

**DELEGATED LEGISLATION MONITOR  
27 NOVEMBER – 1 DECEMBER 2000**

**This week at a glance**

There were 63 disallowable instruments tabled in the Parliament. These were made under 19 separate enabling Acts, through 10 Departments of State.

**Statutory Rules**

11 of the 63 instruments were Statutory Rules, comprising

- 3 made as primary instruments; and
- 8 made as amending instruments

**Instrument makers**

12 instruments were made by the Governor-General or Ministers

51 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE  
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<b>DEPARTMENT OF STATE</b>	<b>NUMBER OF INSTRUMENTS</b>
Agriculture, Fisheries and Forestry	0
Attorney-General's	6
Communications, Information Technology and the Arts	1
Defence	6
Education, Training and Youth Affairs	2
Employment, Workplace Relations and Small Business	0
Environment and Heritage	0
Family and Community Services	0
Finance and Administration	3
Foreign Affairs and Trade	1
Health and Aged Care	9
Immigration and Multicultural Affairs	1
Industry, Science and Resources	0
Prime Minister and Cabinet	0
Transport and Regional Services	32
Treasury	2
Veterans' Affairs	0
<b>Total</b>	<b>63</b>

**DELEGATED LEGISLATION TABLED IN THE SENATE  
27 NOVEMBER – 1 DECEMBER 2000**

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

<i>Australian Radiation Protection and Nuclear Safety Act 1998</i>	1
<i>Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998</i>	1
<i>Civil Aviation Act 1988</i>	32
<i>Corporations Act 1989</i>	1
<i>Customs Act 1901</i>	3
<i>Defence Act 1903</i>	6
<i>Extradition Act 1988</i>	1
<i>Federal Court of Australia Act 1976</i>	1
<i>Financial Management and Accountability Act 1997</i>	1
<i>Human Rights Legislation Amendment Act (No. 1) 1999</i>	1
<i>Indigenous Education (Supplementary Assistance) Act 1989</i>	1
<i>Lands Acquisition Act 1989</i>	1
<i>Migration Act 1958</i>	1
<i>National Health Act 1953</i>	7
<i>Nuclear Non-Proliferation (Safeguards) Act 1987</i>	1
<i>Payment Systems and Netting Act 1998</i>	1
<i>Radiocommunications Act 1992</i>	1
<i>Remuneration Tribunal Act 1973</i>	1
<i>States Grants) (Primary and Secondary Education Assistance) Act 1996</i>	1
<b>Total</b>	<b>63</b>

(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.)

## ATTORNEY-GENERAL'S DEPARTMENT

### CEO Instrument of Approval No. 55 of 2000 under ss. 4A and 77H of the *Customs Act 1901*

#### *Customs Act 1901*

Made 20/10/2000  
Tabled 29/11/2000 S 29/11/2000 HR

**Summary** Approves a new form for the purposes of making an application for a depot licence under section 77H of the Act.

### Extradition (Safety of United Nations and Associated Personnel) Regulations 2000 Statutory Rules 2000 No.308

#### *Extradition Act 1988*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Give effect to the extradition provisions of the Convention on the Safety of United Nations and Associated Personnel.

### CEO Instrument of Approval No. 56 of 2000 under ss. 4A and 64AA of the *Customs Act 1901*

#### *Customs Act 1901*

Made 24/10/2000  
Tabled 29/11/2000 S 29/11/2000 HR

**Summary** Approves a new form for the purposes of reporting a ship's arrival under section 64AA of the Act.

### Federal Court Amendment Rules 2000 (No.6) Statutory Rules 2000 No.300

#### *Federal Court of Australia Act 1976*

Made 03/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Make a number of changes to Federal Court Rules concerning, inter alia, address for service, service outside the jurisdiction of the Commonwealth, and the transfer of proceedings between the Federal Court and the Federal Magistrates Court.

### Customs (Prohibited Imports) Amendment Regulations 2000 (No.8) Statutory Rules 2000 No.299

#### *Customs Act 1901*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Prohibit the direct or indirect importation of rough diamonds from Sierra Leone, thereby implementing the decision of the United Nations Security Council under Resolution 1306 (2000) on Sierra Leone.

