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Foreword

This Delegated Legislation Monitor for 2004 is a consolidated edition of all of the Monitors that are produced in respect of each sitting week of the Senate during the calendar year. The format of the consolidation is similar to that of the weekly Monitors, setting out details of all disallowable instrument of delegated legislation tabled in the Senate. These details include the enabling Act under which each instrument is made, the date it was made, the date of tabling in the Senate and House of Representatives, the Department of State through which the Minister administers the enabling Act, and a short summary of its subject matter.

During 2004 a total of 1749 disallowable instruments were tabled in the Senate. These instruments were made under the authority of 219 separate enabling Acts, administered by 17 Departments of State.

Of the 1749 instruments tabled in 2004, 429 or 24 per cent, were in the Statutory Rules Series. Regulations in this series are made in accordance with the *Statutory Rules Publication Act 1903*.

The Monitor contains the following information:

- Departmental statistics;
- Enabling Act statistics;
- Alphabetical listing by portfolio of all instruments, including tabling dates and a short summary of subject matter; and
- Index to all instruments.

Abbreviations used for citing tabling dates is as follows:

S = Senate
HR = House of Representatives

Departmental Statistics

DEPARTMENT OF STATE	NUMBER OF INSTRUMENTS
Department of Agriculture, Fisheries and Forestry	98
Attorney-General's Department	130
Department of Communications, Information Technology and the Arts	95
Department of Defence	72
Department of Education, Science and Training	74
Department of Employment and Workplace Relations	51
Department of the Environment and Heritage	60
Department of Family and Community Services	24
Department of Finance and Administration	43
Department of Foreign Affairs and Trade	7
Department of Health and Ageing	160
Department of Immigration and Multicultural and Indigenous Affairs	28
Department of Industry, Tourism and Resources	28
Department of the Prime Minister and Cabinet	6
Department of Transport and Regional Services	651
Department of the Treasury	163
Department of Veterans' Affairs	59
Total	1749

Enabling Act Statistics

Enabling Act	Number
<i>A New Tax System (Family Assistance) (Administration) Act 1999</i>	2
<i>A New Tax System (Family Assistance) Act 1999</i>	1
<i>A New Tax System (Goods and Services Tax) Act 1999</i>	8
<i>Aboriginal and Torres Strait Islander Commission Act 1989</i>	1
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	1
<i>ACIS Administration Act 1999</i>	3
<i>Acts Interpretation Act 1901</i>	1
<i>Aged Care Act 1997</i>	8
<i>Agricultural and Veterinary Chemicals (Administration) Act 1992</i>	1
<i>Agricultural and Veterinary Chemicals Code Act 1994</i>	4
<i>Air Force Act 1923</i>	2
<i>Air Navigation Act 1920</i>	5
<i>Airports Act 1996</i>	3
<i>Australian Capital Territory (Planning and Land Management) Act 1988</i>	1
<i>Australian Communications Authority Act 1997</i>	12
<i>Australian Crime Commission Act 2002</i>	1
<i>Australian Federal Police Act 1979</i>	1
<i>Australian Heritage Council Act 2003</i>	1
<i>Australian Meat and Live-stock Industry Act 1997</i>	9
<i>Australian Postal Corporation Act 1989</i>	1
<i>Australian Prudential Regulation Authority Act 1998</i>	12
<i>Australian Radiation Protection and Nuclear Safety (Licence Charges) Act 1998</i>	1
<i>Australian Radiation Protection and Nuclear Safety Act 1998</i>	1
<i>Australian Securities and Investments Commission Act 2001</i>	2
<i>Australian Sports Drug Agency Act 1990</i>	6
<i>Australian Wine and Brandy Corporation Act 1980</i>	1
<i>Authorised Deposit-taking Institutions Supervisory Levy Imposition Act 1998</i>	1
<i>Authorised Non-operating Holding Companies Supervisory Levy Imposition Act 1998</i>	1
<i>Bankruptcy Act 1966</i>	1
<i>Broadcasting Services Act 1992</i>	7
<i>Census and Statistics Act 1905</i>	1
<i>Cheques Act 1986</i>	1
<i>Child Support (Assessment) Act 1989</i>	2
<i>Child Support (Registration and Collection) Act 1988</i>	2
<i>Christmas Island Act 1958</i>	8
<i>Circuit Layouts Act 1989</i>	1
<i>Civil Aviation Act 1988</i>	597
<i>Cocos (Keeling) Islands Act 1955</i>	8
<i>Commonwealth Authorities and Companies Act 1997</i>	3
<i>Commonwealth Electoral Act 1918</i>	1
<i>Copyright Act 1968</i>	2
<i>Corporations (Fees) Act 2001</i>	1
<i>Corporations (Review Fees) Act 2003</i>	2
<i>Corporations Act 2001</i>	57
<i>Crimes (Overseas) Act 1964</i>	2

