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The date of publication of this Gazette is 29 June 1994

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Government Notices issues, published each Wednesday, contain all legislation, proclamations, special information and government departments notices and are sold at \$5.95 each or on subscription of \$295.00 (50 issues), \$150.00 (25 issues).

NOTICES FOR PUBLICATION and related correspondence should be addressed to:

Gazette Officer, Australian Government Publishing Service, GPO Box 4007, Canberra ACT 2601.
Telephone (06) 295 4661

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Except where a standard form is used, all notices for publication must have a covering instruction setting out requirements. A typewritten original or good copies are to be provided, wherever possible double-spaced, with a margin surrounding the typewritten matter. Copy is to be confined to one side of the paper, sheets are to be of uniform size (preferably A4), numbered consecutively and fastened securely together. Dates, proper names and signatures particularly are to be shown clearly.

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AVAILABILITY. The *Gazette* may be purchased by mail from:

Mail Order Sales, Australian Government Publishing Service, GPO Box 84, Canberra ACT 2601

or over the counter from Commonwealth Government Bookshops at:

Adelaide: Level 3, Myer Centre, Rundle Mall
Tel. (08) 213 0144
Brisbane: City Plaza, cnr Adelaide and
George Sts, tel. (07) 229 6822
Canberra: 70 Alinga St, tel. (06) 247 7211
Hobart: 31 Criterion St, tel. (002) 34 1403
Melbourne: 347 Swanston St, tel. (03) 663 3010
Parramatta: Horwood Pl, tel. (02) 893 8466
Perth: 469 Wellington St, tel. (09) 322 4737
Sydney: 32 York St, tel. (02) 299 6737
Townsville: 277 Flinders Mall, tel. (077) 21 5212

Agents:

Albury: DAS Regional Office, 512 Swift St,
tel. (060) 41 3788
Darwin: Northern Territory Government Publish-
ing, 13 Smith St, tel. (089) 89 7152

Commonwealth Acts and Statutory Rules, Australian Capital Territory Ordinances and Regulations, and other Commonwealth Government publications may also be purchased at these addresses.

ALL REMITTANCES should be made payable to;

Collector of Public Moneys, Australian Government Publishing Service.

OTHER ISSUES OF THE GAZETTE

Public Service issues contain notices concerning administrative matters, including examinations, vacancies, transfers and promotions within the Australian Public Service and the Services of the Australian Postal Corporation and Defence Force appointments etc. These issues are published weekly at 10.30 am on Thursday, and sold at \$8.95 each or on subscription of \$395.00 (50 issues), \$206.00 (25 issues) or \$103.00 (12 issues).

Business issues, published each Tuesday, containing Notices under the Corporations Law, Bankruptcy Act and Private Notices and sold at \$4.95 each or on subscription of \$220.00 (50 issues), \$116.00 (25 issues).

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.

Tariff concessions issues contain notices of tariff concessions proposed, granted or revoked in accordance with the provisions of Part XVA of the *Customs Act 1901*. These issues are published each Wednesday and are sold at \$2.95 or on subscription only at \$115.00 for 50 issues including surface postage.

Periodic issues contain lengthy notices of a non-urgent nature, including the following: Australian Public Service conditions of entry and advancement; holders of import licences and tariff quotas; notification by Australian Securities Commission of intention to deregister defunct companies. Issues are made at irregular intervals as required, at individual prices according to size. Advice of availability is given in the

Government Notices and Business issues immediately following the day of publication. Periodic issues are not available on subscription, but standing orders are accepted for all selected issues.

Purchasing and Disposals issues of the *Gazette* provide information on Commonwealth purchases and disposals and other matters of general interest to persons buying from or selling to the Commonwealth. These issues are published each Wednesday and sold at \$3.95 or on subscription of \$220.00 including postage for 50 issues.

Index issues contain references to entries in the Government Notices and the related Special and Periodic issues. Index issues are published quarterly, are available over the counter from Commonwealth Government Bookshops and are supplied without charge to annual subscribers to the Government Notices issues.

Chemicals issues of the *Gazette* provide information on the National Industrial Chemicals Notification and Assessment Scheme (NICNAS). These issues are published monthly and the cost is variable.

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.

Copies may be purchased from Commonwealth Government Bookshops or by mail from the relevant address given on the front page of this *Gazette*.

<i>Gazette number</i>	<i>Date of Publication</i>	<i>Subject</i>
P1	12.1.94	Notice by the Australian Securities Commission of intention to deregister defunct companies.
P2	17.1.94	<i>Great Barrier Reef Marine Park Act 1975</i> . Particulars of permits granted, refused, suspended or revoked for the period 1.9.93 to 30.11.93.
P3	10.2.94	Determination Under Section 66(2) of the <i>Civil Aviation Act 1988</i> .
P4	11.2.94	Tariff Quotas—Quota Transactions Processed in the Period 1 July 1993 to 31 December 1993.
P5	25.2.94	<i>Great Barrier Reef Marine Park Act 1975</i> . Particulars of permits granted, refused, suspended or revoked for the period 1.10.93 to 31.10.93.
P6	8.3.94	<i>Australian Heritage Commission Act 197</i> . Notice of intention to enter places in the register of the National Estate. Notice of decision not to enter places and parts of places in the register of the National Estate. Notice of intention to remove places and parts of places from the register of the National Estate.
P7	4.3.94	Notice by the Australian Securities Commission of intention to deregister defunct companies.
P8	8.3.94	Money or Property Unclaimed by Dissenting Shareholders.
P9	9.3.94	National Food Authority—Amendment No. 19 to the Food Standards Code.
P10	28.3.94	Instruments made under Part VII of the <i>National Health Act 1953</i> .
P11	26.4.94	Notice by the Australian Securities Commission of intention to deregister defunct companies.
P12	5.5.94	<i>Insurance (Agents and Brokers) Act 1984</i>
P13	11.5.94	National Food Authority—Amendment No. 20 to the Food Standards Code.
P14	25.5.94	Money or Property Unclaimed by Dissenting Shareholders.
P15	31.5.94	Conditions of Entry and Advancement in the Public Service Commission
P16	2.6.94	Notice by the Australian Securities Commission of intention to deregister defunct companies.
P17	2.6.94	Commonwealth of Australia <i>Therapeutic Goods Act 1989</i> —Cancellations of Listings and Registrations from the Australian Register of Therapeutic Goods.

Legislation

Act of Parliament assented to

It is hereby notified, for general information, that His Excellency the Governor-General, in the name of Her Majesty, assented on 10 June 1994 to the undermentioned Act passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 70 of 1994—An Act relating to the sale of the Moomba-Sydney pipeline system, and for related purposes. (*Moomba-Sydney Pipeline System Sale Act 1994*).

L M BARLIN

Clerk of the House of Representatives

9402509

Government Departments

Attorney-General

COMMONWEALTH OF AUSTRALIA

CORPORATIONS LAW

DELEGATION OF DISCRETION UNDER SUBSECTION 367 (4)

I, MICHAEL HUGH LAVARCH, Attorney-General:

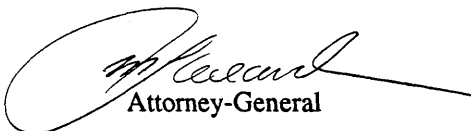
(a) under subsection 1345A (1) of the Corporations Law, delegate to the following officers in the Attorney-General's Department the Minister's power, under subsection 367 (4) of the Corporations Law, to consent to make a name available to a body corporate:

(i) Secretary;

(ii) Deputy Secretary (Position No. 0007); and

(b) under subsection 1345A (2) of the Corporations Law, direct the delegates, in the exercise of the power, to exercise it in accordance with any written guidelines issued by the Minister that are in force.

Dated 7th day of June. 1994.


Attorney-General

9402510

Defence

COMMONWEALTH OF AUSTRALIA

Defence (Special Undertakings) Act 1952

Instrument of Revocation

I, Robert Francis Ray, Minister for Defence, pursuant to sections 6 and 8 of the Defence (Special Undertakings) Act 1952 and subsection 33(3) of the Acts Interpretation Act 1901 HEREBY REVOKE each of the following declarations:

1. Declaration of a special defence undertaking in relation to the Weapons Research Establishment, Salisbury, South Australia, dated 5 April 1956.
2. Declaration of the areas of land described in the Schedule to be prohibited areas, dated 28 April 1980.


SCHEDULE

(i) All that piece of land being portion of Allotments 2 and 3 of L.T.R.O. Deposited Plan 4373 and portion of Allotment 5 of L.T.R.O. filed plan 3212 Hundred of Munno Para State of South Australia as delineated and bounded by bold black lines on the plans lodged in the General Registry Office at Adelaide and numbered 1450 of 1978.

(ii) All that piece of land being portion of Allotment 5 of L.T.R.O. Filed Plan 3212 Hundred of Munno Para State of South Australia as delineated and bounded by bold black lines on the plan lodged in the General Registry Office at Adelaide and numbered 1449 of 1978;

(iii) All that piece of land containing an area of 3720 square metres more or less being portion of Section 183 Hundred of Port Adelaide State of South Australia as delineated on the plan lodged in the General Registry Office at Adelaide and numbered 1376 of 1978.

DATED *Fifteenth June* 1994



ROBERT RAY

Employment, Education and Training

NOTIFICATION OF NON-GOVERNMENT SCHOOLS SEEKING ELIGIBILITY FOR COMMONWEALTH FINANCIAL ASSISTANCE

The following schools have notified their intention to seek eligibility for Commonwealth financial assistance 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
GPO Box 9880
Canberra ACT 2601

VICTORIA

1996

School proposing to commence

School Name:	Mission Possible Inc Camp School
Town/Suburb:	Buxton
School Level:	Primary and junior secondary
Proj enrol in 1996:	P: 10 JS: 10
Max enrolments:	P: 20 JS: 20

9402512

Environment, Sport and Territories

COMMONWEALTH OF AUSTRALIA

OZONE PROTECTION ACT 1989

NOTICE UNDER SUBSECTION 8 (7)
IN RELATION TO THE EXTENSION
OF FINAL CFC QUOTA PERIOD TO 31
DECEMBER 1995

I JOHN PHILIP FAULKNER, Minister
for the Environment, Sport and
Territories, acting under subsection 8 (1)
of the Ozone Protection Act 1989 extend
the CFC quota period that commences
under subsection 8 (2) of the Act on
1 July 1994 until the end of
31 December 1995.

Pursuant to subsection 36 (1) , the
following information on the quotas for
this period is notified:

(a) total quantity of chlorofluorocarbons
to be imported 985.59 ODP tonnes
(including a component for Defence
purposes of 20.0 ODP tonnes);

(b) total quantity of chlorofluorocarbons
to be manufactured 7468.0 ODP tonnes;

(c) total quantity of chlorofluorocarbons
to be exported 4109.54 ODP tonnes.

Dated this 20th day of June 1994,

JOHN FAULKNER
Minister for the Environment,
Sport and Territories.

9402513

**NOTICE OF A PERMIT GRANTED UNDER THE
ENVIRONMENT PROTECTION (SEA DUMPING) ACT 1981**

Pursuant to section 25 of the Environment Protection (Sea Dumping) Act 1981, notice is given that a general permit was granted on 17 June 1994 to the Ports Corporation of Queensland, GPO Box 409, Brisbane, Queensland 4001, to load and dump up to 1,500,000 cubic metres of dredge spoil derived from maintenance work in the approach channel to the Port of Weipa over the next twelve months. The permit makes provision for emergency works and includes conditions regarding dumping, monitoring and ongoing planning.

Copies of the permit may be obtained from
The Commonwealth Environment Protection Agency,
PO Box E 305, Queen Victoria Terrace,
ACT 2600.

or may be inspected at the offices of the Ports Corporation of Queensland, Level 24, CML Building, 300 Queen Street, Brisbane, by arrangement with Mr D G Andrews, Chief Executive Officer, telephone (07) 224 7088.



Mark Hyman
Assistant Secretary
Waste Management Branch
21 June 1994

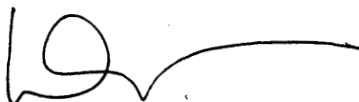
9402514

**NOTICE OF A PERMIT GRANTED UNDER THE
ENVIRONMENT PROTECTION (SEA DUMPING) ACT 1981**

Pursuant to section 25 of the Environment Protection (Sea Dumping) Act 1981, notice is given that a general permit was granted on 17 June 1994, to the Carnarvon Artificial Reef Committee, 3 Francis Street, PO Box 459, Carnarvon, WA 6701, to dump at sea, for a period of twelve months, 250 tetrahedral tyre modules to form an artificial reef in the waters off the Port of Carnarvon.

Dumping of the material is to be centred at position 25°02.79'S 113°32.25'E, in about 12 metres of water.

Copies of the application and the permit may be obtained from the Commonwealth Environment Protection Agency, PO Box E305, Queen Victoria Terrace, ACT 2600, or may be inspected at the offices of the Carnarvon Artificial Reef Committee, by arrangement by telephoning (099) 411708.



Mark Hyman
Assistant Secretary
Waste Management Branch

20 June 1994

9402515

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 twenty third day of June 1994


DESIGNATED AUTHORITY

SCHEDULE

Column 1 Item	Column 2 Name and Country of Approved Institution	Column 3 Approved class, or classes, of specimens
1	Medical School Animal House University of Adelaide ADELAIDE SA 5005 AUSTRALIA	<i>Xenopus laevis</i>
2	Madrid Zoo de la Casa de Campo MADRID 28011 SPAIN	<i>Ailurus fulgens fulgens</i>
3	Queensland Reptile and Fauna Park Glasshouse Mountains Tourist Road BEERWAH QLD 4519 AUSTRALIA	<i>Aonyx cinerea</i>
4	Auckland Zoological Park Motions Road WESTMORE AUCKLAND 1 NEW ZEALAND	<i>Aonyx cinerea</i>

9402516

COMMONWEALTH OF AUSTRALIA

Wildlife Protection (Regulation of Exports and Imports) Act 1982

Section 12

DECLARATION OF AN APPROVED ZOOLOGICAL ORGANIZATION

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 the zoological organization 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 Twenty third day of June 1994


DESIGNATED AUTHORITY

SCHEDULE

Column 1 Item	Column 2 Name and Country of Zoo	Column 3 Approved class, or classes, of specimens
1	Madrid Zoo de la Casa de Campo MADRID 28011 SPAIN	<i>Ailurus fulgens fulgens</i>

9402517

COMMONWEALTH OF AUSTRALIA

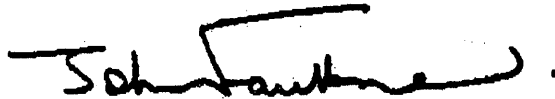
Wildlife Protection (Regulation of Exports and Imports) Act 1982

DECLARATION OF CONTROLLED SPECIMENS

I, JOHN PHILIP FAULKNER, the Minister for the Environment, Sport and Territories, having considered comments as required by subsection 9B(3) of the *Wildlife Protection (Regulation of Exports and Imports) Act 1982* (the Act) and having taken into account advice from the Designated Authority on those matters specified in subsection 10A(5) of the Act, hereby declare *Pycnosorus globosus* (billy buttons) harvested from the wild, by Mr A E Wolfe and Ms J M Stockman, to be 'controlled specimens' for the purposes of subsection 10A(2) of the Act, subject to the following conditions:

1. Harvesting of *Pycnosorus globosus* to be restricted to Travelling Stock Routes and Reserves (TSRR) in the Urana, Jerilderie and Deniliquin areas and roadsides in the Shires of Jerilderie, Murray and Urana, New South Wales.
2. Harvesting be in accordance with conditions stipulated on relevant Authorisations issued by the Rural Lands Protection Boards and the Jerilderie Shire Council.
3. The harvest be restricted to a maximum of 50% of available material at each harvesting site in any one season.
4. Recording of yearly harvest figures for *Pycnosorus globosus* to be undertaken as specified by the Designated Authority.
5. The yearly harvest figures and results of any monitoring to be submitted annually to the Designated Authority.
6. A validity period to 30 June 1996 be placed on any approval of this harvesting operation.