**Human Rights Legislation (Transitional)  
Regulations 2000  
Statutory Rules 2000 No.301**

***Human Rights Legislation Amendment Act (No.1)  
1999***

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Set out the manner in which complaints lodged with the Human Rights and Equal Opportunity Commission before the commencement of the *Human Rights Legislation Amendment Act (No. 1) 1999* should be treated in particular circumstances that are not dealt with by that Act.

**DEPARTMENT OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND  
THE ARTS**

**Radiocommunications (Low Interference Potential  
Devices) Class Licence Variation 2000 (No. 1)  
made under s. 134 of the *Radiocommunications Act  
1992***

***Radiocommunications Act 1992***

Made 16/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Amends the Radiocommunications  
(Low Interference Potential Devices)  
Class Licence 2000 to take into account  
the extended application of the  
*Radiocommunications  
(Electromagnetic Radiation – Human  
Exposure) Standard*, and the class  
licence of the operation of Radio Low  
Area Networks in the 5GHz frequency  
range.



## DEPARTMENT OF DEFENCE

### Defence Determination 2000/34

#### *Defence Act 1903*

Made 07/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Effects the final phase in the termination of a retention bonus to certain qualified and experienced air traffic controllers in the Australian Defence Force that was authorised by Defence Determination 1996/2.

### Defence Determination 2000/37

#### *Defence Act 1903*

Made 16/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Increases rates of vehicle allowance and other assorted allowances associated with relocation, for members of the Australian Defence Force in Australia.

### Defence Determination 2000/35

#### *Defence Act 1903*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Makes various amendments in relation to district and certain locality specific allowances which are found in Defence Determination 2000/1.

### Defence Determination 2000/38

#### *Defence Act 1903*

Made 17/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Provides that cadet forces allowance is payable to a person who has been appointed as an instructor or officer of cadet forces.

### Defence Determination 2000/36

#### *Defence Act 1903*

Made 10/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specifies that Ipswich, HQ Airfield Defence Wing is a designated establishment within the Schedule to Defence Determination 2000/33.

### Defence Determination 2000/39

#### *Defence Act 1903*

Made 28/11/2000  
Tabled 30/11/2000 S 29/11/2000 HR

**Summary** Provides for deployment allowance and additional recreational leave entitlements for members of the Australian Defence Force who have been deployed with the International Peace Monitoring Team in the Solomon Islands.

**DEPARTMENT OF EDUCATION, TRAINING AND YOUTH AFFAIRS**

**Indigenous Education (Supplementary Assistance  
1998-2000) Amendment Regulations 2000 (No.1)  
Statutory Rules 2000 No.302**

*Indigenous Education (Supplementary Assistance)  
Act 1989*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Provide for the payment of cost supplementation for funds to organisations and institutions to supplement the cost of delivering educational services to Indigenous students for the period 1 January 2000 to 30 June 2001.

**States Grants (Primary and Secondary Education  
Assistance) Amendment Regulations 2000 (No.1)  
Statutory Rules 2000 No.303**

*States Grants (Primary and Secondary Education  
Assistance) Act 1996*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specify numbers to be used for the variation of amounts for the 2000 program year in respect of current grants, and for the 2000, 2001, 2002, and 2003 program years in respect of capital grants.

## DEPARTMENT OF FINANCE AND ADMINISTRATION

### **Determination 2000/15 under s. 20 of the *Financial Management and Accountability Act 1997***

#### ***Financial Management and Accountability Act 1997***

Made 29/11/2000  
 Tabled 29/11/2000 S 29/11/2000 HR

**Summary** Abolishes the Domestic Property Account and the Overseas Property Group Account and transfers funds in those Accounts to a new Special Account, titled the Property Account, which is established by this Determination.

### **Lands Acquisition Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.304**

#### ***Lands Acquisition Act 1989***

Made 09/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Prescribe a new address for the purposes of sending documents to the Minister as required or permitted under the *Lands Acquisition Act 1989*.

