

**DELEGATED LEGISLATION MONITOR**  
**19 – 22 JUNE 2006**

**This week at a glance**

There were 43 disallowable instruments tabled in the Parliament.  
These were made under 25 separate enabling Acts, through  
12 Departments of State.

**Regulations**

9 of the 43 instruments were Regulations, which were made as amending instruments.

**Instrument makers**

17 instruments were made by the Governor-General or Ministers

26 instruments were made by Public Officials

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*Entitlements Act 1986*

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**DELEGATED LEGISLATION TABLED IN THE SENATE  
19 – 22 JUNE 2006**

<b>DEPARTMENT OF STATE</b>	<b>NUMBER OF INSTRUMENTS</b>
Agriculture, Fisheries and Forestry	1
Attorney-General's	7
Communications, Information Technology and the Arts	3
Defence	1
Employment and Workplace Relations	2
Environment and Heritage	2
Health and Ageing	9
Immigration and Multicultural Affairs	1
Industry, Tourism and Resources	1
Transport and Regional Services	9
Treasury	6
Veterans' Affairs	1
<b>Total</b>	<b>43</b>

**DELEGATED LEGISLATION TABLED IN THE SENATE  
19 – 22 JUNE 2006**

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

<i>ACIS Administration Act 1999</i>	1
<i>Australian Prudential Regulation Authority Act 1998</i>	1
<i>Civil Aviation Act 1988</i>	6
<i>Corporations Act 2001</i>	3
<i>Crimes Act 1914</i>	1
<i>Customs Act 1901</i>	1
<i>Defence Act 1903</i>	1
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	1
<i>Family Law Act 1975</i>	3
<i>Federal Magistrates Act 1999</i>	1
<i>Great Barrier Reef Marine Park Act 1975</i>	1
<i>Health Insurance Act 1973</i>	2
<i>Hearing Services Administration Act 1997</i>	1
<i>Marriage Act 1961</i>	1
<i>Medical Indemnity Act 2002</i>	1
<i>Migration Act 1958</i>	1
<i>Motor Vehicle Standards Act 1989</i>	1
<i>Murray-Darling Basin Act 1993</i>	1
<i>National Health Act 1953</i>	5
<i>Navigation Act 1912</i>	2
<i>Payment Systems (Regulation) Act 1998</i>	2
<i>Remuneration Tribunal Act 1973</i>	1
<i>Safety, Rehabilitation and Compensation Act 1988</i>	1
<i>Telecommunications (Carrier Licence Charges) Act 1997</i>	3
<i>Veterans' Entitlements Act 1986</i>	1
<b>Total</b>	<b>43</b>

**DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY****Application of Agreement to Australian Capital Territory under clause 134 of Schedule 1 to the *Murray-Darling Basin Act 1993******Murray-Darling Basin Act 1993***

Made	19/05/2006	
Tabled	19/06/2006 S	19/06/2006 HR

<b>Summary</b>	Prescribes the conditions upon which the Australian Capital Territory becomes a party to the Agreement.
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## ATTORNEY-GENERAL'S DEPARTMENT

### **Crimes Amendment Regulations 2006 (No. 1) Select Legislative Instrument 2006 No. 127 [F2006L01816]**

#### *Crimes Act 1914*

Made 14/06/2006  
Tabled 19/06/2006 S 15/06/2006 HR

**Summary** Amend the Principal Regulations as a consequence of changes made by the *Defence Legislation Amendment Act 2005 (No. 2)*.

### **Infringement Notice Guidelines (2006) under s. 243XA(1) of the *Customs Act 1901* [F2006L01860]**

#### *Customs Act 1901*

Made 15/06/2006  
Tabled 21/06/2006 S 21/06/2006 HR

**Summary** Specifies guidelines relating to the imposition of penalties by way of infringement notice in lieu of prosecution for certain offences.

