity of drafting	Seeking further advice from the agency.
<b>Civil Aviation Order 95.55 (Exemption from provisions of the Civil Aviation Regulations 1988 — certain ultralight aeroplanes) Instrument 2021 [F2021L00073]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation  Principle (d) adequacy of consultation  Principle (i) availability of independent merits review	Seeking further advice from the agency.
<b>Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Amendment Instrument 2021 [F2021L00091]</b>	Principle (h) detrimental effect	Seeking advice from the agency.
<b>Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 1) 2021 [F2021L00041]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation  Principle (f) access and use	Concluded following response from the agency on 01/04/2021.  The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.

Instrument	Issue	Status
<b>Industry Research and Development (Hotel Energy Uplift Program) Instrument 2021 [F2021L00095]</b>	Principle (k) parliamentary oversight	Seeking advice from the agency.
<b>National Health (Data-matching) Principles 2020 [F2021L00006]</b>	Principle (c) scope of administrative powers Principle (e) clarity of drafting Principle (i) availability of independent merits review Principle (k) parliamentary oversight	Seeking advice from the agency.
<b>Social Security (Pension Bonus Scheme – Non-accruing Members) Amendment Declaration 2020 [F2020L01719]</b>	Principle (d) adequacy of consultation	Concluded following response from the agency on 01/04/2021.
<b>Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020 [F2020L01679]</b>	Principle (a) compliance with the <i>Legislation Act 2003</i> - consultation Principle (a) compliance with the <i>Legislation Act 2003</i> - incorporation Principle (h) privacy	Seeking further advice from the agency.
<b>Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 11 [F2021L00063]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - consultation	Seeking further advice from the agency.

## Appendix B

### Ongoing matters

5.1 This appendix documents the committee's ongoing scrutiny concerns in relation to matters previously raised in earlier *Delegated Legislation Monitors*.

#### Ministerial engagement

5.2 The committee is continuing to engage with the relevant minister about the scrutiny issues raised by the instruments listed below. Copies of the ministerial correspondence are available on the committee's website.<sup>1</sup>

Instrument	Issue	Status
<b>ASIC Corporations (Amendment) Instrument 2020/1064 [F2020L01571]</b>  <b>ASIC Corporations (Amendment) Instrument 2020/1065 [F2020L01572]</b>	Principle (i) availability of independent merits review  Principle (j) matters more appropriate for parliamentary enactment  Principle (k) parliamentary oversight	Seeking further advice from the Treasurer.
<b>ASIC Corporations (Design and Distribution Obligations—Exchange Traded Products) Instrument 2020/1090 [F2020L01600]</b>	Principle (j) modification of primary legislation  Principle (k) parliamentary oversight	Committee considering response.
<b>Australia's Foreign Relations (State and Territory Arrangements) Rules 2020 [F2020L01569]</b>	Principle (e) clarity of drafting  Principle (j) matters more appropriate for parliamentary enactment	Seeking further advice from the minister.
<b>Commonwealth Grant Scheme Guidelines 2020 [F2020L01609]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> – incorporation  Principle (j) matters more appropriate for parliamentary enactment	Committee considering response.

---

1 See [www.aph.gov.au/senate\\_sdlc](http://www.aph.gov.au/senate_sdlc).

Instrument	Issue	Status
<b>Competition and Consumer (Class Exemption— Collective Bargaining) Determination 2020 [F2020L01334]</b>	Principle (i) availability of independent merits review  Principle (j) modification of primary legislation  Principle (k) parliamentary oversight	The committee is further considering the matters raised in this instrument.  Notice of motion to disallow placed on 15/02/2021.
<b>Corporations Amendment (Corporate Insolvency Reforms) Regulations 2020 [F2020L01654]</b>	Principle (j) exemptions from and modification to primary legislation  Principle (k) parliamentary oversight  Principle (c) clarity of drafting	Committee considering response.
<b>Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01361]</b>  <b>Federal Circuit Court Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 [F2020L01362]</b>	Principle (a) compliance with authorising legislation – compliance with legislative requirements	Committee seeking further advice.  Notice of motion to disallow placed on 15/02/2021.
<b>Foreign Investment Reform (Protecting Australia’s National Security) Regulations 2020 [F2020L01568]</b>	Principle (a) compliance with the <i>Legislation Act 2003</i> - incorporation  Principle (j) exemption from primary legislation  Principle (j) matters more appropriate for parliamentary enactment  Principle (j) modification of primary legislation  Principle (k) parliamentary oversight	Seeking further advice from the Treasurer.
<b>Law Enforcement Integrity Commissioner Amendment (Law Enforcement Agencies) Regulations 2020 [F2020L01506]</b>	Principle (j) matters more appropriate for parliamentary enactment	Seeking advice from the Attorney-General.  Notice of motion to disallow placed on 23/02/2021.
<b>Norfolk Island Employment Rules 2020 [F2020L01536]</b>	Principle (h) privacy	Seeking further advice from the assistant minister.  Notice of motion to disallow placed on 17/03/2021.



