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The date of publication of this Gazette is 10 May 1995

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National Executive Office:
29 Albert Avenue Chatswood NSW 2067
**Variation of closing times**

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Monday, 12 June 1995 is a public holiday in the Australian Capital Territory thus affecting closing times for the following Government Notices Gazette.

**Issue of 14 June 1995**

Thursday, 8 June at 10.00 a.m.

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**NOTICES FOR PUBLICATION** and related correspondence should be addressed to:

Gazette Officer, Australian Government Publishing Service, GPO Box 4007, Canberra ACT 2601.

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subscription of $395.00 (50 issues), $206.00 (25 issues) or $103.00 (12 issues).

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**Australian Securities Commission** issues contain Notices under the Corporations Law and are published on the first Tuesday of each month and are sold at $14.95 each or on subscription of $132.00 (12 issues).

**Special** issues include notices which require urgent publication. All costs associated with producing Specials will be borne by the responsible department or authority. A limited number of Special Gazettes will be made available for sale from the Commonwealth Government Bookshop, Canberra, on the day of publication. General distribution of these notices will be by their inclusion in the next published issue of the Government Notices Gazette or Business Gazette as well as in the next published issue of the series of the Gazette in which the notice would normally have been published.

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**National Registration Authority** issues of the *Gazette* contain details of the certificates for registration of chemical products issued by the National Registration Authority for Agricultural and Veterinary Chemicals. These issues are published monthly and the cost is variable.
**ISSUE OF PERIODIC GAZETTES**

The following Periodic issues of the *Gazette* have been published.

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* First time notified
LANDS ACQUISITION ACT 1989
PRE-ACQUISITION DECLARATION
(SECTION 22)

I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in the Act, of the interest in the land specified in the attached schedule, as part of the easement required for the public purpose of the construction operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New South Wales.

2. The land appears to me to be suitable for development for use for that public purpose.

3. The particulars of the use for which the land will be developed is the construction, operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons.

4. The reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section of the proposed Moomba to Botany pipeline to the delivery point at Botany.

   (b) the route of the proposed pipeline has been selected to minimise the affect on properties and the environment.

   (c) an environmental assessment including archaeological and heritage surveys has been undertaken and the pipeline route selected so as to avoid any areas of potential significance.

Dated the Thirty first day of March 1995

M. Barnes
Delegate of the Minister for Administrative Services

PLEASE NOTE: THIS PRE-ACQUISITION DECLARATION IS A FORMAL EXPRESSION OF AN INTEREST IN ACQUIRING LAND AND DOES NOT MEAN THAT THE LAND HAS ALREADY BEEN ACQUIRED.
SCHEDULE

The interest in land referred to in the declaration is an easement of variable width for the construction operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing numbers MS80-0249 and MS80-0308 and affecting land described hereunder.

FIRSTLY:

An easement six metres wide over part of Lot 1 in Deposited Plan 787029 in the Local Government Areas of Rockdale and Botany Parishes of St George and Botany County of Cumberland being part of the land in Certificate of Title Folio Identifier 1/787029

SECONDLY:

An easement six metres wide over part of Lot 14 in Deposited Plan 787029 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land in Certificate of Title Folio Identifier 14/787029
LANDS ACQUISITION ACT 1989
PRE-ACQUISITION DECLARATION
(SECTION 22)

I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in the Act, of the interest in the land specified in the attached schedule, as part of the easement required for the public purpose of the construction operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New South Wales

2. the land appears to me to be suitable for development for use for that public purpose

3. the particulars of the use for which the land will be developed is the construction, operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons

4. the reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section of the proposed Moomba to Botany pipeline to the delivery point at Botany

   (b) the route of the proposed pipeline has been selected to minimise the affect on properties and the environment

   (c) an environmental assessment including archaeological and heritage surveys has been undertaken and the pipeline route selected so as to avoid any areas of potential significance.

Dated the Eleventh day of April 1995

M. Barnes
Delegate of the
Minister for Administrative Services

PLEASE NOTE: THIS PRE-ACQUISITION DECLARATION IS A FORMAL EXPRESSION OF AN INTEREST IN ACQUIRING LAND AND DOES NOT MEAN THAT THE LAND HAS ALREADY BEEN ACQUIRED.
SCHEDULE

The interest in land referred to in the declaration is an easement six metres wide for the construction operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing number MS80-0280 and affecting land described hereunder.

Part of Lot 9 in Deposited Plan 833516 being land between Lot 1 in Deposited Plan 712701 and the western bank of the Georges River in the Local Government Area of Campbelltown Parish of Minto County of Cumberland being part of the land in Certificate of Title Auto Consol 14018-92.
LANDS ACQUISITION ACT 1989
PRE-ACQUISITION DECLARATION
(SECTION 22)

I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in the Act, of the interest in the land specified in the attached schedule, as part of the easement required for the public purpose of the construction operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New South Wales

2. the land appears to me to be suitable for development for use for that public purpose

3. the particulars of the use for which the land will be developed is the construction, operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons

4. the reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section of the proposed Moomba to Botany pipeline to the delivery point at Botany

   (b) the route of the proposed pipeline has been selected to minimise the affect on properties and the environment

   (c) an environmental assessment including archaeological and heritage surveys has been undertaken and the pipeline route selected so as to avoid any areas of potential significance.

Dated the Eleventh day of April 1995

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SCHEDULE

The interest in land referred to in the declaration is an easement 6 metres wide for the construction operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing number MS80-0315 and affecting land described hereunder.

Part of Lot 15 in Deposited Plan 26889 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland being part of the land in Certificate of Title Volume 15164 Folio 240
LANDS ACQUISITION ACT 1989
PRE-ACQUISITION DECLARATION
(SECTION 22)

I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister
administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day
of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE
that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in
the Act, of the interest in the land specified in the attached schedule, as part of the easement
required for the public purpose of the construction operation and maintenance of a pipeline for
conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New
South Wales

2. the land appears to me to be suitable for development for use for that public purpose

3. the particulars of the use for which the land will be developed is the construction, operation and
maintenance of a pipeline for conveyance of ethane and other hydrocarbons

4. the reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section
       of the proposed Moomba to Botany pipeline to the delivery point at Botany

   (b) the route of the proposed pipeline has been selected to minimise the affect on properties
       and the environment

   (c) an environmental assessment including archaeological and heritage surveys has been
       undertaken and the pipeline route selected so as to avoid any areas of potential
       significance.

Dated the Eleventh day of April 1995

M. Barnes
Delegate of the
Minister for Administrative Services

PLEASE NOTE: THIS PRE-ACQUISITION DECLARATION IS A FORMAL
EXPRESSION OF AN INTEREST IN ACQUIRING LAND AND DOES
NOT MEAN THAT THE LAND HAS ALREADY BEEN ACQUIRED.
SCHEDULE

The interest in land referred to in the declaration is an easement 6 metres wide for the construction, operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing number MS80-0312 and affecting land described hereunder.

Part of Lot 2 in Deposited Plan 355667 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 13743 Folio 83
LANDS ACQUISITION ACT 1989
PRE-ACQUISITION DECLARATION
(SECTION 22)

I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in the Act, of the interest in the land specified in the attached schedule, as part of the easement required for the public purpose of the construction operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New South Wales

2. the land appears to me to be suitable for development for use for that public purpose

3. the particulars of the use for which the land will be developed is the construction, operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons

4. the reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section of the proposed Moomba to Botany pipeline to the delivery point at Botany

   (b) the route of the proposed pipeline has been selected to minimise the affect on properties and the environment

   (c) an environmental assessment including archaeological and heritage surveys has been undertaken and the pipeline route selected so as to avoid any areas of potential significance.

Dated the Eleventh day of April 1995

M. Barnes
Delegate of the Minister for Administrative Services

PLEASE NOTE: THIS PRE-ACQUISITION DECLARATION IS A FORMAL EXPRESSION OF AN INTEREST IN ACQUIRING LAND AND DOES NOT MEAN THAT THE LAND HAS ALREADY BEEN ACQUIRED.
SCHEDULE

The interest in land referred to in the declaration is an easement 2 metres wide for the construction operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing number MS80-0281 and affecting land described hereunder.

Part of the Sydenham/Botany Goods Railway being part of Lot 2 in Deposited Plan 836603 in the Local Government Area of Botany Parish of Botany County of Cumberland and being part of the land in Certificate of Title Folio Identifier 2/836603
I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in the Act, of the interest in the land specified in the attached schedule, as part of the easement required for the public purpose of the construction operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New South Wales.

2. the land appears to me to be suitable for development for use for that public purpose.

3. the particulars of the use for which the land will be developed is the construction, operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons.

4. the reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section of the proposed Moomba to Botany pipeline to the delivery point at Botany.

   (b) the route of the proposed pipeline has been selected to minimise the affects on properties and the environment.

   (c) an environmental assessment including archaeological and heritage surveys has been undertaken and the pipeline route selected so as to avoid any areas of potential significance.

Dated the Eleventh day of April 1995

M. Barnes,
Delegate of the
Minister for Administrative Services

PLEASE NOTE: THIS PRE-ACQUISITION DECLARATION IS A FORMAL EXPRESSION OF AN INTEREST IN ACQUERRING LAND AND DOES NOT MEAN THAT THE LAND HAS ALREADY BEEN ACQUIRED.
SCHEDULE

The interest in land referred to in the declaration is an easement 6 metres wide for the construction operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing number MS80-0282 and affecting land described hereunder.

Part of Lot 2 in Deposited Plan 834662 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land in Certificate of Title Folio Identifier 2/834662
LANDS ACQUISITION ACT 1989
PRE-ACQUISITION DECLARATION
(SECTION 22)

I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in the Act, of the interest in the land specified in the attached schedule, as part of the easement required for the public purpose of the construction operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New South Wales

2. the land appears to me to be suitable for development for use for that public purpose

3. the particulars of the use for which the land will be developed is the construction, operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons

4. the reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section of the proposed Moomba to Botany pipeline to the delivery point at Botany

   (b) the route of the proposed pipeline has been selected to minimise the affect on properties and the environment

   (c) an environmental assessment including archaeological and heritage surveys has been undertaken and the pipeline route selected so as to avoid any areas of potential significance.

Dated the Eleventh day of April 1995

M. Barnes
Delegate of the
Minister for Administrative Services

PLEASE NOTE: THIS PRE-ACQUISITION DECLARATION IS A FORMAL EXPRESSION OF AN INTEREST IN ACQUIRING LAND AND DOES NOT MEAN THAT THE LAND HAS ALREADY BEEN ACQUIRED.
SCHEDULE

The interest in land referred to in the declaration is an easement of variable width for the construction operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing numbers MS80-0095, MS80-249, MS80-281, MS80 285 to MS80-290, MS80-292, MS80-0293, MS80-296 to MS80-298, MS80-300, MS80-311, MS80-314 AND MS80-316 and affecting land described hereunder.

FIRSTLY: An easement 1 metre wide over part of Camden Valley Way commencing at a point to the west of Lot 1 in Deposited Plan 358788, thence around the northern boundaries of Lot 2A in Deposited Plan 365586 and Lot 1 in Deposited Plan 520965 to a point to the east of Lot 2 in Deposited Plan 520965 in the Local Government Area of Liverpool Parish of Minto County of Cumberland.

SECONDLY: An easement 6 metres wide and an easement 10 metres wide by 40 metres long over part of Lot 1 in Deposited Plan 825745 in the Local Government Area of Liverpool Parish of Holsworthy County of Cumberland being part of the land in Certificate of Title Folio Identifier 1/825745.

THIRDLY: An easement 2 metres wide from a point on the boundary of Lot 1 Deposited Plan 771449 over part of the corner of Cook Crescent and Park Road and part of Park Road to a point on the boundary of Lot 2 in Deposited Plan 772032 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland.

FOURTHLY: An easement 1 metre wide over part of Park Road commencing at a point on the boundary of Lot 1 in Deposited Plan 182425 to a point on the boundary of Lot 1 in Deposited Plan 185098 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland.

FIFTHLY: An easement 2 metres wide over part of Anderson Street between Edwards Reserve and Lot 15 in Deposited Plan 26889 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland.

SIXTHLY: An easement 1 metre wide over part of Marco Avenue commencing at a point on the northern boundary of the East Hills Railway (formerly known as Weston Street) to a point on the boundary of Part Lot 35 in Deposited Plan 2930 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland.

SEVENTHLY: An easement 6 metres wide over part of Polo Street between part of the East Hills Railway (formerly known as Polo Street) and Lot 24 in Deposited Plan 35611 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland.

EIGHTHLY: An easement 2 metres wide over part of McGirr Street, Baddeley Street and Doyle Road commencing at a point on the boundary of Lot 1 in Deposited Plan 187691 to part of the East Hills Railway Reserve (formerly Doyle Road) in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland.

NINTHLY: An easement 1 metre wide over part of Webb Street commencing at a point on the boundary of Lot 1 in Deposited Plan 807583 to a point on the boundary of Lot 1 in Deposited Plan 182992 in the Local Government Area of Hurstville Parish of St George County of Cumberland.

TENTHLY: An easement 1 metre wide over part of Bryant Street commencing at a point at the intersection of Broadarrow Road to a part of the East Hills Railway (formerly known as Penshurst Street) in the Local Government Areas of Hurstville and Canterbury Parish of St George County of Cumberland.
ELEVENTHLY: An easement 6 metres wide over part of Lot 2 in Deposited Plan 533022 in the Local Government Area of Hurstville Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 11762 Folio 106 (Folio Identifier 2/533022).

TWELFTHLY: An easement 2 metres wide over part of King Georges Road between Lots 2 and 3 of Section B in Deposited Plan 3658 and a point at the intersection with Morgan Street in the Local Government Area of Hurstville Parish of St George County of Cumberland.

THIRTEENTHLY: An easement 1 metre wide over part of Morgan Street commencing at a point to the west of Lee Avenue and thence along Morgan Street to a point on the southern boundary of the land contained within Certificate of Title Volume 4442 Folio 55 in the Local Government Area of Hurstville Parish of St George County of Cumberland.

FOURTEENTHLY: An easement 1 metre wide over part of Slade Road commencing at a point on the southern boundary of Lot 2 of Section N in Deposited Plan 376 to a point on the southern boundary of Lot 1 in Deposited Plan 123997 in the Local Government Area of Rockdale Parish of St George County of Cumberland.

FIFTEENTHLY: An easement 6 metres wide over parts of Wolli Creek to the north of Part Lots 5-9 in Section P of Deposited Plan 957273 Book 1635 Conveyance No. 741 in the Local Government Area of Rockdale Parish of St George County of Cumberland.

SIXTEENTHLY: An easement 2 metres wide over part of Hartill-Law Avenue between Lot 2 in Deposited Plan 801518 and land resumed by Rockdale Council vide NSW Government Gazette No. 96, 27 August 1943 in the Local Government Area of Rockdale Parish of St George County of Cumberland.

SEVENTEENTHLY: An easement 6 metres wide over part of the land resumed by Rockdale Council vide NSW Government Gazette No. 96, 27 August 1943 between Hartill-Law Avenue and Part Lots 7-14 of Section Q in Deposited Plan 975273 in the Local Government Area of Rockdale Parish of St George County of Cumberland.

EIGHTEENTHLY: An easement 5 metres wide over part of Wolli Creek between Lot 1 in Deposited Plan 184111 and Lot 1 in Deposited Plan 182930 in the Local Government Area of Rockdale Parish of St George County of Cumberland. The 5 metre wide easement is in addition to a 1 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total width of easement over the subject land will be 6 metres.

NINTEENTHLY: An easement 6 metres wide over part of Wolli Creek between Lot 48 in Deposited Plan 6670 and the southern boundary of Lot 1 in Deposited Plan 430904 and also part of Wolli Creek between the western boundary of Lot 1 in Deposited Plan 430904 and Lot 1 in Deposited Plan 568141 in the Local Government Area of Rockdale Parish of St George County of Cumberland.

TWENTIETHLY: An easement 6 metres wide over part of Lot 1 in Deposited Plan 430904 in the Local Government Area of Canterbury Parish of St George County of Cumberland being part of the land contained in Certificate of Title Volume 5347 Folio 216 (Folio Identifier 1/430904).

TWENTY FIRSTLY: An easement 6 metres wide over part of Lot 3 in Deposited Plan 568141 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land contained in Certificate of Title Volume 12387 Folio 192 (Folio Identifier 3/568141).

TWENTY SECONDL: An easement 1 metre wide over part of Henderson Street commencing at a point on the boundary of Lot 2 in Deposited Plan 355667 to a point on the northern boundary of Lot 1 in Deposited Plan 182506 in the Local Government Area of Rockdale Parish of St George County of Cumberland.
TWENTY THIRDLY: An easement 6 metres wide over part of the south western corner of Lot 1 in Deposited Plan 775302 from a point on the northern boundary of Part Lots 2-7 Section 4 contained within Book 1655 Conveyance Number 467 to a point east on the same boundary. Also, part of Lot 1 in Deposited Plan 775302 between the land contained in Book 1632 Conveyance Number 740 to the south and western boundary of Lot 1 in Deposited Plan 86820 in the Local Government Area of Rockdale Parish of St George County of Cumberland.

TWENTY FOURTHLY: An easement 6 metres wide over part of Botany Road between Lot 14 in Deposited Plan 787029 and Lot 16 in Deposited Plan 787029 in the Local Government Area of Botany Parish of Botany County of Cumberland.

TWENTY FIFTHLY: An easement 6 metres wide over part of Lot 16 in Deposited Plan 787029 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land contained in Certificate of Title Folio Identifier 16/787029.

TWENTY SIXTHLY: An easement 6 metres wide over part of Lot 3 in Deposited Plan 787029 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land contained in Certificate of Title Folio Identifier 3/787029.

TWENTY SEVENTHLY: An easement 6 metres wide over part of Lot 15 in Deposited Plan 776213 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land formerly contained in Certificate of Title Volume 3779 Folio 159 and excised by Resumption Z379319.

TWENTY EIGHTHLY: An easement 1 metre wide over part of the corner of Ellis Street and Banksia Street between Lot 1 in Deposited Plan 836603 and Lot 1 in Deposited Plan 173140 in the Local Government Area of Botany Parish of Botany County of Cumberland.
I, Michael Barnes, State Manager of the Australian Property Group, a person to whom the Minister administering the Lands Acquisition Act 1989 (the Act) has by delegation dated the Twenty third day of October 1991 delegated his powers and functions under subsection 22(1) of the Act, DECLARE that:

1. I am considering the acquisition by the Pipeline Authority, an acquiring authority as defined in the Act, of the interest in the land specified in the attached schedule, as part of the easement required for the public purpose of the construction operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons from Moomba in South Australia to Botany in New South Wales.

2. the land appears to me to be suitable for development for use for that public purpose.

3. the particulars of the use for which the land will be developed is the construction, operation and maintenance of a pipeline for conveyance of ethane and other hydrocarbons.

4. the reasons why the land appears to be suitable for that use are that:

   (a) it is part of the most practicable route from the end of the Wilton to Leppington section of the proposed Moomba to Botany pipeline to the delivery point at Botany.

   (b) the route of the proposed pipeline has been selected to minimise the affect on properties and the environment.

   (c) an environmental assessment including archaeological and heritage surveys has been undertaken and the pipeline route selected so as to avoid any areas of potential significance.

Dated the Eleventh day of April 1995

M. Barnes
Delegate of the
Minister for Administrative Services

PLEASE NOTE: THIS PRE-ACQUISITION DECLARATION IS A FORMAL EXPRESSION OF AN INTEREST IN ACQUIRING LAND AND DOES NOT MEAN THAT THE LAND HAS ALREADY BEEN ACQUIRED.
SCHEDULE

The interest in land referred to in the declaration is an easement of variable width for the construction operation and maintenance of a pipeline for the conveyance of ethane and other hydrocarbons as delineated on a plan registered at the Pipeline Authority 115 Canberra Avenue Griffith ACT 2603 and at CMPS&F Pty Limited South Tower The Interchange 67 Albert Street Chatswood NSW 2067 as drawing numbers MS80-0280, MS80-282, MS80-286, MS80 289, MS80-292, MS80-294, MS80-0295, MS80-297 and MS80-303 and affecting land described hereunder.

FIRSTLY: An easement 5 metres wide over part of Lot 7 in Deposited Plan 833516 in the Local Government Area of Campbelltown and other Parish of Minto County of Cumberland being part of the land contained in Certificate of Title Folio Identifier 7/833516.

SECONDLY: An easement 2 metres wide and 5.5 metres long over part of Lot 1 in Deposited Plan 710012 in the Local Government Area of Liverpool Parish of Holsworthy County of Cumberland being part of the land in Certificate of Title Folio Identifier 1/710012. This easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total easement dimensions over this section of the subject land will be 4 metres wide by 5.5 metres long.

THIRDLY: An easement 2 metres wide over part of Lot 6 Deposited Plan 772032 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland being part of the land contained in Certificate of Title Folio Identifier 6/772032.

FOURTHLY: An easement 2 metres wide over part of Lot 6 in Deposited Plan 449779 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland being part of the land in Certificate of Title Volume 4383 Folio 143 (Folio Identifier 6/449779).

FIFTHLY: An easement 2 metres wide over part of Lot 13 of Section 4 in Deposited Plan 11170 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland being part of the land contained in Certificate of Title Volume 4157 Folio 227 (Folio Identifier 13/4/11170)

SIXTHLY: An easement 2 metres wide over part of Lot 1 in Deposited Plan 185098 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland being part of the land in Certificate of Title Volume 5823 Folio 83.

SEVENTHLY: An easement 2 metres wide over part of the East Hills Railway (formerly Doyle Road) between Doyle Road and a point on the boundary of Lot 37 in Deposited Plan 3495 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland.

EIGHTHLY: An easement 2 metres wide and 5.5 metres long over part of Lot 5 in Deposited Plan 182324 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland being part of the land in Certificate of Title Volume 5823 Folio 83. This easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total easement dimensions over this section of the subject land will be 4 metres wide by 5.5 metres long.

NINTHLY: An easement 2 metres wide over part of Broadarrow Road between Lots 2 and 3 in Deposited Plan 4876 and a point at the intersection of Bryant Street in the Local Government Areas of Hurstville and Canterbury Parish of St George County of Cumberland.

TENTHLY: An easement 2 metres wide over part of the East Hills Railway (formerly Penshurst Street) between Bryant Street and the land Contained in Certificate of Title Volume 5426 Folio 110 in the Local Government Area of Hurstville Parish of St George County of Cumberland.

ELEVENTHLY: An easement 2 metres wide over part of Lot 1 in Deposited Plan 181783 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 4262 Folio 62 (Folio Identifier 1/181783).
TWELFTHLY: An easement 2 metres wide and 5.5 metres long over part of Lot 3 of Section N in Deposited Plan 376 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 7566 Folio 202. This easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total easement dimensions over this section of the subject land will be 4 metres wide by 5.5 metres long.

THIRTEENTHLY: An easement 4 metres wide over part of Lot 1 in Deposited Plan 182930 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land contained in Certificate of Title Volume 4387 Folio 229 (Folio Identifier 1/182930). This easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total width of easement over the subject land will be 6 metres.

FOURTEENTHLY: An easement 4 metres wide over part of the East Hills Railway (formerly Rickard Street) between Lot 1 in Deposited Plan 182930 and Lot 55 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland. The 4 metre wide easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total width of easement over the subject land will be 6 metres.