### **Family Law Amendment Regulations 2006 (No. 1) Select Legislative Instrument 2006 No. 128 [F2006L01760]**

#### *Family Law Act 1975*

Made 14/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Amend the Principal Regulations to prescribe matters relating to family dispute resolution procedures, make amendments to terminology, and make other procedural and technical amendments.

### **Jurisdiction of Courts of Summary Jurisdiction (Children) Proclamation 2006 under ss. 69J(3) and 69J(6) of the *Family Law Act 1975* [F2006L01798]**

#### *Family Law Act 1975*

Made 14/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Makes provision for the jurisdiction of courts of summary jurisdiction in the Perth metropolitan region concerning proceedings under Part VII of the Act.

### **Federal Magistrates Amendment Regulations 2006 (No. 2) Select Legislative Instrument 2006 No. 129 [F2006L01763]**

#### *Federal Magistrates Act 1999*

Made 14/06/2006  
Tabled 19/06/2006 S 15/06/2006 HR

**Summary** Make minor changes in terminology in the Principal Regulations.

### **Jurisdiction of Courts of Summary Jurisdiction (Matrimonial Causes) Proclamation 2006 under ss. 39(7) and 39(7A) of the *Family Law Act 1975* [F2006L01799]**

#### *Family Law Act 1975*

Made 14/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Makes provision for the jurisdiction of courts of summary jurisdiction in the Perth metropolitan region concerning proceedings under s. 39(6) of the Act.



**Marriage Amendment Regulations 2006 (No. 1)**  
**Select Legislative Instrument 2006 No. 130**  
**[F2006L01764]**

***Marriage Act 1961***

Made 14/06/2006  
Tabled 19/06/2006 S 15/06/2006 HR

**Summary** Make minor changes in terminology in the Principal Regulations as a consequence of the *Family Law Amendment (Shared Parental Responsibility) Act 2006*.

# DEPARTMENT OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS

**Telecommunications (Annual Carrier Licence Charge) Determination 2006 under s. 14(1) of the *Telecommunications (Carrier Licence Charges) Act 1997* [F2006L01803]**

*Telecommunications (Carrier Licence Charges) Act 1997*

Made	08/06/2006	
Tabled	19/06/2006 S	15/06/2006 HR

**Summary** Specifies the method for calculating the annual carrier licence charge for the year beginning 01 July 2005.

**Telecommunications (Recovery of ITU Budget Contribution) Determination 2006 under paragraph 15(1)(c) of the *Telecommunications (Carrier Licence Charges) Act 1997* [F2006L01805]**

*Telecommunications (Carrier Licence Charges) Act 1997*

Made	08/06/2006	
Tabled	19/06/2006 S	15/06/2006 HR

**Summary** Specifies the amount that is the proportion of the Commonwealth's contribution to the budget of the International Telecommunication Union for 2005 associated with communications.

**Telecommunications (Costs Attributable to Telecommunications Functions and Powers) Determination 2006 under paragraph 15(1)(a) of the *Telecommunications (Carrier Licence Charges) Act 1997* [F2006L01808]**

*Telecommunications (Carrier Licence Charges) Act 1997*

Made	08/06/2006	
Tabled	19/06/2006 S	15/06/2006 HR

**Summary** Specifies the amount that is the proportion of the Australian Communications and Media Authority's costs for the 2004/05 year that is attributable to the Authority's telecommunications functions and powers.

**DEPARTMENT OF DEFENCE****Defence Determination 2006/29*****Defence Act 1903***

Made	15/06/2006	
Tabled	20/06/2006 S	19/06/2006 HR
<b>Summary</b>	Specifies revised post indexes for overseas locations where members of the Australian Defence Force serve.	

## DEPARTMENT OF EMPLOYMENT AND WORKPLACE RELATIONS

### **Remuneration Tribunal Determination 2006/09 [F2006L01795]**

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

Made 23/05/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Specifies revised salary bands for the Principal Executive Office Classification Structure.