Dated this 23rd day of June 1994



Minister for the Environment, Sport and Territories

9402518

COMMONWEALTH OF AUSTRALIA

Wildlife Protection (Regulation of Exports and Imports) Act 1982

DECLARATION OF CONTROLLED SPECIMENS

I, JOHN PHILIP FAULKNER, Minister for the Environment, Sport and Territories, having considered comments as required by subsection 9B(3) of the *Wildlife Protection (Regulation of Exports and Imports) Act 1982* (the Act) and having taken into account advice from the Designated Authority on those matters specified in subsection 10A(5) of the Act, hereby declare species of the class *Holothuriodea* harvested from waters adjacent to the Northern Territory to be 'controlled specimens' for the purposes of subsection 10A(2) of the Act, subject to the following conditions:

1. specimens are to be taken in waters adjacent to the Northern Territory only in accordance with the provisions of the *Northern Territory Fisheries Act 1988* and associated regulations;
2. operation of the fishery will be carried out in accordance with the document entitled "Commercial harvesting of species of *Holothuriodea* from waters adjacent to the Northern Territory"; and
3. this approval has effect until 30 June 1996.

Dated this 23rd day of June 1994



Minister for the Environment, Sport and Territories

9402519

COMMONWEALTH OF AUSTRALIA

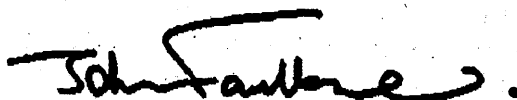
Wildlife Protection (Regulation of Exports and Imports) Act 1982

DECLARATION OF CONTROLLED SPECIMENS

I, JOHN PHILIP FAULKNER, Minister for the Environment, Sport and Territories, having considered comments as required by subsection 9B(3) of the *Wildlife Protection (Regulation of Exports and Imports) Act 1982* (the Act) and having taken into account advice from the Designated Authority on those matters specified in subsection 10A(5) of the Act, hereby declare *Doryanthes excelsa* specimens to be 'controlled specimens' for the purposes of subsection 10A(2) of the Act, subject to the following conditions:

1. This declaration to be limited to flower heads harvested from the properties of Mr K Jones of Kulnara and Mr L Dorman of Somersby, New South Wales;
2. Harvesting to be undertaken in accordance with the harvesting plan submitted to the Australian Nature Conservation Agency and with the *New South Wales National Parks and Wildlife Act 1974*;
3. Maximum harvest quota: 100 flower heads per year;
4. Annual reports on the sustainability of the harvest to be submitted to the Designated Authority and to detail the results of the monitoring;
5. Approval to have effect until 30 June 1996.

Dated this 23rd day of June 1994



Minister for the Environment, Sport and Territories

9402520

Foreign Affairs and Trade

COMMONWEALTH OF AUSTRALIA
NUCLEAR NON-PROLIFERATION (SAFEGUARDS) ACT 1987

PURSUANT to sub-section 20(1) of the Nuclear Non-Proliferation (Safeguards) Act 1987 and in accordance with regulation 4 of the Nuclear Non-Proliferation (Safeguards) Regulations, I, JOHN CARLSON, Director of Safeguards, Delegate of the Minister for Foreign Affairs, hereby give notice that permits have been granted pursuant to section 16 of the said Act as follows:

A. GRANT OF PERMIT TO TRANSPORT NUCLEAR MATERIAL (Section 16)

Name and Address of Permit Holder	Permit No.	Date of Grant	Period of effect (both dates inclusive)
Brambles Project Services 33 Wilson Street BOTANY NSW 2019	TN 079	31 May 1994	3 June 1994 to 2 June 1995
Blue Star Line (Aust.) Pty Limited 8th Floor Underwood House 37 - 49 Pitt Street SYDNEY NSW 2000	TN 080	31 May 1994	3 June 1994 to 2 June 1995

Dated this

twentyfourth

day of

June

1994

John Carlson
John Carlson
Director of Safeguards
Delegate of the Minister for Foreign Affairs

9402521

Human Services and Health

COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

DETERMINATION OF STANDARD INFRASTRUCTURE ALLOWANCE UNDER PARAGRAPH 40AH(b) SPECIAL INFRASTRUCTURE ALLOWANCE UNDER PARAGRAPH 40AH(2)(b)

I, CARMEN LAWRENCE, Minister of State for Human Services and Health, pursuant to paragraphs 40AH(b) and 40AH(2)(b) of the National Health Act 1953 determine the rates of the following allowances:

The Standard Infrastructure Allowance to be \$36.25 per occupied bed day effective from 1 July 1994, and

The Special Infrastructure Allowance to be \$28.09 per occupied bed day effective from 1 July 1994.

Dated this 18th day of June 1994



CARMEN LAWRENCE
Minister of State for Human Services
and Health

Determination No 1994-95/1

9402522

COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

**NURSING HOMES FINANCIAL ARRANGEMENTS PRINCIPLES
STANDARD HOURLY RATES**

I, **CARMEN LAWRENCE**, Minister of State for Human Services and Health, pursuant to subprinciple 32(25) of the Nursing Homes Financial Arrangements Principles 1989 formulated under subsection 40AA(7) of the National Health Act 1953, hereby determine that the quarterly Standard Hourly Rate for each patient classification for the State or Territory in which the nursing home is situated, effective from 1 July 1994, is:

STANDARD HOURLY RATES

by Patient Classification

	1	2	3	4	5
	\$	\$	\$	\$	\$
New South Wales	18.70	18.77	18.88	19.21	19.65
Victoria	20.79	20.83	20.89	21.08	21.32
Queensland	16.29	16.35	16.46	16.77	17.18
Western Australia	19.69	19.74	19.82	20.05	20.36
South Australia	17.81	17.84	17.90	18.06	18.28
Tasmania	20.35	20.40	20.48	20.70	21.00
Australian Capital Territory	19.26	19.33	19.44	19.75	20.17
Northern Territory	20.95	21.00	21.09	21.34	21.68

Dated this SIXTEENTH day of June 1994



CARMEN LAWRENCE
Minister of Human Services and Health

Determination No: 1994-95/2

9402523

COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

NURSING HOMES FINANCIAL ARRANGEMENTS PRINCIPLES
TRANSITIONAL HOURLY RATES

I, CARMEN LAWRENCE, Minister of State for Human Services and Health, pursuant to subprinciple 4(2) of the Nursing Homes Financial Arrangements Principles 1989 formulated under subsection 40AA(7) of the National Health Act 1953, hereby determine that the Transitional Hourly Rates taking into account the changes with time in the cost of employing nursing and personal care staff, effective from 1 July 1994, are:

TRANSITIONAL HOURLY RATES

	\$
New South Wales	19.03
Victoria	20.92
Queensland	16.62
Western Australia	19.88
South Australia	17.89
Tasmania	20.56
Australian Capital Territory	19.39

Dated this ~~seventeenth~~ day of June 1994


CARMEN LAWRENCE
Minister of Human Services and Health

Determination No: 1994-95/3

9402524

COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

**24 HOUR REGISTERED NURSE AND SMALL NURSING HOMES ADDITIONAL
FUNDING PRINCIPLES**

I, **CARMEN LAWRENCE**, Minister of State for Human Services and Health, hereby:

- (a) REVOKE all previous Principles, which were formulated pursuant to paragraphs 48B(1)(a) and 48B(1)(b) of the National Health Act 1953 on 24 March 1994 and notified in the Commonwealth of Australia Gazette No GN 12 of 30 March 1994; and
- (b) FORMULATE the Principles, set out in the Schedule pursuant to paragraphs 48B(1)(a) and 48B(1)(b) of the National Health Act 1953, identifying the matters to be taken into account in determining whether a nursing home is eligible for a Commonwealth benefit and the amount of that benefit,

with effect from 1 July 1994.

Dated this SEVENTEENTH day of June 1994



CARMEN LAWRENCE
Minister of State for Housing, Local
Government and Human Services

Reference No: 24SH 2/94

9402525

SCHEDULE

1. These principles may be cited as the 24 Hour Registered Nurse and Small Nursing Homes Additional Funding Principles 1992.

2. In these principles unless a contrary intention appears, words and phrases have the same meaning as in the National Health Act 1953, and "the Act" means the National Health Act 1953.

3. The Minister may, subject to principles 4 and 11, determine in writing that specified nursing homes will be eligible to receive a Commonwealth benefit under paragraph 48B(1)(a) of the Act.

4. For the purposes of principle 3, the Minister shall take into account -

- (a) the length of time for which the nursing home has been in operation in that area;
- (b) the relationship between that nursing home and other related health and welfare facilities and services in the area; and
- (c) any policy purposes in relation to any grant in that area for co-located and blended services, which involve the nursing home.

5. For the purposes of principle 3 an application may be made to the Administrative Appeals Tribunal for review of a decision made by the Minister in determining that a specific nursing home is not eligible to receive a Commonwealth benefit under paragraph 48B(1)(a) of the Act.

6. Subject to principle 3 the level of the Commonwealth benefit under paragraph 48B(1)(a) of the Act, to assist nursing homes in the provision of a registered nurse at all times, shall be determined in accordance with the following formula:

$$D1 \times N1 + D2 \times N2$$

Where -

(a) D1 is -

- (i) for New South Wales, \$11.51;
- (ii) for Victoria, \$10.25;
- (iii) for Queensland, \$6.72;
- (iv) for South Australia, \$8.43;
- (v) for Western Australia, \$9.97;
- (vi) for Tasmania, \$10.45;
- (vii) for the Australian Capital Territory, \$11.11; and
- (viii) for the Northern Territory, \$8.66;

- (b) D2 is
- (i) for New South Wales, \$9.28;
 - (ii) for Victoria, \$9.73;
 - (iii) for Queensland, \$3.50;
 - (iv) for South Australia, \$9.18;
 - (v) for Western Australia, \$8.31;
 - (vi) for Tasmania, \$12.22;
 - (vii) for the Australian Capital Territory, \$10.02; and
 - (viii) for the Northern Territory, \$9.39;
- (c) R is the number of hours in the calendar month for which the approved nursing home is caring for approved nursing home patients;
- (d) SHH is zero for those approved nursing homes which are not determined by the Minister for the purposes of principle 7;
- (e) SHH has the same value as does the term SHH in principle 10 for those nursing homes which are determined by the Minister for the purposes of principle 7;
- (f) A is the total sum of -
- (i) $1.20714 \times$ number of bed days occupied by classification 1 patients during the month; plus
 - (ii) $1.04464 \times$ number of bed days occupied by classification 2 patients during the month; plus
 - (iii) $0.85893 \times$ number of bed days occupied by classification 3 patients during the month; plus
 - (iv) $0.55714 \times$ number of bed days occupied by classification 4 patients during the month; plus
 - (v) $0.37143 \times$ number of bed days occupied by classification 5 patients during the month; plus
 - (vi) $0.325 \times$ SHH;
- (g) E is the total sum of -
- (i) $2.21 \times$ number of bed days occupied by classification 1 patients during the month; plus
 - (ii) $1.9125 \times$ number of bed days occupied by classification 2 patients during the month; plus
 - (iii) $1.5725 \times$ number of bed days occupied by classification 3 patients during the month; plus

- (iv) $1.02 \times$ number of bed days occupied by classification 4 patients during the month; plus
- (v) $0.68 \times$ number of bed days occupied by classification 5 patients during the month; plus
- (vi) $0.595 \times$ SHH;
- (h) T is the total sum of -
 - (i) $0.29714 \times$ number of bed days occupied by classification 1 patients during the month; plus
 - (ii) $0.25714 \times$ number of bed days occupied by classification 2 patients during the month; plus
 - (iii) $0.21143 \times$ number of bed days occupied by classification 3 patients during the month; plus
 - (iv) $0.13714 \times$ number of bed days occupied by classification 4 patients during the month; plus
 - (v) $0.09143 \times$ number of bed days occupied by classification 5 patients during the month; plus
 - (vi) $0.08 \times$ SHH;
- (i) N1 is zero if R is less than or equal to A;
- (j) N1 is given by the formula

$$R - A$$
 if R is greater than A but less than or equal to the sum of A plus E;
- (k) N1 is equal to E if R is greater than the sum of A plus E;
- (l) N2 is zero if R is less than or equal to the sum of A plus E;
- (m) N2 is given by the formula

$$R - (A + E)$$
 if R is greater than the sum of A plus E but is less than or equal to the sum of A plus E plus T; and
- (n) N2 is equal to T if R is greater than the sum of A plus E plus T.

7. The Minister may, subject to principle 11, determine in writing that specified nursing homes will receive a Commonwealth benefit under paragraph 48B(1)(b) of the Act where those nursing homes apply in writing to receive a Commonwealth benefit under paragraph 48B(1)(b) of the Act, and -

- (a) where the home is 50 or more kilometres by the shortest all-weather road from the nearest nursing home for the aged; or
- (b) where the home caters exclusively or almost exclusively for people who could not be satisfactorily cared for in general purpose nursing homes because of -
 - (i) cultural differences;
 - (ii) language differences; or
 - (iii) special dietary requirements.

8. For the purposes of principle 7, the Minister shall take into account -

- (a) the length of time for which the nursing home has been in operation in that area;
- (b) the relationship between that nursing home and other related health and welfare facilities and services in the area; and
- (c) any policy purposes in relation to any grant in that area for co-located and blended services, which involve the nursing home.

9. For the purposes of principle 7 an application may be made to the Administrative Appeals Tribunal for a review of a decision made by the Minister in determining that a specific nursing home is not eligible to receive a Commonwealth benefit under paragraph 48B(1)(b) of the Act.