<i>Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act 1990</i>	1
<i>Crimes Act 1914</i>	5
<i>Criminal Code Act 1995</i>	7
<i>Currency Act 1965</i>	16
<i>Customs Act 1901</i>	48
<i>Customs Administration Act 1985</i>	1
<i>Customs Tariff Act 1995</i>	1
<i>Dairy Produce Act 1986</i>	3
<i>Defence Act 1903</i>	58
<i>Defence Force (Home Loans Assistance) Act 1990</i>	1
<i>Defence Force Retirement and Death Benefits Act 1973</i>	2
<i>Defence Forces Retirement Benefits Act 1948</i>	1
<i>Designs Act 1906</i>	3
<i>Diplomatic Privileges and Immunities Act 1967</i>	1
<i>Disability Discrimination Act 1992</i>	1
<i>Disability Services Act 1986</i>	2
<i>Electronic Transactions Act 1999</i>	1
<i>Energy Grants (Cleaner Fuels) Scheme Act 2004</i>	1
<i>Energy Grants (Credits) Scheme Act 2003</i>	1
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	40
<i>Evidence and Procedure (New Zealand) Act 1994</i>	1
<i>Excise Act 1901</i>	2
<i>Explosives Act 1961</i>	1
<i>Export Control Act 1982</i>	12
<i>Export Inspection (Establishment Registration Charges) Act 1985</i>	1
<i>Export Inspection (Service Charge) Act 1985</i>	1
<i>Export Market Development Grants Act 1997</i>	1
<i>Extradition Act 1988</i>	9
<i>Family Assistance Legislation Amendment (More Help for Families-One-off Payments) Act 2004</i>	1
<i>Family Law Act 1975</i>	21
<i>Farm Household Support Act 1992</i>	4
<i>Federal Court of Australia Act 1976</i>	7
<i>Federal Magistrates Act 1999</i>	3
<i>Financial Management and Accountability Act 1997</i>	17
<i>Financial Sector (Collection of Data) Act 2001</i>	7
<i>Financial Sector (Transfers of Business) Act 1999</i>	1
<i>Fisheries Levy Act 1984</i>	1
<i>Fisheries Management Act 1991</i>	30
<i>Fishing Levy Act 1991</i>	2
<i>Food Standards Australia New Zealand Act 1991</i>	1
<i>Foreign Acquisitions and Takeovers Act 1975</i>	2
<i>Foreign Evidence Act 1994</i>	1
<i>Freedom of Information Act 1982</i>	1
<i>Fringe Benefits Tax Act 1986</i>	3
<i>Fringe Benefits Tax Assessment Act 1986</i>	1
<i>Fuel Quality Standards Act 2000</i>	4
<i>General Insurance Supervisory Levy Imposition Act 1998</i>	1
<i>Great Barrier Reef Marine Park Act 1975</i>	5
<i>Hazardous Waste (Regulation of Exports and Imports) Act 1989</i>	1