### **Safety, Rehabilitation and Compensation (Definition of *Employee*) Notice 2006 (2) under s. 5(6) of the *Safety, Rehabilitation and Compensation Act 1988* [F2006L01819]**

#### ***Safety, Rehabilitation and Compensation Act 1988***

Made 14/06/2006  
Tabled 22/06/2006 S 22/06/2006 HR

**Summary** Declares that members of the Australian Medical Assistance Teams providing medical assistance in response to the Yogyakarta earthquake are employees for the purposes of the Act.

## DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

**Environment Protection and Biodiversity  
Conservation Amendment Regulations  
2006 (No. 1)  
Select Legislative Instrument 2006 No. 131  
[F2006L01832]**

*Environment Protection and Biodiversity  
Conservation Act 1999*

Made	14/06/2006	
Tabled	19/06/2006 S	19/06/2006 HR

**Summary** Specify revised provisions concerning the regulation of persons, vessels and aircraft within the Australian Whale Sanctuary.

**Great Barrier Reef Marine Park Amendment  
Regulations 2006 (No. 1)  
Select Legislative Instrument 2006 No. 132  
[F2006L01809]**

*Great Barrier Reef Marine Park Act 1975*

Made	14/06/2006	
Tabled	19/06/2006 S	19/06/2006 HR

**Summary** Introduce provisions into the Principal Regulations concerning the impact of persons, vessels and aircraft on cetaceans within the Marine Park.

## DEPARTMENT OF HEALTH AND AGEING

### **Declaration QAA No. 1/2006 under s. 124X of the *Health Insurance Act 1973* [F2006L01790]**

#### ***Health Insurance Act 1973***

Made 07/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Specifies the Australian Patient Safety Foundation as a Quality Assurance Activity to which Part VC of the Act applies.

### **Determination No. PB 27 of 2006 under s. 85B(1) of the *National Health Act 1953* [F2006L01871]**

#### ***National Health Act 1953***

Made 15/06/2006  
Tabled 21/06/2006 S 21/06/2006 HR

**Summary** Specifies amendments to the list of drugs and medicinal preparations that are available as pharmaceutical benefits.

### **Determination No. PB 25 of 2006 under ss. 85, 85A and 88 of the *National Health Act 1953* [F2006L01880]**

#### ***National Health Act 1953***

Made 19/06/2006  
Tabled 22/06/2006 S 22/06/2006 HR

**Summary** Specifies a revised list of drugs and medicinal preparations that are available as pharmaceutical benefits.

### **Health Insurance (Diabetes Testing in Aboriginal and Torres Strait Islander Primary Health Care Sites) Determination HS/01/2006 under s. 3C(1) of the *Health Insurance Act 1973* [F2006L01822]**

#### ***Health Insurance Act 1973***

Made 06/06/2006  
Tabled 21/06/2006 S 21/06/2006 HR

**Summary** Remakes an earlier Determination to enable Medicare benefits to be payable for certain diabetes testing in Aboriginal and Torres Strait Islander communities.

### **Determination No. PB 26 of 2006 under paragraph 98C(1)(b) of the *National Health Act 1953* [F2006L01843]**

#### ***National Health Act 1953***

Made 14/06/2006  
Tabled 21/06/2006 S 21/06/2006 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.

### **Hearing Services Amendment Rules of Conduct 2006 (No. 1) under s. 17(1) of the *Hearing Services Administration Act 1997* [F2006L01861]**

#### ***Hearing Services Administration Act 1997***

Made 30/05/2006  
Tabled 22/06/2006 S 22/06/2006 HR

**Summary** Makes various amendments to the Principal Rules of Conduct.

**Highly Specialised Drugs Program —  
Arrangements under subparagraph 100(1)(b)(i)  
of the *National Health Act 1953*  
(No. PB 28 of 2006)  
[F2006L01875]**

***National Health Act 1953***

Made	16/06/2006	
Tabled	21/06/2006 S	21/06/2006 HR

**Summary** Amends the arrangements for the availability of special pharmaceutical products for persons who are receiving treatment with highly specialised drugs at private hospitals as non-admitted patients, day admitted patients or patients on discharge.