10. Subject to principle 7 the level of the Commonwealth benefit under paragraph 48B(1)(b) of the Act, to assist nursing homes in maintaining their financial viability, shall be determined in accordance with the following formula:

$$\text{SHH} \times \text{C}$$

Where -

- (a) C is, in respect of the month for which the approved nursing home is caring for approved nursing home patients -
- (i) for New South Wales, \$18.23;
 - (ii) for Victoria, \$20.52;
 - (iii) for Queensland, \$15.84;
 - (iv) for South Australia, \$17.57;
 - (v) for Western Australia, \$19.35;
 - (vi) for Tasmania, \$20.03;
 - (vii) for the Australian Capital Territory, \$18.81; and
 - (viii) for the Northern Territory, \$20.58;
- (b) F1 is the number given by multiplying the number of days in the month for which the approved nursing home is caring for approved nursing home patients by the sum of 336 and the number of beds determined for the purposes of paragraph 40AA(6)(a) of the Act as the approved number of beds in relation to the nursing home, and dividing the result by seven;
- (c) CH is, for the approved nursing home, the total sum of -
- (i) $3.857 \times$ the number of bed days occupied by classification 1 patients during the month; plus
 - (ii) $3.357 \times$ the number of bed days occupied by classification 2 patients during the month; plus
 - (iii) $2.786 \times$ the number of bed days occupied by classification 3 patients during the month; plus
 - (iv) $1.857 \times$ the number of bed days occupied by classification 4 patients during the month; plus
 - (v) $1.286 \times$ the number of bed days occupied by classification 5 patients during the month;
- (d) SHH is the number given by the formula
- $$\text{F1} - \text{CH}$$
- if F1 is greater than CH; and
- (e) SHH is zero if F1 is less than or equal to CH.

11. Government nursing homes are not eligible for a Commonwealth benefit under paragraphs 48B(1)(a) and 48B(1)(b) of the Act.

Human Services and Health

COMMONWEALTH OF AUSTRALIA

Aged or Disabled Persons Homes Act 1954

NOTICE UNDER SECTION 10GB

(MAXIMUM NUMBER OF COMMUNITY AGED CARE SERVICES PACKAGES)

I, CARMEN MARY LAWRENCE, Minister of State for Human Services and Health, pursuant to section 10GB of the Aged or Disabled Persons Act 1954, hereby specify the numbers set out in the schedule to be the maximum number of places for each State and Territory for the period commencing on 1 July 1994 and ending 30 June 1995.

SCHEDULE

State or Territory	Maximum Bed Number
New South Wales	882
Victoria	695
Queensland	439
Western Australia	218
South Australia	362
Tasmania	68
Northern Territory	31
Australian Capital Territory	23

Dated this day of June 1994

C.M. Lawrence
Minister of State for
Human Services and Health

9402527

COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

(NGP 1/1994)

NURSING HOME NASOGASTRIC FEEDING PRINCIPLES 1992

I, CARMEN LAWRENCE, Minister of State for Human Services and Health, pursuant to sub-section 48D(1) of the National Health Act 1953, hereby amend the Principles, which were formulated pursuant to that sub-section on 20 February 1992 and amended on 7 April 1993 and which were notified in the Commonwealth of Australia Gazettes No. GN 8 of 26 February 1992 and GN 15 of 21 April 1993 respectively, in the manner set out in the schedule with effect from 1 July 1993.

Dated this SEVENTEENTH day of June 1994



Dr Carmen Lawrence
Minister of Human Services and Health

AMENDMENT TO THE PRINCIPLES

Principle 4 is amended as follows:

- (a) by adding to paragraph 4 (a) the term 'and' after the term 'Department;';
- (b) by replacing in paragraph 4 (b) the term 'Department; and' with the term 'Department.'; and
- (c) by deleting paragraph 4 (c).

9402528

COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

SPECIFICATION OF GOVERNMENT NURSING HOMES

I, CARMEN MARY LAWRENCE, Minister for Human Services and Health, in pursuance of sub-section 4(1) of the National Health Act 1953, hereby specify that the nursing homes in the attached Schedule are deemed to be Government nursing homes for the purposes of sub-section 4(1) of the National Health Act.

Dated this 14th day of June 1994



CARMEN LAWRENCE
Minister for Human Services and Health

EXPLANATORY STATEMENT

**Issued by Authority of the Minister for Human Services
and Health**

National Health Act 1953

**Government Nursing Homes - Specification by the Minister
under subsection 4(1) of the National Health Act 1953.**

Subsection 4(1) of the National Health Act 1953 ("the Act") provides that the Minister may specify a nursing home, in writing, as a "Government Nursing Home".

By this Instrument, the Minister has now specified a number of nursing homes as Government Nursing Homes pursuant to subsection 4(1).

Approved nursing homes that are specified as Government Nursing Homes are entitled to receive a Commonwealth benefit in respect of each approved nursing home patient that receives nursing home care in that nursing home, at a daily rate as set out in subsection 47(1) of the Act.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
STATE/ TERRITORY	NAME AND ADDRESS OF NURSING HOME	APPROVAL NO.
ACT	Jindalee Nursing Home Goyder Street Narrabundah 2604	2982G
NSW	Abernethy Nursing Home Ferguson Street Abernethy 2325	1472G
	Allandale Nursing Home Allandale Road Cessnock 2325	1474G
	Bathurst Macquarie Nursing Home Russell Street Bathurst 2795	1455G
	Bodington Nursing Home Kings Tablelands Road Wentworth Falls 2782	1454G
	Carrington Nursing Home Werombie Road Camden 2570	1483G
	Cessnock House Nursing Home 24 Foster Street Cessnock 2325	1479G
	Dudley Unit Nursing Home Ocean Road Dudley 2290	1461G
	Garrawarra Nursing Home Princes Highway Waterfall 2233	1456G
	Glebe Annex Nursing Home 2A Hereford Street Glebe 2037	1488G
	Gloucester Nursing Home Church Street Gloucester 2422	1489G

2.

Governor Phillip Nursing Home Glebe Place Penrith 2750	1457G
Graythwaite Nursing Home Edward Street North Sydney 2060	1451G
Hilary House Nursing Home 708 Pemberton Street Albury 2640	1491G
Holbrook District Hospital Nursing Home Wing Bowler Street Holbrook 2644	1497G
Kurri Kurri Nursing Home Lang Street Kurri Kurri 2327	1481G
Lidcombe State Nursing Home Joseph Street Lidcombe 2141	1458G
Lottie Stewart Nursing Home 40 Stewart Street Dundas 2117	1473G
Lourdes House Nursing Home Cobborah Road Dubbo 2830	1484G
Mount St Joseph's Nursing Home Campbell Street Young 2594	1467G
Murrumburrah Harden District Hospital Nursing Home Swift Street Murrumburrah 2587	1495G
Our Lady of Loreto Nursing Home 167 Albert Road Strathfield 2135	1486G
Queen Victoria Nursing Home Kings Tablelands Road Wentworth Falls 2782	1468G

3.

	Queen Victoria Nursing Home Thirlmere Way Picton 2571	1476G
	St Catherines Nursing Home 150 Balaclava Road Eastwood 2122	1470G
	St Josephs Nursing Home Maitland Road Sandgate 2304	1469G
	St Josephs Nursing Home Dalley Street Lismore 2480	1494G
	Strickland Villa Nursing Home Prince of Wales Hospital High Street Randwick 2031	1498G
	The Corowa Hospital Nursing Home Guy Street Corowa 2646	1496G
	Wallsend District Nursing Home Longworth Avenue Wallsend 2287	1500G
	War Memorial Nursing Home Birrell Street Waverley 2024	1499G
NT	Hetti Perkins Nursing Home 24 Warburton Street Alice Springs 0870	6982G
QLD	Ashworth House Nursing Home Kolberg Street Zillmere 4034	5458G
	Bayhaven Nursing Home Hervey Bay 4655	5436G
	Dr E A F McDonald Nursing Home Beale Street Oakey 4401	5448G

4.

Eventide Charters Towers Dalrymple Road Charters Towers 4820	5405G
Eventide Rockhampton Campbell Street Rockhampton 4700	5406G
Eventide Sandgate Beaconsfield Terrace Brighton 4017	5404G
Farrhome Nursing Care Unit Youngman Street Kingaroy 4610	5443G
Karingal Nursing Home Hospital Road Dalby 4405	5442G
Maryborough Hospital Nursing Home Cnr Walker & Yaralla Streets Maryborough 4650	5438G
Moreton Bay Nursing Care Unit Cnr Wynnum & New Lindum Roads Wynnum 4178	5432G
Mt Lofty Nursing Home Stuart Street Toowoomba 4350	5414G
Nambour Hospital Nursing Home Hospital Road Nambour 4560	5449G
North Rockhampton Nursing Home Norman Road North North Rockhampton 4701	5446G
Prince Charles Hospital Nursing Home Unit 500-600 Rode Road Chermside 4032	5402G
Redcliffe Hospital Nursing Home Annexe Sheehan Street Redcliffe 4020	5430G
The Gertrude E Moore Memorial Nursing Home Anzac Parade Yeppoon 4703	5459G

The Oaks Nursing Home 5462G
56 Locke Street
Warwick 4370

Townsville Nursing Home 5445G
Eyre Street
Vincent
Townsville 4814

Westhaven Nursing Care Unit 5439G
McDowall Street
Roma 4455

Wienholt Nursing Care Unit 5444G
Wondai 4606

Ararat and District Hospital
John Pickford House
Girdlestone Street
ARARAT, 3377 3476G

Camperdown District Hospital
Nursing Home Unit
York Street
CAMPERDOWN 3260 3461G

Casterton Memorial Hospital
Nursing Home
Mt Gambier Road
CASTERTON, 3311 3495G

Caulfield Hospital
Infirm Section
Wards 8,9,10,11,12 and 14
294 Kooyong Road
CAULFIELD, 3162 4452G

Coleraine and District Nursing Home
McKeberry Street
COLERAINE, 3315 4406G

Dimboola District Hospital
Nursing Home Unit
56-158 Lloyd Street
DIMBOOLA, 3414 3481G

6.

Donald and District Hospital Donald and District Nursing Home Aitken Avenue DONALD, 3480	4364G
Dumunkle - Rupanyup Hospital Rupanyup District Nursing Home 89 Cromie Street RUPANYUP, 3388	4379G
Eastern Suburbs Geriatric Centre cnr Mahoney's Road and Burwood Highway BURWOOD EAST, 3151	4408G
Edenhope District Hospital Kowree Nursing Home Unit 128-132 Elizabeth Street EDENHOPE, 3318	3498G
Elanora Home and Hospital for the Aged East, West, Centre and John Grant East Wings 7 Mair Street BRIGHTON BEACH, 3188	3404G
George Vowell Home for the Blind cnr Nepean Highway and Cobb Road MT ELIZA, 3930	3494G
Gippsland South Health Service Korumburra Campus Bridge Road KORUMBURRA, 3950	3485G
Gippsland South Health Service Leongatha Campus Koonwarra Road LEONGATHA, 3953	3419G
Heywood Nursing Home 21 Barclay Street WEST HEYWOOD, 3304	4412G

7.

Jeparit and District Hospital Jeparit and District Nursing Home Edith Street JEPARIT, 3434	4382G
Kaniva District Hospital Archie Gray Nursing Home Unit Roache Street KANIVA, 3419	4365G
Kelaston Home for the Blind Rooms 1 to 20 1300 Howitt Street WENDOUREE, 3355	3438G
Kingston Centre South 1,2,3,5 North 1,2,3,11,12, 13 and 14 cnr Kingston and Warrigal Roads CHELTENHAM, 3192	4453G
Kingston Centre Yarraman Nursing Home Yarraman Road NOBLE PARK, 3174	4439G
Koroit and District Hospital Nursing Home Annexe Mills Street KOROIT, 3282	4403G
Lismore and District Hospital Nursing Home Annexe High Street LISMORE, 3324	4404G
Lorne Community Hospital Lorne Nursing Home Lot 1 Albert Street LORNE, 3232	4368G
Macarthur Nursing Home 12 Archonachie Street MACARTHUR, 3286	4411G
Maffra District Hospital J H F McDonald Wing 48 Kent Street MAFFRA, 3860	3462G
Mirridong Home for Aged Blind Beds 24-28 and 31-63 inclusive McIvor Road BENDIGO, 3550	3439G

8.

Mt Eliza Centre
Carinya Nursing Home
Golf Links Road
FRANKSTON, 3199 4434G

Nhill Hospital
Mira Nursing Home
51 Nelson Street
NHILL, 3418 3474G

North West Hospital
- Mount Royal Campus
Wards 3,4,5,6,7,10,11,13,16,18,
19 to 26 only
Poplar Road
PARKVILLE, 3052 4455G

North West Hospital
- McLellan House
Psychogeriatric Nursing Home
22-26 Robinson Street
JACANA, 3047 4396G

North West Hospital
- Weighbridge
Psychogeriatric Nursing Home
72 Ascot Vale Road
FLEMINGTON, 3031 4405G

Omeo Hospital
Nursing Home Unit
Eastern Street
OME0, 3898 4461G

Penshurst Nursing Home
W J Lewis Wing
Watton Street
PENSURST, 3289 4392G

Portland and District Hospital
Seymour Cundy Wing
Bentinck Street
PORTLAND, 3305 3467G

Queen Elizabeth Centre
Ripon Peace Memorial Hospital
Havelock Street
BEAUFORT, 3373 4468G

Queen Elizabeth Centre
P S Hobson Nursing Home
Gillies Street
WENDOUREE, 3355 4459G

9.

Stawell and District Hospital
W H Syme and H and F Perry Wings
Sloan Street
STAWELL, 3380 3480G

Terang and District Community
Hospital
Norah Cosgrove Nursing Home
Austin Avenue
TERANG, 3264 4391G

The Clunes and District Hospital
The Clunes and District Nursing Home
Ballarat Road
CLUNES, 3370 4388G

Warracknabeal and District Hospital
JR and AE Landt Trust Nursing Home
Dimboola Road
WARRACKNABEAL, 3393 3488G

Western Hospital - Westside Lodge
Psychogeriatric Nursing Home
Santiago Street
ST ALBANS, 3021 4394G

Willaura and District Hospital
Nursing Home Unit
Delacombe Way
WILLAURA, 3291 4387G

Yarram and District Nursing Home
85 Commercial Road
YARRAM 3971 4443G

SA

Hampstead Centre 6404G
207-255 Hampstead Road
Northfield 5085

Julia Farr Centre 6505G
103 Fisher Street
Fullarton 5063

WA

Albany Permanent Care Unit 7429G
Hardie Road
ALBANY 6330

Alfred Carson Hospital 7414G
30 Bay Road
CLAREMONT 6010

10.

Augusta Nursing Home C/- Augusta Regional Hospital Blackwood Avenue AUGUSTA 6290	7433G
Brookton Hospital Nursing Home Lennard Street BROOKTON 6306	7423G
Bunbury Permanent Care Unit Clark Street BUNBURY 6230	7428G
Coolgardie Nursing Home Hunt Street COOLGARDIE 6429	7422G
Derby Leprosarium Nursing Home Gibb River Road DERBY 6728	7405G
Goline House C/- Armadale-Kelmscott Hospital Albany Highway ARMADALE 6112	7434G
Hawthorn Hospital 100 Flinders Street MT HAWTHORN 6016	7432G
Home of Peace Inglewood 4 Walter Road INGLEWOOD 6052	7415G
Home of Peace Subiaco Thomas Street SUBIACO 6008	7401G
James T Pollard Convalescent Hospital 19 Market Street GUILDFORD 6055	7406G
Lombadina Mission Hospital LOMBADINA VIA BROOME 6725	7413G
Mount Henry Nursing Home Cloister Avenue COMO 6152	7404G
Northam Permanent Care Unit Duke Street NORTHAM 6401	7430G

11.