FIFTEENTHLY: An easement 4 metres wide over part of Lot 55 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 2875 Folio 245 (Folio Identifier 55/6670). The 4 metre wide easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total width of easement over the subject land will be 6 metres.

SIXTEENTHLY: An easement 6 metres wide over part of Lot 54 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 3170 Folio 216 (Folio Identifier 54/6670).

SEVENTEENTHLY: An easement 6 metres wide over part of Lot 53 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 2720 Folio 220 (Folio Identifier 53/6670).

EIGHTEENTHLY: An easement 6 metres wide over part of Lot 52 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land in Certificate of Title Volume 2389 Folio 147 (Folio Identifier 52/6670).

NINTEENTHLY: An easement 4 metres wide over part of Martin Street (unformed) between Lots 52 and 53 in Deposited Plan 6670 and Lots 46 and 47 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland. The 4 metre wide easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total width of easement over the subject land will be 6 metres.

TWENTIETHLY: An easement 4 metres wide over part of Lot 46 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land contained in Certificate of Title Volume 3242 Folio 182 (Folio Identifier 46/6670). The 4 metre wide easement is additional to a 2 metre wide easement for which a pre-acquisition declaration was issued on 7 October 1994. The total width of easement over the subject land will be 6 metres.

TWENTY FIRSTLY: An easement 6 metres wide over part of Lots 47 and 48 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland being part of the land contained in Certificate of Title Volume 3616 Folio 30 (Folio Identifier Auto Consol 3616-30).
TWENTY SECONDLY:  An easement 2 metres wide over part of Lots 22 and 23 of Section K in Deposited Plan 939785 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land in Book 1138 Conveyance 281.

TWENTY THIRDLY:  An easement 2 metres wide over part of the Sydenham/Botany Goods Railway (formerly Morgan Street) between Lots 22 and 23 of Section K in Deposited Plan 939785 and Lot 6 of Section J in Deposited Plan 939785 in the Local Government Area of Botany Parish of Botany County of Cumberland.

TWENTY FOURTHLY:  An easement 2 metres wide over part of Lot 5 of Section J in Deposited Plan 939785 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land in Book 1258 Conveyance 790.

TWENTY FIFTHLY:  An easement 2 metres wide over part of Lots 2, 3 and 4 of Section J in Deposited Plan 939785 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land contained in Book 1348 Conveyance 220.

TWENTY SIXTHLY:  An easement 2 metres wide over part of Lot 2 in Deposited Plan 788903 in the Local Government Area of Botany Parish of Botany County of Cumberland being part of the land contained in Certificate of Title Folio Identifier 2/788903.

TWENTY SEVENTHLY:  An easement 2 metres wide over part of the Sydenham/Botany Goods Railway (formerly Stephen Road) between Lot 2 in Deposited Plan 788903 and land contained in Book 1386 Conveyance 22 in the Local Government Area of Botany Parish of Botany County of Cumberland.
AUSTRALIAN ELECTORAL COMMISSION

I HAVE ascertained and set out in the schedule for each State and Territory the number of electors enrolled in each Division as at the date indicated and for each State and the Australian Capital Territory have determined the average divisional enrolment and the extent to which the number of electors enrolled in each Division differs from the average divisional enrolment.

M J GRAY
Electoral Commissioner

THE SCHEDULE

New South Wales as at 30 April, 1995

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Totals 3870854 (Average: 77417)
## Victoria as at 30 April, 1995

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**Totals**: 2906430 (Average: 76552)
Queensland as at 30 April, 1995

<table>
<thead>
<tr>
<th>Division</th>
<th>Enrolment</th>
<th>% Deviation from average divisional enrolment</th>
</tr>
</thead>
<tbody>
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<td>FAIRFAX</td>
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<td>PETRIE</td>
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<td>RYAN</td>
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Totals 1980542 (Average: 76482)

Western Australia as at 30 April, 1995

<table>
<thead>
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<th>Division</th>
<th>Enrolment</th>
<th>% Deviation from average divisional enrolment</th>
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<tbody>
<tr>
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<td>CANNING</td>
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<td>FREMANTLE</td>
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<td>KALGOORLIE</td>
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<td>MOORE</td>
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<td>PEARCE</td>
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<td>SHAN</td>
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<td>TANGNEY</td>
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Totals 1071342 (Average: 76524)
## South Australia as at 30 April, 1995

<table>
<thead>
<tr>
<th>Division</th>
<th>Enrolment</th>
<th>% Deviation from average divisional enrolment</th>
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</thead>
<tbody>
<tr>
<td>ADELAIDE</td>
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<tr>
<td>BAKER</td>
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<tr>
<td>BONYthon</td>
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<tr>
<td>BOOTHBY</td>
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<tr>
<td>GREY</td>
<td>85112</td>
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<tr>
<td>HINEMARSH</td>
<td>84722</td>
<td>1.96</td>
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<td>KINGSTON</td>
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<td>MAKIN</td>
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<td>MAYO</td>
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<td>PORT ADELAIDE</td>
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<td>STURT</td>
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<td>MALEFIELD</td>
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**Totals**
997107 (Average: 85092)

## Tasmania as at 30 April, 1995

<table>
<thead>
<tr>
<th>Division</th>
<th>Enrolment</th>
<th>% Deviation from average divisional enrolment</th>
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</thead>
<tbody>
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<td>BRADDON</td>
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<td>LYONS</td>
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**Totals**
322806 (Average: 64561)

## Australian Capital Territory as at 30 April, 1995

<table>
<thead>
<tr>
<th>Division</th>
<th>Enrolment</th>
<th>% Deviation from average divisional enrolment</th>
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<tbody>
<tr>
<td>CANBERRA</td>
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<td>NAHAAGI</td>
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**Totals**
198850 (Average: 66283)

## Northern Territory as at 30 April, 1995

<table>
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<tbody>
<tr>
<td>NORTHERN TERRITORY</td>
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**Totals**
92842 (Average: 92842)

**TOTAL FOR AUSTRALIA**
11 448 773
AUSTRALIAN ELECTORAL COMMISSION

Commonwealth Electoral Act 1918

APPOINTMENT OF POLLING PLACES

I, as delegate of the Australian Electoral Commission, and pursuant to paragraph 80(1)(a) of the Commonwealth Electoral Act 1918, appoint the polling places named in Column 2 of the Schedule, to be polling places for the Divisions specified in Column 1.

B. R. Nugent
Australian Electoral Officer
for New South Wales

1 May 1995

SCHEDULE

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
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<tbody>
<tr>
<td>Electoral Division</td>
<td>Polling Place</td>
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<tr>
<td>New South Wales</td>
<td></td>
</tr>
<tr>
<td>DOBELL</td>
<td>Lake Haven</td>
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<tr>
<td></td>
<td>Wyong East</td>
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<tr>
<td>LYNE</td>
<td>Forster Keys</td>
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<tr>
<td></td>
<td>Settlement Shores</td>
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<td>PATERSON</td>
<td>Salamander</td>
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<td>Wirreanda Medowie</td>
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AUSTRALIAN ELECTORAL COMMISSION

Commonwealth Electoral Act 1918

APPOINTMENT OF POLLING PLACES

I, as delegate of the Australian Electoral Commission, and pursuant to paragraph 80(1)(a) of the Commonwealth Electoral Act 1918, appoint the polling places named in Column 2 of the Schedule, to be polling places for the Divisions specified in Column 1.

B. R. Nugent
Australian Electoral Officer
for New South Wales
1 May 1995

SCHEDULE

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
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</thead>
<tbody>
<tr>
<td>Electoral Division</td>
<td>Polling Place</td>
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<tr>
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<tr>
<td>BLAXLAND</td>
<td>Bankstown West</td>
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<td>CHIFLEY</td>
<td>Glendenning</td>
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<tr>
<td>THROSBY</td>
<td>Oak Flats East</td>
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<td>West Dapto</td>
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AUSTRALIAN ELECTORAL COMMISSION

Commonwealth Electoral Act 1918

ABOLITION OF POLLING PLACES

I, as delegate of the Australian Electoral Commission, and pursuant to paragraph 80(1)(c) of the Commonwealth Electoral Act 1918, abolish the polling places named in Column 2 of the Schedule, being polling places for the Divisions specified in Column 1.

B. R. Nugent
Australian Electoral Officer
for New South Wales

1 May 1995

SCHEDULE

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
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<td>Electoral Division</td>
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<td>Bankstown Hospital</td>
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<td>Goolhi</td>
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<td></td>
<td>Kenebri</td>
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<td>Mudgee Hospital</td>
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<td></td>
<td>Pyramul</td>
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<tr>
<td></td>
<td>Weetaliba</td>
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<td>Yallaroi</td>
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AUSTRALIAN ELECTORAL COMMISSION

Commonwealth Electoral Act 1918

ABOLITION OF POLLING PLACES

I, as delegate of the Australian Electoral Commission, and pursuant to paragraph 80(1)(c) of the Commonwealth Electoral Act 1918, abolish the polling places named in Column 2 of the Schedule, being polling places for the Divisions specified in Column 1.

B. R. Nugent
Australian Electoral Officer
for New South Wales
1 May 1995

SCHEDULE

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electoral Division</td>
<td>Polling Place</td>
</tr>
</tbody>
</table>

New South Wales

LYNE

Caffreys Flat
Ellenborough

PATERSON

Markwell
Mulwee
Seal Rocks
AUSTRALIAN ELECTORAL COMMISSION

Commonwealth Electoral Act 1918

CHANGE OF NAME OF POLLING PLACES

I, as delegate of the Australian Electoral Commission, and pursuant to paragraph 80(1)(a) of the Commonwealth Electoral Act 1918, change the names of the polling places named in Column 2 of the Schedule, to those shown in Column 3, for the Divisions specified in Column 1.

B. R. Nugent
Australian Electoral Officer
for New South Wales

1 May 1995

SCHEDULE

<table>
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<tr>
<th>Column 1 Electoral Division</th>
<th>Column 2 Previous name of polling place</th>
<th>Column 3 New name of polling place</th>
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<td>Shelly Beach</td>
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<td></td>
<td>Bluehaven</td>
<td>Blue Haven</td>
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<tr>
<td></td>
<td>North Entrance</td>
<td>The Entrance North</td>
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<tr>
<td></td>
<td>Toowoon Bay</td>
<td>Long Jetty East</td>
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<tr>
<td>LYNE</td>
<td>Port Macquarie Hibbard</td>
<td>Hibbard</td>
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<tr>
<td></td>
<td>Port Macquarie Tacking Point</td>
<td>Tacking Point</td>
</tr>
<tr>
<td>MITCHELL</td>
<td>Nuffield</td>
<td>Hopetoun</td>
</tr>
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</table>

9501114
AUSTRALIAN ELECTORAL COMMISSION

I, Wilfred James Gray, Electoral Commissioner and as delegate of the Electoral Commission, approve the following form.

DECLARATION VOTE

ELECTOR DETAILS—PLEASE PRINT NEATLY

Surname
Given names
Your former name (if applicable)
Surname
Given names
Your date of birth (DD/MM/YY)

Your current permanent address

Address you are enrolled under (if different)

If the addresses are different—date you moved to your current permanent address

Daytime phone no. ( )

Declaration—I declare that I am entitled to vote, that I have not already voted in this election, and that the information I have given on this form is complete and correct.

Signature or mark of elector

The personal information you give on this Declaration Vote envelope is used for electoral purposes only and may be viewed by authorised staff and scrutineers.

W J Gray
Electoral Commissioner
26 April 1995

9501115
Commonwealth of Australia

Transfer of Prisoners Act 1983

DECLARATION

I, DUNCAN KERR, Minister for Justice, under section 5 of the Transfer of Prisoners Act 1983 declare the Prisoners (Interstate Transfer) Act 1993 of the Australian Capital Territory, being a law relating to the transfer of prisoners between the Australian Capital Territory and other States and Territories, to be the prisoner transfer law of that Territory for the purposes of the Transfer of Prisoners Act 1983.


Minister for Justice
BROADCASTING SERVICES ACT

NOTICE OF APPLICATION FOR RENEWAL OF LICENCE

In accordance with sections 46(2)(commercial licences) and 90(2)(community licences) of the Broadcasting Services Act 1992 (the Act), the Australian Broadcasting Authority (ABA) hereby notifies that the companies listed below have lodged applications for the renewal of the following broadcasting licences:

Commercial Radio Licensees
3AK Southern Cross Radio Pty Limited
Hayden Nepean Broadcasters Pty Ltd
Rockhampton Broadcasting Company Pty Limited
Radio 2GZ Pty Limited
Radio Hunter Valley Pty Limited

Commercial TV Licensees
South East Telecasters Limited

Community Radio Licensees
Australian Council for Radio for the Print Handicapped
Community Radio Endeavour Warrnambool Inc
Queensland Radio for the Print Handicapped Ltd

The ABA is required to renew these licences unless it decides that an applicant is no longer a suitable licensee.

A company is a suitable licensee if the ABA does not decide that sub-section 41(2) (for commercial) or 83(2) (for community) of the Act applies to the company.

The ABA may decide that either section 41(2) or 83(2) of the Act applies to a licensee if it is satisfied that allowing the licensee to provide or continue to provide either a commercial or a community broadcasting service under a licence would lead to a significant risk of:

(a) an offence against the Act or the regulations being committed; or
(b) a breach of the conditions of the licence occurring.

In deciding whether these sub-sections apply, the ABA is required by sections 41(3) (commercial) and 83(3) (community) of the Act, to take into account:

(a) the business record of the company; and
(b) the company’s record in situations requiring trust and candour; and
(c) (commercial) the business record of each person who is, or would be, if a licence were allocated to the applicant, in a position to control the licence; or (community) the business record of the chief executive and each director and secretary of the applicant; and
(d) the record in situations requiring trust and candour of each such person; and
(e) whether the company, or a person referred to in paragraph (c) or (d), has been convicted of an offence against this Act or the regulations.

Nothing in the provisions of the Act requires the ABA to hold an investigation or a hearing into whether a licence should be renewed.
NOTIFICATION OF PROPOSALS FROM NON-GOVERNMENT SCHOOLS SEEKING COMMONWEALTH GENERAL RECURRENT FUNDING IN 1997

The following schools have notified their intention to seek Commonwealth general recurrent grants in respect of their proposed commencement or, in the case of existing non-government schools, their proposed change in operation.

Interested parties have the opportunity to make submissions about particular proposals. Such submissions should be made no later than four weeks following publication of the Gazette and must address specific issues or matters of concern within the school's proposal. The submission should be based on the criteria against which the funding priority of the proposal will be assessed. Submissions received within the four week period will be considered by the New Schools Committees when recommending a funding priority. They will also be made available to proponents of new schools or schools changing operations.

Interested parties should note that submissions received after the four week period are considered at the discretion of the Committees.

Submissions should be directed to:

The Director  
Schools Programs (New Schools)  
Commonwealth Department of Employment,  
Education and Training  
Location 431  
GPO Box 9880  
Canberra ACT 2601

NEW SOUTH WALES - 1996

School proposing to commence

School Name: John Colet School  
Town/Suburb: Belrose  
School Level: Primary  
Proj enrol in 1996: P: 53  
Max enrolments: P: 60
Environment, Sport and Territories

COMMONWEALTH OF AUSTRALIA

Wildlife Protection (Regulation of Exports and Imports) Act 1982

Section 11

DECLARATION OF APPROVED INSTITUTIONS

I, PAUL JEWELL, the Designated Authority under sub-section 20(1) of the Wildlife Protection (Regulation of Exports and Imports) Act 1982, in pursuance of sub-section 11(1) of that Act, hereby declare each of the organizations specified in Column 2 of the Schedule, in an item in the Schedule, to be an approved institution in relation to the class, or classes, of specimens specified in Column 3 of the Schedule in that item.

Dated this fourth day of May 1995

[Signature]

DESIGNATED AUTHORITY

SCHEDULE

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Name and Country of Approved Institution</td>
<td>Approved class, or classes, of specimens</td>
</tr>
<tr>
<td>1.</td>
<td>New York Zoological Park (Bronx Zoo) New York Zoological Society, 185th Street and Southern Boulevard, Bronx, NEW YORK 10460, UNITED STATES OF AMERICA</td>
<td>Corallus enydris</td>
</tr>
<tr>
<td>2.</td>
<td>Robert Basil Taylor, 104 Verbena Road, Tamborine Village, Gold Coast, QUEENSLAND 4270, AUSTRALIA</td>
<td>Cacatua galerita</td>
</tr>
<tr>
<td>3.</td>
<td>Ian David Smith, 48 Elliot Street, Howick, AUCKLAND, NEW ZEALAND</td>
<td>Cacatua galerita</td>
</tr>
</tbody>
</table>
Housing and Regional Development

COMMONWEALTH OF AUSTRALIA

Wildlife Protection (Regulation of Exports and Imports) Act 1982

Section 12

DECLARATION OF APPROVED ZOOLOGICAL ORGANIZATIONS

I, PAUL JEWELL, the Designated Authority under sub-section 20(1) of the Wildlife Protection (Regulation of Exports and Imports) Act 1982, in pursuance of sub-section 12(1) of that Act, hereby declare each of the zoological organizations specified in Column 2 of the Schedule, in an item in the Schedule, to be an approved zoological organization in relation to the class, or classes, of specimens specified in Column 3 of the Schedule in that item.

Dated this fourth of May 1995

[Signature]

DESIGNATED AUTHORITY

SCHEDULE

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2 Name and Country of Zoo</th>
<th>Column 3 Approved class, or classes, of specimens</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>New York Zoological Park (Bronx Zoo) New York Zoological Society 185th Street and Southern Boulevard Bronx NEW YORK 10460 UNITED STATES OF AMERICA</td>
<td>Corallus enydris</td>
</tr>
</tbody>
</table>
Draft Amendment No. 15
Barton - Section 9

Notice is given pursuant to Section 15(1) and Section 23 of the Australian Capital Territory (Planning and Land Management) Act 1988 that Draft Amendment No. 15 of the National Capital Plan has been prepared.

Draft Amendment No. 15 proposes to amend the land use policy for Blocks 12 & 13 Section 9, Barton by deleting the commercial, open space and car parking land use policies applying to the land at present and replacing them with a land use policy of office and car park. This Amendment will allow for the development of a combined Commonwealth office and structured car park complex on land owned by the Commonwealth. Redevelopment of the area will require the removal of the derelict “Woolsheds” buildings.

Copies of Draft Amendment No. 15 will be available from:
National Capital Planning Authority
10-12 Brisbane Avenue, Barton ACT
between 9.00am and 4.00pm
Monday to Friday until 2 June 1995.

Further information is also available from Acting Director Planning Projects, Keith Burnham on (06) 271 2863.

Individuals and organisations are invited to comment on Draft Amendment No. 15. Comments in writing should be forwarded by close of business on Friday 2 June 1995 to:
The Executive Director
(Planning and Development Control)
National Capital Planning Authority
GPO Box 373
CANBERRA ACT 2601
or 10-12 Brisbane Avenue BARTON ACT 2600
Telephone (06) 271 2888

National Capital Planning Authority
Human Services and Health

COMMONWEALTH OF AUSTRALIA

National Health Act 1953

PHARMACEUTICAL BENEFITS

DETERMINATION UNDER SUBSECTION 99L (1)

No. PB 6 of 1995

I, CARMEN MARY LAWRENCE, Minister for Human Services and Health, pursuant to subsection 99L (1) of the National Health Act 1953 hereby make the following Determination:

Commencement

1. (a) This Determination shall come into operation on the day on which it is published in the Commonwealth of Australia Gazette.

(b) Determination No. PB 9 of 1993 under subsection 99L (1) of the National Health Act 1953 made on 8 July 1993 with effect from 4 August 1993 is hereby revoked.

Interpretation

2. In this Determination:

“approved pharmacist” has the same meaning as in subsection 84 (1) of the Act;

“definite community need”, in relation to the catchment area serviced or proposed to be serviced by a pharmacy, means that none of the following conditions applies to the area:

(a) that the catchment area has a population of less than 3,000 for most of the year;

(b) that the proportion of disadvantaged persons (aged persons and persons who are unemployed or receive pensions) is less than 10 per cent and can be reasonably serviced by other means;

(c) that the catchment area does not have the equivalent of a full-time medical practitioner;

(d) that the catchment area is being adequately serviced by other approved pharmacists;

(e) that the total number of claimable PBS prescriptions and RPBS prescriptions claimed by approved pharmacists in respect of the catchment area in the last 12 months is less than 3,000;

(f) that isolation from, or a poor, public transport system to adequate shopping does not hinder the bulk of the population;

(g) that the population is mobile and contains a high proportion of commuting workers;

(h) that the catchment area has no general shopping facilities;
“large shopping centre” means a shopping centre that:

(a) is a contiguous site under a single management or developer; and

(b) has a total gross leasable retail area of not less than 5,000 square metres; and

(c) includes not less than 1 retail shop that occupies more than 1,000 square metres and not less than 30 other retail shops;

“month” means one of the months of the year;

“PBS prescription” means a prescription for a pharmaceutical benefit supplied in accordance with the Act, the Regulations and the declarations and determinations made under the Act and the Regulations;

“pharmacist” has the same meaning as in subsection 4 (1) of the Act;

“retail shop” means a shop that is involved in the sale of small quantities of goods but does not include:

(a) financial institutions, including banks, credit unions and societies, building societies and the like; or

(b) medical or health service facilities, including consulting rooms for medical practitioners, pathologists, radiologists, dental practitioners, optometrists, physiotherapists and the like; or

(c) areas used as offices of any type, including accountants, solicitors, planners, architects, analysts, designers and the like; or

(d) service providers, including council offices, Government shopfronts or offices, store rooms or other storage; or

(e) travel agencies, insurance companies, libraries and child minding in all forms; or

(f) automatic dispensing machines; or

(g) temporary selling points such as for market type or sale operations;

“RPBS prescription” means a prescription for a drug or medicinal preparation supplied in accordance with a scheme given effect to by an instrument made under section 91 of the Veterans’ Entitlements Act 1986;

“ready-prepared pharmaceutical benefit” means a pharmaceutical benefit in respect of which there is in force a determination under subsection 85 (6) of the Act;

“the Act” means the National Health Act 1953;

“the Authority” means the Australian Community Pharmacy Authority established under section 99J of the Act;
“the Regulations” means the National Health (Pharmaceutical Benefits) Regulations made under the Act;

“the Secretary” means the Secretary to the Department of Human Services and Health.

Approval to Supply Pharmaceutical Benefits

3. For the purposes of paragraph 99K (1) (b) of the Act, the rules with which the Authority must comply in making a recommendation on an application by a pharmacist for approval under section 90 of the Act in respect of particular premises are set out in paragraphs 4 to 9.

4. Approval of a pharmacist under section 90 of the Act in respect of particular premises must not be recommended except as provided for in paragraphs 5 to 8.