**Special Authority Program — Arrangements  
under subparagraph 100(1)(b)(i) of the  
*National Health Act 1953*  
(No. PB 29 of 2006)  
[F2006L01874]**

***National Health Act 1953***

Made	16/06/2006	
Tabled	21/06/2006 S	21/06/2006 HR

**Summary** Amends the arrangements for the availability of special pharmaceutical products to persons who require treatment with imatinib mesylate.

**Medical Indemnity (Run-off Cover Claims and  
Administration) Protocol 2006 under s. 34ZN of  
the *Medical Indemnity Act 2002*  
[F2006L01892]**

***Medical Indemnity Act 2002***

Made	19/06/2006	
Tabled	22/06/2006 S	22/06/2006 HR

**Summary** Provides for the reimbursement of costs incurred by insurers as a result of administering the run-off cover indemnity scheme.

**DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AFFAIRS**

**Migration Amendment Regulations 2006 (No. 3)**  
**Select Legislative Instrument 2006 No. 133**  
**[F2006L01781]**

***Migration Act 1958***

Made	14/06/2006	
Tabled	21/06/2006 S	21/06/2006 HR

**Summary**     Make amendments to the Subclass 457  
                    (Business (Long Stay)) visa.



**DEPARTMENT OF INDUSTRY, TOURISM AND RESOURCES****ACIS Administration Amendment Regulations****2006 (No. 1)****Select Legislative Instrument 2006 No. 134****[F2006L01811]*****ACIS Administration Act 1999***

Made	14/06/2006	
Tabled	19/06/2006 S	19/06/2006 HR

**Summary** Amend provisions in the Principal Regulations that prescribe the ambit of automotive services that may be claimed under the Automotive Competitiveness and Investment Scheme.

## DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/A320/146 Amdt 3 [F2006L01869]**

#### *Civil Aviation Act 1988*

Made 16/06/2006  
Tabled 21/06/2006 S 21/06/2006 HR

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

### **Instrument No. CASA 182/06 under r. 208 of the *Civil Aviation Regulations 1988* [F2006L01766]**

#### *Civil Aviation Act 1988*

Made 05/06/2006  
Tabled 19/06/2006 S 15/06/2006 HR

**Summary** Permits the balloon bearing registration marks VH-HTB operated by Balloon Aloft Australia Pty Ltd to operate without a cabin attendant, subject to conditions.

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/AS 355/87 Amdt 1 [F2006L01839]**

#### *Civil Aviation Act 1988*

Made 14/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

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

### **Instrument No. CASA 183/06 under r. 208 of the *Civil Aviation Regulations 1988* [F2006L01767]**

#### *Civil Aviation Act 1988*

Made 05/06/2006  
Tabled 19/06/2006 S 15/06/2006 HR

**Summary** Permits the balloon bearing registration marks VH-AKH operated by Balloon Aloft Australia Pty Ltd to operate without a cabin attendant, subject to conditions.

### **Civil Aviation Orders, Part 105 Airworthiness Directive AD/ECUREUIL/111 Amdt 1 [F2006L01838]**

#### *Civil Aviation Act 1988*

Made 14/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

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

### **Instrument No. CASA EX22/06 under r. 308 of the *Civil Aviation Regulations 1988* [F2006L01733]**

#### *Civil Aviation Act 1988*

Made 15/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Exempts the operator of the aircraft bearing registration marks VH-EXG from specified requirements concerning approval of a training and checking organisation.