Numbala Nunga Derby Nursing Home 7426G
Delawarr Street
DERBY 6728

Pallotine Mission Hospital 7407G
BALGO HILLS
VIA DERBY 6728

Silver Chain Nursing
Association Hospital 7431G
Laidlow Street
HILTON PARK 6163

Sunset Nursing Home 7403G
Beatrice Road
DALKEITH 6009

Yulanya Nursing Home 7425G
Kingsmill Street
PORT HEDLAND 6721

9402529

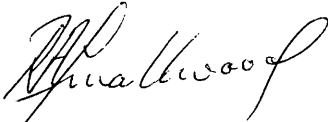
COMMONWEALTH OF AUSTRALIA

SECTION 95 OF THE PRIVACY ACT 1988

**GUIDELINES FOR THE PROTECTION OF PRIVACY IN THE CONDUCT
OF MEDICAL RESEARCH: EXTENSION OF PERIOD OF OPERATION TO
31 DECEMBER 1994**

The National Health and Medical Research Council, notified in the Commonwealth of Australia Periodic Gazette No. P19 of 1 July 1991, pursuant to subsections 95 (1) and (3) of the Privacy Act 1988, the issuing of the Guidelines for the Protection of Privacy in the Conduct of Medical Research. These guidelines were expressed to lapse on 30 June 1994. The Privacy Commissioner gave approval on 16 June 1994 for these guidelines to remain in force until close of business on 31 December 1994.

Copies of the Guidelines are available from the Publications Officer, National Health and Medical Research Council, GPO Box 9848, Canberra ACT 2601, Phone (06) 289 7646 (24 hour answering machine) or Fax (06) 289 7802.



Professor Richard Smallwood
Chairman
National Health and Medical
Research Council.

9402531

Immigration and Ethnic Affairs**Department of Immigration and Ethnic Affairs****Migration Agents Registration Scheme****Notice under section 114Q(1) of the Migration Act 1958**

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 2617

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.

NAME	DATE OF BIRTH	BUSINESS NAME	BUSINESS ADDRESS	PROVIDES FREE SERVICE OR CHARGES FEES?
ATKINSON Stephen Lee	20/10/1955	Wilson & Atkinson	Level 2, QUI Building 250 St George's Terrace PERTH 6000	CHARGES
CHAN Chok Hiu Joseph	21/1/1960	Chan & Coutts Solicitors	Suite 5, 2 Elliott Place Elliott Street SURFERS PARADISE 4217	CHARGES
DAVIES David Deakin	24/6/1955		43 Kingston Terrace NORTH ADELAIDE 5006	CHARGES
HASAN Ismail	30/7/1956		Lot 1/251 Rothery Street CORRIMAL 2518	CHARGES
MANOCHA Jaswant Singh	20/6/1937	The Ethnic Communities Council of the ACT Inc	Griffin Centre 19 Bunda Street CANBERRA 2601	FREE SERVICE
PRIESTLEY Andrew John	16/2/1958	Andrew Priestley, Solicitor	Level 2 14 Collins Street MELBOURNE 3000	CHARGES
RYAN Kerry Anne	27/7/1965	Refugee Advice & Casework Service Victoria	161 Fitzroy Street ST KILDA 3182	FREE SERVICE


for SECRETARY
29 June 1994

9402532

Industrial Relations

Industrial Relations Act 1988

Australian Industrial Registry
Principal Registry
Nauru House
80 Collins Street
Melbourne Vic 3000

(Postal Address:
GPO Box 1994S
Melbourne Vic 3001)

NOTICE OF WITHDRAWAL OF APPLICATION FOR CONSENT TO AN ALTERATION OF ELIGIBILITY RULES

(D No. 20016 of 1993)

NOTICE is given that an application made under the Industrial Relations Act 1988 for consent to an alteration of the eligibility rules of Independent Teachers Federation (now known as Independent Education Union of Australia) has been withdrawn.

M.Kelly
Industrial Registrar

9402533

COMMONWEALTH OF AUSTRALIA

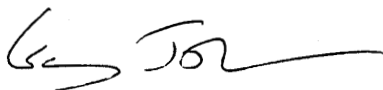
SAFETY, REHABILITATION AND COMPENSATION ACT 1988

NOTICE OF DECLARATION

Notice No CA1 of 1994

I, Gary Thomas Johns, Assistant Minister for Industrial Relations, hereby declare, for the purposes of paragraph (d) of the definition of "Commonwealth authority" in subsection 4(1) of the *Safety, Rehabilitation and Compensation Act 1988* that, on and from the date of publication of this Notice in the *Commonwealth of Australia Gazette*, the following body corporate is a body corporate to which that Act applies:

Visionstream Pty Limited
(ACN 062 604 193)



Gary Johns
Assistant Minister for Industrial Relations

20 JUNE 1994

9402534

The National Occupational Health and Safety Commission Act 1985

Section 38(1)

NATIONAL MODEL REGULATIONS FOR THE CONTROL OF WORKPLACE HAZARDOUS SUBSTANCES [NOHSC:1005(1994)]

NATIONAL CODE OF PRACTICE FOR THE CONTROL OF WORKPLACE HAZARDOUS SUBSTANCES [NOHSC:2007(1994)]

Pursuant to sub-section 38(1) of the *National Occupational Health and Safety Commission Act 1985* (Cwlth), the National Occupational Health and Safety Commission hereby gives notice that it has declared *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)] and a *National Code of Practice for the Control of Workplace Hazardous Substances* [NOHSC:2007(1994)].

TITLE

These national model regulations and this national code of practice may be cited as the *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)] and the *National Code of Practice for the Control of Workplace Hazardous Substances* [NOHSC:2007(1994)], respectively.

OBJECTIVE

These national model regulations replace the *National Model Regulations to Control Workplace Hazardous Substances* [NOHSC:1005(1991)]. This national code of practice replaces the *National Code of Practice to Control Workplace Hazardous Substances* [NOHSC:2007(1991)].

The objective of these *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)] is to minimise the risk of adverse health effects due to exposure to hazardous substances in the workplace by:

- (a) ensuring that hazardous substances used at work are provided with labels and Material Safety Data Sheets (MSDS);
- (b) ensuring that employees with potential exposure to hazardous substances used in a work activity are provided with information and training on the nature of hazards and means of assessing and controlling exposure to workplace hazardous substances and that employee representatives in the workplace have access to this information;
- (c) providing for assessment of the risk and control of exposure to hazardous substances;
- (d) ensuring that emergency services and other relevant public authorities have access to relevant information on workplace hazardous substances; and
- (e) ensuring that relevant information from summary reports under the *Industrial Chemicals (Notification and Assessment) Act 1989* (Cwlth) is available on request to the workplace.

This *National Code of Practice for the Control of Workplace Hazardous Substances* [NOHSC:2007(1994)] provides a practical guide on how to comply with the *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)] so as to minimise the risk of disease and injury due to exposure to hazardous substances in the workplace.

HOW COPIES MAY BE OBTAINED

Copies of the national model regulations and the national code of practice may be purchased from Commonwealth Government Bookshops in all capital cities as well as Albany and Townsville.

The National Occupational Health and Safety Commission Act 1985

Section 38(1)

**APPROVED CRITERIA FOR CLASSIFYING HAZARDOUS SUBSTANCES
[NOHSC:1008(1994)]**

Pursuant to sub-section 38(1) of the *National Occupational Health and Safety Commission Act 1985* (Cwlth), the National Occupational Health and Safety Commission hereby gives notice that it has declared *Approved Criteria for Classifying Hazardous Substances* [NOHSC:1008(1994)].

TITLE

This national standard may be cited as the *Approved Criteria for Classifying Hazardous Substances* [NOHSC:1008(1994)].

OBJECTIVE

This national standard replaces the *Guidance Note for Determining and Classifying a Hazardous Substance* [NOHSC:3011(1991)].

The *Approved Criteria for Classifying Hazardous Substances* [NOHSC:1008(1994)] is cited in the *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)] and provides the mandatory criteria for determining whether a substance is hazardous or not. Manufacturers and importers of substances used at work will need to consider these criteria when producing labels and Material Safety Data Sheets.

This national standard also provides guidance for applying the criteria for hazardous substances and for classifying the nature of the hazard(s).

The criteria in this national standard focus only on hazards to health. They do not cover physicochemical hazards - which are defined in the *Australian Code for the Transport of Dangerous Goods by Road and Rail* (ADG Code) - and are addressed under the relevant dangerous goods legislation of the Commonwealth, State and Territory governments.

HOW COPIES MAY BE OBTAINED

Copies of this national standard may be purchased from Commonwealth Government Bookshops in all capital cities as well as Albury and Townsville.

9402536

The National Occupational Health and Safety Commission Act 1985

Section 38(1)

NATIONAL CODE OF PRACTICE FOR THE PREPARATION OF MATERIAL SAFETY DATA SHEETS [NOHSC:2011(1994)]

Pursuant to sub-section 38(1) of the *National Occupational Health and Safety Commission Act 1985* (Cwth), the National Occupational Health and Safety Commission hereby gives notice that it has declared a *National Code of Practice for the Preparation of Material Safety Data Sheets* [NOHSC:2011(1994)].

TITLE

This national code of practice may be cited as the *National Code of Practice for the Preparation of Material Safety Data Sheets* [NOHSC:2011(1994)].

OBJECTIVE

This national code of practice replaces the *Guidance Note for the Preparation of a Material Safety Data Sheet* [NOHSC:3001(1991)].

The aim of this national code of practice is to provide practical guidance on meeting the requirements for the preparation of Material Safety Data Sheets under the *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)].

Under the *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)] it is the manufacturer or importer of a hazardous substance used at work who is required to produce a Material Safety Data Sheet and supply them to purchasers.

This national code of practice also advises on acceptable formats for Material Safety Data Sheets.

HOW COPIES MAY BE OBTAINED

Copies of the national code of practice may be purchased from Commonwealth Government Bookshops in all capital cities as well as Albury and Townsville.

9402537

The National Occupational Health and Safety Commission Act 1985

Section 38(1)

**NATIONAL CODE OF PRACTICE FOR THE LABELLING OF WORKPLACE SUBSTANCES
[NOHSC:2012(1994)]**

Pursuant to sub-section 38(1) of the *National Occupational Health and Safety Commission Act 1985* (Cwlth), the National Occupational Health and Safety Commission hereby gives notice that it has declared a *National Code of Practice for the Labelling of Workplace Substances* [NOHSC:2012(1994)].

TITLE

This national code of practice may be cited as the *National Code of Practice for the Labelling of Workplace Substances* [NOHSC:2012(1994)].

OBJECTIVE

This national code of practice replaces the *Guidance Note for the Labelling of Workplace Substances* [NOHSC:3013(1991)].

The aim of this national code of practice is to provide practical guidance on meeting the requirements for the labelling of hazardous substances used at work under the *National Model Regulations for the Control of Workplace Hazardous Substances* [NOHSC:1005(1994)].

A label is defined as any information on a container which identifies the substance in the container and provides basic information about its safe use and handling.

Under the national model regulations it is the manufacturer or importer of a substance who is required to determine whether any substance they supply is hazardous. However, both suppliers and employers have responsibilities for ensuring that workplace hazardous substances are appropriately labelled.

HOW COPIES MAY BE OBTAINED

Copies of the national code of practice may be purchased from Commonwealth Government Bookshops in all capital cities as well as Albury and Townsville.

9402538

Industry, Science and Technology

ANT-DUMPING AUTHORITY

NOTICE OF INQUIRY INTO CANNED TOMATOES FROM THAILAND

The Anti-Dumping Authority has been asked to hold an inquiry into whether the countervailing duty notice applying to imports of canned tomatoes from Thailand should be revoked.

The request was made by Roger D. Simpson & Associates Pty. Ltd. on behalf of Sun Tech Group Public Company Ltd., under the provisions of subsection 7(3) of the *Anti-Dumping Authority Act 1988*.

The Authority is currently conducting an inquiry into canned tomatoes from Italy (refer ACDN 94/042). The issues raised in this matter are identical to those raised in the request for revocation of the notices in respect of Italy. The Authority will endeavour to report to the Minister no later than 19 September 1994 on both matters.

You are invited to make a submission to the Authority as soon as possible, but certainly no later than 8 August 1994. Submissions should address specific matters raised in the request for revocation of the notices. Copies of the request can be obtained by telephoning Mr Chris Cook on 06 276 1987.

Following receipt of submissions, it is possible that a meeting of parties will be arranged to explore issues raised. After that meeting, parties can make further submissions to the Authority.

The Authority uses a 'public file' system as explained in Australian Customs Notices 87/169 and 89/162. Briefly, this means that a submission containing confidential material should be accompanied by another version, omitting the confidential material but containing a non-confidential summary, which can be made available to other parties to the inquiry. Three copies of each version are required.

The Authority's address for submissions is GPO Box 9839, Canberra ACT 2601.

For further information regarding this inquiry, please telephone
Mr Brian Brocklebank at the Authority on 06 276 1621.

9402539

ANTI-DUMPING AUTHORITY

REVIEW OF THE AUSTRALIAN CUSTOMS SERVICE NEGATIVE PRELIMINARY FINDING ON BLOOD COLLECTION PACKS FROM JAPAN

The Anti-Dumping Authority has completed its review of the Australian Customs Service negative preliminary finding in respect of the alleged dumping of certain blood collection packs from Japan.

After examining the information available to Customs at the time of its inquiry, the Authority concludes that:

- imports of three-bag blood collection packs from Japan have been dumped;
- the Australian industry producing three-bag packs has suffered material injury;
- dumping of three-bag packs from Japan has not caused or contributed to the material injury suffered by the Australian industry; and
- there is not a threat of material injury to the Australian industry from dumping of imports of three-bag packs from Japan.

The Authority, therefore, confirms the negative preliminary finding made by Customs.

Copies of the Authority's Report No. 130 will be available in due course. Inquiries should be addressed to Margaret McLeod at the Authority by telephoning (06) 276 1742.

9402540

COMMONWEALTH OF AUSTRALIA
CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, REIN PRAKS, 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.