### **Remuneration Tribunal Determination 2000/11**

#### ***Remuneration Tribunal Act 1973***

Made 10/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Makes various amendments relating to travelling allowances, and allowances for other expenses of office.

**DEPARTMENT OF FOREIGN AFFAIRS AND TRADE****Nuclear Non-Proliferation (Safeguards)  
Amendment Regulations 2000 (No.3)  
Statutory Rules 2000 No.305***Nuclear Non-Proliferation (Safeguards) Act 1987*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specify the amount of charge payable  
by a producer of uranium ore  
concentrates.

## DEPARTMENT OF HEALTH AND AGED CARE

### **Australian Radiation Protection and Nuclear Safety Amendment Regulations 2000 (No.1) Statutory Rules 2000 No.306**

#### *Australian Radiation Protection and Nuclear Safety Act 1998*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Make a number of amendments to the Principal Regulations, including amendments which subject certain decisions of the Chief Executive Officer of the Australian Radiation Protection and Nuclear Safety Agency to a merit review process, and new rules relating to annual charges and application fees for facility licences.

### **Australian Radiation Protection and Nuclear Safety (Licence Charges) Regulations 2000 Statutory Rules 2000 No.307**

#### *Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998*

Made 09/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Prescribe the amount of the annual charge for facility licences and source licences.

### **Declaration No. PB 14 of 2000 under subsection 85(2) of the *National Health Act 1953***

#### *National Health Act 1953*

Made 07/10/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specifies the drugs and medicinal preparations to which Part VII of the Act governing the supply of drugs and medicinal preparations as pharmaceutical benefits apply.

### **Declaration No. PB 15 of 2000 under subsection 85(2AA) of the *National Health Act 1953***

#### *National Health Act 1953*

Made 07/10/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specifies the names of four drugs and medicinal preparations that are no longer pharmaceutical benefits under Part VII of the Act.

### **Determination No. PB 16 of 2000 under paragraph 98C(1)(b) of the *National Health Act 1953***

#### *National Health Act 1953*

Made 07/10/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specifies the conditions under which payments will be made in respect of the supply of pharmaceutical benefits by approved pharmacists and approved medical practitioners.

**Determination No. PIB26/2000 under paragraph (bj) of Schedule 1 of the *National Health Act 1953***

*National Health Act 1953*

Made 31/10/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Substitutes a new Schedule 1, containing revised item numbers, concerning benefits payable for overnight accommodation in private hospitals in all States and Territories and in recognised hospitals in Victoria and Tasmania, containing revised item numbers.

**Determination No. PIB29/2000 under paragraph (bj) of Schedule 1 of the *National Health Act 1953***

*National Health Act 1953*

Made 10/11/2000  
Tabled 29/11/2000 S 28/11/2000 HR

**Summary** Substitutes a new Schedule 1, concerning benefits payable for overnight accommodation in private hospitals in all States and Territories and in recognised hospitals in Victoria and Tasmania, which modifies the overnight certification arrangements for benefits payable for Type B procedures.

**Determination No. PIB27/2000 under paragraph (bj) of Schedule 1 of the *National Health Act 1953***

*National Health Act 1953*

Made 31/10/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Containing revised item numbers, concerning benefits payable for same day accommodation.

**Determination No. PIB28/2000 under paragraph (bj) of Schedule 1 of the *National Health Act 1953***

*National Health Act 1953*

Made 31/10/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Containing revised item numbers, concerning benefits payable for care plans and case conferencing.

**DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AFFAIRS****Migration Agents Amendment Regulations 2000****(No.2)****Statutory Rules 2000 No.309*****Migration Act 1958***

Made 22/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Provide that the Minister may take into account the character and reputation of persons connected with continuing professional development (CPD) activities when deciding whether to specify approved CPD activities in the *Gazette*.

## DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

### **Civil Aviation Amendment Order (No.18) 2000 under the *Civil Aviation Regulations***

#### *Civil Aviation Act 1988*

Made 07/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specify the conditions that are to be of general application to licences issued to special traffic mix aerodromes.