5. Approval of a pharmacist under section 90 of the Act in respect of particular premises must be recommended if:

(a) (i) those premises are situated at least 2 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act; and

(ii) the Authority is satisfied that there is a definite community need for pharmaceutical services in the area in which those premises are situated; and

(iii) in the case of an application for approval of a pharmacist received by the Secretary before 1 March 1997, there has not been a grant of financial assistance under section 99ZC or 99ZD of the Act paid after 28 February 1995 in respect of premises situated within 2 kilometres, measured door to door by the shortest lawful access route, from the premises in respect of which approval is sought; or

(b) the application for the approval of the pharmacist was received by the Secretary before 9 August 1990 (being the date on which the granting by the Secretary of approvals to pharmacists under section 90 of the Act was restricted pending the passage of legislation for pharmacy restructuring); or

(c) the application for the approval of the pharmacist was received by the Secretary before 1 April 1995 and the pharmacist entered into a financial commitment before 9 August 1990 (being the date on which the granting by the Secretary of approvals to pharmacists under section 90 of the Act was restricted pending the passage of legislation for pharmacy restructuring) in the expectation that an approval would be granted in respect of those premises, provided that the Authority is satisfied that there was such a commitment and the applicant produces to the Authority either:

(i) a bank statement, supported if necessary by an affidavit by the pharmacist’s solicitor or accountant; or

(ii) details of any contractual arrangements together with an affidavit by the pharmacist’s solicitor or accountant attesting to the correctness of the date on which the commitment was entered into.
6. Subject to paragraph 8, approval of a pharmacist under section 90 of the Act in respect of particular premises must be recommended if the pharmacist is already approved under section 90 of the Act in respect of other premises from which the pharmacist proposes to cease supplying pharmaceutical benefits immediately before the granting of the approval, if:

(a) the premises in respect of which approval is sought are situated not more than 1 kilometre, measured door to door by the shortest lawful access route, from the premises in respect of which the pharmacist is currently approved; or

(b) the premises in respect of which approval is sought are situated not more than 2 kilometres, measured door to door by the shortest lawful access route, from the premises in respect of which the pharmacist is currently approved, and the Authority is satisfied that:

(i) there are no other suitable commercial premises available which are situated not more than 1 kilometre, measured door to door by the shortest lawful access route, from the premises in respect of which the pharmacist is currently approved; and

(ii) the application for approval results from exceptional circumstances pertaining to the premises in respect of which the pharmacist is currently approved, including:

(A) damage caused by fire, water, storm or earthquake; or

(B) health condemnation; or

(C) changes to occupancy provisions; or

(D) redevelopment for public works; or

(c) the premises in respect of which approval is sought are situated not less than 2 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act, provided that:

(i) there are other premises in respect of which a pharmacist is approved under section 90 of the Act which are situated not more than 5 kilometres, measured door to door by the shortest lawful access route, from the premises in respect of which the pharmacist is currently approved; or

(ii) the Authority is satisfied that there will not be a definite community need for pharmaceutical services in the area of the premises in respect of which the pharmacist is currently approved; or

(d) the premises are premises at or from which the pharmacist has, since before 18 December 1990 (being the date on which legislation for pharmacy restructuring came into effect) been supplying pharmaceutical benefits in lieu of other premises in respect of which the pharmacist is approved under section 90 of the Act.
7. Subject to paragraph 8, approval of a pharmacist under section 90 of the Act in respect of particular premises may be recommended if the pharmacist is already approved under section 90 of the Act in respect of other premises from which the pharmacist proposes to cease supplying pharmaceutical benefits immediately before the granting of the approval, if:

(a) the premises in respect of which approval is sought are situated in a large shopping centre, provided that:

   (i) if the shopping centre contains not more than 99 retail shops (including the premises in respect of which approval is sought), there are not already any premises in the shopping centre in respect of which an approval under section 90 of the Act is in force; or

   (ii) if the shopping centre contains not less than 100, and not more than 199, retail shops (including the premises in respect of which approval is sought), there are not already more than 1 premises in the shopping centre in respect of which an approval under section 90 of the Act is in force; or

   (iii) if the shopping centre contains not less than 200 retail shops (including the premises in respect of which approval is sought), there are not already more than 2 premises in the shopping centre in respect of which an approval under section 90 of the Act is in force; or

(b) the premises are situated within premises that are a private hospital within the meaning of the *Health Insurance Act 1973*, provided that:

   (i) the private hospital has not less than 150 beds; and

   (ii) there are no other premises within the premises of the private hospital in respect of which an approval under section 90 of the Act is in force; and

   (iii) the governing body or proprietor of the private hospital is not approved under section 94 of the Act in respect of that hospital.

8. A recommendation must not be made pursuant to paragraph 6 or 7 if the approval under section 90 of the Act currently held by the pharmacist has been in force for less than 2 years and resulted from a recommendation made pursuant to paragraph 5, 6 or 7, unless the pharmacist satisfies the Authority that the application arises from exceptional circumstances, not involving commercial interest, which could not reasonably have been foreseen at the time of the application for the current approval.

9. Where the Authority recommends the approval of a pharmacist under section 90 of the Act in respect of particular premises, it must also make a recommendation that the recommendation for approval will lapse (unless the Authority, on application by the pharmacist, has granted an extension of time), if the pharmacist has not been granted that approval within 6 months after the day on which the pharmacist is notified of the recommendation for approval.
Essential Pharmacy Allowance

10. For the purposes of paragraph 99K (1) (c) of the Act, the rules with which the Authority must comply in making a recommendation on an application by a pharmacist for approval of the payment of an essential pharmacy allowance under section 99ZA of the Act are set out in paragraphs 11 to 13.

11. Approval of the payment of an essential pharmacy allowance under section 99ZA of the Act must be recommended if the approved pharmacist is qualified for the payment of the allowance.

12. An approved pharmacist is qualified for the payment of an essential pharmacy allowance if:

(a) the premises in respect of which the pharmacist is approved are situated not less than 10 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act; or

(b) the Authority is satisfied that special circumstances exist which warrant the payment of the allowance in relation to the premises in respect of which the pharmacist is approved.

13. Where the Authority recommends approval of the payment of an essential pharmacy allowance under section 99ZA of the Act ("the original recommendation"), it must also recommend that the payment of the allowance is subject to the condition that where an approval under section 90 of the Act is later granted in respect of premises that are so situated that, had the Authority considered the application for the payment of essential pharmacy allowance on the day after that approval under section 90 of the Act was granted, the original recommendation would not have been made, the Authority shall reconsider the application on which the original recommendation was made, taking into account any additional information that has come to its notice, and make:

(a) a new recommendation as to whether payment of an essential pharmacy allowance should be approved; and

(b) if it recommends approval of the payment of the allowance, a recommendation that the condition subject to which payment of the allowance may be made, as set out in this paragraph, applies;

and that recommendation shall stand in the place of the original recommendation with effect from the date that the later recommendation was made.

14. For the purposes of subsection 99ZA (2A) of the Act, payment of an essential pharmacy allowance:

(a) subject to subparagraph (b), shall be made at a rate per PBS prescription and RPBS prescription equal to 20 per cent of the fee for dispensing a ready-prepared prescription, as specified in the determination under subsection 98B (1) of the Act which is in force on the date on which the prescription was supplied, rounded to the nearest cent, one half cent being taken to be one cent; and
(b) shall be made in respect of a total of not more than 1,000 PBS prescriptions and RPBS prescriptions in any month; and

(c) shall be made in respect of PBS prescriptions and RPBS prescriptions supplied on and after the day on which the pharmacist was approved under section 90 of the Act in respect of the premises, provided that payment shall not be made in respect of any prescriptions supplied:

(i) more than 6 months before the payment of the essential pharmacy allowance was approved; or

(ii) before 1 April 1995.

Remote Pharmacy Allowance

15. For the purposes of paragraph 99K (1) (da) of the Act, the rules with which the Authority must comply in making a recommendation on an application by a pharmacist for approval of the payment of a remote pharmacy allowance under section 99ZAA of the Act are set out in paragraphs 16 to 20.

16. Approval of the payment of a remote pharmacy allowance under section 99ZAA of the Act must be recommended if the pharmacist is qualified for the payment of the allowance.

17. An approved pharmacist to whom an allowance is payable under section 99ZA of the Act in respect of particular premises is qualified for the payment of a remote pharmacy allowance in respect of a period of 12 months commencing on 1 July of 1995 or of a subsequent year if the premises in respect of which the pharmacist is approved are situated not less than 25 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act, or situated on an island not connected to the mainland by road and on which there are no other premises in respect of which a pharmacist is approved under section 90 of the Act, provided that:

(a) subject to paragraph 18, the total number of PBS prescriptions and RPBS prescriptions supplied at or from the premises during the year ended on 30 April of the same year is less than the median for all pharmacies in Australia; or

(b) the Authority is satisfied that special circumstances exist, in relation to the total number of PBS prescriptions and RPBS prescriptions supplied at or from the premises, which warrant the payment of the allowance in relation to the premises in respect of which the pharmacist is approved.

18. (a) Where a pharmacist is granted an approval under section 90 of the Act in respect of particular premises following a recommendation made pursuant to paragraph 6 or 7, PBS prescriptions and RPBS prescriptions supplied at or from the premises in respect of which the pharmacist was previously approved shall, for the purpose of subparagraph 17 (a), be deemed to have been supplied at or from the premises in respect of which the pharmacist is currently approved.
(b) Where a pharmacist is granted an approval under section 90 of the Act in respect of particular premises following a recommendation made pursuant to paragraph 5, and those premises are situated not less than 25 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act, or are situated on an island not connected to the mainland by road and on which there are no other premises in respect of which a pharmacist is approved under section 90 of the Act, the pharmacist is qualified for payment of a remote pharmacy allowance until 30 June next following the first anniversary of the date of granting of the approval, irrespective of the number of PBS prescriptions and RPBS prescriptions which have been supplied at or from the premises.

19. Where the Authority recommends approval of the payment of a remote pharmacy allowance under section 99ZAA of the Act, it shall determine the distance between the premises in respect of which the application has been made and the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act and must also recommend that payment of the allowance is subject to the condition that the Authority’s determination of that distance is the distance that is to be used in the application of paragraph 21.

20. Where the Authority recommends approval of the payment of a remote pharmacy allowance under section 99ZAA of the Act (“the original recommendation”), it must also recommend that the payment of the allowance is subject to the condition that where an approval under section 90 of the Act is later granted, revoked, suspended or cancelled, in respect of premises that are so situated that, had the Authority considered the application for the payment of the remote pharmacy allowance on the day after that approval under section 90 of the Act was granted, revoked, suspended or cancelled, as the case may be, the original recommendation would not have been made or a different determination of distance under paragraph 19 would have been made, the Authority shall reconsider the application on which the original recommendation was made, taking into account any additional information that has come to its notice, and make:

(a) a new determination of distance under paragraph 19; and

(b) a new recommendation as to whether payment of a remote pharmacy allowance should be approved; and

(c) if it recommends approval of the payment of the allowance, a recommendation that the conditions subject to which payment of the allowance may be made, as set out in this paragraph and in paragraph 19, apply;

and that recommendation shall stand in the place of the original recommendation with effect from the date that the later recommendation was made.
21. For the purposes of subsection 99ZAA (2) of the Act, the rate of payment of a remote pharmacy allowance will be an annual amount, paid in as nearly as practicable to equal monthly instalments, ascertained in accordance with the following table:

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<thead>
<tr>
<th>Location of premises in relation to nearest other premises in respect of which a pharmacist is approved under section 90 of the Act</th>
<th>Annual amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not less than 25 kilometres but less than 40 kilometres, measured door to door by the shortest lawful access route</td>
<td>$1,014</td>
</tr>
<tr>
<td>Not less than 40 kilometres but less than 60 kilometres, measured door to door by the shortest lawful access route</td>
<td>$1,724</td>
</tr>
<tr>
<td>Not less than 60 kilometres, measured door to door by the shortest lawful access route, or situated on an island not connected to the mainland by road and on which there are no other premises in respect of which a pharmacist is approved under section 90 of the Act</td>
<td>$2,839</td>
</tr>
</tbody>
</table>

provided that those annual amounts will be indexed with effect from 1 July each year, in accordance with the Consumer Price Index for the March quarter of that year, rounded to the nearest dollar, fifty cents being taken to be one dollar.

22. Payment of a remote pharmacy allowance shall be made as from with the first day of the month following the day on which the pharmacist was approved under section 90 of the Act in respect of the premises, provided that payment will not be made in respect of any period which is:

(a) more than 6 months before the payment of the remote pharmacy allowance was approved; or

(b) before 1 April 1995.

Dated this 1995.

Carmen Lawrence
Minister for Human Services and Health
COMMONWEALTH OF AUSTRALIA

HEALTH INSURANCE ACT 1973

Statement Under Section 106AA

On the sixteenth day of August 1994, I determined under section 106 of the Health Insurance Act 1973, that Dr Evangelos ANGELOS, a legally qualified Vocationally Registered General Practitioner of Ipswich Centre Plaza, Bell Street, Ipswich in Queensland, provided excessive services and that he should be reprimanded, counselled and repay $30,303.25 to the Commonwealth of Australia. In accordance with the provisions of section 106AB of the Act, Dr Angelos is liable to the Commonwealth, by way of penalty, an amount equal to the amount of Medicare benefit determined as being excessive. The Committee also found that Dr Angelos had misitemised certain services which resulted in an overpayment of $336.60 in Medicare benefits. Dr Angelos, as a consequence, is required to pay a total of $61,123.10.

Reason for Determination
The determination was made on the basis of recommendations made under section 105 of the Act by the Medical Services Committee of Inquiry for the State of Queensland, after its inquiry into the practices of Dr Angelos. The Committees of Inquiry consist of medical practitioners appointed with the assistance of the Australian Medical Association, and provide me with an independent assessment of a medical practitioner’s use of the Medicare scheme.

The Committee found that Dr Angelos, a Vocationally Registered General Practitioner, rendered excessive services because he:

(a) repeated respiratory function tests at too short a time interval for a change in the conditions being treated to become evident;
(b) repeatedly claimed for more complex levels of consultations than necessary for the adequate medical care of the patients concerned; and
(c) unnecessarily increased the number of consultations provided by having patients return unnecessarily; splitting services so as to create extra consultations and adding consultations to pre-arranged procedures.

These practices resulted in more Medicare benefits being paid than were reasonably necessary for treatment of the patients’ medical conditions.

Comments
I thank the Committee for the work undertaken in this Inquiry.

The Government is seriously concerned by the practices of medical practitioners like Dr Angelos who are providing services which were not reasonably necessary for the adequate medical care of the patients concerned. Excessive services are a drain on public funds and every effort is being made to reduce the magnitude of the problem.

Dr Carmen Lawrence
Minister for Human Services and Health

Issued: 29 MAR 1995
Therapeutic Goods Act 1989

NOTIFICATION OF THE INTENTION TO MAKE AN ORDER

Proposed Therapeutic Goods Order (No. 51) "Standard for tampons-menstrual"

Notice is hereby given of the intention to adopt, with some amendments, Australian and New Zealand Standard AS/NZS 2869:1995 "Tampons-Menstrual" as an Order under section 10 of the Therapeutic Goods Act 1989. The Order will take effect from 1 July, 1995.

Copies of the draft Order are available from the address below. Comments are welcome but should be submitted promptly to:

The Scientific Coordinator
Therapeutic Devices Branch
Therapeutic Goods Administration
PO Box 100
WODEN ACT 2606
Notice is hereby given that the persons whose details appear below have applied to be registered as migration agents. Any person may lodge an objection to the registration of any applicant appearing below. Objections must be in writing and received not later than six (6) weeks after the date of this notice. Objections should be addressed to:

The Secretary
Department of Immigration and Ethnic Affairs
PO Box 25
Belconnen ACT 2616

A written statement should be provided which outlines the nature of the objection and clearly identifies the person against whom the objection has been made.

<table>
<thead>
<tr>
<th>NAME</th>
<th>DATE OF BIRTH</th>
<th>BUSINESS NAME</th>
<th>BUSINESS ADDRESS</th>
<th>PROVIDES FREE SERVICE OR CHARGES</th>
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<tbody>
<tr>
<td>CARDOSO SMITH</td>
<td>9/9/1956</td>
<td>Elringon Meier, Basso &amp; Associates</td>
<td>287 Pirie Street ADELAIDE SA 5000</td>
<td>CHARGES</td>
</tr>
<tr>
<td>ELRINGTON</td>
<td>1/8/1947</td>
<td>Elringon Meier, Basso &amp; Associates</td>
<td>3 Stasiand Road RYDE NSW 2112</td>
<td>CHARGES</td>
</tr>
<tr>
<td>FOOZAR</td>
<td>3/9/1930</td>
<td>Fordham</td>
<td>6/12 St George's Terrace PERTH WA 6000</td>
<td>CHARGES</td>
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<tr>
<td>HICKEY</td>
<td>26/12/1969</td>
<td>R Fernandez &amp; Assoc. Barristers &amp; Solicitors</td>
<td>Level 2 15-20 Bank Place MELBOURNE VIC 3000</td>
<td>CHARGES</td>
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<tr>
<td>MCNAMARA</td>
<td>4/10/1951</td>
<td>G L Laurence</td>
<td>205 William Street MELBOURNE VIC 3000</td>
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<tr>
<td>TOPPING</td>
<td>31/5/1956</td>
<td>Blake Topping Solicitors</td>
<td>Suite 3 225 Waterworks Road ASHGROVE QLD 4060</td>
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</tbody>
</table>
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

TEN PIN BOWLING INDUSTRY (INTERIM) AWARD 1980

C No. 23211 of 1994

Dated the 25th day of November 1980
AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 16 March 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 12 October 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

TO005 V26a
PRINT NO. M0124

<table>
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<th>Clause No.</th>
<th>Subject</th>
<th>Substance of variation</th>
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<tbody>
<tr>
<td>5</td>
<td>Rates of Pay</td>
<td>Wages - safety net adjustments and review - September 1994</td>
</tr>
</tbody>
</table>

Dated this 28th day of April 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

THEATRICAL EMPLOYEES' (LIVE THEATRE AND CONCERT) AWARD 1982

C No. 36305 of 1994

Dated the 21st day of February 1983

AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 19 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

TO131 V653
PRINT NO. M0755

<table>
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<th>Subject</th>
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</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Public holidays</td>
<td>Public holidays</td>
</tr>
</tbody>
</table>

Dated this 28th day of April 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

THEATRICAL EMPLOYEES (RECREATION COMPLEX AND THEME PARK) AWARD 1982

C No. 36303 of 1994

Dated the 28th day of January 1983
AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 19 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

T0116 V026
PRINT NO. M0754

<table>
<thead>
<tr>
<th>Clause No.</th>
<th>Subject</th>
<th>Substance of variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Public Holidays</td>
<td>Public Holidays</td>
</tr>
</tbody>
</table>

Dated this 28th day of April 1995

[Signature]

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

TENPIN BOWLING INDUSTRY (INTERIM) AWARD 1982

C No. 36306 of 1994

Dated the 25th day of November 1980

AND in the matter of the variation of the above award

Notice is hereby given—

(a) That on 19 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

TO005 V027
PRINT NO. M0756

<table>
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<tr>
<th>Clause No.</th>
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<th>Substance of variation</th>
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<tbody>
<tr>
<td>15</td>
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</tr>
</tbody>
</table>

Dated this 28th day of April 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

ENGINE DRIVERS' AND FIREMAN'S (AUSTRALIAN CAPITAL TERRITORY) AWARD 1982

C No. 90139 of 1994

Dated the 15th day of March 1983

AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 24 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 29 November 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

EO026 V042
PRINT NO. MO469

<table>
<thead>
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<th>Clause No.</th>
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<tbody>
<tr>
<td>7</td>
<td>Fares and Travelling Expenses</td>
<td>Expense related allowances</td>
</tr>
<tr>
<td>27</td>
<td>Overtime and Sunday Work</td>
<td>Expense related allowances</td>
</tr>
</tbody>
</table>

Dated this 28th day of April 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

PARKING STATIONS ETC. EMPLOYEES (A.C.T.) AWARD 1983

C No. 90029 of 1995

Dated the 10th day of October 1983

AND in the matter of the variation of the above award

Notice is hereby given—

(a) That on 18 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 5 April 1995; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

PO114 V031
PRINT NO. M0841

<table>
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<th>Clause No.</th>
<th>Subject</th>
<th>Substance of variation</th>
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<tbody>
<tr>
<td>2</td>
<td>Arrangement</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
<tr>
<td>4</td>
<td>Classifications and Wages</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
<tr>
<td>4B</td>
<td>Enterprise Flexibility</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
<tr>
<td>25A</td>
<td>Family Leave</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
</tbody>
</table>

Dated this 28th day of April 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION
Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of
SECURITY EMPLOYEES (A.C.T.) AWARD 1986
C No. 90028 of 1995

Dated the 10th day of July 1986
AND in the matter of the variation of the above award

Notice is hereby given—
(a) That on 18 April 1995, the Commission varied the terms of the above-mentioned award referred to in the Schedule below;
(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 5 April 1995; and
(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

SO157 VO28
PRINT NO. M0840

<table>
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<th>Clause No.</th>
<th>Subject</th>
<th>Substance of variation</th>
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<tbody>
<tr>
<td>2</td>
<td>Arrangement</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
<tr>
<td>7</td>
<td>Weekly Wages</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
<tr>
<td>7B</td>
<td>Enterprise Flexibility</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
<tr>
<td>25A</td>
<td>Family Leave</td>
<td>Wages - second arbitrated safety net adjustment</td>
</tr>
</tbody>
</table>

Dated this 28th day of April 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

THEATRICAL EMPLOYEES (RECREATION GROUNDS AND RACEDAY RACING OFFICIALS - NSW AND ACT) AWARD 1990

C No. 36325 of 1994

Dated the 15th day of March 1990
AND in the matter of the variation of the above award

Notice is hereby given--

(a) That on 26 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

TO254 V011
PRINT NO. M0766

<table>
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<tr>
<th>Clause No.</th>
<th>Subject</th>
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<tr>
<td>10</td>
<td>Public Holidays</td>
<td>Public Holidays</td>
</tr>
</tbody>
</table>

Dated this 5th day of May 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

COMMUNITY CARE SERVICES (HOME CARE) (ACT) AWARD 1988
C No. 90172 of 1994

Dated the 7th day of October 1988
AND in the matter of the variation of the above award

Notice is hereby given—

(a) That on 7 February 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

CO239 VO14
PRINT NO. L9276

<table>
<thead>
<tr>
<th>Clause No.</th>
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<tr>
<td>18A</td>
<td>Public Holidays</td>
<td>Public Holidays</td>
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</table>

Dated this 5th day of May 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

THEATRICAL EMPLOYEES (CINEMA AND DRIVE-IN INDUSTRY) AWARD 1983

C No. 36308 of 1994

Dated the 30th day of August 1983

AND in the matter of the variation of the above award

Notice is hereby given—

(a) That on 26 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

TO141 VO21
PRINT NO. M0757

<table>
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<th>Clause No.</th>
<th>Subject</th>
<th>Substance of variation</th>
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<tbody>
<tr>
<td>10</td>
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<td>Public Holidays</td>
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</tbody>
</table>

Dated this 5th day of May 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

THEATRICAL EMPLOYEES MOTION PICTURE PRODUCTION AWARD 1988

C No. 36310 of 1994

Dated the 15th day of August 1988

AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 26 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

TO020 V011
PRINT NO. M0759

<table>
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<tr>
<th>Clause No.</th>
<th>Subject</th>
<th>Substance of variation</th>
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<tr>
<td>18</td>
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<td>Public Holidays</td>
</tr>
</tbody>
</table>

Dated this 5th day of May 1995

Christine Hayward
Deputy Industrial Registrar
AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF A COMMON RULE

IN the matter of

ACTORS (THEATRICAL) AWARD 1992

C No. 36318 of 1994

Dated the 14th day of September 1992
AND in the matter of the variation of the above award

Notice is hereby given—

(a) That on 26 April 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 23 December 1994; and

(c) that any person or organisation interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

A0005 V018
PRINT NO. M0761

<table>
<thead>
<tr>
<th>Clause No.</th>
<th>Subject</th>
<th>Substance of variation</th>
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<tbody>
<tr>
<td>20</td>
<td>Public Holidays</td>
<td>Public Holidays</td>
</tr>
</tbody>
</table>

Dated this 5th day of May 1995

Christine Hayward
Deputy Industrial Registrar

9501126
NOTICE OF APPLICATION FOR CONSENT TO A CHANGE
OF NAME OF AN ORGANISATION

(D No. 30011 of 1995)

NOTICE is given that an application has been made by Australian Earthmovers and Road Contractors Federation under the Industrial Relations Act 1988 for consent to the change of name of the organisation to Civil Contractors Federation.