SCHEDULE		(Foreign Currency = AUS \$1)						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9
	Currency	15/06/94	16/06/94	17/06/94	18/06/94	19/06/94	20/06/94	21/06/94
<hr/>								
Austria	Schillings	8.4499	8.3919	8.3882	8.3882	8.3882	8.3523	8.3055
Belgium/Lux	Francs	24.7100	24.5400	24.5500	24.5500	24.5500	24.4700	24.3000
Brazil	Real cruzado	1602.4000	1629.9000	1664.9700	1664.9700	1664.9700	1709.3700	1741.2900
Canada	Dollars	1.0103	1.0123	1.0161	1.0161	1.0161	1.0252	1.0241
China	Yuan	6.3075	6.3020	6.3218	6.3218	6.3218	6.3735	6.3742
Denmark	Kroner	4.6997	4.6688	4.6794	4.6794	4.6794	4.6618	4.6372
EC	ECU	.6226	.6191	.6209	.6209	.6209	.6184	.6153
Fiji	Dollar	1.0716	1.0711	1.0753	1.0753	1.0753	1.0789	1.0746
Finland	Markka	4.0226	4.0032	4.0101	4.0101	4.0101	3.9701	3.9421
France	Francs	4.0969	4.0706	4.0692	4.0692	4.0692	4.0570	4.0356
Germany	Deutschmark	1.2009	1.1928	1.1932	1.1932	1.1932	1.1876	1.1808
Greece	Drachmae	181.1800	180.1400	180.2900	180.2900	180.2900	179.1900	178.2500
Hong Kong	Dollars	5.6407	5.6356	5.6539	5.6539	5.6539	5.6986	5.6994
India	Rupees	22.8876	22.8688	22.9410	22.9410	22.9410	23.1292	23.1335
Indonesia	Rupiah	1571.8000	1570.5000	1575.4000	1575.4000	1575.4000	1589.1000	1590.1000
Ireland	Pounds	.4918	.4889	.4905	.4905	.4905	.4902	.4882
Israel	Shekel	2.2233	2.2168	2.2234	2.2234	2.2234	2.2408	2.2444
Italy	Lire	1168.8200	1164.3500	1173.4600	1173.4600	1173.4600	1167.7800	1163.7800
Japan	Yen	75.0900	74.9400	75.5900	75.5900	75.5900	75.6200	75.2400
Korea	Won	588.7600	587.9100	590.0600	590.0600	590.0600	596.0500	596.4700
Malaysia	Dollar	1.8935	1.8930	1.8992	1.8992	1.8992	1.9120	1.9125
Netherlands	Guilder	1.3443	1.3354	1.3364	1.3364	1.3364	1.3306	1.3229
New Zealand	Dollar	1.2424	1.2414	1.2374	1.2374	1.2374	1.2398	1.2403
Norway	Kroner	5.2106	5.1804	5.1914	5.1914	5.1914	5.1635	5.1366
Pakistan	Rupee	22.1400	22.1200	22.1900	22.1900	22.1900	22.3700	22.3800
Papua NG	Kina	.6901	.6893	.6915	.6915	.6915	.6949	.6941
Philippines	Peso	19.5400	19.5300	19.5900	19.5900	19.5900	19.7300	19.7400
Portugal	Escudo	124.7300	123.6600	123.9800	123.9800	123.9800	123.5000	122.7400
Singapore	Dollar	1.1178	1.1168	1.1211	1.1211	1.1211	1.1274	1.1263
Solomon Is.	Dollar	2.3909	2.3889	2.4012	2.4012	2.4012	2.4201	2.4196
South Africa	Rand	2.6390	2.6401	2.6579	2.6579	2.6579	2.6911	2.6852
Spain	Peseta	98.7900	98.2700	98.8500	98.8500	98.8500	98.3600	98.2600
Sri Lanka	Rupee	35.0600	35.0300	35.1400	35.1400	35.1400	35.4200	35.3800
Sweden	Krona	5.7666	5.7476	5.7613	5.7613	5.7613	5.7251	5.6894
Switzerland	Franc	1.0120	1.0004	1.0019	1.0019	1.0019	1.0004	.9964
Taiwan	Dollar	19.7400	19.7200	19.7800	19.7800	19.7800	19.9400	19.9400
Thailand	Baht	18.3300	18.3100	18.3800	18.3800	18.3800	18.5200	18.5000
UK	Pounds	.4807	.4792	.4809	.4809	.4809	.4810	.4796
USA	Dollar	.7297	.7291	.7314	.7314	.7314	.7374	.7375

REIN PRAKS
Delegate of the
Comptroller-General of Customs
CANBERRA A.C.T.
22/06/94

9402541



AUSTRALIAN CUSTOMS SERVICE

COMMONWEALTH OF AUSTRALIA

CUSTOMS ACT

APPOINTMENT UNDER SECTION 17 (b) APPOINTMENT NOTICE NUMBER VS/9403

I, John Gerard Ryan, Delegate of the Comptroller-General for the Australian Customs Service, in pursuance of paragraph (b) of Section 17 of the Customs Act 1901, hereby appoint the place identified in the following schedule as a place for the examination of goods on landing.


DIRECTOR
CARGO OPERATIONS

14 June, 1994.

THE SCHEDULE

PLACE NAME

Ansett Transport Industries
(Operations) Pty Ltd trading as
Ansett Wridgways International

LOCATION

That part of the building which is
indicated by the hatching on scale
drawing VS/9406 held by the Senior
Inspector, Sea Cargo, and which is
situated on land at present known
as No 93 Heatherdale Road Ringwood
Victoria, 3134 File V93/3375 refers

9402542

**APPOINTMENT OF AIR AND SEA DEPOTS UNDER SECTION 17(B) OF
THE CUSTOMS ACT 1901**

+

Appointment Notice AS62

I, DANIEL BYRON DAWES, being a delegate of the Comptroller-General of Customs, in pursuance of Paragraph (b) of Section 17 of the Customs Act 1901, hereby appoint the place identified in the enclosed Schedule as a place for the examination of goods on landing.

Dated this *22nd* day of June 1994.



D.B. Dawes
Regional Manager
Barrier Control

THE SCHEDULE

Place

Location

The Broken Hill Pty Co Ltd., That part of the premises which is indicated by hatching on the Scale Drawings No. S 62(a) and S 62(b) and is situated on land at present known as BHP Transit Warehouse, Steelworks Road, Whyalla, South Australia 5015 as indicated on Drawings No. S62(b). The drawings indicated in this Schedule are held by the Inspector Cargo Operations.

9402557

CUSTOMS ACT 1901CUSTOMS TARIFF ACT 1987PART III OF SCHEDULE 4BY-LAWS NOS. 9440027 AND 9440028

I, JOSEPH RACE EASTMURE, delegate of the Comptroller-General of Customs for the purposes of section 271 of the *Customs Act 1901*, hereby make the by-laws set out in Schedule 1, and revoke the by-laws set out in Schedule 2.

Unless the context otherwise requires, where a description of goods is specified in a by-law set out in Schedule 1, the goods that fall within that by-law by virtue of that description are such goods as would fall within that description if it were specified in the tariff classification in Schedule 3 to the *Customs Tariff Act 1987* that applies to those goods.

Unless the context otherwise requires, any word or phrase used in a reference in a by-law set out in Schedule 1 has the same meaning as if it were used in the tariff classification in Schedule 3 to the *Customs Tariff Act 1987* that applies to those goods to which that reference in that by-law applies.

SCHEDULE 1BY-LAW NO. 9440027

Item 57
Part III of Schedule 4

1. This by-law may be cited as Customs By-law No. 9440027.
2. This by-law shall take effect on and from 9 April 1992.
3. Item 57 in Part III of Schedule 4 to the *Customs Tariff Act 1987* applies to antimicrobial preparations in various media and based on any or all of the following:
 - (a) quaternary ammonium compounds;
 - (b) isothiazolinone;
 - (c) organometallic;
 - (d) halogenated phenoxy;
 - (e) sulphone;
 - (f) organic thiocyanate; or
 - (g) amido or imido derivatives;for application to substrates during the actual manufacturing process of goods constructed of textiles, leather, paper or plastic, but not including any preparations that are applied to the goods after the manufacturing process, under security.
4. For the purposes of this by-law, the "*Customs Tariff Act 1987*" means the *Customs Tariff Act 1987*, as amended or proposed to be altered.

BY-LAW NO. 9440028


Item 45
Part III of Schedule 4

1. This by-law may be cited as Customs By-law No. 9440028.
2. This by-law shall take effect on and from 1 January 1994.
3. Item 45 in Part III of Schedule 4 to the *Customs Tariff Act 1987* applies to components, initial service spares, commissioning spares and stand-by equipment for the Kwinana Mogas Expansion Project.
4. For the purposes of this by-law, the "*Customs Tariff Act 1987*" means the *Customs Tariff Act 1987*, as amended or proposed to be altered.

SCHEDULE 2

1. Customs By-law No. 9440002 published in Gazette GN 4 of 2 February 1994, is revoked on and from 1 June 1994.

Dated this 17th day of June 1994.


JOSEPH RACE EASTMURE
Delegate of the Comptroller-General
of Customs

9402543

Prime Minister

ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION

Aboriginal and Torres Strait Islander Commission Act 1989

DECLARATION OF ABORIGINAL AND TORRES STRAIT ISLANDER CORPORATIONS

Section 89

On 9 June 1994 the Aboriginal and Torres Strait Islander Commission declared, in accordance with Section 89 of the Aboriginal and Torres Strait Islander Commission Act 1989, the following bodies corporate to be Aboriginal and Torres Strait Islander Corporations:

Aboriginal Hostels Limited
Gunyah Building Maintenance Service Pty Ltd
Tjilpata Aboriginal Land Claim Association
Walinynga (Cave Hill) Community Incorporated

9402544

Transport

K94/180

COMMONWEALTH OF AUSTRALIA MOTOR VEHICLE STANDARDS ACT 1989

ROAD VEHICLE (NATIONAL STANDARDS) DETERMINATION NO 2 OF 1994

Determination of National Standards for Road Vehicles under Section 7 of the Motor Vehicle Standards Act 1989

I, Michael John Lee, Acting Minister for Transport, make the following determination under section 7 of the *Motor Vehicle Standards Act 1989*:

1. Short Title and Citation

This determination may be cited as the *Road Vehicle (National Standards) Determination No 2 of 1994*.

2. Entry into Force

This determination comes into force on the date on which it is published in the Gazette.

3. Interpretation and Definitions

(1) In this determination and in the notes annexed to it:

"ADR" means Australian Design Rule but does not include preliminary pages (numbered (i) and (ii) and headed "cover sheet") published at the front of any ADR.

(2) Clause headings form part of this determination and may be used in its interpretation.

(3) The notes annexed to this determination are for ease of reference and do not form part of it.

4. Changes to National Standards - Part B : Definitions and Vehicle Categories

In Part B of the national standards, the Details of Sub-categories of Vehicle Categories are amended as follows:

(a) by the insertion of the following subcategories as the first two entries under the heading "3 Wheeled L-Group Vehicles (LE)" -

"LE1 - one wheel at front, 2 at rear.

LE2 - 2 wheels at front, one at rear.";

(b) by the deletion of "400 kg" in the specifications of LEM1, LEM2, LEP1, LEP2, LEG1 and LEG2 sub-categories and the substitution of "450 kg";

(c) by the insertion of "- the driver's seat is not of a saddle type and/or" immediately preceding "- has more than two seating positions" in the specifications of LEP1 and LEP2 vehicles.

- 2 -

5. Changes to National Standards - ADR 42/02

Clause 42.14 of the national standard known as ADR No. 42/02, General Safety Requirements, is amended by the deletion of "400 kg" and the substitution of "450 kg".

6. Changes to National Standards - ADR 43/03

Clause 43.4.2.3 of the national standard known as ADR No. 43/03, Vehicle Configuration and Dimensions, is amended as follows:

- (a) by the deletion of "50 per cent" and the substitution of "60 per cent"; and
- (b) by the deletion of "3.2 metres" and the substitution of "3.7 metres".

7. Changes to National Standards - ADR 68/00

The national standard known as ADR No. 68/00, Occupant Protection in Buses, is amended as follows:

- (a) subclauses 7.2.2.1.2, 7.2.2.2.2 and 7.2.3.3 are amended by the deletion of "750 mm" and by the substitution of "800 mm"; and
- (b) new subclauses numbered respectively 7.2.2.1.3, 7.2.2.2.3, and 7.2.3.4 are inserted as follows:

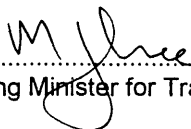
"notwithstanding the requirements of the preceding subclause, if "seats" are designed to be installed at a pitch of less than 800 mm, then tests are to be conducted at not more than the minimum design installation pitch."

- 8. The attachment to this determination shows the amended pages of the National Standards and indicates several minor editorial corrections that have been made.

9. Clarifications and Savings

The provisions of this determination do not render nonstandard any vehicle manufactured in conformity with the standards that applied at the time of its manufacture.

Dated this 22nd day of June 1994


Acting Minister for Transport

K 94/180

MOTOR VEHICLE STANDARDS ACT 1989

ROAD VEHICLE (NATIONAL STANDARDS) DETERMINATION NO. 2 OF 1994

**Determination of National Standards for Road Vehicles
under section 7 of the Motor Vehicle Standards Act 1989**

EXPLANATORY STATEMENT

Issued by the authority of the Minister for Transport

June 1994

This is the fifth determination of National Standards under section 7 of the Motor Vehicle Standards Act 1989 to be tabled in the present Parliament, the Explanatory Statement being in two parts.

The first is a description of the legislative context within which such determinations are made.

The second is a description of the content and effect of the particular determination.

PART I**Determination of National Standards under
the Motor Vehicle Standards Act 1989****Overview**

The *Motor Vehicle Standards Act 1989* (the Act) enables the Federal Government to establish nationally-uniform safety, environmental and anti-theft standards for road vehicles when they are first supplied to the market in Australia. The Act applies to such vehicles whether they are manufactured in Australia or are imported as new or secondhand vehicles.

The making of the national standards necessary for the Act's effective operation is provided for in section 7. The section empowers the Minister to determine national standards for both road vehicles and vehicle components. Determinations are disallowable instruments subject to section 46A of the *Acts Interpretation Act 1901*.

All the national standards determined under section 7 of the Act have to this point been Australian Design Rules (ADRs). Parts B, C and D of the third edition of the Australian Design Rules for Road Vehicles are the main national standards under the Act.

The national standards so determined are kept under review by the Federal Office of Road Safety. In carrying out reviews the Office consults with other agencies and interests. These include State/Territory road safety authorities, the manufacturing and operational arms of the industry, and representative organisations of road users. In particular, consultation is carried out through the Technical Liaison Group on which all these interests are represented.

Role and Functions of the Act

The role of the Act is summed up in section 3 which states that:

The object of this Act is to achieve uniform vehicle standards to apply to road vehicles when they begin to be used in transport in Australia.

Section 4 of the Act makes it clear that "road vehicles" include both motor vehicles and trailers. The term "motor vehicles" includes vehicles "permitted to be used on public roads" as well as those "designed solely or principally for ... transport on public roads" but does not include vehicles running on tracks or vehicles which are human or animal powered.

The functions of the Act are, in essence, to provide for :

- (a) the making of national standards, as described hereunder; and
- (b) the application and enforcement of those standards.

Some responsibilities in relation to the development of vehicle standards are also held by the National Road Transport Commission established under the *National Road Transport*

Commission Act 1991. Procedures are in place which recognise the responsibilities of the Commission (NRTC) and the Ministerial Council for Road Transport, and the requirements of the Motor Vehicle Standards Act.