Instrument	Issue	Status
<b>Tax Agent Services (Specified BAS Services No. 2) Instrument 2020 [F2020L01406]</b>	Principle (a) compliance with authorising legislation Principle (j) modification of primary legislation Principle (k) parliamentary oversight	Seeking further advice from the Treasurer. Notice of motion to disallow placed on 15/02/2021.
<b>Taxation Administration (Remedial Power – Seasonal Labour Mobility Program) Determination 2020 [F2020L01474]</b>	Principle (j) modification of primary legislation	Seeking advice from the Treasurer. Notice of motion to disallow placed on 22/02/2021.

## Agency engagement

5.3 The committee is continuing to engage with the relevant agencies via its secretariat to seek further information about potential scrutiny concerns raised by the instruments listed below.

Instrument	Issue	Status
<b>Migration Amendment (Temporary Graduate Visas) Regulations 2020 [F2020L01639]</b>	Principle (d) adequacy of consultation	Seeking further advice from the agency.
<b>Part 133 (Australian Air Transport Operations—Rotorcraft) Manual of Standards 2020 [F2020L01614]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation	Seeking further advice from the agency.
<b>Therapeutic Goods (Medical Devices) Amendment (Vaporisers for Smoking Cessation) Regulations 2020 [F2020L01645]</b>	Principle (c) conferral of discretionary powers Principle (h) privacy Principle (d) consultation on specific instrument	Seeking further advice from the agency.
<b>Work Health and Safety Amendment (Hazardous Chemicals) Regulations 2020 [F2020L01593]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation Principle (f) access and use	Seeking further advice from the agency.



## Appendix C

### Concluded matters

6.1 This appendix records the instruments in relation to which the committee has concluded its inquiries, following correspondence with the relevant minister or agency.

#### Ministerial engagement

6.2 The committee has concluded its examination of the instruments listed below following correspondence with the relevant minister. Copies of the ministerial correspondence are available on the committee's website.<sup>1</sup>

Instrument	Issue	Status
<b>Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Instrument 2020 [F2020L01672]</b>	Principle (j) levying of taxation in delegated legislation	Concluded following consideration by the committee.
<b>Greenhouse and Energy Minimum Standards (Registration Fees) Instrument (No. 2) 2020 [F2021L00039]</b>	Principle (j) levying of taxation in delegated legislation	Concluded following consideration by the committee.
<b>Part 138 (Aerial Work Operations) Manual of Standards 2020 [F2020L01402]</b>	Principle (e) drafting	<p>Concluded following response from minister on 14/03/2021.</p> <p>Notice of motion to disallow placed on 15/02/2021.</p> <p>The Minister for Infrastructure, Transport and Regional Development amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>
<b>Radiocommunications (Receiver Licence Tax) Amendment Determination 2021 (No. 1) [F2021L00086]</b>	Principle (j) levying of taxation in delegated legislation	Concluded following consideration by the committee.
<b>Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No.1) [F2021L00088]</b>		

1 See [www.aph.gov.au/senate\\_sdlc](http://www.aph.gov.au/senate_sdlc).

## Agency engagement

6.3 The committee has concluded its examination of the instruments listed below following informal correspondence with the relevant agencies via its secretariat.