Information contained in the application and supporting documents concerning the proposed name and the reason for the proposal is as follows:

The REASON for the proposal being to reflect the fact that the Federation, in practice, represents members engaged in all aspects of civil engineering construction. A survey of contracts let across Australia and regularly performed by members includes the following:

Subdivisions, earthworks, roadworks, drainage works, bridgeworks, civil works, demolition, electricity transmission, environmental works, piling, pipe culverts, landfilling, landscaping, paving, natural gas transmission lines, effluent channels, dredging works, excavations water pipelines, sewage reticulation and plants, road sealing.

Many of these works are associated with earthmoving and road contracting. Many are not. All however, are examples of civil engineering construction which AERCF’s members are regularly engaged in.

Any interested organisation, registered under the Industrial Relations Act, association or person who desires to object to the application may do so by lodging in the Industrial Registry a notice of objection accompanied by a written statement within thirty-five (35) days after the publication of this advertisement and by serving on the organisation [whose address for service is: 74 Burwood Road, Hawthorn Vic 3122] within seven (7) days after the notice of objection has been lodged, copies of the notice of objection and written statement so lodged.

M. Kelly
Industrial Registrar
NOTICE OF APPLICATION FOR CONSENT TO AN ALTERATION OF ELIGIBILITY RULES

(D No. 30013 of 1995)

NOTICE is given that an application has been made under the Industrial Relations Act 1988 for consent to an alteration of the eligibility rules of Australian Municipal, Administrative, Clerical and Services Union.

The alteration is sought from the following:

5 - INDUSTRY AND ELIGIBILITY

a. Description of Industry

PART I

The industry of operations conducted by Municipal County and Shire Councils and Local Government Bodies and of the operation of public and quasi public undertakings by electric, gas, water, sewerage and road making trusts, boards, commissions and corporations (not formed or constituted for the purpose of private gain) and similar bodies.

PART II

The Industry in or in connection with which the Union is formed is, without in any way limiting the generality of the provisions of Rule 4 - Eligibility of Membership Part II and the construction proper at any time or times to be placed thereon, the Clerical Industry.

PART III

The Union is formed in connection with the Local Government Municipal and Statutory Corporations industry.

and

PART IV

The industry in connection with which the Union is formed is the transport industry, whether by land, water (except sea) or air (excluding activities of or relating to the piloting of aircraft) as carried on by:

a. the Crown in right of the Commonwealth or of any State or States or of the Commonwealth and any State or States; or
b. any statutory body representing the Crown in any such right as aforesaid; or

c. any instrumentality or authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in any such right as aforesaid; or

d. any company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in any such right as aforesaid; or

e. any company, corporation, firm or person engaged in the transport or carriage by air of passengers and/or goods.

and

PART V

The industry in or in connection with which the Union is registered is the industry of servicing, repairing, maintaining, structurally altering and/or assembling business equipment excluding typewriters. Without limiting the generality of the foregoing, the term "business equipment" shall be deemed to include, inter alia, cash registers, accounting machines, adding machines, calculators, computers and peripheral equipment.

PART VI

The description of the industry in connection with which the Union is registered is the industry of social and/or welfare work.

and

PART VII

The industry in or in connection with which the organisation is registered is the industry of Shipping and Travel.

and

PART VIII

The industry in which the organisation is registered is the health insurance industry.

and

PART IX

The Union shall consist of an unlimited number of persons engaged by the following building societies:

Illawarra Mutual Building Society Limited (NSW)
Newcastle Permanent Building Society (NSW)
Greater Newcastle Permanent Society Limited (NSW)
The Co-operative Building Society of South Australia Limited and subsidiaries (SA)
Home Building Society (WA)
Suncorp Building Society Limited (Qld)
Ipswich and West Morton Building Society (Qld).

and
PART X

The Union shall consist of an unlimited number of persons engaged by the following credit unions:

- Island State Credit Union Co-operative Society Limited (Tas)
- Queensland Country Credit Union (Qld)
- Waterside Workers of Australia Credit Union (NSW)
- Caltex Employees Credit Union (NSW)
- CPS Credit Union Co-operative (ACT)
- Snowy Mountains Credit Union (NSW)
- Australian Central Credit Union (SA)
- CPS Credit Union Limited (SA)
- Power State Credit Union (SA)
- South Australian Police Credit Union (SA)
- Satisfac Direct (SA)
- S.A. Public Service Savings and Loan Credit Union Limited (SA)
- Waterside Workers of Australia Credit Union (SA).

b. Eligibility for Membership

PART I

i. The Union shall consist of an unlimited number of bona fide employees of Municipal County and Shire Councils or other Local Government Authorities or Trusts, Municipal Trusts Water Supply and/or Sewerage Boards or Trusts, Road Boards and other Boards, Corporations, Commissions or Trusts, carrying out or entrusted with the carrying out of works operations or functions similar to those usually or generally performed by Municipal or Shire Councils or other Local Government Authorities before the appointment of such Boards, Corporations, Commissions or Trusts and of employees to contractors to any of such Councils, Authorities, Boards, Corporations, Commissions or Trusts and of such other persons whether employed in the relevant industry or not as have been or are hereafter appointed officers of the Union and admitted as members thereof: Provided that employees eligible for membership in the Association called The Metropolitan Board of Water Supply and Sewerage Employees Association and employees of the Hunter District Water Supply and Sewerage Board (Newcastle), the Metropolitan Water Sewerage and Drainage Board (Sydney), the Commissioner for Main Roads (New South Wales), the Country Roads Board (Victoria) or the State Electricity Commission (Victoria) respectively shall not be eligible for membership in this Federation: And that the said Federation shall not admit as members employees engaged on new construction work in connection with services which have not passed to the authority which on the completion of such construction work is responsible for the provision and maintenance of those services.

ii. Without in any way limiting and without in any way being limited by the conditions of eligibility for membership elsewhere in this Rule, the Federation shall also consist of persons who are employed or usually employed in or in connection with the following:

In the State of Western Australia, health boards, the board or governing body of any park, reserve or racecourse, cemetery board or any person acting for, under or on behalf of any of such boards or bodies.

PART II

The Union shall consist of all persons engaged in any clerical capacity, and/or engaged in the occupation of shorthand writers and typists and/or on
calculating, billing, or other machines designed to perform or assist in performing any clerical work whatsoever.

Notwithstanding anything to the contrary contained in this rule:

(i) persons who are members, staff members or special members of the Australian Federal Police, or

(ii) persons who are assistant customs officers or customs officers employed in the Australian Customs Service,

(iii) all persons employed by the First Licensed carriers as defined hereunder, in or in connection with the telecommunications industry.

"First Licensed carriers" means the holders for the time being of:

(a) the licence to operate as a general telecommunications carrier and/or the licence to operate as a mobile carrier, both granted under the Telecommunications Act 1991 and both published in Commonwealth of Australia Gazette No. 323 dated 26 November 1991, and any body corporate that is related to either of those licence holders within the meaning of the Corporations Law; or

(b) any licence granted following the revocation of either of the licences referred to in (a) above and any body corporate that is related to the holder of any such licence within the meaning of the Corporations Law.

are not eligible for membership of the Union.

Without in any way limiting or being limited by any other provisions of these rules the Union shall consist of an unlimited number of persons wholly or substantially employed in the higher education industry, other than academic staff, who are employees in administrative and clerical occupations employed by:

University of Queensland or
Griffith University or
James Cook University of North Queensland or
Queensland University of Technology or
University of Central Queensland or
the University of Southern Queensland.

and

PART III

The Union shall consist of an unlimited number of persons employed or usually employed by Local Authorities, Cities, Municipalities, Towns, Boroughs or Shires, or by Statutory Authorities, Corporations, Trusts, Boards or Commissions in the following callings or avocations namely, City, Town, District, Borough or Shire Clerks, Secretaries, Treasurers, Engineers, Surveyors, Architects, Electricians or Electrical Engineers, Inspectors, Superintendents, Paymasters, Receivers, Accountants, Auditors, Valuers, Rate Collectors, Registrars, Collectors, Clerks, Typists, Stenographers, Foremen, Overseers, Draughtsmen, Curators, or in similar callings or avocations, or as assistants to employees so employed whether employed as aforesaid or not together with such other persons as have been appointed officers of the Association and admitted as members thereof.

and
Commonwealth of Australia Gazette
No. GN 18, 10 May 1995

PART IV

(1) The following persons and classes of persons shall be eligible for membership of the Union, namely:

(a) Persons employed at an annual salary rate in any capacity in the transport industry whether by land, water (except sea) or air (excluding the piloting of aircraft) by-

(i) the Crown in right of the Commonwealth or of any State or States or of the Commonwealth and any State or States; or

(ii) any statutory body representing the Crown in any such right as aforesaid; or

(iii) any instrumentality or authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in any such right as aforesaid; or

(iv) any company or corporation in which fifty per centum or more of the issued capital is held by or for or on behalf of or in the interest of the Crown in any such right as aforesaid, including any company or corporation which is related to such firstmentioned company or corporation within the meaning of sub-section 5 of Section 7 of the Companies Act 1981 (C'wealth) as if such sub-section, Section and Act were applicable to both such companies or corporations.

(v) any company, corporation, business, firm or person engaged in the transport or carriage by air of passengers and/or goods;

including without limiting the ordinary meaning of the foregoing, persons employed at an annual salary rate in any capacity (other than the piloting of aircraft) by -

The State Rail Authority of New South Wales
Urban Transit Authority of New South Wales
State Transit Authority of New South Wales
The Commissioner for Motor Transport (New South Wales)
State Transport Authority of Victoria
State Transport Authority South Australia
The Commissioner for Railways (Queensland)
The Western Australian Government Railways Commission
The General Manager of Western Australian Government Tramways and Ferries
The Transport Commission Tasmania
Australian National Railways Commission
Australian National Airlines Commission
British Airways
Qantas Airways Limited
Ansett Transport Industries (Operations) Pty. Ltd.
Airlines of N.S.W. Pty. Ltd.
Airlines of South Australia Pty. Ltd.
Queensland Airlines Pty. Ltd.
MacRobertson-Miller Airlines Ltd.
East-West Airlines Ltd.
Pan American Airlines Inc.
Air France
U.T.A. French Airlines
Society Internationale De Telecommunications Aeronautiques Canadian
Pacific Airlines Ltd.
Air Express International Corporation
Air India International Corporation
Air New Zealand Ltd.
Alitalia Airlines
Cathay Pacific Airways Ltd.
K.L.M. Royal Dutch Airlines
Philippine Airlines
Malaysian Airline System
Lufthansa German Airlines
Air Niugini
Airlines of Northern Australia
Ansett Air Freight
Ansett Airlines of Australia
Aeroflot
Air Nauru
Air Pacific
American Airlines Inc.
Singapore Airlines Ltd.
South African Airways
Swiss Air Pty. Ltd.
Thai Airways International
Continental Airlines Inc.
Czechoslovak Airlines Inc.
Garuda Indonesian Airways
Japan Air Lines Co. Ltd.
JAT - Jugoslav Airlines
Olympic Airlines
Pan American World Airways
United Airlines
Alia Royal Jordanian Airlines
Aer Lingus
Aerolineas Argentinus Airline
Air Canada
Aloha Airlines
El Al Israel Airlines Ltd.
Ethiopian Airlines
Lan Chile Airlines
North West Orient Airlines
Pakistan International Airlines Corporation
Polish Airlines Lot
Sabena Belgian World Airlines
Scandinavian Airlines System
Trans International Airlines
Trans World Airlines Pty. Limited
United Pacific Airlines
Varig Brazilian Airlines
Air Lanka
Air Malta
Eastern Airlines
Air Mauritius
Air Vanuatu
Air Zimbabwe
Carribean Airways
Continental Airway
Iberia Spanish Airlines
Korean Air
Polynesian Airlines
All Nippon Airways
Air Seychelles
Any other company or corporation which is related to any of the companies or corporations set out in this rule within the meaning of sub-section 5 of Section 7 of the Companies Act (Commonwealth) where that company or corporation is engaged in connection with the transport or carriage by rail or air of passengers and/or goods, either intrastate and/or interstate and/or on international air routes.

A successor or assignee or transmitee of the business of any of the foregoing so long as such successor, assignee or transmitee is an employer within sub-paragraphs (i), (ii), (iii), (iv) or (v) of paragraph (a) of this sub-rule.

(b) Persons whether employed in the industry in connection with which the union is registered or not who are officers or employees of the union.

(2) Notwithstanding anything hereinbefore contained -

(a) persons employed by-

Melbourne and Metropolitan Tramways Board.
The Brisbane City Council.
The Hobart City Council.
The Launceston City Council.
Australian Commonwealth Shipping Board.
Australian Shipping Board.

(b) (i) persons employed in a professional capacity by-

The Commissioner for Railways (New South Wales).
The Commissioner for Government Transport (New South Wales).
The Victorian Railways Commissioners.
The Board of Land and Works (Victoria).
South Australian Railways Commissioner.
The Municipal Tramways Trust (South Australia).
The Commissioner for Railways (Queensland).
The General Manager of Western Australian Government Tramways and Ferries.
The Transport Commission, Tasmania.
Australian National Railways Commission.

A successor or assignee or transmitee of the business of any of the foregoing.

(ii) persons employed in a professional engineering capacity other than by the Western Australian Government Railways Commission or any successor, assignee or transmitee of its business.

(c) persons employed under the Commonwealth Public Services Act 1922-1948, or under the Naval Defence Act 1910-1948;

(d) persons employed as ships' officers and/or ships' engineers;

(e) persons eligible for membership of the Australian Shipping Officers' Association of Australia, by the terms of the eligibility for membership rule of that Association as it existed at the sixth day of September, 1950, excepting persons employed in or in connection with sub-paragraphs (i), (ii), (iii) or (iv) of paragraph (a) of sub-rule (1) hereof;
persons eligible for membership of The Civil Air Operations Officers' Association by the terms of the eligibility for membership rule of that Association as it existed at the sixth day of September, 1950;

aircraft navigators, flight engineers and persons eligible as at the 1st December, 1968, for membership of the Airlines Hostesses' Association and the Flight Stewards' Association of Australia;

persons eligible for membership of the Australian Licensed Aircraft Engineers Association as at 11th November, 1969;

persons eligible for membership of the Association of Architects, Engineers, Surveyors and Draughtsmen of Australia by the terms of its eligibility rule as it existed on 8th April, 1974 whenever employed in a classification prescribed in Part II Section 3 of the Aircraft Industry Award by any of the following employers:

- Ansett Transport Industries (Operations) Pty. Ltd.
- Airlines of New South Wales Pty. Ltd.
- Airlines of South Australia Pty. Ltd.
- Queensland Airlines Pty. Ltd.
- MacRobertson-Miller Airlines Ltd.
- East-West Airlines Ltd.

shall not be eligible for membership of the Union.

(3) For the purpose of sub-rule (2) hereof the expression "persons employed in a professional capacity" means persons employed in a position requiring theoretical, technical or specially acquired professional knowledge, other than that required for crafts, trades, accountancy, clerical or purely commercial work.

and

PART V

(a) an unlimited number of persons who are employed or usually employed wholly or partly in the servicing, repairing, maintaining, structurally altering and/or assembling business equipment, excluding typewriters, excepting persons employed in or in connection with the manufacture of photographic supplies and materials and employees in photographic establishments and excepting persons who are members or are eligible for membership of the Association of Architects Engineers Surveyors and Draughtsmen of Australia, the Federated Clerks Union of Australia, the Transport Workers' Union of Australia, and the Australian Railway Union, Organisations registered under the Conciliation and Arbitration Act 1904, as amended, as at the date of registration of the Guild. Provided that persons who are eligible for membership of the Amalgamated Engineering Union, the Australasian Society of Engineers and the Electrical Trades Union of Australia, Organisations registered under the Conciliation and Arbitration Act 1904, as amended, shall not be eligible for membership of the Union. Without limiting the generality of the foregoing, the term "business equipment" shall be deemed to include, inter alia, cash registers, accounting machines, adding machines, calculators, computers and peripheral equipment.

(b) such other persons whether or not employees in the industry of the union as have been elected or appointed officers of the union or any Branch thereof and admitted as members of the union.

and
Persons who are within the following description shall be eligible to join the Union:

a. Any person employed or usually employed for hire or reward on a full or part-time basis in or in connection with the industry of professional social work other than by

i. the Crown in right of any State or States (other than the State of Queensland) or

ii. any Statutory body representing the Crown in right of any State or States (other than the State of Queensland) or

iii. any Instrumentality or Authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in right of any State or States (other than the State of Queensland) or

iv. any Company or Corporation in which at least 50 percentum of the issued shares are held by or for or on behalf of or in the interest of the Crown in right of any State or States (other than the State of Queensland) or if there are no issued shares in which the governing body by whatever name called includes nominees appointed by and appointed for or on behalf of, or in the interest of the Crown in right of any State or States (other than the State of Queensland) and except

v. persons eligible to join the Public Service Association of New South Wales in accordance with its Rules as at the 16th December, 1982 (but in respect to Rule 5(c) of the Public Service Association of New South Wales as at 16th December, 1982, this exception shall apply only to persons who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged in any of the following callings or avocations whether as principal or assistant employees or as employees in training: bacteriologist, pathologist, medical scientist, scientific officer, bio-medical engineer, physician, surgeon, dental scientist, dentist, optometrist, oculist, audiologist, speech therapist, occupational therapist, music therapist, dietitian, physiotherapist, chiropodist (or podiatrist) and remedial gymnast, together with such other employees who are engaged or usually engaged in the calling or vocation of chiropodist (or podiatrist) or remedial gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of any institution deemed by the employer to be of a similar standing) who are not employed or usually employed as professional social workers; and

b. any person employed or usually employed for hire or reward on a full or part-time basis by

i. the Crown in right of any State or States (other than the State of Queensland) or

ii. any Statutory Body representing the Crown in the right of any State or States (other than the State of Queensland) or
iii. any Instrumentality or Authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in right of any State or States (other than the State of Queensland) or

iv. any Company or Corporation in which at least 50 per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in the right of any State or States (other than the State of Queensland) or if there are no issued shares in which the governing body by whatever name called includes nominees appointed by and appointed for or on behalf of or in the interest of the Crown in the right of any State or States (other than the State of Queensland).

in or in connection with the industry of professional social work provided that he/she has successfully completed an educational programme approved by Federal Council as constituting a qualification for the professional practice of social work, and except

v. persons eligible to join the Public Service Association of New South Wales in accordance with its Rules as at 16th December 1982 (but in respect of Rule 5(c) of the Public Service Association of New South Wales as at 16th December 1982, this exception shall apply only to persons who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged in any of the following callings or vocations whether as principal or assistant employees or as employees in training: bacteriologist, pathologist, medical scientist, scientific officer, bio-medical engineer, physician, surgeon, dental scientist, dentist, optometrist, oculist, audiologist, speech therapist, occupational therapist, music therapist, dietitian, physiotherapist, chiropodist (or podiatrist) or remedial gymnast, together with such other employees who are engaged or usually engaged in the calling or vocation of chiropodist (or podiatrist) or remedial gymnast whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of any institution deemed by the employer to be of a similar standing) who are not employed or usually employed as professional social workers and also qualified as professional social workers; and

c. any person employed or usually employed for hire or reward on a full-time or a part-time basis in or in connection with the industry of social and/or welfare work;

i. Except in the State of New South Wales:

persons eligible for membership of any of the following Unions

* the Public Service Association of New South Wales and/or

* in respect of sub-paragraphs (a), (b)(xii), (b)(xiii), (b)(xviii), and (b)(xix) herein only, the Health and Research Employees' Association of Australia in accordance with its Rules as at 10th September, 1986 and/or

* the Professional Officers (State Public Service and Instrumentalities) Association,
who are employed:

1. pursuant to the provisions of -

   A. the Public Service Act 1979; or
   B. the Health Commission Act, 1972; or
   C. the Health Administration Act, 1982; or
   D. any Act replacing the said Acts; or

2. A. in or by any Department, body, organisation, or group within the terms of the Public Service Act, 1979 or any Act replacing that Act irrespective of whether it remains or continues to be a Department, body, organisation, or group in terms of the said Act; or

   B. in or by any Declared Authority within Schedule 3 of the Public Service Act 1979 on or before 19th November, 1985 irrespective of whether it remains or continues to be a declared authority in terms of the said Act; or

   C. as ministerial employees; or

   D. by Ministers of the Crown in right of the State of New South Wales or in the offices of such Ministers; or

   E. by the Electricity Commission of New South Wales; or

   F. by the Grain Handling Authority; or

   G. by the Water Resources Commission; or

   H. by the Commissioner for Main Roads; or

   I. by the Commissioner for Motor Transport; or

   J. by the Homebush Abattoir Corporation; or

   K. by Hospitals included in the 2nd, 3rd or 5th Schedule of the Public Service Act 1929, or any Act replacing it, by public hospitals or by public dental clinics; or

   L. by Colleges of Advanced Education; or

   M. by the University of New South Wales, the University of Wollongong, the University of Newcastle, or any other Universities formed from a College of these Universities; or

   N. in or by the Legislative Assembly and/or Legislative Council of the State of New South Wales; or

   O. by the New South Wales Egg Corporation;

   P. by any New South Wales Education Commission or its agents; or

   Q. by any person as an Associate to a Justice; or

   R. at the Sexually Transmitted Diseases Clinic and the Medical Examination and Immunisation Centre; or
S. in or by: The Drug and Alcohol Authority, New South Wales State Cancer Council, The United Hospitals Auxiliary, The Institute of Psychiatry; or

T. in or in connection with the administration of any body (whether incorporated or unincorporated) established for the purpose of registering persons for the practice of any profession, calling or vocation in the State of New South Wales; or

U. in or in connection with the provision of or rendering of medical services in penal or like establishments deemed or proclaimed to be a prison under the Prisons Act, 1952, or any Act replacing the said Act; or

V. by an employer or at any place of employment replacing any of the foregoing employers or places of employment, as the case may be; or

3. by any organisation registered or exempt from registration under the Charitable Collections Act 1934, who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged in any of the following callings or vocations whether as principal or assistant employees or as employees in training:

bacteriologist, pathologist, medical scientist, scientific officer, bio-medical engineer, physician, surgeon, dental scientist, dentist, optometrist, oculist, audiologist, speech therapist, occupational therapist, music therapist, dietitian, physiotherapist, chiropodist (or podiatrist) or remedial gymnast, together with such other employees who are engaged or usually engaged in the calling or vocation of chiropodist (or podiatrist) or remedial gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of any institution deemed by the employer to be of a similar standing; or

4. in regional offices of any Department of State or Corporation or body established by statute administering or providing health services in New South Wales including such persons whose employment fulfils a function of a regional nature but who, due to the nature of their duties are not employed within the precincts of that office, and in or by area or community health services (howsoever called) where these administrative or health services have replaced services carried on or provided by a person or body referred to in (4) above;

ii. in the State of Victoria:

1. including all persons employed in any of the occupations of social worker, recreation worker, welfare worker, youth worker, community development worker and/or social planner;