Role of the Act in Relation to National Standards

The Act contains provisions of several sorts which jointly make the national standards system effective. These provisions address such matters as:

- formal determination of the standards which are to be applied (section 7);
- formal determination of procedures for ensuring that manufacturers comply with the standards (section 9);
- the fitting of "compliance plates" to vehicles complying with the standards (sections 10 to 13);
- the marketing and sale of both standard and nonstandard vehicles (sections 14 to 21);
- appointment of an Administrator of Vehicle Standards (section 22);
- inspections monitoring compliance with standards (sections 25 to 32);
- court proceedings associated with the standards system (sections 34 to 37).

Process for Making National Standards

Section 7 of the Act empowers the Minister to "*determine vehicle standards for road vehicles or vehicle components*", and provides that the determinations are disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act*.

The process for the making of national standards has two broad components. These components are:

- (a) settling the technical content of a proposed new or amended design rule; and
- (b) determining the rule as a national standard.

The major steps in the first of these components or stages (i.e. the settling of the technical content of a proposed new or amended design rule) are:

- (a) consulting with regulatory authorities (including the National Road Transport Commission), the industry and vehicle users;
- (b) examining relevant overseas standards (particularly ISO and ECE standards) in the interests of harmonisation; and
- (c) in the case of new or significantly amended rules for heavy vehicles, consideration by the Ministerial Council for Road Transport of a formal proposal put forward by the NRTC.

The major steps in the second of these components or stages (i.e. determining a proposed rule as a national standard) are:

- (a) approval by the federal Minister;
- (b) gazettal;
- (c) tabling in Parliament; and
- (d) scrutiny by the Parliament.

PART II

Content and Effect of the Determination

TOPICS ADDRESSED

The determination revises the national standards dealing with a range of issues. Three design rules and change to the vehicle category descriptions set out in Part B of the ADR volume containing the standards are involved.

A list of the amended standards, and of the changes made to each standard, is appended to this statement.

While none of the national standards added or amended will, on its own, have a dramatic effect on the road toll, when taken together the new, the revised and the amended standards will further reduce the number of deaths and the severity of injuries resulting from road crashes.

CONSULTATIONS AND RESPONSES

There has been a wide and thorough process of consultation. Those consulted included manufacturers, vehicle operators, regulatory authorities and representative organisations of road users.

There has also been consultation with the National Road Transport Commission; the Commission concurs with the changes made.

TIMING OF INTRODUCTION OF CHANGES

The determination as a whole came into force on the date of its gazettal.

With respect to the specific changes made by the determination, additional lead-times for new design and production arrangements are not required.

THE PROVISIONS

Clause 1 sets out the determination's short title and provides for its citation.

Clause 2 specifies the date of entry into force.

Clause 3 sets out the meanings of key terms used in the determination and the explanatory notes. It also describes the status of clause headings and explanatory notes.

Clauses 4 to 8 inclusive vary the national standards as constituted by the vehicle category descriptions and by ADRs 42/02, 43/03, and 68/00 in the manner indicated. The standards, as so amended, continue to be national standards for the purposes of the Act.

Clause 9 is a standard provision confirming that vehicles which met the national standards applicable when they were manufactured do not become nonstandard by virtue of these changes to the standards.

THE NOTES

The notes annexed to the Determination:

- (a) identify terms used in the determination or appended notes which have meanings specified in the Act;
- (b) explain terms used in the appended notes but not otherwise defined;
- (c) list the determinations under the section which established the national standards, including details of their gazettals;
- (d) list the subsequent determinations adding to, revising or amending, the national standards;
- (e) provide information on the availability of the determinations;
- (f) explain the structure of the Australian Design Rule volume and the standing of each of its parts;
- (g) explain where copies of current and previous national standards, and of the Australian Design Rule volume as a whole, can be inspected; and
- (h) explain how, and from where, copies can be purchased of current and previous national standards, and of the Australian Design Rule volume as a whole.

APPENDIX

**SUMMARY OF AMENDMENTS AND ADDITIONS BEING MADE UNDER SECTION 7
OF THE MOTOR VEHICLE STANDARDS ACT 1989 TO THE NATIONAL STANDARDS
AS REPRESENTED BY PARTICULAR ADRs - June 1994**

PART B - DEFINITIONS AND RELATED MATERIAL

The unladen mass limit of 3-wheeled vehicles - ie the limit at which they become subject to the national standards - has been increased from 400 kg to 450 kg in line with the distinctions commonly observed in the industry. Certain minor consequential adjustments to the vehicle descriptions have also been made.

PART C - CURRENT-ISSUE ADRs

(1) New National Standards

nil

(2) New Versions of Existing National Standards

nil

(3) Amended National Standards

ADR 42/02 General Safety Requirements

A minor amendment has been made to this national standard to accommodate the adjustment made to the 3-wheeled vehicle specification in the vehicle category definitions referred to above.

ADR 43/03 Vehicle Configuration and Dimensions

The rear overhang requirements of the rule have been brought into line with those to be used in the proposed Road Transport Reform (Heavy vehicle Standards) Regulations

ADR 68/00 Occupant Protection in Buses

The amendments vary the test procedure to recognise common industry standards in terms of the space between rows of seats. A manufacturer wishing to use closer seat spacing than currently envisaged by the test procedures in the rule will be required to carry out testing at that spacing. These changes will not prejudice the original intent or purpose of the rule in that the injury criteria and the seat strength criteria remain unchanged.

PART D - PRIOR-ISSUE ADRs

nil

* * * * *

Notes:

A. Terms Used

A1. Terms defined in the Motor Vehicle Standards Act are used in this determination and these notes as follows:

- "Administrator" - see section 22;
- "manufacture" - see section 5;
- "national standard" - see section 7;
- "nonstandard" - see section 5; and
- "road vehicle" - see section 5.

A2. In these notes:

"ADR volume" means the publication prepared and distributed by the Administrator, known as the Australian Design Rules for Motor Vehicles and Trailers;

"Second Edition ADRs" means the publication known as the Australian Design Rules for Motor Vehicle Safety and Emissions (Second Edition); and

"Third Edition Standards" means the national standards published in the ADR volume, as revised from time to time.

B. Gazettal of Determinations

B1. The initial determinations of national standards under section 7 of the Act were published as follows:

- No 1 of 1989 - Gazette No S 264 dated 2 August 1989; and
- No 2 of 1989 - Gazette No S 291 dated 1 September 1989;

B2. These determinations gave national standards status to the material then constituting the Third Edition Standards and the Second Edition ADRs.

B3. Subsequent amendments of, and additions to, the national standards, as constituted by the Third Edition Standards, have been published as follows:

- 1989 - No 3 of 1989, published in Gazette No GN 48 dated 13 December 1989;
- 1990 - No 1 of 1990, published in Gazette No GN 28 dated 18 July 1990;
No 2 of 1990, published in Gazette No GN 41 dated 17 October 1990; and
No 3 of 1990, published in Gazette No GN 1 dated 9 January 1991;
- 1991 - No 1 of 1991, published in Gazette No GN 21 dated 5 June 1991;
No 2 of 1991, published in Gazette No GN 27 dated 17 July 1991; and
No 3 of 1991, published in Gazette No GN 45 dated 20 November 1991;
- 1992 - No 1 of 1992, published in Gazette No GN 11 dated 18 March 1992;
No 2 of 1992, published in Gazette No GN 20 dated 20 May 1992;
No 3 of 1992, published in Gazette No GN 44 dated 4 November 1992; and
No 4 of 1992, published in Gazette No GN 50 dated 16 December 1992;
- 1993 - No 1 of 1993, published in Gazette No GN 25 dated 30 June 1993;
No 2 of 1993, published in Gazette No S 292 dated 29 September 1993; and
No 3 of 1993, published in Gazette No S 398 dated 24 December 1993;
- 1994 - No 1 of 1994, published in Gazette No GN 12 dated 30 March 1994.

C. Availability of Determinations

C1. Copies of the gazettes in which the determinations were published are available from the Australian Government Publishing Service and its bookshops.

C2. The gazettes in which the determinations were published may also be inspected at major public libraries and at the address in note E1.

D. Publication of National Standards

D1. The national standards as constituted by the ADRs are published in three of the four parts of the ADR volume.

D2. Part A of the ADR volume (Information for Users) is not part of the national standards but contains useful background information for those using it.

D3. The titles of the three Parts of the ADR volume constituting national standards are as follows:

- Part B : Definitions and Vehicle Categories

- 4 -

- Part C : Current-issue ADRs
- Part D : Prior-issue ADRs

E. Inspection of National Standards

E1. The national standards as amended by this and previous determinations, and the ADR volume as a whole, are available for inspection at the office of the Administrator of Vehicle Standards as follows:

Federal Office of Road Safety
Level 5, Cox Building
15 Mort Street
Canberra City A.C.T.

E2. These standards may also be inspected at some State or Territory motor vehicle registries.

F. Purchase of National Standards

F1. The national standards as amended by this and previous determinations, and the ADR volume as a whole, are available for purchase over the counter from the office of the Administrator of Vehicle Standards at the above address.

F2. The national standards may also be obtained by mail from the office of the Administrator by writing to:

ADR Subscriptions Service
Federal Office of Road Safety
GPO Box 594
Canberra City ACT 2601

F3. Prices of particular national standards and of the ADR volume may vary from time to time. Up-to-date prices are available from the above addresses and by telephoning 06 - 274 7437.

F4. The current price of the ADR volume is \$95 for the first year, with a \$35 renewal fee for the amendment service. These prices include a set of Administrator's Circulars, and amendments thereto.

F5. A copying/postage fee may be charged for copies of individual ADRs or other material.

9402545



CIVIL AVIATION REGULATIONS

NOTICE UNDER REGULATION 22F OF ISSUE OF CERTIFICATES OF TYPE APPROVAL

On 25 May 1994, the Civil Aviation Authority issued a certificate of type approval under regulation 22A of the Civil Aviation Regulations for the model S-76C helicopter, manufactured by Sikorsky Aircraft Division of United Technologies Corp., of Stratford, Connecticut, USA.

On 9 June 1994, the Authority issued a certificate of type approval under regulation 22 of the Civil Aviation Regulations for the model L23 Super Blanik aircraft, manufactured by LET Aeronautical Works, of Kunovice, Czech Socialist Republic.

On 20 June 1994, the Authority issued a certificate of type approval under regulation 22A of the Civil Aviation Regulations for the Jetstream Series 4100 aeroplane, manufactured by Jetstream Aircraft Ltd, of Prestwick, Scotland.

9402546



NOTIFICATION OF THE MAKING OF ORDERS UNDER THE CIVIL AVIATION REGULATIONS

Notice is hereby given that the following amendments to Civil Aviation Orders Part 105 will become effective on 29 June 1994.

AD/MU-2/56 - UNDERSPEED GOVERNOR MINIMUM STOP

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

9402547

Treasurer



COMMONWEALTH OF AUSTRALIA

Banking Act 1959

AUTHORITY TO CARRY ON BANKING BUSINESS IN AUSTRALIA

WHEREAS, the State Bank of New South Wales Limited, a body corporate that is incorporated under the *Corporations Law* (in this authority referred to as 'the body corporate'), in accordance with subsection 9(2) of the *Banking Act 1959*, has applied to the Treasurer for authority to carry on banking business in Australia:

NOW, THEREFORE I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, pursuant to section 9 of the *Banking Act 1959*, hereby grant to the body corporate authority to carry on banking business in Australia subject to the following conditions:

- (i) the body corporate shall, upon request made at any time by the Reserve Bank of Australia (in this authority referred to as the 'Reserve Bank'), consult with the Reserve Bank in relation to the making or variation of arrangements for the prudential supervision by the Reserve Bank of the banking business carried on by the body corporate;
- (ii) the body corporate shall conform with such arrangements for the prudential supervision by the Reserve Bank of the banking business carried on by the body corporate as are notified to the body corporate by the Reserve Bank, whether following such consultation or otherwise.

This authority shall come into force on the commencement of subsections 4(3) and 5(2) of the *Banking Legislation Amendment Act 1992*.

Dated

21-6-1994

Bill Hayden
Governor-General

By His Excellency's Command,

George Yen
Assistant Treasurer for the Treasurer

9402548

COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(4)

WHEREAS, in accordance with subsection 10(4) of the Banks (Shareholdings) Act 1972, application has been made to the Treasurer by the Government specified in the Schedule for an instrument in writing to be published in the Gazette fixing a percentage for the purposes of section 10 of that Act in its application to that corporation in respect of the State Bank of New South Wales Limited;

NOW THEREFORE I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and being satisfied that it is in the national interest to do so, under subsection 10(4) of the Banks (Shareholdings) Act 1972, hereby fix, for the purposes of section 10 of that Act in its application to that Government in respect of the State Bank of New South Wales Limited, a percentage of 100.

SCHEDULE

State of New South Wales

Dated 21 JUN 1994

BILL HAYDEN

Governor-General

By His Excellency's Command


Assistant Treasurer for the Treasurer

9402549

COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(5A)

WHEREAS, in accordance with subsection 10(4) of the Banks (Shareholdings) Act 1972, an instrument has been published in the Gazette fixing a percentage of 100 as the percentage applicable to the Government specified in the Schedule in respect of the State Bank of New South Wales Limited;

AND WHEREAS, in accordance with subsection 10(5A) of the Banks (Shareholdings) Act 1972, application has been made to the Treasurer by that Government for an instrument in writing to be published in the Gazette declaring that, for the purposes of subsection 10(3) of that Act, the percentage so fixed is applicable to the persons who are from time to time relevant officers of that Government in respect of that bank;

NOW THEREFORE I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 10(5A) of the Banks (Shareholdings) Act 1972, hereby declare that, for the purposes of subsection 10(3) of that Act:

- (a) the percentage of 100 is also applicable to the persons who are from time to time relevant officers of the State of New South Wales in respect of the State Bank of New South Wales Limited: and
- (b) if that percentage is subsequently varied under subsection 10(5) of that Act, that percentage as so varied is also applicable to those persons in respect of that bank as from the day on which that variation has effect.

SCHEDULE

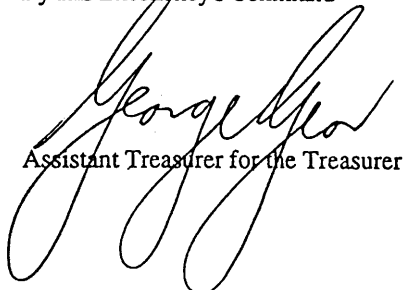
State of New South Wales

Dated 21 JUNE 1994

BILL HAYDEN

Governor-General

By His Excellency's Command



Assistant Treasurer for the Treasurer



Banking Legislation Amendment Act 1992

PROCLAMATION —

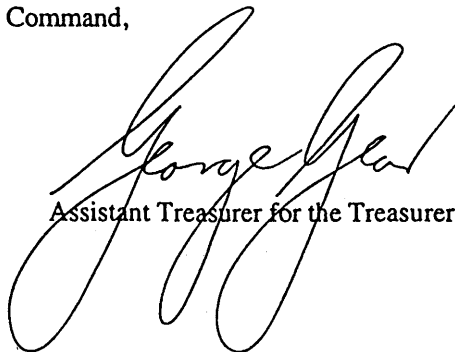
I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (4) of the *Banking Legislation Amendment Act 1992*, fix 1 July 1994 as the day on which subsections 4 (3) and 5 (2) of that Act commence.