<i>Health and Other Services (Compensation) Act 1995</i>	1
<i>Health Insurance Act 1973</i>	53
<i>Health Insurance Commission Act 1973</i>	1
<i>Hearing Services Administration Act 1997</i>	2
<i>High Court of Australia Act 1979</i>	1
<i>Higher Education Funding Act 1988</i>	25
<i>Higher Education Support (Transitional Provisions and Consequential Amendments) Act 2003</i>	2
<i>Higher Education Support Act 2003</i>	40
<i>Immigration (Education) Act 1971</i>	3
<i>Imported Food Control Act 1992</i>	2
<i>Income Tax Assessment Act 1936</i>	6
<i>Income Tax Assessment Act 1997</i>	5
<i>Indigenous Education (Targeted Assistance) Act 2000</i>	2
<i>Industrial Chemicals (Notification and Assessment) Act 1989</i>	3
<i>Industry Research and Development Act 1986</i>	1
<i>Insurance Act 1973</i>	1
<i>International Air Services Commission Act 1992</i>	2
<i>International Organisations (Privileges and Immunities) Act 1963</i>	1
<i>International Transfer of Prisoners Act 1997</i>	1
<i>Interstate Road Transport Act 1985</i>	1
<i>Judges' Pensions Act 1968</i>	1
<i>Jury Exemption Act 1965</i>	1
<i>Lands Acquisition Act 1989</i>	3
<i>Law Officers Act 1964</i>	1
<i>Life Insurance Act 1995</i>	2
<i>Life Insurance Supervisory Levy Imposition Act 1998</i>	1
<i>Long Service Leave (Commonwealth Employees) Act 1976</i>	1
<i>Maintenance Orders (Commonwealth Officers) Act 1966</i>	1
<i>Marine Navigation (Regulatory Functions) Levy Act 1991</i>	1
<i>Marine Navigation Levy Act 1989</i>	1
<i>Maritime Transport Security Act 2003</i>	4
<i>Medical Indemnity (IBNR Indemnity) Contribution Act 2002</i>	1
<i>Medical Indemnity (Prudential Supervision and Product Standards) Act 2003</i>	4
<i>Medical Indemnity (Run-off Cover Support Payment) Act 2004</i>	1
<i>Medical Indemnity (UMP Support Payment) Act 2002</i>	1
<i>Medical Indemnity Act 2002</i>	5
<i>Migration Act 1958</i>	23
<i>Migration Agents Registration Application Charge Act 1997</i>	4
<i>Military Rehabilitation and Compensation (Consequential and Transitional Provisions) Act 2004</i>	1
<i>Military Rehabilitation and Compensation Act 2004</i>	11
<i>Military Superannuation and Benefits Act 1991</i>	6
<i>Motor Vehicle Standards Act 1989</i>	6
<i>Mutual Assistance in Criminal Matters Act 1987</i>	1
<i>National Environment Protection Council Act 1994</i>	1
<i>National Handgun Buyback Act 2003</i>	2
<i>National Health Act 1953</i>	59
<i>National Measurement Act 1960</i>	2
<i>National Residue Survey (Customs) Levy Act 1998</i>	1