**Marine Orders, Part 12 — Construction —  
Subdivision and Stability, Machinery and  
Electrical Installations, Issue 6 (Amendment)  
Marine Order No. 07 of 2006  
[F2006L01882]**

*Navigation Act 1912*

Made	19/06/2006	
Tabled	22/06/2006 S	22/06/2006 HR

**Summary** Gives effect to amendments to Chapter II-1 of the International Convention for the Safety of Life at Sea.

**Marine Orders, Part 31 — Ships Surveys and  
Certification, Issue 6  
Marine Order No. 06 of 2006  
[F2006L01887]**

*Navigation Act 1912*

Made	19/06/2006	
Tabled	21/06/2006 S	21/06/2006 HR

**Summary** Gives effect to certain International Maritime Organisation resolutions.

**Vehicle Standard (Australian Design Rule —  
Definitions and Vehicle Categories) 2005  
Amendment 1 under s. 7(1) of the *Motor  
Vehicle Standards Act 1989*  
[F2006L01833]**

*Motor Vehicle Standards Act 1989*

Made	29/05/2006	
Tabled	21/06/2006 S	21/06/2006 HR

**Summary** Adds new definitions to the Principal Vehicle Standard.

## DEPARTMENT OF THE TREASURY

### ASIC Class Order [CO 06/469] [F2006L01813]

#### *Corporations Act 2001*

Made 07/06/2006  
Tabled 19/06/2006 S 15/06/2006 HR

**Summary** Extends the relief given in ASIC Class Order [CO 03/1096] until 31 December 2006.

### ASIC Class Order [CO 06/476] [F2006L01862]

#### *Corporations Act 2001*

Made 07/06/2006  
Tabled 22/06/2006 S 22/06/2006 HR

**Summary** Provides relief from the requirements to disclose an interest rate in a product disclosure statement for a deposit product and a termination value in a periodic statement for a deposit product, and provides an extended period of relief from the commencement of the dollar disclosure regime for general insurance and deposit products.

### Australian Prudential Regulation Authority Instrument Fixing Charges No. 3 of 2006 under paragraph 51(1)(a) of the *Australian Prudential Regulation Authority Act 1998* [F2006L01837]

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

Made 14/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Specifies changes for certain services provided by the Australian Prudential Regulation Authority to the Reserve Bank of Australia and to the Australian Bureau of Statistics.

### Corporations (Fees) Amendment Regulations 2006 (No. 1) Select Legislative Instrument 2006 No. 135 [F2006L01817]

#### *Corporations Act 2001*

Made 14/06/2006  
Tabled 19/06/2006 S 19/06/2006 HR

**Summary** Specify a reduction in the fees for the lodgement of certain documents and applications relating to the registration of companies.

**Declaration No. 1 of 2006 Regarding Purchased  
Payment Facilities under s. 9(3) of the *Payment  
Systems (Regulation) Act 1998*  
[F2006L01748]**

***Payment Systems (Regulation) Act 1998***

Made	24/04/2006	
Tabled	19/06/2006 S	19/06/2006 HR

**Summary** Provides that the Act does not apply to gift card facilities and certain other types of non-cash payment facilities.

**Declaration No. 2 of 2006 Regarding Purchased  
Payment Facilities under s. 9(3) of the *Payment  
Systems (Regulation) Act 1998*  
[F2006L01768]**

***Payment Systems (Regulation) Act 1998***

Made	24/04/2006	
Tabled	19/06/2006 S	19/06/2006 HR

**Summary** Increases the threshold under the Reserve Bank's class exclusion for 'limited facilities' to \$10 million.

**DEPARTMENT OF VETERANS' AFFAIRS**

**Veterans' Entitlements (Child-Related Payments)**  
**Determination 2006 under paragraph (b) of**  
**subclause 10(4) of Schedule 5 to the *Veterans'***  
***Entitlements Act 1986***  
**Instrument No. R20/2006**  
**[F2006L01793]**

***Veterans' Entitlements Act 1986***

Made	07/06/2006	
Tabled	19/06/2006 S	15/06/2006 HR

**Summary**      Specifies the amount of dependant  
child add-on and/or guardian allowance  
payable under the Act.