Signed and sealed with the
Great Seal of Australia on
21 JUNE 1994

BILL HAYDEN
Governor-General

By His Excellency's Command,



Assistant Treasurer for the Treasurer

9402551



Banking (State Bank of South Australia and Other Matters) Act 1994

PROCLAMATION

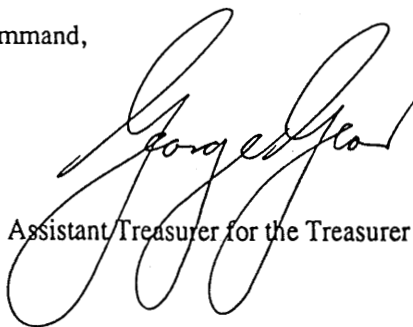
I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (2) of the *Banking (State Bank of South Australia and Other Matters) Act 1994*, fix 1 July 1994, being a day that is not earlier than the day on which the *State Bank (Corporatisation) Act 1994* of South Australia commences, as the day on which Part 2.1 (other than subsections 5 (2) and 6 (2)) of the *Banking (State Bank of South Australia and Other Matters) Act 1994* commences.



Signed and sealed with the
Great Seal of Australia on
21 JUNE 1994

BILL HAYDEN
Governor-General

By His Excellency's Command,



Assistant Treasurer for the Treasurer

Income Tax Assessment Act 1936

NOTICE UNDER SUBSECTION 128AE(2) DECLARING A PERSON TO BE AN
OFFSHORE BANKING UNIT

In the exercise of the powers and functions delegated to me by the Treasurer by instrument of delegation signed and dated on 28 May 1993. I, George Gear, hereby declare that the following person is an Offshore Banking Unit from the date of this declaration.

Macquarie Asset Finance Pty Limited

Dated this 18 day of May 1994



George Gear
Assistant Treasurer

9402553

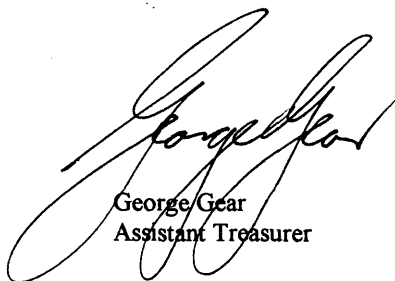
Income Tax Assessment Act 1936

NOTICE UNDER SUBSECTION 128AE(2) DECLARING A PERSON TO BE AN
OFFSHORE BANKING UNIT

In the exercise of the powers and functions delegated to me by the Treasurer by instrument of delegation signed and dated on 28 May 1993 I, George Gear, hereby declare that the following person is an Offshore Banking Unit from the date of this declaration.

Credit Suisse

Dated this 30TH day of May 1994



George Gear
Assistant Treasurer

9402554

AUSTRALIAN TAXATION OFFICE**Income Tax Assessment Act 1936****LODGMET OF INCOME TAX RETURNS AND LODGMET OF FRANKING
ACCOUNT RETURNS****LODGMET OF INCOME TAX RETURNS**

In accordance with section 161 of the *Income Tax Assessment Act 1936* (the 'Act') and the *Income Tax Regulations* (the 'Regulations'), I require every person and relevant entity described in Table B of this notice to furnish to me a return of income for the year of income ended 30 June 1994. I further require every person and relevant entity described in Tables A, C, E, F and G of this notice, except where they are described in Tables D or H, to furnish to me a return of income for the year of income ended 30 June 1994 (or period in lieu of 30 June 1995 in the case of Table A).

In this notice (unless otherwise stated) a reference to a 'person' does not include a 'relevant entity'. A relevant entity means a company, a trustee of a corporate unit trust, a trustee of a public trading trust, a superannuation fund, an approved deposit fund or a pooled superannuation trust.

Every person required to lodge a return must do so by 31 October 1994, unless leave has been granted to adopt a substituted accounting period in lieu of the year of income ended 30 June 1994, in which case a return must be lodged with me no later than four months after the close of the accounting period adopted.

Taxable relevant entities (with the exception of those covered in Table A) that are required to lodge a return must do so by the date on which the entity is required to pay its final tax liability in accordance with section 221AZD of the Act.

- * Where a section 221AU election to make a single payment has been lodged, the final tax liability is due by the 15th day of the 6th month following the close of the relevant entity's year of income.
- * Where a section 221AU election has not been lodged, the final tax liability is due by the 15th day of the 9th month following the close of the relevant entity's year of income.

Note: The final tax liability for relevant entities with an approved substituted accounting period (with the exception of those covered in Table A) is as above, except where the balance date is later than 30 September 1994 and an election has not been made under section 221AU. These entities must make their final tax payment by 15 June 1995. Relevant entities that balance before 31 December in lieu of the succeeding 30 June are required to make a final payment as if they balanced on 31 December.

Non-taxable relevant entities (with the exception of those covered in Table A) must lodge a return by the 15th day of the 11th month after the close of the entity's year of income, but no later than the following 15th June.

TABLE A

Every relevant entity that has a substituted accounting period that balances 'early' in lieu of 30 June 1995, and whose *likely tax* (in accordance with section 221AZN of the Act) is \$300,000 or less must lodge a return for the year of income by:

- (A) in the case of a relevant entity with a *likely tax* of less than \$8,000 (including 'nil' tax), a return of income must be lodged by the 1st day of the 18th month after the start of the year of income; and
- (B) in the case of a relevant entity with a *likely tax* of between \$8,000 and \$300,000, a return of income must be lodged by the 1st day of the 21st month after the start of the year of income.

TABLE B

Every person, or relevant entity, who during the year of income ended 30 June 1994,

- 1. had Tax Instalment Deductions taken from their pay or other income, or
- 2. purchased Tax Stamps for that year of income, or
- 3. incurred a loss or is entitled to a deduction for a prior year loss, or
- 4. had tax deducted under the Prescribed Payments System, or
- 5. was liable to pay child support under the *Child Support (Assessment) Act 1989*, or
- 6. carried on a business in Australia, or
- 7. was entitled to income, or loss, as a beneficiary in a trust estate that has operated a business of primary production (as defined in section 6 of the Act) in Australia, or
- 8. had an individual interest in the net income or the net loss of any partnership which operated a business of primary production (as defined) in Australia, or
- 9. was under 18 years of age, not married at that time, and whose income for the year was more than \$416 (excluding salary and wages or other payments for work that was personally performed), or
- 10. who received income subject to the provisions of sections 23AF or 23AG of the Act and received \$1 or more of other income, or
- 11. who had Provisional Tax raised in an assessment for the year of income ended 30 June 1993 that has not been varied to 'nil'.

TABLE C

Every person who was a resident of Australia for the whole of the income year ended 30 June 1994 and,

- (i) whose taxable income for the year exceeded \$5,400, or
- (ii) who ceased full-time education at a school, college, university or similar institution, in or out of Australia, for the first time, during the year ended 30 June 1994, and, who had not commenced another such course of education by 30 June 1994 or within four months of ceasing the previous course, and whose income exceeds the equivalent of \$450 multiplied by the number of months they were engaged in full-time education (including the month in which you ceased full-time education).

TABLE D

Every person who received a pension, benefit or allowance covered below and whose taxable income for the year of income ended 30 June 1994 was less than the thresholds listed below.

1. Those people who received income from an Australian Social Security Job Search, Newstart or Sickness Allowance, special benefit or a living allowance under AUSTUDY, ABSTUDY, the Assistance for Isolated Children or the Veteran's Children Education Scheme and their taxable income for the year was less than the amounts shown below.

(i) Single (or separated)

. receiving the TCF Special Allowance	\$7,775
. under 18 years at 30 June 1994 (no dependent children) and living away from home	\$5,840
. 18 - 20 years at 30 June 1994 (no dependent children) living at home and started to receive an allowance or benefit before 21 September 1990 and received it continuously up to at least 1 July 1994	\$6,460
. 18 - 20 years as at 30 June 1994 (no dependent children) and living away from home	\$6,460
. 21 years or over at 30 June 1994 (no dependent children)	\$7,775

- . aged 60 years or over at 30 June 1994
(no dependent children)
receiving social security benefit or
allowance for at least 6 months \$8,530

(ii) Married (legal or de facto)

- . receiving the TCF Special Allowance \$7,775
- . under 18 years at 30 June 1994
and no dependent children \$5,840
- . 18 - 20 years at 30 June 1994
and no dependent children \$6,460
- . 21 years or over at 30 June 1994
no dependent children and spouse under
21 years or on AUSTUDY, ABSTUDY,
Social Security benefit, pension or allowance \$7,115
- . 21 years or over at 30 June 1994
no dependent children, and spouse
21 years or over and **not** on AUSTUDY,
ABSTUDY, or a Social Security benefit,
pension or allowance \$14,225
- . at any age and started to receive
benefit **before** 21 September 1990
and received it continuously up to
at least 1 July 1994 \$14,225
- . at any age with dependent children
and started to receive benefit **on or**
after 21 September 1990 and spouse
not on AUSTUDY, ABSTUDY, Social
Security benefit, pension or allowance \$14,225
- . at any age with dependent children
and started to receive benefit **on or**
after 21 September 1990 and spouse
on AUSTUDY, ABSTUDY; Social
Security benefit, pension or allowance \$7,115
- . you and your spouse were separated
because of illness, and you are 21 years
of age or over (or any age if you have
dependent children) \$17,060

2. Any person who received income, other than exempt income, from an Australian Veterans Affairs pension, allowance or benefit, or, income from an Australian Social Security pension, allowance or benefit (not mentioned at '1.' of this Table) and your taxable income for the year was **less** than the amounts shown below.
- | | | |
|--|----------------------------|-----------------------------|
| . If at any time during the year, and while you were receiving the benefit, you were: single or widowed; or separated; or a sole parent; or (married or de facto and your spouse did not receive any of the above pensions or allowances and you started to receive the pension before 12 March 1992 and have been receiving it continuously since) | Soc Sec
\$10,820 | Vets Aff
\$10,500 |
| . If you and your spouse (married or de facto) had to live apart due to illness, or you or your spouse were in a nursing home at any time during the year | \$10,505 | \$10,185 |
| . If you and your spouse (married or de facto) both received a pension or allowance at any time during the year | \$9,090 | \$8,825 |
| . If you were married or de facto and your spouse did not receive any of the above pensions or allowances and you started to receive the pension on or after 12 March 1992 | \$9,090 | - |

Note: If you are a married pensioner and your spouse's taxable income is higher than the relevant amount tabulated above, you should lodge a return even if your taxable income is less than the relevant figure (you will have unused rebate to transfer to your spouse).

TABLE E

Every person who, at any time during the year of income ended 30 June 1994, was not a resident of Australia, and who derived any assessable income from a source in Australia.

TABLE F

Every person who was a resident of Australia for only part of the year of income ended 30 June 1994, and whose taxable income exceeded the amount obtained by multiplying \$450 by the number of months the person was a resident of Australia (including the month in which the person became, or ceased to be, a resident of Australia).

TABLE G

Every relevant entity (excluding superannuation funds, approved deposit funds and pooled superannuation trusts) that;

- * is a resident of Australia, and derived Australian source income, or income from outside Australia during the year of income ended 30 June 1994, or
- * is a non-resident of Australia, and derived Australian source income during the year of income ended 30 June 1994.

Every superannuation fund, approved deposit fund and pooled superannuation trust that is a resident of Australia, or, if not a resident, derived Australian source income during the year of income ended 30 June 1994, except, complying superannuation funds and complying approved deposit funds, whose only investments are life assurance policies or units in a pooled superannuation trust, and who did not receive any taxable contributions in the year of income ended 30 June 1994, or, whose taxable contributions for the year ended 30 June 1994 have been transferred to a life assurance company, a registered organisation or a pooled superannuation trust, in accordance with section 275 of the Act.

TABLE H

Any non-profit company that is an Australian resident and whose taxable income for the year of income ended 30 June 1994 is less than \$417.

Any non-profit association, organisation, institution, society or club, the income of which is exempt from liability to Income Tax under the provisions of section 23 of the Income Tax Assessment Act.

OTHER ENTITIES

In the rest of this notice a 'person' includes a relevant entity (also a company, partnership, trust estate, association, fund, body or institution).

PARTNERSHIPS

A return showing the total income of every partnership is required to be lodged (by 31 October 1994) by the partners who live in Australia, or by any of them who satisfies the conditions set out in sub-regulation 20(1) of the Regulations. If there is no partner living in Australia, the return is to be lodged by the partnership's agent in Australia.

TRUST ESTATES

A return disclosing the total income of every trust estate is required to be lodged (by 31 October 1994) by any one of the trustees living in Australia. If there is no trustee in Australia, the return is to be lodged by the trust's public officer or, where no public officer is appointed, by the trust's agent in Australia.

OVERSEAS SHIPPING

A return must be lodged (by 31 October 1994) of the amount paid or payable in or out of Australia to a person whose principal place of business is not in Australia and is for the carrying of passengers, livestock, mails or goods shipped in Australia. The return is to be lodged by the Master of the ship, the agent or other representative in Australia of the owner or charterer.

AUSTRALIA INCLUDES TERRITORIES AND CERTAIN SEA INSTALLATIONS AND OFFSHORE AREAS

In this notice 'Australia' includes the Territory of Norfolk Island, Cocos (Keeling) Islands, Christmas Island and certain sea installations and offshore areas. However, in relation to Territory residents, Territory companies or Territory trusts (as defined in Division 1A of Part III of the Act), references to total income do not include income from sources in Norfolk Island or Cocos (Keeling) Islands or from outside Australia.

ARRANGEMENTS TO LODGE RETURNS

Nothing in this notice prevents me or an authorised officer of the Australian Taxation Office from granting an arrangement to lodge any return/s after the relevant date specified in this notice or from requiring the lodgment of return/s before that date.

STATEMENTS BY COMPANIES RELATING TO DIVIDENDS AND INTEREST PAID OR CREDITED

UNDER the provisions of the *Income Tax Assessment Act 1936* ('the Act') and the Income Tax Regulations, I require statements to be lodged by or on behalf of every company showing the following particulars:

- * the names and addresses of all shareholders and the amount of dividend (if any) paid to each shareholder during the year of income ended 30 June 1994;
- * the names and addresses of all persons to whom interest in excess of \$100 was paid or credited during the year of income ended 30 June 1994, and the amount of interest so paid or credited to each person;
- * the names and addresses of all holders of debentures payable to bearer which the company is in a position to furnish (whether residents or non-residents), together with the amount of interest paid or credited to each such holder of debentures during the year of income ended 30 June 1994; and/or
- * the total amount of interest paid or credited during the year of income ended 30 June 1994, or the accounting period adopted in lieu of the year of income ended 30 June 1994, in respect of debentures payable to bearer where the names and addresses of the holders of such debentures are not supplied to me by the company (refer to section 126 of the Act).