2. but excepting persons employed in the Public Service of Victoria or employed in any State instrumentality or other undertaking carried on by public authorities, commissions or corporations under any State charter, statute, enactment or proclamation of the State of Victoria; provided that the management of the employer of any such person is appointed by, or is under the control of, the Victorian Government.
The exception provided for in this paragraph shall, to the extent it might otherwise apply, not apply to persons employed by public hospitals and community health centres;

iii. Except in the State of Queensland:

1. employees of the Queensland State Public Service, Queensland Public Hospital Board of Mater Misericordiae Hospital Board who do not hold qualifications in social welfare work conferred by a recognised tertiary educational institution; and

2. persons eligible to join The Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in private hospitals, convalescent homes, nursing homes, rest homes, or other institutions established to provide care for aged sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments; provided this exception shall not apply to persons primarily engaged in social welfare counselling;

iv. Except in the State of South Australia:

1. Persons who are employed by or under the South Australian Government or by any Board, Trust, Commission, Commissioner, Committee or other public or Statutory Authority appointed or controlled by the South Australian Government pursuant to the following Acts -

   Public Service Act 1967-1975,
   Government Management and Employment Act 1985,
   S.A. Health Commission Act 1976,
   S.A. Housing Trust Act 1936-1973,
   S.A. College of Advanced Education Act 1982,
   Children's Services Act 1984,
   Alcohol and Drug Addicts Treatment Board Act 1961-1971,
   Mental Health Act 1935-1974, Parkes Community Centre Act 1981-85,

   or any Act succeeding or replacing any of those acts by whatever name called; and

2. persons eligible to join The Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in private hospitals, convalescent homes, nursing homes, rest homes, or other institutions established to provide care for aged sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as nurse assistants (including supervisory nurse assistants); provided this exception shall not apply to persons primarily engaged in social welfare counselling; and

3. persons employed by Minda Incorporated;

v. Except in the State of Western Australia:

1. persons employed as an officer under and within the meaning of the Public Service Act 1978-80 or in any of the established branches of the Public Service, including State
trading concerns, business undertakings and government institutions controlled by boards; provided the management of such bodies is appointed by, or under the control of, the Western Australian Government; and

2. persons employed under the Forests Act, the Main Roads Act, or any act now in force or hereafter enacted whereby any Board Commission or other body is constituted to administer any such Act; provided the management of such body is appointed by, or is under the control of the Western Australian Government; and

3. persons employed by any public or private hospital; and

4. persons employed by the Western Australian School of Nursing; and

5. persons employed by the Western Australian division of the Red Cross Society, the Spastic Welfare Association of Western Australia (Incorporated), the Silver Chain Nursing Association (Incorporated), S.L.C.C. (Incorporated) (an Association for developmental disability W.A.) the Paraplegic-Quadriplegic Association of Western Australia (Incorporated), Good Samaritan Industries, FCB Industries or Nulsen Haven Association (Inc); and

6. persons employed by any service ancillary to the practice of medicine but this exception does not apply to non-government community health organisations (including any which are funded by the Western Australian Drug and Alcohol Authority); and

7. persons eligible to join the Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in convalescent homes, nursing homes, rest homes or other institutions established to provide care for aged, sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as nurse assistants (including supervisory nurse assistants); provided this exception shall not apply to persons primarily engaged in social welfare counselling;

vi. Except in the State of Tasmania:

1. employees of the State; and

2. employees of a public hospital, which means any hospital receiving aid from the State that is prescribed as a Public Hospital, and with which a board is charged with the management, maintenance and regulation; and

3. employees of a State Authority which means any person or body of persons or Authority, whether corporate or unincorporate, which is constituted or established under the authority of any Act or under Royal prerogative for the State of Tasmania, provided that such authority is appointed by, or is under the control of, the Tasmanian Government;

vii. Except in all States and in the Northern Territory, persons employed by Local Government Authorities, Cities, Municipalities, Towns, Boroughs or Shires;
viii. Except persons qualified as a medical practitioner who are employed in a position requiring the qualifications of a medical practitioner and who are employed in or by:

1. the Commonwealth Public Service, or
2. the Northern Territory Public Service, or
3. any Public Institution or Authority of the Commonwealth or Northern Territory, or
4. the Australian Capital Territory, or
5. the University of Sydney;

ix. Except persons eligible to join the Australian Teachers' Union, The Northern Territory Teachers' Federation or the Australian Capital Territory Teacher's Federation in accordance with their Rules as at (the date of Registration of the Australian Teachers' Union), who are employed by the Crown in right of the Commonwealth or any State (including the Northern Territory) or by a Statutory Authority of the Commonwealth or any State (including the Northern Territory) as:

1. a counsellor or guidance officer in a position requiring formal teaching qualifications, or
2. a teacher whose duties include student counselling or guidance,

and who are employed in an educational institution or service;

x. Except persons employed by the Commonwealth Government, Northern Territory Government, or government of the Australian Capital Territory, by Aboriginal Hostels or Commonwealth Accommodation and Catering Services Limited, or by

1. a body established by or under a law of the Commonwealth Government, Northern Territory Government or the government of the Australian Capital Territory; or
2. a company or other body corporate in which the Commonwealth Government, Northern Territory Government, or government of the Australian Capital Territory has a controlling interest;

being a body, company or other body corporate which is established by or is under the control of the Australian Government, Northern Territory Government or Government of the ACT.

xi. Except persons:

1. employed by the Home Care Service of New South Wales who are eligible to join The Federated Miscellaneous Workers Union of Australia or the Public Service Association of New South Wales and/or
2. eligible to join The Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87, employed in the provision of home care services to persons in private homes, and engaged primarily in work of a manual nature as distinct from work primarily of a social welfare nature;
xii. Except persons employed in the industry or industrial pursuit of child minding centres, day nurseries or pre-school kindergartens; provided this exception shall not apply, to the extent that it might otherwise apply, to persons employed:

1. in a multipurpose neighbourhood centre, and who are employed as co-ordinators or who are not primarily engaged in the provision of a child care service, or

2. in residential child care services (including family group homes and institutional care) providing alternate care and support in a live-in situation as distinct from:

   A. sessional care to pre-school children, long day care, extended hours care or 24 hours care,
   B. before and after school care,
   C. play groups,
   D. occasional care,
   E. vacation care,
   F. multi-purpose child care; or

3. as community development workers; or

4. in family counselling and support services; or

5. in women's and/or youth refuges; or

6. in family day care services, apart from those in Western Australia and the Northern Territory, and apart from persons employed as direct child carers in their own homes;

xiii. Except in the Northern Territory,

1. all persons other than

   A. persons employed by Community Youth Support Scheme projects; or

   B. persons employed in the provision of crisis accommodation; or

   C. persons employed in the occupation of social worker, welfare worker, community development worker, or social welfare co-ordinator, by an organisation wholly or substantially funded under a national social welfare funding program (by the Commonwealth or jointly the Commonwealth and the Northern Territory Government) including:

      * The grant in aid migrant welfare program,
      * The migrant resource centre program,
      * The disability services program,
* The family support program,

* The supported accommodation assistance program; and

2. persons employed in private hospitals, convalescent homes, nursing homes, rest homes or other institutions established to provide care for aged, sick or infirm persons and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as nurse assistants (including supervisory nurse assistants); provided this exception shall not apply to persons primarily engaged in social welfare counselling;

xiv. Except in the Australian Capital Territory, persons eligible to join the Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in benevolent homes, convalescent homes, aged persons or private nursing homes, or other institutions established to provide care for aged sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as personal care assistants whose primary duties are to attend to the physical needs of sick and infirm persons; provided this exception shall not apply to persons primarily engaged in social welfare counselling; and

d. All persons as have been elected or appointed officers of the organisation or any of its branches or Unions registered in any State which are recognised by these Rules as associated bodies.

and

PART VII

The Association shall consist of and is open to an unlimited number of members, who may be employed on the weekly or salaried staff of any shipping company, ship owner, shipping agency, non vessel operating container carrier (NVOCC), ship charterer, ship broker, shipping and/or chartering agency, non vessel operating container carrier (NVOCC) agency, cargo consolidator, shipping conference, classification society, marine consultant or service organisation, travel agency (any business which is involved in wholesale and or retail selling of travel together with ancillary functions), or shipping department or travel department of an employer with other business interests and who are not eligible for membership in any existing registered organisation limiting its membership solely to those employed in the shipping or travel industry together with such other persons whether or not employees in the industry as have been appointed officers of the Association and admitted as members thereof.

and

PART VIII

an unlimited number of persons employed or usually employed by Mission Energy Management Australia Pty Limited at the Loy Yang B Power Station, Victoria.

and

PART IX

Notwithstanding anything to the contrary in Parts I, II, III, IV and V of this rule persons employed by the Roads and Traffic Authority of New South Wales shall not be eligible for membership of the Union.
The Union shall consist of an unlimited number of persons engaged in the business of health insurance with the exception of those persons engaged by the Health Insurance Commission, Commonwealth Bank Health Society or Reserve Bank Health Fund.

and

PART XI

The Union shall consist of an unlimited number of persons engaged by the following building societies:

- Illawarra Mutual Building Society Limited (NSW)
- Newcastle Permanent Building Society (NSW)
- Greater Newcastle Permanent Society Limited (NSW)
- The Co-operative Building Society of South Australia Limited and subsidiaries (SA)
- Home Building Society (WA)
- Suncorp Building Society Limited (Qld)
- Ipswich and West Morton Building Society (Qld).

and

PART XII

The Union shall consist of an unlimited number of persons engaged by the following credit unions:

- Island State Credit Union Co-operative Society Limited (Tas)
- Queensland Country Credit Union (Qld)
- Waterside Workers of Australia Credit Union (NSW)
- Caltex Employees Credit Union (NSW)
- CPS Credit Union Co-operative (ACT)
- Snowy Mountains Credit Union (NSW)
- Australian Central Credit Union (SA)
- CPS Credit Union Limited (SA)
- Power State Credit Union (SA)
- South Australian Police Credit Union (SA)
- Satisfac Direct (SA)
- S.A. Public Service Savings and Loan Credit Union Limited (SA)
- Waterside Workers of Australia Credit Union (SA).

to the following:

5 - INDUSTRY AND ELIGIBILITY

a. Description of Industry

PART I

The industry of operations conducted by Municipal County and Shire Councils and Local Government Bodies and of the operation of public and quasi public undertakings by electric, gas, water, sewerage and road making trusts, boards, commissions and corporations (not formed or constituted for the purpose of private gain) and similar bodies.
PART II

The Industry in or in connection with which the Union is formed is, without in any way limiting the generality of the provisions of Rule 4 - Eligibility of Membership Part II and the construction proper at any time or times to be placed thereon, the Clerical Industry.

PART III

The Union is formed in connection with the Local Government Municipal and Statutory Corporations industry.

and

PART IV

The industry in connection with which the Union is formed is the transport industry, whether by land, water (except sea) or air (excluding activities of or relating to the piloting of aircraft) as carried on by:

a. the Crown in right of the Commonwealth or of any State or States or of the Commonwealth and any State or States; or

b. any statutory body representing the Crown in any such right as aforesaid; or

c. any instrumentality or authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in any such right as aforesaid; or

d. any company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in any such right as aforesaid; or

e. any company, corporation, firm or person engaged in the transport or carriage by air of passengers and/or goods.

and

PART V

The industry in or in connection with which the Union is registered is the industry of servicing, repairing, maintaining, structurally altering and/or assembling business equipment excluding typewriters. Without limiting the generality of the foregoing, the term "business equipment" shall be deemed to include, inter alia, cash registers, accounting machines, adding machines, calculators, computers and peripheral equipment.

PART VI

The description of the industry in connection with which the Union is registered is the industry of social and/or welfare work.

and

PART VII

The industry in or in connection with which the organisation is registered is the industry of Shipping and Travel.

and
PART VIII

The industry in which the organisation is registered is the health insurance industry.

and

PART IX

The Union shall consist of an unlimited number of persons engaged by the following building societies:

- Illawarra Mutual Building Society Limited (NSW)
- Newcastle Permanent Building Society (NSW)
- Greater Newcastle Permanent Society Limited (NSW)
- The Co-operative Building Society of South Australia Limited and subsidiaries (SA)
- Home Building Society (WA)
- Suncorp Building Society Limited (Qld)
- Ipswich and West Morton Building Society (Qld).

and

PART X

The Union shall consist of an unlimited number of persons engaged by the following credit unions:

- Island State Credit Union Co-operative Society Limited (Tas)
- Queensland Country Credit Union (Qld)
- Waterside Workers of Australia Credit Union (NSW)
- Caltex Employees Credit Union (NSW)
- CPS Credit Union Co-operative (ACT)
- Snowy Mountains Credit Union (NSW)
- Australian Central Credit Union (SA)
- CPS Credit Union Limited (SA)
- Power State Credit Union (SA)
- South Australian Police Credit Union (SA)
- Satisfac Direct (SA)
- S.A. Public Service Savings and Loan Credit Union Limited (SA)
- Waterside Workers of Australia Credit Union (SA).

PART XI

Without limiting the generality of the other Parts of this Rule or being limited thereby, independent contractors who, if they were employees performing work of the kind which they usually perform as independent contractors, would be eligible for membership of the Union, shall be eligible for membership of the Union.

b. Eligibility for Membership

PART I

1. The Union shall consist of an unlimited number of bona fide employees of Municipal County and Shire Councils or other Local Government Authorities or Trusts, Municipal Trusts Water Supply and/or Sewerage Boards or Trusts, Road Boards and other Boards, Corporations, Commissions or Trusts, carrying out or entrusted with the carrying out of works operations or functions similar to those usually or generally performed by Municipal or Shire Councils or other Local Government...
Authorities before the appointment of such Boards, Corporations, Commissions or Trusts and of employees to contractors to any of such Councils, Authorities, Boards, Corporations, Commissions or Trusts and of such other persons whether employed in the relevant industry or not as have been or are hereafter appointed officers of the Union and admitted as members thereof: Provided that employees eligible for membership in the Association called Thé Metropolitan Board of Water Supply and Sewerage Employees Association and employees of the Hunter District Water Supply and Sewerage Board (Newcastle), the Metropolitan Water Sewerage and Drainage Board (Sydney), the Commissioner for Main Roads (New South Wales), the Country Roads Board (Victoria) or the State Electricity Commission (Victoria) respectively shall not be eligible for membership in this Federation: And that the said Federation shall not admit as members employees engaged on new construction work in connection with services which have not passed to the authority which on the completion of such construction work is responsible for the provision and maintenance of those services.

ii. Without in any way limiting and without in any way being limited by the conditions of eligibility for membership elsewhere in this Rule, the Federation shall also consist of persons who are employed or usually employed in or in connection with the following:

In the State of Western Australia, health boards, the board or governing body of any park, reserve or racecourse, cemetery board or any person acting for, under or on behalf of any of such boards or bodies.

PART II

The Union shall consist of all persons engaged in any clerical capacity, and/or engaged in the occupation of shorthand writers and typists and/or on calculating, billing, or other machines designed to perform or assist in performing any clerical work whatsoever.

Notwithstanding anything to the contrary contained in this rule:

(i) persons who are members, staff members or special members of the Australian Federal Police, or

(ii) persons who are assistant customs officers or customs officers employed in the Australian Customs Service,

(iii) all persons employed by the First Licensed carriers as defined hereunder, in or in connection with the telecommunications industry.

"First Licensed carriers" means the holders for the time being of:

(a) the licence to operate as a general telecommunications carrier and/or the licence to operate as a mobile carrier, both granted under the Telecommunications Act 1991 and both published in Commonwealth of Australia Gazette No. 323 dated 26 November 1991, and any body corporate that is related to either of those licence holders within the meaning of the Corporations Law; or

(b) any licence granted following the revocation of either of the licences referred to in (a) above and any body corporate that is related to the holder of any such licence within the meaning of the Corporations Law.

are not eligible for membership of the Union.
Without in any way limiting or being limited by any other provisions of these rules the Union shall consist of an unlimited number of persons wholly or substantially employed in the higher education industry, other than academic staff, who are employees in administrative and clerical occupations employed by:

University of Queensland or
Griffith University or
James Cook University of North Queensland or
Queensland University of Technology or
University of Central Queensland or
the University of Southern Queensland.

PART III

The Union shall consist of an unlimited number of persons employed or usually employed by Local Authorities, Cities, Municipalities, Towns, Boroughs or Shires, or by Statutory Authorities, Corporations, Trusts, Boards or Commissions in the following callings or avocations namely, City, Town, District, Borough or Shire Clerks, Secretaries, Treasurers, Engineers, Surveyors, Architects, Electricians or Electrical Engineers, Inspectors, Superintendents, Paymasters, Receivers, Accountants, Auditors, Valuers, Rate Collectors, Registrars, Collectors, Clerks, Typists, Stenographers, Foremen, Overseers, Draughtsmen, Curators, or in similar callings or avocations, or as assistants to employees so employed whether employed as aforesaid or not together with such other persons as have been appointed officers of the Association and admitted as members thereof.

PART IV

(1) The following persons and classes of persons shall be eligible for membership of the Union, namely:

(a) Persons employed at an annual salary rate in any capacity in the transport industry whether by land, water (except sea) or air (excluding the piloting of aircraft) by-

   (i) the Crown in right of the Commonwealth or of any State or States or of the Commonwealth and any State or States; or

   (ii) any statutory body representing the Crown in any such right as aforesaid; or

   (iii) any instrumentality or authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in any such right as aforesaid; or

   (iv) any company or corporation in which fifty per centum or more of the issued capital is held by or for or on behalf of or in the interest of the Crown in any such right as aforesaid, including any company or corporation which is related to such firstmentioned company or corporation within the meaning of sub-section 5 of Section 7 of the Companies Act 1981 (C'wealth) as if such sub-section, Section and Act were applicable to both such companies or corporations.
(v) any company, corporation, business, firm or person engaged in
the transport or carriage by air of passengers and/or goods;

including without limiting the ordinary meaning of the foregoing,
persons employed at an annual salary rate in any capacity (other
than the piloting of aircraft) by -

The State Rail Authority of New South Wales
Urban Transit Authority of New South Wales
State Transit Authority of New South Wales
The Commissioner for Motor Transport (New South Wales)
State Transport Authority of Victoria
State Transport Authority South Australia
The Commissioner for Railways (Queensland)
The Western Australian Government Railways Commission
The General Manager of Western Australian Government Tramways and
Ferries
Australian National Railways Commission
Australian National Airlines Commission
British Airways
Qantas Airways Limited
Ansett Transport Industries (Operations) Pty. Ltd.
Airlines of N.S.W. Pty. Ltd.
Airlines of South Australia Pty. Ltd.
Queensland Airlines Pty. Ltd.
MacRobertson-Miller Airlines Ltd.
East-West Airlines Ltd.
Pan American Airlines Inc.
Air France
U.T.A. French Airlines
Society Internationale De Telecommunications Aeronautiques Canadian
Pacific Airlines Ltd.
Air Express International Corporation
Air India International Corporation
Air New Zealand Ltd.
Alitalia Airlines
Cathay Pacific Airways Ltd.
K.L.M. Royal Dutch Airlines
Philippine Airlines
Malaysian Airline System
Lufthansa German Airlines
Air Niugini
Airlines of Northern Australia
Ansett Air Freight
Ansett Airlines of Australia
Aeroflot
Air Nauru
Air Pacific
American Airlines Inc.
Singapore Airlines Ltd.
South African Airways
Swiss Air Pty. Ltd.
Thai Airways International
Continental Airlines Inc.
Czechoslovak Airlines Inc.
Garuda Indonesian Airways
Japan Air Lines Co. Ltd.
JAT - Jugoslav Airlines
Olympic Airlines
Pan American World Airways
United Airlines
Alia Royal Jordanian Airlines  
Aer Lingus  
Aerolineas Argentinus Airline  
Air Canada  
Aloha Airlines  
El Al Israel Airlines Ltd.  
Ethiopian Airlines  
Lan Chile Airlines  
North West Orient Airlines  
Pakistan International Airlines Corporation  
Polish Airlines Lot  
Sabena Belgian World Airlines  
Scandinavian Airlines System  
Trans International Airlines  
Trans World Airlines Pty. Limited  
United Pacific Airlines  
Varig Brazilian Airlines  
Air Lanka  
Air Malta  
Eastern Airlines  
Air Mauritius  
Air Vanuatu  
Air Zimbabwe  
Carribean Airways  
Continental Airway  
Iberia Spanish Airlines  
Korean Air  
Polynesian Airlines  
All Nippon Airways  
Air Seychelles

Any other company or corporation which is related to any of the companies or corporations set out in this rule within the meaning of sub-section 5 of Section 7 of the Companies Act (Commonwealth) where that company or corporation is engaged in connection with the transport or carriage by rail or air of passengers and/or goods, either intrastate and/or interstate and/or on international air routes.

A successor or assignee or transmitee of the business of any of the foregoing so long as such successor, assignee or transmitee is an employer within sub-paragraphs (i), (ii), (iii), (iv) or (v) of paragraph (a) of this sub-rule.

(b) Persons whether employed in the industry in connection with which the union is registered or not who are officers or employees of the union.

(2) Notwithstanding anything hereinbefore contained -

(a) persons employed by-

Melbourne and Metropolitan Tramways Board.  
The Brisbane City Council.  
The Hobart City Council.  
The Launceston City Council.  
Australian Commonwealth Shipping Board.  
Australian Shipping Board.
(b) (i) persons employed in a professional capacity by-

The Commissioner for Railways (New South Wales).
The Commissioner for Government Transport (New South Wales).
The Victorian Railways Commissioners.
The Board of Land and Works (Victoria).
South Australian Railways Commissioner.
The Municipal Tramways Trust (South Australia).
The Commissioner for Railways (Queensland).
The General Manager of Western Australian Government Tramways and Ferries.
The Transport Commission, Tasmania.
Australian National Railways Commission.

A successor or assignee or transmittere of the business of any of the foregoing.

(ii) persons employed in a professional engineering capacity other than by the Western Australian Government Railways Commission or any successor, assignee or transmittere of its business.

(c) persons employed under the Commonwealth Public Services Act 1922-1948, or under the Naval Defence Act 1910-1948;

(d) persons employed as ships' officers and/or ships' engineers;

(e) persons eligible for membership of the Australian Shipping Officers' Association of Australia, by the terms of the eligibility for membership rule of that Association as it existed at the sixth day of September, 1950, excepting persons employed in or in connection with sub-paragraphs (i), (ii), (iii) or (iv) of paragraph (a) of sub-rule (1) hereof;

(f) persons eligible for membership of The Civil Air Operations Officers' Association by the terms of the eligibility for membership rule of that Association as it existed at the sixth day of September, 1950;

(i) aircraft navigators, flight engineers and persons eligible as at the 1st December, 1968, for membership of the Airlines Hostesses' Association and the Flight Stewards' Association of Australia;

(j) persons eligible for membership of the Australian Licensed Aircraft Engineers Association as at 11th November, 1969;

(k) persons eligible for membership of the Association of Architects, Engineers, Surveyors and Draughtsmen of Australia by the terms of its eligibility rule as it existed on 8th April, 1974 whenever employed in a classification prescribed in Part II Section 3 of the Aircraft Industry Award by any of the following employers:

Ansett Transport Industries (Operations) Pty. Ltd.
Airlines of New South Wales Pty. Ltd.
Airlines of South Australia Pty. Ltd.
Queensland Airlines Pty. Ltd.
MacRobertson-Miller Airlines Ltd.
East-West Airlines Ltd.

shall not be eligible for membership of the Union.
(3) For the purpose of sub-rule (2) hereof the expression "persons employed in a professional capacity" means persons employed in a position requiring theoretical, technical or specially acquired professional knowledge, other than that required for crafts, trades, accountancy, clerical or purely commercial work.

and

PART V

(a) an unlimited number of persons who are employed or usually employed wholly or partly in the servicing, repairing, maintaining, structurally altering and/or assembling business equipment, excluding typewriters, excepting persons employed in or in connection with the manufacture of photographic supplies and materials and employees in photographic establishments and excepting persons who are members or are eligible for membership of the Association of Architects Engineers Surveyors and Draughtsmen of Australia, the Federated Clerks Union of Australia, the Transport Workers' Union of Australia, and the Australian Railway Union, Organisations registered under the Conciliation and Arbitration Act 1904, as amended, as at the date of registration of the Guild. Provided that persons who are eligible for membership of the Amalgamated Engineering Union, the Australasian Society of Engineers and the Electrical Trades Union of Australia, Organisations registered under the Conciliation and Arbitration Act 1904, as amended, shall not be eligible for membership of the Union. Without limiting the generality of the foregoing, the term "business equipment" shall be deemed to include, inter alia, cash registers, accounting machines, adding machines, calculators, computers and peripheral equipment.