Instrument	Issue	Status
<b>Biosecurity Amendment (Infringement Notices) Regulations 2020 [F2020L01630]</b>	Principle (a) compliance with the <i>Legislation Act 2003</i> - consultation	Concluded following response from the agency on 07/04/2021.  Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 6) Regulations 2020 [F2020L01589]</b>	Principle (c) broad discretionary power  Principle (k) parliamentary oversight	Concluded following response from the agency on 16/03/2021.  The Department of Finance undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 1) 2021 [F2021L00041]</b>	Principle (a) compliance with <i>Legislation Act 2003</i> - incorporation  Principle (f) access and use	Concluded following response from the agency on 01/04/2021.  The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Industry Research and Development (Digital Directors Program) Instrument 2020 [F2020L01554]</b>	Principle (k) parliamentary oversight	Concluded following response from the agency on 06/04/2021.  The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.
<b>Industry Research and Development (Ferretti International Whyalla Steel Processing and Galvanising Plant Program) Instrument 2020 [F2020L01618]</b>	Principle (d) consultation with persons affected	Concluded following response from the agency on 07/04/2021.  The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.

Instrument	Issue	Status
<b>Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2020 (No. 1) [F2020L01655]</b>	Principle (f) access and use	<p>Concluded following response from the agency on 17/03/2021.</p> <p>The Australia Communications and Media Authority undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>
<b>Regional Investment Corporation (Agristarter Loans) Amendment Rule 2020 [F2020L01625]</b>	Principle (d) adequacy of consultation	<p>Concluded following response from the agency on 09/04/2021.</p> <p>The Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.</p>
<b>Social Security (Pension Bonus Scheme – Non-accruing Members) Amendment Declaration 2020 [F2020L01719]</b>	Principle (d) adequacy of consultation	Concluded following response from the agency on 01/04/2021.



## Appendix D

### Undertakings

7.1 From time to time, a minister or agency may make an undertaking to address the committee's scrutiny concerns. These may include, for example, an undertaking to amend a legislative instrument or an explanatory statement, or to review an Act or a departmental practice. The committee expects that, when a minister or agency has made an undertaking, it will be implemented in a timely manner. Accordingly, this appendix records outstanding ministerial and agency undertakings, and the undertakings implemented since the committee's last *Delegated Legislation Monitor*.

#### Outstanding undertakings

7.2 The following table records undertakings that remain outstanding, from oldest to newest. The committee draws these undertakings to the attention of the Senate.

Instrument	Undertaking	Date of Undertaking
<b>Water Amendment (Murray Darling Basin Agreement—Basin Salinity Management) Regulations 2018 [F2018L01674]</b>	The Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management undertook to progress amendments to the <i>Water Act 2007</i> in response to the committee's scrutiny concerns.	11/09/2019
<b>Biosecurity Amendment (International Mail Fee) Regulations 2020 [F2020L00576]</b>	The Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	25/06/2020
<b>Competition and Consumer (Industry Codes—Dairy) Regulations 2019 [F2019L01610]</b>	The Attorney-General undertook to commence an inquiry into good faith obligations in Commonwealth legislation in response to the committee's scrutiny concerns.	31/08/2020
<b>National Health (Pharmaceutical Benefits Amendment (Active Ingredient Prescribing) Regulations 2020 [F2020L01055]</b>	The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	12/11/2020
<b>Continence Aids Payment Scheme 2020 [F2020L00758]</b>	The Minister for Aged Care and Senior Australians undertook to progress amendments to the <i>National Health Act 1953</i> in response to the committee's scrutiny concerns.	24/11/2020