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/B737/148**

#### *Civil Aviation Act 1988*

Made 15/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/B727/1 Amdt 2**

#### *Civil Aviation Act 1988*

Made 13/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/B747/238**

#### *Civil Aviation Act 1988*

Made 13/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/B737/127 Amdt 1**

#### *Civil Aviation Act 1988*

Made 08/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/B757/59**

#### *Civil Aviation Act 1988*

Made 08/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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



**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/B767/129**

*Civil Aviation Act 1988*

Made 13/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/BEECH 36/46**

*Civil Aviation Act 1988*

Made 08/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/BAe 146/16 Amdt 5**

*Civil Aviation Act 1988*

Made 10/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/BEECH 55/86**

*Civil Aviation Act 1988*

Made 07/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/BAe 146/82**

*Civil Aviation Act 1988*

Made 07/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/BEECH 65/68**

*Civil Aviation Act 1988*

Made 07/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/BAe 146/83**

*Civil Aviation Act 1988*

Made 10/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/DC9/1 Amdt 1**

*Civil Aviation Act 1988*

Made 13/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/DHC-8/62 Amdt 2**

*Civil Aviation Act 1988*

Made 08/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/HU 269/109 Amdt 1**

*Civil Aviation Act 1988*

Made 13/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/DHC-8/76**

*Civil Aviation Act 1988*

Made 20/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/JETSTREAM/69  
Amdt 3**

*Civil Aviation Act 1988*

Made 10/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/EC 120/3 Amdt 1**

*Civil Aviation Act 1988*

Made 08/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/S-76/65**

*Civil Aviation Act 1988*

Made 06/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/EMB 120/15 Amdt 1**

*Civil Aviation Act 1988*

Made 13/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/S-76/65 Amdt 2**

*Civil Aviation Act 1988*

Made 16/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105**  
**Airworthiness Directive AD/S-PUMA/33 Amdt 3**

*Civil Aviation Act 1988*

Made 13/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105**  
**Airworthiness Directive AD/UH-1/6 Amdt 1**

*Civil Aviation Act 1988*

Made 08/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105**  
**Airworthiness Directive AD/SWSA226/65 Amdt 1**

*Civil Aviation Act 1988*

Made 08/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 106**  
**Airworthiness Directive AD/BR700/1**

*Civil Aviation Act 1988*

Made 13/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105**  
**Airworthiness Directive AD/TBM 700/22**

*Civil Aviation Act 1988*

Made 10/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 106**  
**Airworthiness Directive AD/CON/80 Amdt 2**

*Civil Aviation Act 1988*

Made 13/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 105**  
**Airworthiness Directive AD/UH-1/5 Amdt 2**

*Civil Aviation Act 1988*

Made 17/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Civil Aviation Orders, Part 107**  
**Airworthiness Directive AD/PR/33 Amdt 1**

*Civil Aviation Act 1988*

Made 13/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

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

**Instrument No. CASA 485/00 under subregulation 235(7) of the *Civil Aviation Regulations 1988***

***Civil Aviation Act 1988***

Made 07/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Directs that aircraft of a specified seating capacity that are operated by Qantas Airways Limited may be loaded with ASTM D 1655 fuel while passengers are on board, provided that certain conditions are observed.

**Instrument No. CASA 506/00 under regulation 308 of the *Civil Aviation Regulations 1988***

***Civil Aviation Act 1988***

Made 10/11/2000  
 Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Provides that the hot air balloon VH-OLB may carry more than 15 passengers without carrying a cabin attendant on certain specified conditions.

## DEPARTMENT OF THE TREASURY

### **Accounting Standard AASB 1012: Foreign Currency Translation**

#### *Corporations Act 1989*

Made 16/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Specifies methods of accounting for foreign currency transactions and methods of translating the financial reports of foreign operations.

### **Approval of the CHESSE Feeder System as an Approved RTGS System under s. 9 of the *Payment Systems and Netting Act 1998* Approval No 1 of 2000**

#### *Payment Systems and Netting Act 1998*

Made 23/11/2000  
Tabled 27/11/2000 S 27/11/2000 HR

**Summary** Approves the Clearing House Electronic Subregister System (CHESSE) as an approved real-time gross settlement (RTGS) system under the Act.