(b) such other persons whether or not employees in the industry of the union as have been elected or appointed officers of the union or any Branch thereof and admitted as members of the union.

and

PART VI

Persons who are within the following description shall be eligible to join the Union:

a. Any person employed or usually employed for hire or reward on a full or part-time basis in or in connection with the industry of professional social work other than by

i. the Crown in right of any State or States (other than the State of Queensland) or

ii. any Statutory body representing the Crown in right of any State or States (other than the State of Queensland) or

iii. any Instrumentality or Authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in right of any State or States (other than the State of Queensland) or

iv. any Company or Corporation in which at least 50 percentum of the issued shares are held by or for or on behalf of or in the interest of the Crown in right of any State or States (other than the State of Queensland) or if there are no issued shares in which the governing body by whatever name called includes nominees
appointed by and appointed for or on behalf of, or in the interest of the Crown in right of any State or States (other than the State of Queensland) and except

v. persons eligible to join the Public Service Association of New South Wales in accordance with its Rules as at the 16th December, 1982 (but in respect to Rule 5(c) of the Public Service Association of New South Wales as at 16th December, 1982, this exception shall apply only to persons who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged in any of the following callings or avocations whether as principal or assistant employees or as employees in training: bacteriologist, pathologist, medical scientist, scientific officer, bio-medical engineer, physician, surgeon, dental scientist, dentist, optometrist, oculist, audiologist, speech therapist, occupational therapist, music therapist, dietitian, physiotherapist, chiropodist (or podiatrist) and remedial gymnast, together with such other employees who are engaged or usually engaged in the calling or vocation of chiropodist (or podiatrist) or remedial gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of any institution deemed by the employer to be of a similar standing) who are not employed or usually employed as professional social workers; and

b. any person employed or usually employed for hire or reward on a full or part-time basis by

   i. the Crown in right of any State or States (other than the State of Queensland) or

   ii. any Statutory Body representing the Crown in the right of any State or States (other than the State of Queensland) or

   iii. any Instrumentality or Authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in right of any State or States (other than the State of Queensland) or

   iv. any Company or Corporation in which at least 50 per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in right of any State or States (other than the State of Queensland) or if there are no issued shares in which the governing body by whatever name called includes nominees appointed by and appointed for or on behalf of or in the interest of the Crown in the right of any State or States (other than the State of Queensland).

in or in connection with the industry of professional social work provided that he/she has successfully completed an educational programme approved by Federal Council as constituting a qualification for the professional practice of social work, and except

v. persons eligible to join the Public Service Association of New South Wales in accordance with its Rules as at 16th December 1982 (but in respect of Rule 5(c) of the Public Service Association of New South Wales as at 16th December 1982, this exception shall apply only to persons who are graduates or graduands of a recognised university or who hold a diploma of a recognised body
and who are engaged in any of the following callings or avocations whether as principal or assistant employees or as employees in training: bacteriologist, pathologist, medical scientist, scientific officer, bio-medical engineer, physician, surgeon, dental scientist, dentist, optometrist, oculist, audiologist, speech therapist, occupational therapist, music therapist, dietitian, physiotherapist, chiropodist (or podiatrist) or remedial gymnast, together with such other employees who are engaged or usually engaged in the calling or vocation of chiropodist (or podiatrist) or remedial gymnast whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of any institution deemed by the employer to be of a similar standing who are not employed or usually employed as professional social workers and also qualified as professional social workers; and

c. any person employed or usually employed for hire or reward on a full-time or a part-time basis in or in connection with the industry of social and/or welfare work;

i. Except in the State of New South Wales:

persons eligible for membership of any of the following Unions

* the Public Service Association of New South Wales and/or

* in respect of sub-paragraphs (a), (b)(xi), (b)(xii), (b)(xiii), (b)(xviii), and (b)(xix) herein only, the Health and Research Employees' Association of Australia in accordance with its Rules as at 10th September, 1986 and/or

* the Professional Officers (State Public Service and Instrumentalities) Association,

who are employed:

1. pursuant to the provisions of -

A. the Public Service Act 1979; or
B. the Health Commission Act, 1972; or
C. the Health Administration Act, 1982; or
D. any Act replacing the said Acts; or

2. A. in or by any Department, body, organisation, or group within the terms of the Public Service Act, 1979 or any Act replacing that Act irrespective of whether it remains or continues to be a Department, body, organisation, or group in terms of the said Act; or

B. in or by any Declared Authority within Schedule 3 of the Public Service Act 1979 on or before 19th November, 1985 irrespective of whether it remains or continues to be a declared authority in terms of the said Act; or

C. as ministerial employees; or

D. by Ministers of the Crown in right of the State of New South Wales or in the offices of such Ministers; or

E. by the Electricity Commission of New South Wales; or
by the Grain Handling Authority; or
by the Water Resources Commission; or
by the Commissioner for Main Roads; or
by the Commissioner for Motor Transport; or
by the Homebush Abattoir Corporation; or
by Hospitals included in the 2nd, 3rd or 5th Schedule of the Public Service Act 1929, or any Act replacing it, by public hospitals or by public dental clinics; or
by Colleges of Advanced Education; or
by the University of New South Wales, the University of Wollongong, the University of Newcastle, or any other Universities formed from a College of these Universities; or
in or by the Legislative Assembly and/or Legislative Council of the State of New South Wales; or
by the New South Wales Egg Corporation;
by any New South Wales Education Commission or its agents; or
by any person as an Associate to a Justice; or
at the Sexually Transmitted Diseases Clinic and the Medical Examination and Immunisation Centre; or
in or by: The Drug and Alcohol Authority, New South Wales State Cancer Council, The United Hospitals Auxiliary, The Institute of Psychiatry; or
in or in connection with the administration of any body (whether incorporated or unincorporated) established for the purpose of registering persons for the practice of any profession, calling or vocation in the State of New South Wales; or
in or in connection with the provision of or rendering of medical services in penal or like establishments deemed or proclaimed to be a prison under the Prisons Act, 1952, or any Act replacing the said Act; or
by an employer or at any place of employment replacing any of the foregoing employers or places of employment, as the case may be; or
by any organisation registered or exempt from registration under the Charitable Collections Act 1934, who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged in any of the following callings or vocations whether as principal or assistant employees or as employees in training:
bacteriologist, pathologist, medical scientist, scientific officer, bio-medical engineer, physician, surgeon, dental scientist, dentist, optometrist, oculist, audiologist, speech therapist, occupational therapist, music therapist, dietitian, physiotherapist, chiropodist (or podiatrist) or remedial gymnast, together with such other employees who are engaged or usually engaged in the calling or vocation of chiropodist (or podiatrist) or remedial gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of any institution deemed by the employer to be of a similar standing; or

4. in regional offices of any Department of State or Corporation or body established by statute administering or providing health services in New South Wales including such persons whose employment fulfils a function of a regional nature but who, due to the nature of their duties are not employed within the precincts of that office, and in or by area or community health services (howsoever called) where these administrative or health services have replaced services carried on or provided by a person or body referred to in (4) above;

ii. in the State of Victoria:

1. including all persons employed in any of the occupations of social worker, recreation worker, welfare worker, youth worker, community development worker and/or social planner;

2. but excepting persons employed in the Public Service of Victoria or employed in any State instrumentality or other undertaking carried on by public authorities, commissions or corporations under any State charter, statute, enactment or proclamation of the State of Victoria; provided that the management of the employer of any such person is appointed by, or is under the control of, the Victorian Government. The exception provided for in this paragraph shall, to the extent it might otherwise apply, not apply to persons employed by public hospitals and community health centres;

iii. Except in the State of Queensland:

1. employees of the Queensland State Public Service, Queensland Public Hospital Board of Mater Misericordiae Hospital Board who do not hold qualifications in social welfare work conferred by a recognised tertiary educational institution; and

2. persons eligible to join The Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in private hospitals, convalescent homes, nursing homes, rest homes, or other institutions established to provide care for aged sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments; provided this exception shall not apply to persons primarily engaged in social welfare counselling;

iv. Except in the State of South Australia:

1. Persons who are employed by or under the South Australian Government or by any Board, Trust, Commission, Commissioner,
Committee or other public or Statutory Authority appointed or controlled by the South Australian Government pursuant to the following Acts:

- Public Service Act 1967-1975,
- Government Management and Employment Act 1985,
- S.A. Health Commission Act 1976,
- S.A. Housing Trust Act 1936-1973,
- S.A. College of Advanced Education Act 1982,
- Children's Services Act 1984,
- Alcohol and Drug Addicts Treatment Board Act 1961-1971,
- Mental Health Act 1935-1974, Parkes Community Centre Act 1981-85,

or any Act succeeding or replacing any of those acts by whatever name called; and

2. persons eligible to join The Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in private hospitals, convalescent homes, nursing homes, rest homes, or other institutions established to provide care for aged sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as nurse assistants (including supervisory nurse assistants); provided this exception shall not apply to persons primarily engaged in social welfare counselling; and

3. persons employed by Minda Incorporated;

v. Except in the State of Western Australia:

1. persons employed as an officer under and within the meaning of the Public Service Act 1978-80 or in any of the established branches of the Public Service, including State trading concerns, business undertakings and government institutions controlled by boards; provided the management of such bodies is appointed by, or under the control of, the Western Australian Government; and

2. persons employed under the Forests Act, the Main Roads Act, or any act now in force or hereafter enacted whereby any Board Commission or other body is constituted to administer any such Act; provided the management of such body is appointed by, or is under the control of the Western Australian Government; and

3. persons employed by any public or private hospital; and

4. persons employed by the Western Australian School of Nursing; and

5. persons employed by the Western Australian division of the Red Cross Society, the Spastic Welfare Association of Western Australia (Incorporated), the Silver Chain Nursing Association (Incorporated), S.L.C.C. (Incorporated) (an Association for developmental disability W.A.) the Paraplegic-Quadriplegic Association of Western Australia (Incorporated), Good Samaritan Industries, FCB Industries or Nulsen Haven Association (Inc); and
6. persons employed by any service ancillary to the practice of medicine but this exception does not apply to non-government community health organisations (including any which are funded by the Western Australian Drug and Alcohol Authority); and

7. persons eligible to join the Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in convalescent homes, nursing homes, rest homes or other institutions established to provide care for aged, sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as nurse assistants (including supervisory nurse assistants); provided this exception shall not apply to persons primarily engaged in social welfare counselling;

vi. Except in the State of Tasmania:

1. employees of the State; and

2. employees of a public hospital, which means any hospital receiving aid from the State that is prescribed as a Public Hospital, and with which a board is charged with the management, maintenance and regulation; and

3. employees of a State Authority which means any person or body of persons or Authority, whether corporate or unincorporate, which is constituted or established under the authority of any Act or under Royal prerogative for the State of Tasmania, provided that such authority is appointed by, or is under the control of, the Tasmanian Government;

vii. Except in all States and in the Northern Territory, persons employed by Local Government Authorities, Cities, Municipalities, Towns, Boroughs or Shires;

viii. Except persons qualified as a medical practitioner who are employed in a position requiring the qualifications of a medical practitioner and who are employed in or by:

1. the Commonwealth Public Service, or

2. the Northern Territory Public Service, or

3. any Public Institution or Authority of the Commonwealth or Northern Territory, or

4. the Australian Capital Territory, or

5. the University of Sydney;

ix. Except persons eligible to join the Australian Teachers' Union, The Northern Territory Teachers' Federation or the Australian Capital Territory Teacher's Federation in accordance with their Rules as at (the date of Registration of the Australian Teachers' Union), who are employed by the Crown in right of the Commonwealth or any State (including the Northern Territory) or by a Statutory Authority of the Commonwealth or any State (including the Northern Territory) as:

1. a counsellor or guidance officer in a position requiring formal teaching qualifications, or
2. a teacher whose duties include student counselling or guidance,

and who are employed in an educational institution or service;

x. Except persons employed by the Commonwealth Government, Northern Territory Government, or government of the Australian Capital Territory, by Aboriginal Hostels or Commonwealth Accommodation and Catering Services Limited, or by

1. a body established by or under a law of the Commonwealth Government, Northern Territory Government or the government of the Australian Capital Territory; or

2. a company or other body corporate in which the Commonwealth Government, Northern Territory Government, or government of the Australian Capital Territory has a controlling interest;

being a body, company or other body corporate which is established by or is under the control of the Australian Government, Northern Territory Government or Government of the ACT.

xi. Except persons:

1. employed by the Home Care Service of New South Wales who are eligible to join The Federated Miscellaneous Workers Union of Australia or the Public Service Association of New South Wales and/or

2. eligible to join The Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87, employed in the provision of home care services to persons in private homes, and engaged primarily in work of a manual nature as distinct from work primarily of a social welfare nature;

xii. Except persons employed in the industry or industrial pursuit of child minding centres, day nurseries or pre-school kindergartens; provided this exception shall not apply, to the extent that it might otherwise apply, to persons employed:

1. in a multipurpose neighbourhood centre, and who are employed as co-ordinators or who are not primarily engaged in the provision of a child care service, or

2. in residential child care services (including family group homes and institutional care) providing alternate care and support in a live-in situation as distinct from:

A. sessional care to pre-school children, long day care, extended hours care or 24 hours care,

B. before and after school care,

C. play groups,

D. occasional care,

E. vacation care,
F. multi-purpose child care; or
3. as community development workers; or
4. in family counselling and support services; or
5. in women’s and/or youth refuges; or
6. in family day care services, apart from those in Western Australia and the Northern Territory, and apart from persons employed as direct child carers in their own homes;

xiii. Except in the Northern Territory,
1. all persons other than
   A. persons employed by Community Youth Support Scheme projects; or
   B. persons employed in the provision of crisis accommodation; or
   C. persons employed in the occupation of social worker, welfare worker, community development worker, or social welfare co-ordinator, by an organisation wholly or substantially funded under a national social welfare funding program (by the Commonwealth or jointly the Commonwealth and the Northern Territory Government) including:
      * The grant in aid migrant welfare program,
      * The migrant resource centre program,
      * The disability services program,
      * The family support program,
      * The supported accommodation assistance program; and
   2. persons employed in private hospitals, convalescent homes, nursing homes, rest homes or other institutions established to provide care for aged, sick or infirm persons and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as nurse assistants (including supervisory nurse assistants); provided this exception shall not apply to persons primarily engaged in social welfare counselling;

xiv. Except in the Australian Capital Territory, persons eligible to join the Federated Miscellaneous Workers Union of Australia in accordance with its Rules as at 23.2.87 and employed in benevolent homes, convalescent homes, aged persons or private nursing homes, or other institutions established to provide care for aged sick or infirm persons, and engaged in the provision of accommodation and ancillary services within one of the above establishments, or as personal care assistants whose primary duties are to attend to the physical needs of sick and infirm persons; provided this exception shall not apply to persons primarily engaged in social welfare counselling; and
d. All persons as have been elected or appointed officers of the organisation or any of its branches or Unions registered in any State which are recognised by these Rules as associated bodies.

and

PART VII

The Association shall consist of and is open to an unlimited number of members, who may be employed on the weekly or salaried staff of any shipping company, ship owner, shipping agency, non vessel operating container carrier (NVOCC), ship charterer, ship broker, shipping and/or chartering agency, non vessel operating container carrier (NVOCC) agency, cargo consolidator, shipping conference, classification society, marine consultant or service organisation, travel agency (any business which is involved in wholesale and or retail selling of travel together with ancillary functions), or shipping department or travel department of an employer with other business interests and who are not eligible for membership in any existing registered organisation limiting its membership solely to those employed in the shipping or travel industry together with such other persons whether or not employees in the industry as have been appointed officers of the Association and admitted as members thereof.

and

PART VIII

an unlimited number of persons employed or usually employed by Mission Energy Management Australia Pty Limited at the Loy Yang B Power Station, Victoria.

and

PART IX

Notwithstanding anything to the contrary in Parts I, II, III, IV and V of this rule persons employed by the Roads and Traffic Authority of New South Wales shall not be eligible for membership of the Union.

and

PART X

The Union shall consist of an unlimited number of persons engaged in the business of health insurance with the exception of those persons engaged by the Health Insurance Commission, Commonwealth Bank Health Society or Reserve Bank Health Fund.

and

PART XI

The Union shall consist of an unlimited number of persons engaged by the following building societies:

Illawarra Mutual Building Society Limited (NSW)
Newcastle Permanent Building Society (NSW)
Greater Newcastle Permanent Society Limited (NSW)
The Co-operative Building Society of South Australia Limited and subsidiaries (SA)
Home Building Society (WA)
Suncorp Building Society Limited (Qld)
Ipswich and West Morton Building Society (Qld).
PART XII

The Union shall consist of an unlimited number of persons engaged by the following credit unions:

- Island State Credit Union Co-operative Society Limited (Tas)
- Queensland Country Credit Union (Qld)
- Waterside Workers of Australia Credit Union (NSW)
- Caltex Employees Credit Union (NSW)
- CPS Credit Union Co-operative (ACT)
- Snowy Mountains Credit Union (NSW)
- Australian Central Credit Union (SA)
- CPS Credit Union Limited (SA)
- Power State Credit Union (SA)
- South Australian Police Credit Union (SA)
- Satisfac Direct (SA)
- S.A. Public Service Savings and Loan Credit Union Limited (SA)
- Waterside Workers of Australia Credit Union (SA).

PART XIII

Without limiting the generality of the other Parts of this Rule or being limited thereby, independent contractors who, if they were employees performing work of the kind which they usually perform as independent contractors, would be eligible for membership of the Union, shall be eligible for membership of the Union.

Information contained in the application and supporting documents concerning the reason for the proposal and the effect of the proposal is:

the reason for the proposal:

to enable the ASU to enrol as members independent contractors who, if they were employees performing work of the kind they usually perform as independent contractors, would be eligible for membership of the ASU.

the effect of the proposal:

to extend the eligibility for membership, and the description of industry to enable the ASU to enrol as members independent contractors who, if they were employees performing work of the kind they usually perform as independent contractors, would be eligible for membership of the ASU.

Any interested organisation, registered under the Industrial Relations Act, association or person who desires to object to the application may do so by lodging in the Industrial Registry a written statement within thirty-five (35) days after the publication of this advertisement and by serving on the organisation [whose address for service is: 116-124 Queensberry Street, Carlton South Vic 3053] within seven (7) days after the notice of objection has been lodged, copies of the notice of objection and the written statement so lodged.

M. Kelly
INDUSTRIAL REGISTRAR
commonwealth of Australia Gazette
No. GN 18, 10 May 1995

FORM R10B

Industrial Relations Act 1988

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM WAGE ORDER

IN the matter of:

C No 32278 of 1995

Notice is hereby given-

(a) that on the 12th of April 1995 the Commission has received an application for a minimum wage order in respect of the undermentioned group of employees:

(i) storeworkers, packers or sorters;
(ii) assistants to storeworkers, packers or sorters;
(iii) assemblers, collectors or checkers of goods in course of receipt or despatch;
(iv) employees wiping eggs in any place where eggs are stored, sorted or packed for trade or sale; and
(v) employees engaged in the reception, handling, storage, preparation, bottling, packing and delivery of goods and merchandise and processes and activities incidental or ancillary to such reception, handling, storage, preparation, bottling, packing and delivery including the pulping, testing and/or processing of eggs

in the State of Victoria. (Excluding employees whose terms and conditions of employment are governed by an award of the Australian Industrial Relations Commission or an agreement certified or approved by the Commission.)

(b) that the matter will be heard at 4.00pm on 16 May 1995 at 80 Collins Street, Melbourne before a full bench of the Commission;

(c) that each trade union whose rules entitle it to represent the industrial interests of any of the employees concerned and each organisation or association representing employers of any of those employees and wishing to express their views is invited to attend the Commission on the abovementioned date; and

(d) that any employer of employees to be covered by the order and wishing to be heard in relation to the making of the order is invited to attend the Commission on the abovementioned date.

A copy of the application may be inspected at the Australian Industrial Registry at Level 35, Nauru House, 80 Collins Street, Melbourne, free of charge.

Deputy Industrial Registrar, Victoria
FORM R10B

Industrial Relations Act 1988

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM WAGE ORDER

IN the matter of:

C No 32279 of 1995

Notice is hereby given-

(a) that on the 12th of April 1995 the Commission has received an application for a minimum wage order in respect of the undermentioned group of employees:

The process, trade, business or occupation of a person or persons or classes of persons (by whatever name called) employed wholly or principally in clerical work which may include administrative duties of a clerical nature in the State of Victoria, but excluding:

(i) any person who is a proprietor, director or manager or a person to whom he or she has delegated the right to engage and terminate the employment of his or her employees.

(ii) any person employed by a banking company, insurance company or trustee company.

(iii) any employee whose terms and conditions of employment are governed by an award of the Australian Industrial Relations Commission or an agreement certified or approved by the Commission.

(b) that the matter will be heard at 4.00pm on 16 May 1995 at 80 Collins Street, Melbourne before a full bench of the Commission;

(c) that each trade union whose rules entitle it to represent the industrial interests of any of the employees concerned and each organisation or association representing employers of any of those employees and wishing to express their views is invited to attend the Commission on the abovementioned date; and

(d) that any employer of employees to be covered by the order and wishing to be heard in relation to the making of the order is invited to attend the Commission on the abovementioned date.

A copy of the application may be inspected at the Australian Industrial Registry at Level 35, Nauru House, 80 Collins Street, Melbourne, free of charge.

Deputy Industrial Registrar, Victoria

9501129
NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

1. RODERICK BATTERSBY, delegate of the Comptroller-General of Customs, hereby specify, pursuant to s161J of the Customs Act 1901, that the amounts set out in Columns 3 to 9 hereunder are the ruling rates of exchange, on the dates specified, for the purposes of ascertaining the value of imported goods under the provisions of Division 2 of Part VIII of the Customs Act 1901.

<table>
<thead>
<tr>
<th>SCHEDULE</th>
<th>(Foreign Currency = AUS $1)</th>
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NOTICE OF RATES OF EXCHANGE - S16J CUSTOMS ACT 1901

I, RODERICK BATTERSBY, delegate of the Comptroller-General of Customs, hereby specify, pursuant to s16J of the Customs Act 1901, that the amounts set out in Columns 3 to 9 hereunder are the ruling rates of exchange, on the dates specified, for the purposes of ascertaining the value of imported goods under the provisions of Division 2 of Part VIII of the Customs Act 1901.