<b>Instrument</b>	<b>Undertaking</b>	<b>Date of Undertaking</b>
<b>Reserve Bank of Australia Head Office, 65 Martin Place, Sydney Heritage Management Plan 2020 [F2020L01031]</b>	The Minister for the Environment advised that the Reserve Bank of Australia undertook to amend the instrument in response to the committee's scrutiny concerns.	01/12/2020
<b>Private Health Insurance (Complaints Levy) Rules 2020 [F2020L01195]</b>	The Department of Health undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	15/01/2021
<b>Disability (Access to Premises – Buildings) Amendment Standards 2020 [F2020L01245]</b>	The Assistant Minister to the Attorney-General undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	11/02/2021
<b>Amendment of List of Exempt Native Specimens – Commission for the Conservation of Antarctic Marine Living Resources Exploratory Fisheries in Statistical Divisions 58.4.1 and 58.4.2 (the East Antarctica Fishery) and Statistical Subareas 88.1 and 88.2 (the Ross Sea Fishery), November 2020 [F2020L01484]</b>	The Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	15/02/2021
<b>ASIC Corporations – various instruments [F2020L00962] [F2020L01045] [F2020L01064] [F2020L01066] [F2020L01069] [F2020L01199] [F2020L01261] and [F2020L01259]</b>	The Treasurer undertook to continue to engage with the committee in good faith to seek a resolution to the committee's systemic concerns regarding the duration of instruments which provide for exemptions or modifications to primary legislation.	18/02/2021
<b>Montague Island Lighthouse Heritage Management Plan 2020 [F2020L01547]</b>	The Australian Maritime Safety Authority undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	01/03/2021
<b>Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations (No. 2) 2020 [F2020L01620]</b>	The Department of Agriculture, Water Resources and the Environment undertook to revoke the instrument in response to the committee's scrutiny concerns.	16/03/2021
<b>Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 6) Regulations 2020 [F2020L01589]</b>	The Department of Finance undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	16/03/2021
<b>Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2020 (No. 1) [F2020L01655]</b>	The Australia Communications and Media Authority undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	17/03/2021



Instrument	Undertaking	Date of Undertaking
<b>Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 1) 2021 [F2021L00041]</b>	The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	01/04/2021
<b>Industry Research and Development (Digital Directors Program) Instrument 2020 [F2020L01554]</b>	The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	06/04/2021
<b>Biosecurity Amendment (Infringement Notices) Regulations 2020 [F2020L01630]</b>	Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	07/04/2021
<b>Industry Research and Development (Ferretti International Whyalla Steel Processing and Galvanising Plant Program) Instrument 2020 [F2020L01618]</b>	The Department of Industry, Science, Energy and Resources undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	07/04/2021
<b>Regional Investment Corporation (Agristarter Loans) Amendment Rule 2020 [F2020L01625]</b>	The Department of Agriculture, Water and the Environment undertook to amend the explanatory statement to the instrument in response to the committee's scrutiny concerns.	09/04/2021

## Implemented undertakings

7.3 The following table records undertakings that have been implemented since the committee's last *Delegated Legislation Monitor*.

Instrument	Undertaking	Date implemented
<b>Aged Care (Transitional Provisions) (Subsidy and Other Measures) Amendment (Cessation of Temporary Funding Increases) Determination 2020 [F2020L01076]</b>  <b>Aged Care (Subsidy, Fees and Payments) Amendment (Cessation of Temporary Funding Increases) Determination 2020 [F2020L01077]</b>	The Department of Health amended the explanatory statements to the instruments in response to the committee's scrutiny concerns.	17/03/2021
<b>Age Discrimination Regulations 2020 [F2020L01138]</b>	The Attorney-General's Department amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	22/03/2021
<b>Electoral and Referendum Amendment (Prescribed Authorities) Regulations 2020 [F2020L01058]</b>	The Australian Electoral Commission amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	24/03/2021
<b>Part 138 (Aerial Work Operations) Manual of Standards 2020 [F2020L01402]</b>	The Minister for Infrastructure, Transport and Regional Development amended the explanatory statement to the instrument in response to the committee's scrutiny concerns.	12/04/2021