<i>National Residue Survey (Excise) Levy Act 1998</i>	2
<i>National Workplace Relations Consultative Council Act 2002</i>	1
<i>Naval Defence Act 1910</i>	2
<i>Navigation Act 1912</i>	16
<i>Nuclear Non-Proliferation (Safeguards) Act 1987</i>	1
<i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i>	5
<i>Occupational Health and Safety (Maritime Industry) Act 1993</i>	2
<i>Offshore Petroleum (Safety Levies) Act 2003</i>	1
<i>Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Act 1995</i>	1
<i>Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Act 1995</i>	1
<i>Ozone Protection and Synthetic Greenhouse Gas Management Act 1989</i>	2
<i>Papua New Guinea (Staffing Assistance) Act 1973</i>	1
<i>Parliamentary Contributory Superannuation Act 1948</i>	1
<i>Parliamentary Service Act 1999</i>	1
<i>Passports Act 1938</i>	2
<i>Patents Act 1990</i>	4
<i>Payment Systems and Netting Act 1998</i>	1
<i>Petroleum (Submerged Lands) (Registration Fees) Act 1967</i>	1
<i>Petroleum (Submerged Lands) Act 1967</i>	8
<i>Petroleum (Submerged Lands) Fees Act 1994</i>	1
<i>Petroleum Excise (Prices) Act 1987</i>	1
<i>Primary Industries (Customs) Charges Act 1999</i>	9
<i>Primary Industries (Excise) Levies Act 1999</i>	10
<i>Primary Industries Levies and Charges Collection Act 1991</i>	5
<i>Privacy Act 1988</i>	2
<i>Private Health Insurance (ACAC Review Levy) Act 2003</i>	1
<i>Private Health Insurance (Council Administration Levy) Act 2003</i>	1
<i>Private Health Insurance (Reinsurance Trust Fund Levy) Act 2003</i>	1
<i>Proceeds of Crime Act 1987</i>	1
<i>Product Stewardship (Oil) Act 2000</i>	1
<i>Protection of the Sea (Prevention of Pollution from Ships) Act 1983</i>	1
<i>Public Order (Protection of Persons and Property) Act 1971</i>	1
<i>Public Service Act 1999</i>	5
<i>Public Works Committee Act 1969</i>	1
<i>Quarantine Act 1908</i>	4
<i>Radiocommunications (Receiver Licence Tax) Act 1983</i>	1
<i>Radiocommunications (Spectrum Licence Tax) Act 1997</i>	1
<i>Radiocommunications (Transmitter Licence Tax) Act 1983</i>	3
<i>Radiocommunications Act 1992</i>	23
<i>Registration of Deaths Abroad Act 1984</i>	1
<i>Remuneration Tribunal Act 1973</i>	27
<i>Renewable Energy (Electricity) Act 2000</i>	2
<i>Retirement Savings Account Providers Supervisory Levy Imposition Act 1998</i>	1
<i>Retirement Savings Accounts Act 1997</i>	4
<i>Safety, Rehabilitation and Compensation Act 1988</i>	4
<i>Seafarers Rehabilitation and Compensation Act 1992</i>	1
<i>Service and Execution of Process Act 1992</i>	1
<i>Social Security (Administration) Act 1999</i>	5
<i>Social Security (International Agreements) Act 1999</i>	3
<i>Social Security Act 1991</i>	7

<i>Space Activities Act 1988</i>	2
<i>Spam Act 2003</i>	1
<i>States Grants (Primary and Secondary Education Assistance) Act 2000</i>	1
<i>Statutory Declarations Act 1959</i>	1
<i>Student Assistance Act 1973</i>	2
<i>Superannuation (Government Co-contribution for Low Income Earners) Act 2003</i>	3
<i>Superannuation (Productivity Benefit) Act 1988</i>	4
<i>Superannuation Act 1922</i>	1
<i>Superannuation Act 1976</i>	6
<i>Superannuation Act 1990</i>	5
<i>Superannuation Industry (Supervision) Act 1993</i>	13
<i>Superannuation Supervisory Levy Imposition Act 1998</i>	1
<i>Taxation Administration Act 1953</i>	1
<i>Telecommunications (Carrier Licence Charges) Act 1997</i>	7
<i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i>	3
<i>Telecommunications (Interception) Act 1979</i>	1
<i>Telecommunications (Numbering Charges) Act 1997</i>	2
<i>Telecommunications Act 1997</i>	31
<i>Textile, Clothing and Footwear Strategic Investment Program Act 1999</i>	1
<i>Therapeutic Goods (Charges) Act 1989</i>	1
<i>Therapeutic Goods Act 1989</i>	15
<i>Trade Marks Act 1995</i>	2
<i>Trade Practices Act 1974</i>	2
<i>Trans-Tasman Mutual Recognition Act 1997</i>	1
<i>Veterans' Entitlements Act 1986</i>	49
<i>Workplace Relations Act 1996</i>	9
<i>Workplace Relations Legislation Amendment (Registration and Accountability of Organisations) (Consequential Provisions) Act 2002</i>	1
Total	1770

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.

Delegated legislation disallowed by the Parliament

Instrument

Date disallowed

Senate

The following instrument was disallowed by the Senate:

Customs (Prohibited Imports) Amendment Regulations
2004 (No.3)

Statutory Rules 2004 No. 121

30 November 2004

House of Representatives

No instruments were disallowed by the House of
Representatives