SCHEDULE

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Customs Act 1901
Notice Under Section 17(b)
Notice Number: NM 95/20

I Alan Leslie Walsh pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and by the power to revoke in section 17(b) of the Customs Act 1901 under section 33(3) of the Acts Interpretation Act 1901 hereby:

revoke the appointment of the premises for the examination of goods on landing known as Pace Express P/L at Unit 1, 476 Gardeners Road, Mascot, NSW 2020 that was contained in Notice No NM 89/01 and which appeared in the Commonwealth of Australia Gazette No GN 42 of 1989.

Dated this 19th day of April 1995

Senior Manager Control Operations

9501132
I, Gary Hearn, pursuant to a delegation under Section 4(2) of the Customs Administration Act 1985 and under a power of appointment in Section 17(b) of the Customs Act 1901 hereby:

appoint as a place for the examination of goods on landing the premises known as Secon Carriers Pty Ltd at 280/282 Blackshaws Road, North Altona, Victoria, and described on plan No VS/9503 held by the Senior Inspector, Border Management, Customs House, Melbourne.

Dated this ................day of April .........................1995

Senior Manager
Sea Operations
Border Management
VICTORIA
COMMONWEALTH OF AUSTRALIA

CUSTOMS ACT 1901

APPOINTMENT UNDER SECTION 17 (b)
APPOINTMENT NOTICE NUMBER VS/9502

I, Gary Hearn, pursuant to a delegation under Section 4(2) of the Customs Administration Act 1985 and under a power of appointment in Section 17(b) of the Customs Act 1901 hereby:

appoint as a place for the examination of goods on landing the premises known as Neptune Continental Pty Ltd trading as Inflex Shipping Services at 59/61, Edward Street, Brunswick, Victoria, and described on plan No VS/9502 held by the Senior Inspector, Border Management, Customs House, Melbourne.

Dated this ......... day of ........................................... 1995

Senior Manager
Sea Operations
Border Management
VICTORIA
COMMONWEALTH OF AUSTRALIA

CUSTOMS ACT 1901

NOTICE UNDER SECTION 17(b)
NOTICE NUMBER: VSR/9503

I, Gary Hearn, pursuant to a delegation under Section 4(2) of the Customs Administration Act 1985 and by a power to revoke in Section 17(b) of the Customs Act 1901 under Section 33(3) of the Acts Interpretation Act 1901 hereby:

revoke the appointment of the premises for the examination of goods on landing known as Oswalds Freight Services that was contained in Notice No. VS/9302 and which appeared in the Commonwealth of Australia Gazette No GN 20 of 1993

Dated this 27th day of 1995

Gary Hearn
SENIOR MANAGER,
Sea Operations
BORDER MANAGEMENT
VICTORIA.
Customs Act 1901
Notice Under Section 17(b)
Notice Number: Q95/07

I, Patricia Ann Anderson, pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and under a power of appointment in Section 17(b) of the Customs Act 1901 hereby:

appoint as a place for the examination of goods on landing the premises known as Ansett Wridgways, 32 Murdoch Circuit, Acacia Ridge, Brisbane. and described on plan contained within file Q92/4263 held by Senior Inspector Cargo Services, Brisbane

Dated this 28th day of April 1995.

[Signature]
Manager Sea Cargo
I, Peter Michael GERRY, Delegate of the Comptroller-General of Customs, in pursuance of Paragraph (b) of Section 17(b) of the Customs Act 1901, hereby appoint the places identified in the following Schedule as places for the examination of goods on landing.

Dated this Twenty-second day of January, 1995.

(Peter Michael GERRY)
Regional Manager
Barrier Control
Queensland

---

**THE SCHEDULE**

<table>
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<tr>
<th>PLACE NAME</th>
<th>LOCATION</th>
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<tbody>
<tr>
<td>Tong Sing Pty Ltd</td>
<td>That part of the property which is indicated by hatching on Scale Drawing attached to 092/5310 held by Senior Inspector Cargo Operations, Australian Customs Service, Brisbane, and is situated at premises known as 169–175 Spence Street, Cairns, Q4870.</td>
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9501135
Commonwealth of Australia
Customs Act 1901
Revocation of Appointment
under Section 17(b)

REVOCATION NOTICE

I, Peter Michael GERRY, Delegate of the Comptroller-General of Customs, hereby revoke from the Schedule to Customs Appointment Notice No Q90/06

TONG SING PTY LTD
96 HARTLEY STREET
CAIRNS

originally appointed for the examination of goods on landing under Section 17(b) of the Customs Act 1901.

Dated this Twenty-eighth day of January 1993.

(P.M. GERRY)
Regional Manager
Barrier Control
Queensland
I, ROBERT BRUCE WEYMOUTH pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and by a power to revoke in section 17(b) of the Customs Act 1901 under section 33(3) of the Acts Interpretation Act 1901 hereby:

revoke the appointment of the premises for the examination of goods on landing known as TNT Contrans at 250 Churchill Rd Prospect SA 5082 that was contained in Notice No 9202036 and which appeared in the Commonwealth of Australia Gazette No GN 3 of 22 January 1992.

Dated this 20th day of April 1995

Regional Manager Border

9501137
Land Fund and Indigenous Land Corporation (ATSIC Amendment) Act 1995

PROCLAMATION

I, GENERAL SIR PHILLIP HARVEY BENNETT, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2(1) of the Land Fund and Indigenous Land Corporation (ATSIC Amendment) Act 1995, fix 1 June 1995 as the day on which that Act commences.

Signed and sealed with the Great Seal of Australia on

Administrator

By His Excellency’s Command,

Minister for Aboriginal and Torres Strait Islander Affairs
I, NEIL PATRICK O'KEEFE, for the Minister for Transport, acting under subsection 43A(1) of the Interstate Road Transport Act 1985, HEREBY:

(a) REVOKE all previous determinations made under subsection 43A(1) of the Interstate Road Transport Act 1985 insofar as they are determined roads or categories of roads as a route for the carriage of passengers or goods between prescribed places or for any purpose that is incidental to carriage of that kind; and

(b) DETERMINE that the roads specified in the publications:

(i) '23 metre B-Double Routes - Federal Interstate Registration Scheme, April 1995'(a publication that is available from the Department of Transport); and

(ii) The New South Wales (NSW) Roads and Traffic Authority publications

- 'Road Train and B-Double Routes in NSW and ACT of April 1994'; and

- 'B-Double Routes in Sydney, Newcastle and Wollongong of April 1994';

(publications that are available from the NSW Roads and Traffic Authority)

are to be routes for the carriage of passengers or goods between prescribed places or for any purpose that is incidental to carriage of that kind.

Dated 27 April 1995

NEIL PATRICK O'KEEFE
for the Minister for Transport

Determination RTB95/03
COMMONWEALTH OF AUSTRALIA

INTERSTATE ROAD TRANSPORT ACT 1985

DETERMINATION OF CONDITIONS OF OPERATION
UNDER SUBSECTION 43A(2)

I, NEIL PATRICK O'KEEFE, for the Minister for Transport, acting under subsection 43A(2) of the Interstate Road Transport Act 1985, determine that operations on the following Federal routes will be subject to the conditions specified in the attached schedule.

Dated 27th April 1995

NEIL PATRICK O'KEEFE
for the Minister for Transport

Determination RTB95/04
SCHEDULE

FEDERAL INTERSTATE REGISTRATION SCHEME

FEDERAL B-DOUBLE ROUTES

CONDITIONS OF OPERATION UNDER SUBSECTION 43A(2)

SOUTH AUSTRALIA

Route: Mt Barker Road between Crafers and Glen Osmond, South Australia.

Condition: B-Doubles carrying dangerous goods on Mt Barker Road be fitted with an anti-lock braking system on all axle groups in accordance with the specified technical requirements of the Department of Transport, South Australia.

Route: Sturt Highway between Gawler and Renmark.

Condition: Gross mass not to exceed 42.5 tonnes on the Blanchetown Bridge.

NEW SOUTH WALES

Route: Main Road 222 between Tooleybuc and Piangil.

Condition: There will be no more than one B-Double on the bridge over the Murray River at any one time.

Route: Denman - Mt Thorley Road between MR209 at Denman and Putty Road (MR503) near Mt Thorley.

Condition: Only one B-Double to be on Bowmans Bridge at any time.

Route: Main Road No 278 between Gundagai/Tumut Council Boundary at Tumormara and Overhead 132kv transmission line south of Adjumbilly Ck.

Condition: a) No operation during winter or wet weather

b) an 80km per hour speed limit to be observed
c) No operation during the hours when school buses are being used on the road.

Access to terminals via local roads is subject to Council concurrence and their written approval must be sought.

Route: Epping Road, Beecroft Road between Blaxland Road and Carlingford Road.
Condition: curfews 6-10am & 3-7pm.

LIVERPOOL CITY

Route: Heathcote Road between Newbridge Rd via Subway and MM Cables.
Condition: No left turn from Newbridge Rd eastbound.

AUBURN COUNCIL

Route: Gifford St between Silverwater Rd and Smorgans Plastics.
Condition: Left turn only at Silverwater Rd.
Route: Derby St between Silverwater Rd and Overnighters.
Condition: Left turn only at Silverwater Rd.

HOLROYD CITY

Route: Sturt St, McCredie Rd, Fairfield Rd, Dursley Rd, Pine Rd, Loftus St, Norrie St, Kiora Cres between Cumberland Hwy and Comalco.
Condition: No right turn from Sturt St to Cumberland Hwy.

BLACKTOWN CITY

Route: Riverstone Pde between Garfield Rd and Riverstone Meatworks.
Condition: Westbound only.

BAULKHAM HILLS COUNCIL

Route: Victoria Ave, Packard Ave, Hoyle Ave starting at Windsor Rd, Castle Hill.
Condition: 4pm to 7pm only.
NEWCASTLE

Route: Approved federal routes in Newcastle.

Conditions: Access to Hannell Street, Wickham via Railway Street is only available to B-Doubles with a destination along Hannell Street or Industrial Drive.

Time Limits

Hunter Street (State Highway 10) between Railway Street and Selma Street and Selma Street between Hunter Street (State Highway 10) and Donald Street (Main Road 82) may not be used by B-Doubles between 3.30pm and 5.30pm weekdays. During this curfew period the approved alternative inwards routes as set out below is to be adhered to:-

Railway Street, Newcastle West
Left into Hunter Street (State Highway 10)
Right into Stewart Avenue (State Highway 10)
Right into Parry Street (Main Road 82)
Into Donald Street (Main Road 82).

Old Maitland Road, Hexham is not available to B-Doubles between 2pm and 5pm Saturdays.

Load Limit

Only one B-Double is to be on Tourle Street Bridge, Kooragang Island, Newcastle at one time.
NOTIFICATION OF THE MAKING OF ORDERS UNDER THE CIVIL AVIATION REGULATIONS

Notice is hereby given that the following amendment to Civil Aviation Orders Part 105 will become effective on 10 May 1995.

AD/HS-125/151 - APU FUEL FEED HOSE ASSEMBLIES

Copies of the above Orders are available for inspection and may be purchased over the counter from the:

Civil Aviation Authority
Publications Centre
607 Swanston Street
CARLTON SOUTH VIC 3053

or by mail from:

Civil Aviation Authority
Publications Centre
PO Box 1986
CARLTON SOUTH VIC 3053
NOTIFICATION OF THE MAKING OF ORDERS UNDER THE CIVIL AVIATION REGULATIONS

Notice is hereby given that the following amendment to Civil Aviation Orders Part 106 will become effective on 10 May 1995.

AD/CON/74 - TURBOCHARGER OIL OUTPUT CHECK VALVE

Copies of the above Orders are available for inspection and may be purchased over the counter from the:

Civil Aviation Authority
Publications Centre
607 Swanston Street
CARLTON SOUTH VIC 3053

or by mail from:

Civil Aviation Authority
Publications Centre
PO Box 1986
CARLTON SOUTH VIC 3053
Notice is hereby given in pursuance of section 4A of the *International Tax Agreements Act 1953* that the agreement between Australia and New Zealand for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income (being the agreement a copy of which is set out in Schedule 4 of that Act) entered into force in accordance with Article 28 of that agreement on 29 March 1995.

Dated this 3rd day of April 1995.

Ralph Willis  
Treasurer
AUSTRALIAN TAXATION OFFICE

HIGHER EDUCATION FUNDING ACT 1988

Factor to Index an Accumulated HEC Debt

I, Rick Matthews, delegate of the Commissioner of Taxation, hereby notify, pursuant to subsection 106N(9) of the Higher Education Funding Act 1988, that 1.025 is the factor to be used for the indexing of accumulated HEC debts on 1 June 1995.

Dated this 2nd day of May 1995
Superannuation Industry (Supervision) Act 1993

TEMPORARY MODIFICATION DECLARATION No 14

I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, under subsection 333(1) of the Superannuation Industry (Supervision) Act 1993 (the "Act"), DECLARE that:

1. **Division** 2 of Part 1 of the Act is to have effect, in relation to superannuation entities, their trustees, investment managers and custodians, disqualified persons, and persons affected by a decision of the Commissioner, as if it were modified by inserting after paragraph (r) of the definition of "reviewable decision" in section 10 the following:

   “(ra) a decision of the Commissioner under subsection 126C(3) to otherwise allow, or not to otherwise allow; or
   (rb) a decision of the Commissioner under subsection 126C(5); or
   (rc) a decision of the Commissioner under subsection 126D(4); or
   (rd) a decision of the Commissioner under subsection 126D(5) to determine conditions, or not to determine conditions; or
   (re) a decision of the Commissioner under subsection 126D(6) to excuse, or not to excuse, a contravention of a condition; or
   (rf) a decision of the Commissioner under subsection 126F(3) to ask an applicant to pay fees; or
   (rg) a decision of the Commissioner under subsection 126F(4) to give, or not to give, consent; or ”

2. **Part** 15 of the Act is to have effect, in relation to superannuation entities, their trustees, investment managers and custodians, and disqualified persons, as if it were modified:
By adding after section 119 the following:

"Provisions are subject to sections 126D and 126E

119A. The prohibitions and requirements in subsections 121(1), 121(2), 126(1), 126(3), 126(4), 126A(1), 126A(3) and 126A(4) are subject to subsections 126C(5) and 126D(4) and section 126E."

By adding "without reasonable excuse," after "must not" in subsection 126(3)

By adding "without reasonable excuse," after "must not" in subsection 126A(3)

By adding after section 126A the following:

"126B. Interpretation

In sections 126C, 126D, 126E and 126F:

(a) "corporate custodian" means a body corporate that is a custodian of a superannuation entity;

(b) "corporate investment manager" means a body corporate that is an investment manager of a superannuation entity;

(c) "corporate trustee" means a body corporate that is a trustee of a superannuation entity;

(d) "court" means a Commonwealth, State, Territory or foreign court;

(e) "custodian" means a custodian of a superannuation entity;

(f) "investment manager" means an investment manager of a superannuation entity;

(g) "offence of dishonesty" means an offence in respect of dishonest conduct;

(h) "trustee" means a trustee of a superannuation entity;

(i) a reference to a person being a trustee, investment manager, custodian or responsible officer includes a reference to the person acting as (respectively) a trustee, investment manager, custodian or responsible officer;

(j) a reference to a person having been convicted of an offence includes a reference to an order having been made in respect of the person under section 19B of the Crimes Act 1914, or under a corresponding provision of a law of a State, a Territory or a foreign country, in relation to the offence.

[NOTE: Section 19B of the Crimes Act 1914 allows a court to find an offence proved against a person but to either dismiss the charge against the person or discharge the person without proceeding to conviction. The court may impose a good behaviour bond or other conditions.]
126C. Waiver of disqualified person status

Making an application

(1) An individual who is a disqualified person as a result of having been convicted of an offence of dishonesty (in this section called the "applicant") may make an application to the Commissioner for a declaration under subsection (5) waiving the individual's disqualified person status (in this section called an "application").

[NOTE: By virtue of section 23 of the Acts Interpretation Act 1901, words in the singular include the plural. "Offence" in this section and in sections 126D, 126E and 126F includes "offences". An application under this section must relate to all the offences of dishonesty of which the applicant has been convicted.]

(2) An application may include, as part of the same document, an application under subsection 126D(1) for a period of grace (in which case the application must also comply with paragraphs 126D(3)(c), (d) and (e)).

(3) Unless the Commissioner otherwise allows, an application must:

(a) be in writing; and

(b) identify the offence; and

(c) be accompanied by copies of the following documents relating to the court proceedings in which the applicant was convicted of the offence:

(i) the information or indictment against the applicant;

(ii) the transcript of the proceedings;

(iii) witness statements and affidavits;

(iv) the court's judgment and orders;

(v) the court's reasons for judgment; certified to be true copies by the clerk or registrar of the court; and

(d) contain a consent by the applicant to the Commissioner making any inquiries about the applicant of any police force, law enforcement or regulatory agency or court; and

(e) be signed by the applicant.

(4) If an individual is not reasonably able to obtain some or all of the documents mentioned in paragraph (3)(c) within 14 days after becoming aware that he or she is a disqualified person, he or she:

(a) may lodge an application which is not accompanied by all of the documents; and

(b) must, unless the Commissioner otherwise allows, give the Commissioner the outstanding documents as soon as practicable after lodging the application.
Deciding an application

(5) If, after receiving an application, the Commissioner is satisfied that, having regard to any of the following:

(a) the general nature of the offence to which the application relates;
(b) the triviality of the offence;
(c) the time that has elapsed since the applicant committed the offence;
(d) the applicant's age when the applicant committed the offence;
(e) the penalty imposed and the orders made by the court that dealt with the applicant in relation to the offence;
(f) any other relevant fact or matter;

the applicant is highly unlikely to pose any prudential risk to superannuation entities, the Commissioner may, by writing given to the applicant, make a declaration that, despite subparagraph 120(1)(a)(i), the applicant's conviction of the offence does not make the applicant a disqualified person for the purposes of this Part. If the Commissioner decides not to make such a declaration, the Commissioner must give the applicant a notice of refusal to make a declaration.

[NOTE: Notwithstanding the declaration, the applicant will still be a disqualified person for the purposes of this Part if the applicant:

• has a conviction for an offence of dishonesty which the applicant did not include in his or her application under subsection (1); or
• is convicted of another offence of dishonesty after the making of the declaration; or
• has had a civil penalty order made against him or her, or has such an order made against him or her after the making of the declaration (see subparagraph 120(1)(a)(ii)); or
• is an insolvent under administration, or becomes one after the making of the declaration (see paragraph 120(1)(b)).]

Applicant must resign if application refused

(6) If the Commissioner gives an applicant a notice of refusal to make a declaration, the applicant must resign from being a trustee, investment manager or custodian and from being a responsible officer of any corporate trustee, corporate investment manager or corporate custodian:

(a) immediately; or
(b) if the Commissioner has granted the applicant a period of grace under subsection 126D(4) - before the end of the period of grace.

(7) Immediately after so resigning, the applicant must confirm to the Commissioner in writing that he or she has resigned.

[NOTE: Even if an applicant lodges his or her application within the time limit specified in section 126E, as soon as the applicant is given a notice of refusal to make a declaration, both the applicant and any body corporate of which the applicant is a responsible officer immediately become subject once again to all the prohibitions relating to disqualified persons contained in sections 121, 126 and 126A. Subsection 126F(5) sets out a consequence of a failure to comply with subsection (6) or (7).]
Grant of a period of grace to disqualified persons

Making an application

(1) An individual who is a disqualified person as a result of having been convicted of an offence of dishonesty (in this section called the “applicant”) may make an application to the Commissioner for the grant of a period of grace under subsection (4) (in this section called an “application”).

[NOTE: An application under this section must relate to all the offences of dishonesty of which the applicant has been convicted - see the Note to subsection 126C(1).]

(2) An application may be included in the same document as an application under subsection 126C(1) for a declaration waiving disqualified person status.

(3) Unless the Commissioner otherwise allows, an application must:
   (a) be in writing; and
   (b) identify the offence; and
   (c) identify each superannuation entity of which the applicant is a trustee, investment manager or custodian; and
   (d) identify each corporate trustee, corporate investment manager and corporate custodian of which the applicant is a responsible officer; and
   (e) say why the applicant should be granted a period of grace; and
   (f) contain a consent by the applicant to the Commissioner making any inquiries about the applicant of any police force, law enforcement or regulatory agency or court; and
   (g) be signed by the applicant.

Deciding an application

(4) After receiving an application, the Commissioner may, by writing given to the applicant, grant a period of grace of up to 6 months (calculated from the day the Commissioner received the application), during which the applicant may continue to be:
   (a) a trustee, investment manager or custodian of the superannuation entities; and
   (b) a responsible officer of the corporate trustees, corporate investment managers and corporate custodians;

named in the instrument granting the period of grace. If the Commissioner decides not to grant a period of grace, the Commissioner must give the applicant a notice of refusal to grant a period of grace (except where the Commissioner has given the applicant a declaration under subsection 126C(5) waiving his or her disqualified person status).
6

(5) The grant of a period of grace is subject to any conditions specified in the instrument granting it. The conditions may impose obligations not only on the applicant but also on the applicant’s fellow trustees, investment managers and custodians (if any) and on any corporate trustees, corporate investment managers and corporate custodians of which the applicant is a responsible officer (in which case the Commissioner must give a copy of the instrument to the trustees, investment managers and custodians concerned).

(6) If any condition is contravened, the period of grace automatically comes to an end, unless the Commissioner excuses the contravention in writing.

(7) The Commissioner must not grant a period of grace to an applicant so as to permit the applicant to continue to be the sole trustee of a superannuation entity.

**Applicant must resign if application refused**

(8) If the Commissioner gives an applicant a notice of refusal to grant a period of grace, the applicant must immediately resign from being a trustee, investment manager or custodian and from being a responsible officer of any corporate trustee, corporate investment manager or corporate custodian.

(9) Immediately after so resigning, the applicant must confirm to the Commissioner in writing that he or she has resigned.

**NOTE:** Even if an applicant lodges his or her application within the time limit specified in section 126E, as soon as the applicant is given a notice of refusal to grant a period of grace, or as soon as the period of grace granted to the applicant comes to an end, both the applicant and any body corporate of which the applicant is a responsible officer immediately become subject once again to all the prohibitions relating to disqualified persons contained in sections 121, 126 and 126A. Subsection 126F(5) sets out a consequence of a failure to comply with subsection (8) or (9).]

126E. **Application has to be made within 14 days after becoming aware of disqualified person status**

*If an individual who is a disqualified person as a result of having been convicted of an offence of dishonesty makes an application under subsection 126C(1) or 126D(1) (or both) in relation to the offence either:

(a) before 10 June 1995; or

(b) within 14 days after becoming aware that he or she is a disqualified person because of the offence; then* the prohibitions and requirements in subsections 121(1), 121(2), 126(1), 126(3), 126(4), 126A(1), 126A(3) and 126A(4), insofar as they apply in relation to the individual because of the offence, are taken not to apply in relation to the individual between the time when he or she became a disqualified person because of the offence and the time when the Commissioner decides the application.
[NOTE: It is important that disqualified persons who wish to apply under section 126C or 126D lodge their application within the time limits stated in the first part of this section, in order to secure the protection afforded by this section, both for themselves and for the corporate trustees, investment managers and custodians that employ them as responsible officers.]

126F. Applications - Commissioner's powers to seek further material, and general matters

(1) In this section:

“application” means an application under subsection 126C(1) or 126D(1) (or both); and

“applicant” means an individual making an application under subsection 126C(1) or 126D(1) (or both).

Commissioner may ask for further information or consents

(2) If, to decide an application, the Commissioner needs:

(a) further information or material; or
(b) the applicant's consent to the Commissioner making any inquiries about the applicant of another person;

the Commissioner may ask the applicant to provide the information, material or consent.

