

**DELEGATED LEGISLATION MONITOR  
19 – 21 MARCH 2002**

**This week at a glance**

There were 31 disallowable instruments tabled in the Parliament. These were made under 13 separate enabling Acts, through 6 Departments of State.

**Statutory Rules**

2 of the 31 instruments were Statutory Rules, both of which were made as amending instruments

**Instrument makers**

12 instruments were made by the Governor-General or Ministers

19 instruments were made by Public Officials

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**DELEGATED LEGISLATION TABLED IN THE SENATE  
19 – 21 MARCH 2002**

<b>DEPARTMENT OF STATE</b>	<b>NUMBER OF INSTRUMENTS</b>
Agriculture, Fisheries and Forestry	9
Attorney-General	0
Communications, Information Technology and the Arts	0
Defence	1
Education, Science and Training	0
Employment and Workplace Relations	0
Environment and Heritage	4
Family and Community Services	3
Immigration and Multicultural and Indigenous Affairs	1
Industry, Science and Resources	0
Prime Minister and Cabinet	0
Transport and Regional Services	13
Treasury	0
Veterans' Affairs	0
<b>Total</b>	<b>31</b>

**DELEGATED LEGISLATION TABLED IN THE SENATE  
19 – 21 MARCH 2002**

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

<i>A New Tax System (Family Assistance) Act 1999</i>	1
<i>Airports Act 1996</i>	2
<i>Christmas Island Act 1958</i>	1
<i>Civil Aviation Act 1988</i>	9
<i>Cocos (Keeling) Islands Act 1955</i>	1
<i>Commonwealth Services Delivery Agency Act 1997</i>	1
<i>Defence Act 1903</i>	1
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	3
<i>Fisheries Management Act 1991</i>	8
<i>Native Title Act 1993</i>	1
<i>Quarantine Act 1908</i>	1
<i>Renewable Energy (Electricity) Act 2000</i>	1
<i>Social Security Act 1991</i>	1
<b>Total</b>	<b>31</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.)

**DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY**

**Direction No. NPDF 57 under s. 17(5A) of the Fisheries Management Act 1991**

*Fisheries Management Act 1991*

Made 28/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Prohibits trawling during daylight hours in specified key tiger prawn areas of the Northern Prawn Fishery for specified periods of time.

**Direction No. NPDF 60 under s. 17(5A) of the Fisheries Management Act 1991**

*Fisheries Management Act 1991*

Made 28/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Specifies gear requirements for fishing in the area of the Northern Prawn Fishery.

**Direction No. NPDF 58 under s. 17(5A) of the Fisheries Management Act 1991**

*Fisheries Management Act 1991*

Made 28/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Imposes prohibitions on navigation in the area of the Northern Prawn Fishery.

**Direction No. NPDF 61 under s. 17(5A) of the Fisheries Management Act 1991**

*Fisheries Management Act 1991*

Made 28/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Establishes permanent closures in specified areas of the Northern Prawn Fishery.

**Direction No. NPDF 59 under s. 17(5A) of the Fisheries Management Act 1991**

*Fisheries Management Act 1991*

Made 28/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Specifies by-catch limits for the taking of certain species when fishing in the area of the Northern Prawn Fishery.

**Direction No. NPDF 62 under s. 17(5A) of the Fisheries Management Act 1991**

*Fisheries Management Act 1991*

Made 28/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Establishes seasonal closures in specified areas of the Northern Prawn Fishery.

**Direction No. NPF 63 under s. 17(5A) of the  
Fisheries Management Act 1991**

***Fisheries Management Act 1991***

Made 28/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Permits operators to carry out trials of their fishing equipment in particular areas of the Northern Prawn Fishery.

**Quarantine Service Fees Amendment  
Determinations 2002 (No. 1) under s. 86E of the  
Quarantine Act 1908**

***Quarantine Act 1908***

Made 06/03/2002  
Tabled 21/03/2002 S 20/03/2002 HR

**Summary** Prescribes amended fees that are imposed in relation to the use of quarantine stations for the management and maintenance of bees and horses.

**Southern Bluefin Tuna Fishery Management Plan  
Amendment 2002 (No. SBT 04) under s. 20(1) of  
the Fisheries Management Act 1991**

***Fisheries Management Act 1991***

Made 11/02/2002  
Tabled 19/03/2002 S 14/03/2002 HR

**Summary** Removes Northern Bluefin Tuna from the definition of Southern Bluefin Tuna in the Management Plan, and clarifies the time at which a person taking Southern Bluefin Tuna must hold Statutory Fishing Rights.

**DEPARTMENT OF DEFENCE****Defence Determination 2002/3***Defence Act 1903*

Made 15/03/2002  
Tabled 20/03/2002 S 20/03/2002 HR

**Summary** Increases the maximum amount that may be reimbursed to members of the Australian Defence Force for textbook expenses.

## DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

### **Amendment of List of Exempt Native Specimens under s. 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999***

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

Made 07/03/2002  
Tabled 19/03/2002 S 19/03/2002 HR

**Summary** Adds the Southern Rock Lobster (*Janus edwardsia*) to the list of native species that are exempt from the trade control provisions that apply to regulated native species.

### **Amendment of List of Exempt Native Specimens under s. 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999***

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

Made 15/03/2002  
Tabled 19/03/2002 S 19/03/2002 HR

**Summary** Adds the Blacklip abalone (*Haliotis rubra*) and the Greenlip abalone (*Haliotis laevis*) to the list of native species that are exempt from the trade control provisions that apply to regulated native species.