## List of instruments in current monitor

Instrument	FRL No	Page
Age Discrimination Regulations 2020	F2020L01138	24
Aged Care (Subsidy, Fees and Payments) Amendment (Cessation of Temporary Funding Increases) Determination 2020	F2020L01077	24
Aged Care (Transitional Provisions) (Subsidy and Other Measures) Amendment (Cessation of Temporary Funding Increases) Determination 2020	F2020L01076	24
Agricultural and Veterinary Chemicals Code (MRL Standard) Amendment Instrument (No. 2) 2021	F2021L00124	11
Amendment of List of Exempt Native Specimens – Commission for the Conservation of Antarctic Marine Living Resources Exploratory Fisheries in Statistical Divisions 58.4.1 and 58.4.2 (the East Antarctica Fishery) and Statistical Subareas 88.1 and 88.2 (the Ross Sea Fishery), November 2020	F2020L01484	22
ASIC Corporations (Amendment) Instrument 2020/1064	F2020L01571	13
ASIC Corporations (Amendment) Instrument 2020/1065	F2020L01572	13
ASIC Corporations (Amendment) Instrument 2020/721	F2020L01064	22
ASIC Corporations (Design and Distribution Obligations—Exchange Traded Products) Instrument 2020/1090	F2020L01600	13
ASIC Corporations (Hardship Withdrawals Relief) Instrument 2020/778	F2020L01069	22
ASIC Corporations (IPO Communications) Instrument 2020/722	F2020L01066	22
ASIC Corporations (Litigation Funding Schemes) Instrument 2020/787	F2020L01045	22
ASIC Corporations (Stub Equity in Control Transactions) Instrument 2020/734	F2020L01199	22
ASIC Corporations, Credit and Superannuation (Internal Dispute Resolution) Instrument 2020/98	F2020L00962	22

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
ASIC Credit (Electronic Precontractual Disclosure) Instrument 2020/835	F2020L01261	22
ASIC Credit (Notice Requirements for Unlicensed Carried Over Instrument Lenders) Instrument 2020/834	F2020L01259	22
Australia's Foreign Relations (State and Territory Arrangements) Rules 2020	F2020L01569	13
Australian Immunisation Register Amendment (Reporting) Rules 2021	F2021L00133	3
Autonomous Sanctions (Designated and Declared Persons—Former Federal Republic of Yugoslavia) Amendment (Continuation of Effect) Instrument 2020	F2021L00059	3
Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Iran) Amendment (Continuation of Effect) Instrument 2020	F2021L00058	3
Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Libya) Amendment (Continuation of Effect) Instrument 2020	F2021L00050	4
Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Syria and Proliferation of Weapons of Mass Destruction) Amendment (Continuation of Effect) Instrument 2020	F2021L00066	4
Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Zimbabwe) Amendment (Continuation of Effect) Instrument 2020	F2021L00051	4
Biosecurity Amendment (Infringement Notices) Regulations 2020	F2020L01630	18, 23
Biosecurity Amendment (International Mail Fee) Regulations 2020	F2020L00576	21
CASA EX16/21 — CASR Subpart 99.B DAMP Requirements for Foreign Air Transport AOC Holders Exemption 2021	F2021L00149	11
Child Care Subsidy Amendment (Coronavirus Response Measures No. 1) Minister's Rules 2021	F2021L00055	11
Civil Aviation Order 95.55 (Exemption from provisions of the Civil Aviation Regulations 1988 — certain ultralight aeroplanes) Instrument 2021	F2021L00073	11

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
Commonwealth Grant Scheme Guidelines 2020	F2020L01609	13
Competition and Consumer (Class Exemption—Collective Bargaining) Determination 2020	F2020L01334	14
Competition and Consumer (Consumer Data Right) Amendment Rules (No. 3) 2020	F2020L01688	4, 9
Competition and Consumer (Industry Codes—Dairy) Regulations 2019	F2019L01610	21
Competition and Consumer Amendment (AER Functions) Regulations 2020	F2020L01606	9
Contingence Aids Payment Scheme 2020	F2020L00758	21
Corporations (Stay on Enforcing Certain Rights) Amendment (Corporate Insolvency Reforms) Declaration 2020	F2020L01682	10
Corporations Amendment (Corporate Insolvency Reforms) Regulations 2020	F2020L01654	14
Disability (Access to Premises – Buildings) Amendment Standards 2020	F2020L01245	22
Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Instrument 2020	F2020L01672	4, 10, 17
Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Amendment Instrument 2021	F2021L00091	11
Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Instrument 2020	F2020L01672	17
Electoral and Referendum Amendment (AUSTRAC) Regulations 2020	F2020L01666	4
Electoral and Referendum Amendment (Prescribed Authorities) Regulations 2020	F2020L01058	24
Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020	F2020L01361	14

