



Statutory Rules 1985 No. 296¹

Postal Services Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Postal Services Act 1975*.

Dated 7 November 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

M. J. DUFFY
Minister of State for
Communications

Principal Regulations

1. In these Regulations, "Principal Regulations" means the Postal Services Regulations.

Heading to Part V

2. The Heading to Part V of the Principal Regulations is amended by omitting "DIVISION" and substituting "DIVISIONS 3 AND".

Review Tribunals

3. Regulation 31 of the Principal Regulations is amended by inserting "paragraph 43 (4) (b) or" after "under".

Constitution of Tribunal

4. Regulation 32 of the Principal Regulations is amended—

- (a) by inserting in sub-regulation (1) "paragraph 43 (4) (b) or" after "under"; and
- (b) by omitting sub-regulations (3) and (4) and substituting the following sub-regulation:

“(3) In sub-regulation (1), ‘appropriate organization’, in relation to a review, means—

- (a) where the applicant for the review is a member of only one organization—that organization;
- (b) where the applicant for the review is a member of 2 or more organizations—whichever of those organizations is nominated by the applicant;
- (c) where the applicant for the review is not a member of the only organization of which officers or employees are members and under the rules of which the applicant is eligible for membership—that organization;
- (d) where the applicant for the review is not a member of an organization and there are 2 or more organizations of which officers or employees are members and under the rules of which the applicant is eligible for membership—whichever of those organizations is nominated by the applicant; or
- (e) where, in a case where paragraph (b) or (d) applies to the applicant, the applicant has not, on or before making an application for the review in accordance with regulation 33, nominated an organization for the purposes of that paragraph—whichever of the organizations referred to in that paragraph is determined by the Commission.”.

Application for review

5. Regulation 33 of the Principal Regulations is amended by inserting “paragraph 43 (4) (b) or” after “under”.

Proceedings before Tribunal

6. Regulation 34 of the Principal Regulations is amended—

- (a) by omitting sub-regulation (1) and substituting the following sub-regulation:

“(1) A Review Tribunal shall undertake a full review of a decision of the Commission in relation to which an application for review is made in accordance with regulation 33.”; and

- (b) by inserting in sub-regulation (3) “of a decision of the Commission under section 58 or 59 of the Act” after “review”.

Recommendation by Tribunal

7. Regulation 35 of the Principal Regulations is amended by inserting in sub-regulation (1) “paragraph 43 (4) (b) or” after “under”.

Interpretation

8. Regulation 36 is amended by omitting from the definition of “article” in sub-regulation (1) “by post” and substituting “, by post or by the courier service operated by the Commission,”.

9. After regulation 56 of the Principal Regulations the following regulation is inserted:

Prescribed rate for purposes of sub-section 109 (3A)

“57. For the purposes of sub-section 109 (3A) of the Act, the prescribed rate is \$35.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 14 November 1985.
2. Statutory Rules 1975 No. 130 as amended by 1977 No. 53; 1981 No. 151; 1982 Nos. 147 and 230; 1984 No. 105.