### **Amendment of List of Exempt Native Specimens under s. 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999***

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

Made 07/03/2002  
Tabled 19/03/2002 S 19/03/2002 HR

**Summary** Adds the Spanner Crab (*Ranina ranina*) to the list of native species that are exempt from the trade control provisions that apply to regulated native species.

### **Renewable Energy (Electricity) Amendment Regulations 2002 (No. 1) Statutory Rules 2002 No. 48**

#### ***Renewable Energy (Electricity) Act 2000***

Made 14/03/2002  
Tabled 20/03/2002 S 19/03/2002 HR

**Summary** Extend to 01 July 2002 the date for solar water heater manufacturers to demonstrate certification against the relevant Australian Standard, and make further amendments concerning solar water heaters, and specify the Renewable Power Percentage for 2002.

## DEPARTMENT OF FAMILY AND COMMUNITY SERVICES

### **Commonwealth Services Delivery Agency Directions 2001 under paragraph 8(1)(c) of the Commonwealth Services Delivery Agency Act 1997**

#### *Commonwealth Services Delivery Agency Act 1997*

Made 14/12/2001  
Tabled 19/03/2002 S 19/03/2002 HR

**Summary** Provides that Centrelink may deliver payments on behalf of the New Zealand Ministry of Social Development to victims of domestic violence and to people who are subject to the New Zealand Police's Witness Protection Program where those people are relocated to Australia to avoid serious harm.

### **Social Security (Threshold Rates) Determination 2002 under s. 1082 of the Social Security Act 1991**

#### *Social Security Act 1991*

Made 07/03/2002  
Tabled 21/03/2002 S 21/03/2002 HR

**Summary** Specifies the below and above threshold rates for the purposes of calculating income from financial investments under the Act.

### **Family Assistance (Immunisation Requirements Exemption) Amendment Determination 2002 (No. 1) under s. 7 of the A New Tax System (Family Assistance) Act 1999**

#### *A New Tax System (Family Assistance) Act 1999*

Made 11/03/2002  
Tabled 21/03/2002 S 21/03/2002 HR

**Summary** Amends the Principal Determination to ensure that a child care benefit will not be cancelled where a child is unable to be vaccinated because of the temporary unavailability of a vaccine.

**DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS****Recognition of Representative Aboriginal/Torres Strait Islander Bodies (No. 4:2001) under s. 203AD(1) of the *Native Title Act 1993****Native Title Act 1993*

Made 21/12/2001  
Tabled 19/03/2002 S 19/03/2002 HR

**Summary** Recognises the South West Aboriginal Land and Sea Council Aboriginal Corporation as a Representative Aboriginal/Torres Strait Islander Body for Western Australia South West area.

## DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

### Airports (Control of On-Airport Activities) Amendment Regulations 2002 (No. 1) Statutory Rules 2002 No. 49

#### *Airports Act 1996*

Made 14/03/2002  
Tabled 20/03/2002 S 19/03/2002 HR

**Summary** Correct drafting errors in amendments that were made in July 2001.

### Civil Aviation Orders, Part 105 Airworthiness Directive AD/CESSNA 206/54

#### *Civil Aviation Act 1988*

Made 27/02/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

### Civil Aviation Orders, Part 105 Airworthiness Directive AD/AS 355/59 Amdt 2

#### *Civil Aviation Act 1988*

Made 07/03/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

### Civil Aviation Orders, Part 105 Airworthiness Directive AD/CESSNA 207/34

#### *Civil Aviation Act 1988*

Made 27/02/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

### Civil Aviation Orders, Part 105 Airworthiness Directive AD/CESSNA 205/22

#### *Civil Aviation Act 1988*

Made 27/02/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

### Civil Aviation Orders, Part 105 Airworthiness Directive AD/CESSNA 210/69

#### *Civil Aviation Act 1988*

Made 27/02/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/CL-600/49**

*Civil Aviation Act 1988*

Made 27/02/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/ECUREUIL/69  
Amdt 1**

*Civil Aviation Act 1988*

Made 07/03/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/SWSA226/91**

*Civil Aviation Act 1988*

Made 28/02/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

**Civil Aviation Orders, Part 105  
Airworthiness Directive AD/UH-1/6 Amdt 2**

*Civil Aviation Act 1988*

Made 06/03/2002  
Tabled 20/03/2002 S 19/03/2002 HR

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

**Determination pursuant to s. 192(4B) of the  
Airports Act 1996**

*Airports Act 1996*

Made 13/02/2002  
Tabled 19/03/2002 S 19/03/2002 HR

**Summary** Specifies that the use of domestic terminal and related facilities for the purpose of processing airline passengers and their baggage using domestic aircraft at Melbourne Airport is taken not to be an airport service for the purposes of s. 192 of the Act.

**List of Acts of the Western Australian Parliament  
under s. 8B of the Christmas Island Act 1958**

*Christmas Island Act 1958*

Made 21/03/2002  
Tabled 21/03/2002 S 20/03/2002 HR

**Summary** Specifies all Acts of the Western Australian Parliament in force in the Territory of Christmas Island for the stated period, not including Acts specified in previous lists.

**List of Acts of the Western Australian Parliament  
under s. 8B of the Cocos (Keeling) Islands Act 1955**

*Cocos (Keeling) Islands Act 1955*

Made 21/03/2002  
Tabled 21/03/2002 S 20/03/2002 HR

**Summary** Specifies all Acts of the Western Australian Parliament in force in the Territory of Cocos (Keeling) Islands for the stated period, not including Acts specified in previous lists.