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
Federal Circuit Court Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020	F2020L01362	14
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 1) Regulations 2021	F2021L00129	8
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 6) Regulations 2020	F2020L01589	18, 22
Financial Sector Reform (Hayne Royal Commission Response) (2021 Measures No. 1) Regulations 2021	F2021L00127	5
Fisheries Levy (Torres Strait Prawn Fishery) Amendment (Levy Amount) Regulations (No. 2) 2020	F2020L01620	22
Foreign Investment Reform (Protecting Australia's National Security) Regulations 2020	F2020L01568	14
Greenhouse and Energy Minimum Standards (Exemption) Instrument (No. 1) 2021	F2021L00041	11, 18, 23
Greenhouse and Energy Minimum Standards (Registration Fees) Instrument (No. 2) 2020	F2021L00039	5, 10, 17
Industry Research and Development (Digital Directors Program) Instrument 2020	F2020L01554	18
Industry Research and Development (Digital Directors Program) Instrument 2020	F2020L01554	23
Industry Research and Development (Ferretti International Whyalla Steel Processing and Galvanising Plant Program) Instrument 2020	F2020L01618	18, 23
Industry Research and Development (Hotel Energy Uplift Program) Instrument 2021	F2021L00095	8, 12
Law Enforcement Integrity Commissioner Amendment (Law Enforcement Agencies) Regulations 2020	F2020L01506	14
Migration Amendment (Temporary Graduate Visas) Regulations 2020	F2020L01639	15
Montague Island Lighthouse Heritage Management Plan 2020	F2020L01547	22
National Health (Data-matching) Principles 2020	F2021L00006	12

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
National Health (Pharmaceutical Benefits) Amendment (Active Ingredient Prescribing) Regulations 2020	F2020L01055	21
Norfolk Island Employment Rules 2020	F2020L01536	14
Part 133 (Australian Air Transport Operations—Rotorcraft) Manual of Standards 2020	F2020L01614	15
Part 138 (Aerial Work Operations) Manual of Standards 2020	F2020L01402	17, 24
Private Health Insurance (Complaints Levy) Rules 2020	F2020L01195	22
Public Governance, Performance and Accountability Amendment (Office of the Special Investigator) Rules 2020	F2020L01669	5
Radiocommunications (Low Interference Potential Devices) Class Licence Variation 2020 (No. 1)	F2020L01655	19, 22
Radiocommunications (Receiver Licence Tax) Amendment Determination 2021 (No. 1)	F2021L00086	6, 10, 17
Radiocommunications (Transmitter Licence Tax) Amendment Determination 2021 (No.1)	F2021L00088	6, 10, 17
Regional Investment Corporation (Agristarter Loans) Amendment Rule 2020	F2020L01625	19, 23
Reserve Bank of Australia Head Office, 65 Martin Place, Sydney Heritage Management Plan 2020	F2020L01031	22
Social Security (Parenting payment participation requirements – class of persons) Instrument 2021	F2021L00064	6
Social Security (Pension Bonus Scheme – Non-accruing Members) Amendment Declaration 2020	F2020L01719	12, 19
Sport Integrity Australia Amendment (World Anti-Doping Code Review) Regulations 2020	F2020L01679	12
Takeovers Panel Procedural Rules 2020	F2021L00131	10
Tax Agent Services (Specified BAS Services No. 2) Instrument 2020	F2020L01406	15

<b>Instrument</b>	<b>FRL No</b>	<b>Page</b>
Taxation Administration (Remedial Power – Seasonal Labour Mobility Program) Determination 2020	F2020L01474	15
Telecommunications (Fibre-ready Facilities — Exempt Real Estate Development Projects) Instrument 2021	F2021L00105	10
Therapeutic Goods (Excluded Goods) Amendment (Vaping Devices) Determination 2021	F2021L00112	6
Therapeutic Goods (Medical Devices) Amendment (Vaporisers for Smoking Cessation) Regulations 2020	F2020L01645	15
Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Amendment 11	F2021L00063	12
Water Amendment (Murray Darling Basin Agreement—Basin Salinity Management) Regulations 2018	F2018L01674	21
Work Health and Safety Amendment (Hazardous Chemicals) Regulations 2020	F2020L01593	15

**Senator the Hon Concetta Fierravanti-Wells**  
**Chair**  
**Senate Standing Committee for the Scrutiny of Delegated Legislation**