Applicant must pay for certain inquiries

(3) The Commissioner may ask an applicant to pay the fees charged by any police force, law enforcement or regulatory agency or court for answering any inquiry by the Commissioner about the applicant. Without limiting any of the Commissioner's powers, if the applicant fails to comply with the request, the Commissioner may decide not to make a declaration under subsection 126C(5), or grant a period of grace under subsection 126D(4), in respect of the applicant.

Repeat applications cannot be made without Commissioner's consent

(4) If an individual makes an application to the Commissioner in relation to an offence of dishonesty, the individual cannot make a subsequent application in relation to the same offence except with the Commissioner's written consent.

If applicant does not resign, Commissioner may tell body corporate

(5) Without limiting any of the Commissioner's powers, if an applicant does not comply with subsection 126C(6), 126C(7), 126D(8) or 126D(9), the Commissioner may tell any corporate trustee, corporate investment manager or corporate custodian of which the applicant is a responsible officer that the applicant is a disqualified person.
Commissioner may decide application without waiting for relevant material

(6) Nothing in this section or in sections 126C or 126D prevents the Commissioner from deciding an application before some or all of the requirements in subsections 126C(3), 126C(4), 126D(3), 126F(2) and 126F(3) have been complied with.

Commissioner must give reasons for decisions

(7) The Commissioner must give an applicant written reasons for a decision under subsection 126C(5) or 126D(4). The reasons need not disclose any information received from a police force or law enforcement or regulatory agency that might prejudice law enforcement or the effective performance of the functions of the force or agency concerned."

3. Section 344 of the Act is to have effect, in relation to superannuation entities, their trustees, investment managers and custodians, disqualified persons, and persons affected by a decision of the Commissioner, as if it were modified by adding “(ra), (rb), (rc), (rd), (re), (rf), (rg),” after “paragraph (c), (d), (q), (r),” in subsection 344(12)

This declaration:

i. is taken to have commenced to have effect on 1 December 1993;

ii. has no effect after 30 June 1996.

Dated 2 May 1995

F G H Pooley
Commissioner
Superannuation Industry (Supervision) Act 1993

EXPLANATORY MEMORANDUM

ACCOMPANYING

TEMPORARY MODIFICATION DECLARATION No 14

PURPOSE OF THE DECLARATION

1. The purpose of temporary modification declaration number 14 is to authorise the Commissioner to:
   - make written declarations waiving the disqualified person status under Part 15 of the Superannuation Industry (Supervision) Act 1993 (the "Act") of persons with minor dishonesty convictions, which will enable such persons to be trustees, investment managers and custodians of superannuation entities and responsible officers of corporate trustees, investment managers and custodians of superannuation entities; and
   - permit persons who are disqualified persons under Part 15 of the Act as a result of having been convicted of an offence involving dishonesty to continue to act as trustees, investment managers and custodians and as responsible officers of corporate trustees, investment managers and custodians, for up to six months without the person, or, where the person is a responsible officer of a body corporate, the body corporate, being liable to penalty.

2. The declaration also makes the defence of "reasonable excuse" available to persons charged with breaching subsections 126(3) and 126A(3).

REASON FOR THE DECLARATION

3. The purpose of the disqualified person provisions in Part 15 of the Act is to facilitate the prudential management of superannuation entities by, inter alia, prohibiting from being trustees, investment managers or custodians of superannuation entities or responsible officers of corporate trustees, investment managers or custodians individuals whose previous criminal
conduct or present condition of insolvency identifies them as a potential risk to the financial and operational integrity of the entities.

4. Paragraphs 8 to 17 of the explanatory memorandum that accompanied temporary modification declaration number 2 explained the Commissioner's hesitation in using the temporary modification power in section 333 to modify the disqualified person provisions. As was pointed out in that explanatory memorandum, it is evident that in prohibiting disqualified persons from being trustees, investment managers and custodians of superannuation entities and from taking part in the governance of corporate trustees, investment managers and custodians, Parliament came down heavily on the side of protecting people's retirement savings from prudential risk, even at the expense of visiting some harsh consequences on individuals.

5. However, the disqualified person provisions also disqualify persons with minor convictions that occurred many years ago even in circumstances where any reasonable observer would conclude that the conviction concerned is not relevant to the likelihood of the person acting prudently and honestly in the future. The Commissioner considers that it would be inconsistent with the SIS legislation's object of encouraging skilled and experienced persons to act as trustees of (or other service providers to) superannuation entities if a previous minor indiscretion were to prevent them from acting in that capacity.

BACKGROUND

6. Part 15 of the Act (which contains sections 119 to 127) sets out rules about the eligibility of trustees, investment managers and custodians of superannuation entities. "Superannuation entity" is defined in section 10 of the Act as a regulated superannuation fund, approved deposit fund or pooled superannuation trust.

7. Section 120 of the Act defines disqualified persons both in relation to individuals and bodies corporate. An individual is a disqualified person if he or she has been convicted of an offence in respect of dishonest conduct (whether in Australia or overseas), or has had a civil penalty order made against him or her, or is an insolvent under administration. A body corporate is a disqualified person if a responsible officer of the body corporate is (and has been for the preceding 28 days) a disqualified person, or if a receiver, receiver manager, official manager, deputy official manager or provisional liquidator has been appointed to the body corporate, or if the body corporate has begun to be wound up.

8. A "responsible officer" in relation to a body corporate is defined in section 10 of the Act as a director, secretary or executive officer of the body corporate. An "executive officer" is defined in section 10 as a person, by
whatever name called and whether or not a director, who is concerned, or takes part, in the management of a body corporate.

9. Under subsection 120(3), an order under section 19B of the Crimes Act 1914 or under a corresponding provision of a law of a State, Territory or foreign country against a person in respect of an offence is taken, for the purposes of section 120, to be equivalent to the conviction of the person of the offence. (Section 19B makes provision for an offence to be found proved against a person without a conviction being recorded.)

10. Subsection 121(1) prohibits disqualified persons from being or acting as trustees of superannuation entities if they know they are disqualified persons.

11. Subsection 121(2) prohibits a body corporate that is a trustee of a superannuation entity from permitting, without reasonable excuse, a person to be or act as a responsible officer of the body corporate if it knows, or has reasonable grounds to suspect, that the person is a disqualified person.

12. Subsections 126(1) and 126A(1), when read together with subsections 126(4) and 126A(4), prohibit disqualified persons from being or acting as, respectively, investment managers and custodians of superannuation entities if they know that they are disqualified persons. However, under subsections 126(2) and 126A(2) this prohibition does not apply if:
   • the disqualified person immediately tells the Commissioner and the trustee of the entity that the person is disqualified; and
   • the disqualified person only acts as investment manager or custodian of the entity:
     - for a 28 day period from the time the person became disqualified or the beginning of the entity’s 1994-95 year of income, whichever is the later; or
     - for such longer period as the Commissioner allows.

13. Paragraph 123(1)(a) and section 125 require the custodian and investment manager, respectively, of a superannuation entity (other than an excluded fund) to be a body corporate.

14. Section 10 defines an "excluded fund" as an excluded superannuation fund or an excluded approved deposit fund. An excluded superannuation fund is defined in section 10 as a regulated superannuation fund with four or less members; an excluded approved deposit fund is defined in the same section as an approved deposit fund with only one member that satisfies the conditions set out in the regulations.

15. Subsection 126(3) prohibits a body corporate that is an investment manager of a superannuation entity from permitting a disqualified person to be or act as a responsible officer of the body corporate if the body
corporate knows, or has reasonable grounds to suspect, that the person is a disqualified person.

16. **Subsection 126A(3)** prohibits a body corporate that is a custodian of a superannuation entity from permitting a disqualified person to be or act as a responsible officer of the body corporate if the body corporate knows, or has reasonable grounds to suspect, that the person is a disqualified person.

17. **Section 133** enables the Commissioner to remove or suspend the trustee of a superannuation entity if the trustee is a disqualified person.

**EXPLANATION OF THE DECLARATION**

*The modification of the definition of “reviewable decision” in section 10 and of section 344*

18. Part 1 of the declaration adds new paragraphs (ra) to (rg) to the definition of “reviewable decision” in section 10. The effect of these new paragraphs is to make all the Commissioner’s decisions under sections 126C, 126D and 126F reviewable decisions within the meaning of section 344 of the Act (which provides for the review of decisions both internally by the Insurance and Superannuation Commission and by the Administrative Appeals Tribunal).

19. Part 3 of the declaration modifies subsection 344(12) to ensure that not only a trustee but any other person who is affected by a decision of the Commissioner under section 126C, 126D or 126F is able to seek review of the decision pursuant to section 344.

*Inserting a defence of “reasonable excuse” into sections 126(3) and 126A(3)*

20. Subsection 121(2) allows a corporate trustee that is charged with breaching the subsection to raise the defence of “reasonable excuse”. However, the corresponding prohibitions in subsections 126(3) and 126A(3) do not allow any defence of reasonable excuse. The Commissioner considers it only fair that persons charged with breaching subsections 126(3) and 126A(3) should also be allowed to invoke this defence.

21. Parts 2b and 2c of the declaration therefore insert the words “without reasonable excuse” into subsections 126(3) and 126A(3).

*Sections 126B, 126C, 126D, 126E and 126F*

22. The declaration adds to Part 15 new sections 126B, 126C, 126D, 126E and 126F. These provisions are self-explanatory.
23. **Section 126C** allows the Commissioner to waive the disqualified person status of an applicant, and details the application procedure that must be followed.

24. **Section 126D** allows the Commissioner to grant a period of grace of up to six months to a disqualified applicant during which the applicant may continue to act as a trustee, investment manager or custodian of the superannuation entities specified in the instrument granting the period of grace and as a responsible officer of the corporate trustees, investment managers and custodians specified in that instrument. The applicant must resign from those positions at or before the end of the period of grace.

25. The Commissioner can (and normally will) impose conditions in relation to an applicant when the Commissioner grants him or her a period of grace (subsection 126D(5)). The main purpose of the conditions will be to place appropriate prudential restrictions on the applicant and to require various prudential safeguards and precautions to be observed during the period of grace by both the applicant and the applicant's fellow trustees, investment managers and custodians or the corporate trustees, investment managers or custodians of which the applicant is a responsible officer. The Commissioner will normally inform the applicant of the conditions that the Commissioner proposes to impose before imposing them.

26. Breach of the conditions by either the applicant or third parties is not an offence, but results in the period of grace automatically terminating (unless the Commissioner excuses the breach in writing), thereby necessitating that the applicant resign immediately or risk prosecution for acting as a trustee, investment manager, custodian or responsible officer while disqualified. Under subsection 126D(6) the Commissioner can excuse a breach either before or after it occurs.

27. **Section 126E** protects disqualified applicants (and the bodies corporate that employ them as responsible officers) from prosecution under the disqualified person provisions of Part 15 in respect of the period between the time they became disqualified and the time their application under section 126C or 126D is decided, if they lodge their application within 14 days after becoming aware that they are disqualified (or before 10 June 1995).

28. **Section 126F** contains various provisions relating to applications under section 126C and 126D. Note in particular subsection 126F(5), which confirms that the Commissioner may inform the corporate trustee, investment manager or custodian of which the applicant is a responsible officer that the applicant is a disqualified person, if the applicant does not resign after the Commissioner has given the applicant a notice of refusal to make a declaration of waiver or to grant a period of grace.
GENERAL ISSUES

The circumstances in which the power to waive disqualification will be exercised

29. The power to waive disqualification conferred by section 126C is only intended to be used where it can safely be concluded that the applicant's conviction of the offence involving dishonest conduct is irrelevant to his or her ability to perform in a prudent and honest fashion the duties of a trustee, investment manager or custodian, or of a responsible officer of a corporate trustee, investment manager or custodian. The power will usually only be exercised where the offence concerned is genuinely trivial and occurred a long time ago, eg when the perpetrator was not yet an adult.

The Commissioner will accept the verdict and findings of the court

30. It should be noted that when exercising the power of waiver in section 126C the Commissioner will accept at face value the conviction of the applicant by an Australian court and the findings and comments of the judge or magistrate. The Commissioner will not act as a kind of court of appeal where applicants can challenge the propriety or validity of their convictions or sentences. This is not the Commissioner's role.

The circumstances in which the Commissioner will grant a period of grace

31. The power in section 126D to allow a period of grace of up to six months to a disqualified person will normally be exercised where the individual concerned plays an important role in relation to the management of the trustee, investment manager, custodian or body corporate concerned such that the immediate resignation or dismissal of the individual from his or her post could cause substantial disruption to the superannuation entity or entities with which the individual is involved, and where the Commissioner is satisfied that allowing a period of grace to the individual will not subject the superannuation entity or entities to undue prudential risk.

Applicants can apply for both a waiver of disqualification and a period of grace in the one application

32. Individuals can apply for a permanent waiver of their disqualified person status under section 126C or (should the Commissioner decide not to grant such a waiver) for a period of grace under section 126D in the one application.
COMMENCEMENT AND DURATION

33. Temporary modification declaration number 14 is taken to have commenced to have effect on 1 December 1993 and, by force of subsection 333(3), will have no effect after 30 June 1996.

2 May 1995

(Published by authority of the Insurance and Superannuation Commissioner)
Superannuation Industry (Supervision) Act 1993

REVOCATION OF TEMPORARY MODIFICATION DECLARATION NO 2

I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, under section 335 of the Superannuation Industry (Supervision) Act 1993, REVOKE temporary modification declaration number 2, which was made on 24 June 1994.

Dated 2 May 1995

F G H Pooley
Commissioner
Superannuation Industry (Supervision) Act 1993

EXPLANATORY MEMORANDUM

ACCOMPANYING

REVOCATION OF TEMPORARY MODIFICATION DECLARATION NO 2

1. Temporary modification declaration number 2 inserted subsection 121(2A) into the Superannuation Industry (Supervision) Act 1993 (the "Act"). The effect of that subsection was to enable the Commissioner to grant a period of grace of up to 6 months to a disqualified person who was a responsible officer of a corporate trustee of a superannuation entity, during which the officer could continue to hold office.

2. The Commissioner has now made temporary modification declaration number 14 which deals with disqualified persons and which, among other things, inserts new sections 126B, 126C, 126D, 126E and 126F into the Act. Section 126D enables the Commissioner to grant a period of grace of up to 6 months to certain disqualified persons; it replaces subsection 121(2A) which was inserted by temporary modification declaration number 2. That temporary modification declaration is therefore now being revoked.

3. The revocation operates from the day that the instrument of revocation is made. However, any period of grace granted by the Commissioner under subsection 121(2A) prior to the date of the instrument of revocation will not be affected by the revocation.

2 May 1995

(Published by authority of the Insurance and Superannuation Commissioner)
FORM 93

NOTICE OF APPLICATION UNDER SECTION 459P OF THE CORPORATIONS LAW
(Order 71, subrule 37/9)

IN THE FEDERAL COURT OF AUSTRALIA
VICTORIAN DISTRICT REGISTRY.

NOTICE OF APPLICATION RELATING TO CARAMADON PTY. LTD.

AUSTRALIAN COMPANY NUMBER: 006 219 807

TWENTY FOURTH COLRO PTY. LTD. (IN LIQUIDATION) will apply to the Federal Court of Australia at 2.15pm on Monday, the 15th May 1995 at 450 Little Bourke Street, Melbourne in Proceedings No: VG 3184 of 1995 for an order that CARAMADON PTY. LTD. ("the Company") be wound up.

The applicant’s address for service is care of Messrs. Jack Cohen, Serry & Co. Level 2, 224 Queen Street, Melbourne (Reference: MR:KO).

Any contributory, member or creditor of the Company may appear at the hearing in person or by counsel or by a solicitor to support or oppose the making of an order to wind up the company.

Any person intending to appear at the directions hearing must file a Notice of Appearance in accordance with Form 79 and an Affidavit verifying any grounds of opposition to the winding up application in accordance with Form 93A and must serve the Notice of Appearance on the applicant at its address for service shown above not later than two (2) days before the day appointed for the hearing.

REF: MR:KO

The following determination has been made under the *Higher Education Funding Act 1988*. A copy can be obtained from the Director, Finance and Legislation Section, Higher Education Division, Department of Employment, Education and Training, 18 Mort Street, Canberra City, A.C.T., 2601, or by telephoning (06) 240 9755.

<table>
<thead>
<tr>
<th>Number/Year</th>
<th>Section</th>
<th>Description</th>
<th>Date Made</th>
</tr>
</thead>
<tbody>
<tr>
<td>T7/95</td>
<td>15</td>
<td>To reimburse HECS revenue for 1994 State funded higher education places</td>
<td>27/4/95</td>
</tr>
</tbody>
</table>
FORM 546

Sub-regulation 5.6.65(1)

CORPORATIONS LAW

NOTICE OF INTENTION TO DECLARE A DIVIDEND

RANCARD PTY LIMITED
(Subject to Deed of Company Arrangement)

A first and final dividend is to be declared on the 6th day of June 1995 for the company.

Creditors whose debts or claims have not already been admitted are required on or before the 23rd May 1995 formally to prove their debts or claims. If they do not, they will be excluded from the benefit of the dividend.

DATED at Adelaide this 28 day of April 1995

[Signature]

Hillary Elizabeth Orr
(Administrator of the Deed)

Hall Chadwick
Chartered Accountant
First Floor
191 Flinders Street
ADELAIDE SA 5000

Telephone: 224 0622
I, ROBERT EDWARD TICKNER, Minister for Aboriginal and Torres Strait Islander Affairs, acting under subsection 202(1) of the Native Title Act 1993, determine that the Goldfields Land Council Aboriginal Corporation is a Representative Aboriginal/Torres Strait Islander body for the area specified in the Schedule.

I am satisfied, in respect of the Goldfields Land Council that:
(a) the body is broadly representative of the Aboriginal peoples or Torres Strait Islanders in the area specified in the Schedule; and
(b) the body satisfactorily performs its existing functions; and
(c) the body will satisfactorily perform its functions under subsection 202(4) of the Native Title Act 1993.

This determination takes effect on the date of publication in the Gazette.

Dated 21st May 1995

[Signature]

Minister for Aboriginal and Torres Strait Islander Affairs
Schedule to Determination No. 5: 1995

Goldfields Land Council area
(based on the ATSIC Wongatha (Kalgoorlie) Regional Council area)

Commencing at the point of intersection of the northern boundary of Dundas Local Government Area (1991) and the South Australia-Western Australia border, and proceeding in a southerly direction along the SA/WA border, and an extension of that border, to the point of intersection with the parallel of Latitude 32° South, then in a south-westerly direction along the geodesic to the point of intersection of Latitude 34° 30' South and Longitude 123° 30' East, then in a westerly direction along the parallel of Latitude 34° 30' South to the point of intersection with the meridian of Longitude 120° 47' East, then in a northerly direction along the geodesic to the point of intersection of the western boundary of Esperance Local Government Area (1991) and the coastline of mainland Australia, then in a generally northerly direction along the western boundary of Esperance LGA (1991) to the point of intersection with the southern boundary of Dundas LGA (1991), then in a westerly direction along the southern and western boundaries of Dundas LGA (1991) to the point of intersection with the western boundary of Coolgardie LGA (1991), then in a northerly direction along the western boundary of Coolgardie LGA (1991) to the point of intersection with the southern boundary of Menzies LGA (1991), then in a generally northerly direction along the western boundary of Menzies LGA (1991) to the point of intersection with the northern boundary of Laverton LGA (1991), then in a generally easterly direction along the northern boundary of Laverton LGA (1991) to the point of intersection with the northern boundary of the Cosmo Newbery Aboriginal Reserve (1991), then in a generally westerly direction along the northern boundary of the Cosmo Newbery Aboriginal Reserve (1991) to the point of intersection with the eastern boundary of White Cliffs Station (1991), then in a southerly direction along the eastern boundary of White Cliffs Station (1991) to the point of intersection with the eastern boundary of Merolia Station (1991), then in a southerly direction along the eastern boundary of Merolia Station (1991) to the point of intersection with the eastern boundary of Mount Celia Station (1991), then in a southerly direction along the eastern boundary of Mount Celia Station (1991) to the point of intersection with the northern boundary of Kirgella Rocks Station (1991), then in a generally southerly direction along the eastern boundary of Kirgella Rocks Station (1991) to the point of intersection with the southern boundary of Menzies LGA (1991), then in a westerly direction along the southern boundary of Menzies LGA (1991) to the point of intersection with the centre line of the Kurnalpi-Pinjin road, then in a south-westerly direction along the centre line of the Kurnalpi-Pinjin road to the point of intersection with the centre line of the road to Six Mile Dam, near Yowie Hill, then in a north-easterly direction along the centre line of that road to the point of intersection with the centre line of the road to Karonie Railway Station at Six Mile Dam, then in a generally southerly direction along the centre line of that road to the point of intersection with the centre line of the railway line to Karonie Railway Station, then in an easterly direction along the centre line of the railway line to the point of intersection with the centre line of the road travelling south at the Black Cat Well, then in a generally south-easterly direction along that road to the point of intersection with the northern boundary of Dundas LGA (1991), then in a generally easterly direction along the northern boundary of Dundas LGA (1991) to the point of commencement.

Note: Tenure information sourced from Western Australia Department of Land Administration's Pastoral Lease Boundaries & Local Authority Boundaries Map, 1991.
NOTIFICATION OF THE MAKING OF STATUTORY RULES
The following Statutory Rules have been made and copies may be purchased at the Commonwealth Government Bookshop, 70 Alinga St, Canberra City, ACT.

<table>
<thead>
<tr>
<th>Act under which the Statutory Rules were made</th>
<th>Description of the Statutory Rules</th>
<th>Year and number of the Statutory Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superannuation Act 1990</td>
<td>Superannuation (PSS) Membership Inclusion Declaration</td>
<td>1995 No. 79</td>
</tr>
</tbody>
</table>
NOTIFICATION OF A REVIEW OF ANTI-DUMPING MEASURES APPLYING TO IMPORTATIONS OF POLYVINYL CHLORIDE HOMOPOLYMER RESIN (PVC), FROM BRAZIL, CANADA, THE PEOPLE'S REPUBLIC OF CHINA, FRANCE, JAPAN, MEXICO, THE KINGDOM OF NORWAY, THE KINGDOM OF SAUDI ARABIA, THAILAND AND THE UNITED STATES OF AMERICA

Anti-dumping measures are currently in place against imports of PVC from all of the above countries. These measures are the result of several anti-dumping inquiries and reviews.

Following a request from Auseon Limited and ICI Australia Operations Pty Ltd the Australian Customs Service (Customs) will commence a review of normal values and non-injurious free-on-board prices applying to imports of PVC from the above countries.

Information submitted by Auseon and ICI, indicates that the cost of vinyl chloride monomer (VCM), the main material input in the production of PVC, has increased significantly since the last review. Further to this Auseon and ICI claim that the increase in price of VCM has, as a consequence, increased the local industry's cost to produce PVC.

The review will commence on 4 May 1995 with an expected completion date of 11 August 1995.

Customs invites interested parties to lodge submissions no later than the close of business on 13 June 1995, with The Director, Dumping Operations 3, Australian Customs Service, Customs House, 5 Constitution Avenue, CANBERRA ACT 2601.

Any inquiries regarding this review may be directed to Anne Robbie, Assistant Director, Dumping Operations 3, on telephone (06) 275 6384 or by facsimile on (06) 275 6990.

Graham Cruttenden
Director Dumping Operations 3
CANBERRA ACT 2601
4 May 1995