LODGMET OF STATEMENTS

Statements containing the above-mentioned information must be lodged:

- (a) at the Office of the Deputy Commissioner of Taxation at which the company's return of income is required to be furnished;
- (b) separately of the return of income and addressed for the attention of the Primary Audit Manager; and
- (c) by the date on which the return of income of the company for the year of income ended 30 June 1994, or substituted accounting period adopted in lieu of the year of income ended 30 June 1994, is required to be lodged.

SEPARATE NOTICE TO COMPANIES

Notwithstanding this notice, a company must, when called upon by direct notice, lodge statements containing the abovementioned information in an alternative form, or at an alternative time or place as directed by that notice.

LODGMET OF FRANKING ACCOUNT RETURN FORMS

Companies, including corporate trust estates that are treated as companies for the purposes of Part IIIAA of the Act, which have a deficit balance in the franking account at the end of the 1993-94 franking year and are required to pay franking deficit tax, are required to lodge a franking account return for that franking year.

Companies which have a nil or surplus balance in the franking account at the close of the franking year are not required to lodge a franking account return.

DATE OF LODGMET OF FRANKING ACCOUNT RETURN

The franking account return must be lodged by the last day of the month following the end of the franking year. (This is the date on which the franking deficit tax is payable.)

PENALTIES FOR NON-COMPLIANCE

Any person who does not comply with a requirement of the Act or Regulations, commits an offence and is liable, on conviction, to a penalty not exceeding \$2,000 if it is the first offence. If convicted of a second offence, that person becomes liable to a penalty not exceeding \$4,000. If convicted of a third or subsequent offence, that person (not being a company) becomes liable to a penalty not exceeding \$5,000 or imprisonment for a period of not more than 12 months, or both. A company may be fined \$25,000. Alternatively:

- * the person may, in relation to an income tax return, become liable to pay, as a penalty, additional tax equal to double the tax payable for the year.

- * the company or trustee of a corporate trust estate may, in relation to a franking account return, become liable to pay, as a penalty, additional tax equal to double the franking deficit tax payable by that company or corporate trust estate for the franking year.



(M.J. Carmody)

Commissioner of Taxation

Dated this 22nd day of June 1994.

9402555



Superannuation Industry (Supervision) Act 1993

TEMPORARY MODIFICATION DECLARATION No 2

I, Ronald Henry Dean, Acting Insurance and Superannuation Commissioner, pursuant to subsection 333(1) of the *Superannuation Industry (Supervision) Act 1993* ("the Act"), DECLARE that section 121 of the Act is to have effect, in relation to trustees of superannuation entities, as if it were modified by inserting after subparagraph 121(2) the following:

- " (2A) Subsection (2) does not prohibit a body corporate that is a trustee of a superannuation entity from permitting a disqualified person to be, or act as, a responsible officer of the body corporate if:
- (a) the body corporate immediately tells the Commissioner in writing that the person is, or has become, a disqualified person; and
 - (b) the person is, or is acting as, a responsible officer of the body corporate during a period which the Commissioner in writing allows, being a period which:
 - (i) begins at whichever is the later of the following times:
 - (A) the time when the body corporate becomes aware that the person is a disqualified person;
 - (B) 1 July 1994; and
 - (ii) does not exceed 6 months; and
 - (c) the body corporate has made, or proposes to make, arrangements for the orderly removal of the person as a responsible officer of the body corporate; and
 - (d) the person is taking, or is willing to take, all reasonable steps to assist the body corporate in carrying out those arrangements; and
 - (e) the body corporate complies with any conditions determined by the Commissioner and notified to it in writing; and

- (f) where the trustee of the entity is the body corporate and one or more other trustees - every other trustee of the entity complies with any conditions determined by the Commissioner and notified to the trustee in writing. "

This declaration:

- i. is taken to have commenced to have effect on 1 December 1993;
- ii. has no effect after 30 June 1996.

Dated 24 June 1994

R H Dean
Acting Commissioner



Superannuation Industry (Supervision) Act 1993

TEMPORARY MODIFICATION DECLARATION No 2

EXPLANATORY MEMORANDUM

GENERAL OUTLINE OF THE "DISQUALIFIED PERSON" PROVISIONS

1. Part 15 of the *Superannuation Industry (Supervision) Act 1993* ("the Act"), which contains sections 119 to 127, sets out rules about the eligibility of trustees, custodians and investment managers of superannuation entities. ("Superannuation entity" is defined in section 10 as meaning a regulated superannuation fund, approved deposit fund or pooled superannuation trust.)
2. Section 121(1) prohibits disqualified persons from intentionally being or acting as trustees of superannuation entities if they know that they are disqualified persons. Section 121(2) prohibits bodies corporate from permitting to be or to act as responsible officers of the body corporate disqualified persons who have been disqualified persons for the immediately preceding 28 days, if the body corporate knows or has reasonable grounds to suspect that they are and have for the preceding 28 days been disqualified persons.
3. Section 126(1) prohibits disqualified persons from intentionally being or acting as investment managers of superannuation entities (other than excluded funds) if they know that they are disqualified persons, but section 126(2) provides that the prohibition in section 126(1) does not apply if:
 - (a) the disqualified person concerned immediately tells the trustee and the Commissioner that the person is disqualified; and
 - (b) the disqualified person concerned only acts as investment manager of the entity during the 28-day period beginning at the last to occur of the time when the person became disqualified and the beginning of the entity's 1994-95 year of income, or during such longer period as the Commissioner allows.
4. Section 120(1) provides that an individual is a disqualified person if:
 - (a) at any time the individual was convicted of an offence against or arising out of a law of the Commonwealth, a State, a Territory or a

- foreign country, being an offence in respect of dishonest conduct; or
- (b) a civil penalty order was made against the person; or
- (c) the person is an insolvent under administration.
5. The effect of section 120(2) is that a body corporate is a disqualified person if a responsible officer of the body corporate is and has during the preceding 28 days been a disqualified person, or if a receiver, receiver and manager, official manager, deputy official manager or provisional liquidator has been appointed in respect of the body corporate or property beneficially owned by the body corporate, or if the body corporate has begun to be wound up.
6. "Responsible officer", in relation to a body corporate, is defined in section 10 as meaning a director, secretary or executive officer of the body corporate.
7. Section 133 enables the Commissioner to remove or suspend the trustee of a superannuation entity if, inter alia, the trustee, or any of the trustees, is a disqualified person.

PURPOSE OF THE "DISQUALIFIED PERSON" PROVISIONS

8. The purpose of the "disqualified person" provisions of Part 15 is to facilitate the prudential management of superannuation entities, by prohibiting from being trustees or investment managers of funds persons whose previous criminal conduct or present condition of insolvency marks them as posing a potential risk to the funds' financial integrity.
9. Making provision for the prudential management of superannuation entities is one of the key purposes of the SIS Act - see section 3(1): "The object of this Act is to make provision for the prudent management of certain superannuation funds, approved deposit funds and pooled superannuation trusts..."; and see also the explanatory memorandum to the SIS Bill under heading "General Outline and Main Purposes of the Bill": "This Bill...provides: ... - that trustees and investment managers must be suitable to act as fund trustees and to manage fund moneys respectively".
10. The disqualified person provisions of Part 15 are very strict in excluding from being trustees and investment managers, and from taking part in the governance of corporate trustees and corporate investment managers, persons with convictions for offences in respect of dishonest conduct. This strictness is evidenced by the facts that:
- foreign convictions are also taken into account;
 - convictions are taken into account regardless of how old they are;
 - orders under section 19B of the *Crimes Act 1914* and under corresponding provisions of State, Territory and foreign laws for the discharge without conviction of persons in respect of whom an offence

has been found proved are deemed to be convictions of the offences concerned (see section 120(3));

- Division 3 of Part VIIC of the *Crimes Act* (which prevents persons from being required to disclose "spent" convictions) does not apply to the disclosure of information for the purposes of the definition of disqualified person (see section 120(4)); and
- Part 15 does not confer any discretion on the Commissioner that would enable him to overlook, or to decline to take into account, any convictions.

11. Because orders under section 19B of the *Crimes Act* (or under corresponding provisions in other legislation) tend to be made where there are mitigating circumstances surrounding the commission of the offence, or where the offence was a very minor one, the presence of section 120(3) is particularly significant, as revealing Parliament's intention that even offences in this category should be counted as convictions for dishonesty for the purposes of the disqualified person provisions.
12. Section 120(4), the effect of which is that "spent" convictions (ie convictions that did not result in imprisonment for more than 30 months and that were sustained more than 10 years previously or, where the person convicted was a minor, 5 years previously) count as convictions for the purposes of the disqualified person provisions, also sheds some important light on Parliament's intentions in enacting those provisions. The intention behind the law on spent convictions is that people who were not sentenced to more than 30 months' imprisonment and whose convictions happened a long time ago should be considered to have paid their debt to society and should not have to go through the rest of their lives still suffering disadvantage from and the stigma associated with their conviction - that they should have, as far as possible, their "slate wiped clean". Yet, when it enacted the disqualified person provisions, Parliament declared that the Commonwealth's law on spent convictions is not to apply.
13. It is evident that in prohibiting disqualified persons from being trustees and investment managers and from taking part in the governance of corporate trustees and investment managers, 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.
14. The disqualified person provisions treat trustees even more strictly than investment managers - while section 126(2)(b)(ii) enables the Commissioner to extend the time during which an investment manager who is a disqualified person may continue as the investment manager of an entity beyond the 28 days provided for by section 126(2)(b)(i), no similar discretion is given to him in relation to trustees who are disqualified persons or corporate trustees who have a responsible officer who is a disqualified person. This is understandable, given trustees' central and

responsible role in the management of superannuation entities. It also indicates that Parliament considered whether it should give the Commissioner a discretion to extend the time during which a disqualified person can be a trustee or a responsible officer of a corporate trustee, and decided *not* to give the Commissioner such a discretion.

USING THE TEMPORARY MODIFICATION POWER TO MODIFY THE "DISQUALIFIED PERSON" PROVISIONS

15. Part 15 is not a modifiable provision for the purposes of Part 29 (which confers power on the Commissioner to make modifications of, and grant exemptions from, the provisions of the SIS Act and the regulations). However, it is included among the temporarily modifiable provisions: section 327. This means that the Commissioner has power under sections 329(1) and 333(1) to respectively grant exemptions from, and modify, the provisions of the Part until 1 July 1996.
16. The explanatory memorandum which accompanied the SIS Bill stipulates, under heading "Clause 320 Object", in relation to the permanent and temporary modification and exemption powers conferred by Part 29, that they can be exercised "only where [the Commissioner] is satisfied that, if the modification or exemption is given, the particular superannuation entity or class of superannuation entities would still comply with the spirit of the provisions concerned". This represents an important limitation on the use of these powers.
17. In view of the matters referred to in paragraphs 8 to 14 above, the Commissioner has given careful consideration to whether temporary modification declaration number 2 is indeed consistent with the spirit of the disqualified person provisions, given the strict terms in which they are framed and given that Parliament declined to give the Commissioner the power to extend the time during which a disqualified person can continue to act as a trustee or as a responsible officer of a corporate trustee. The Commissioner has concluded that, since Parliament included the whole of Part 15 in the temporarily modifiable provisions, its intention must have been to allow him to temporarily modify the disqualified person provisions as well as the other provisions contained in Part 15.

THE PROBLEM OF CERTAIN DISQUALIFIED PERSONS WHO ARE ALREADY RESPONSIBLE OFFICERS OF SUPERANNUATION ENTITIES

18. The disqualified person provisions pose a particular problem for people who are already responsible officers of the trustees of existing superannuation entities which are about to elect to become regulated under the Act. These people became responsible officers in relation to the entities in good faith at a time when no disqualified person restrictions applied.

19. In many cases these responsible officers will be able to resign within the 28-day period allowed by section 121(2)(b) without too much disruption or inconvenience. Sometimes, however, these officers play pivotal roles in the corporations, their particular skills or expertise being crucial to the success and the continuing viable operation of the corporations and of the superannuation entities of which the corporations are the trustees. Requiring them to resign or to be dismissed from their positions within the specified 28-day period could cause substantial disruption to the corporations and to the superannuation entities. This disruption could substantially disadvantage the corporations and people associated with the corporations, in particular the members and beneficiaries of the superannuation entities.

PURPOSE AND EFFECT OF THE TEMPORARY MODIFICATION DECLARATION

20. The Commissioner considers that it is reasonable to modify section 121 by inserting a new subsection 121(2A), which allows a body corporate to permit a disqualified person to act as a responsible officer of the body corporate for such period, which exceeds the 28-day period allowed by section 121(2) but which does not exceed 6 months, as the Commissioner in writing allows, if certain other conditions are fulfilled. The effect of subsection (2A) is to enable the Commissioner, in appropriate cases, to allow a body corporate more time to secure the orderly replacement of a responsible officer who is or has become a disqualified person.
21. The Commissioner believes that 6 months is sufficient time for a corporation to replace a disqualified person.
22. Subsection (2A) is self-explanatory and will therefore not be paraphrased here.
23. The Commissioner's consent in writing under subparagraph (2A)(b)(iv) to a disqualified person continuing to act in that role for more than 28 days after becoming disqualified should be sought as early as possible, and must in any event be obtained before the 28 days have elapsed.
24. The conditions imposed pursuant to paragraphs (2A)(e) and (f) will mostly be directed to safeguarding the interests of the members of the superannuation entity managed by the body corporate. Examples are conditions:
 - precluding the disqualified person from having authority to sign cheques or withdraw or otherwise deal with moneys of the entity;
 - requiring the body corporate to maintain fidelity insurance in relation to the entity; and
 - requiring the body corporate to appoint independent directors.

25. The Commissioner will normally only exercise the discretion conferred by paragraph (2A)(b) to allow a body corporate which is the trustee of a superannuation entity to permit a disqualified person to continue as a responsible officer for more than 28 days if he is satisfied that:
- (a) this will not be likely to subject the fund to undue prudential risk; and
 - (b) if the time during which the disqualified person can continue to act as a responsible officer is not extended, the members of the entity, the disqualified person, or third parties, will be put at risk of suffering financial loss or severe disruption to which it would not be fair to expose them.
26. In order to be satisfied as to the matter in paragraph 25(a) above, the Commissioner will take into account circumstances such as the nature of the particular dishonesty offence of which the responsible officer was convicted, the penalty imposed and time elapsed since the conviction.

DURATION OF THE TEMPORARY MODIFICATION DECLARATION

27. By force of section 333(2), temporary modification declaration number 2 will have no effect after 30 June 1996.

(Published by authority of the Insurance and Superannuation Commissioner)

9402560



Superannuation Industry (Supervision) Act 1993

TEMPORARY MODIFICATION DECLARATION No 3

I, Ronald Henry Dean, Acting Insurance and Superannuation Commissioner, pursuant to subsection 333(1) of the *Superannuation Industry (Supervision) Act 1993* ("the Act"), DECLARE that:

1. Section 26 of the Act is to have effect, in relation to approved trustees and applicants for approval as trustee, as if it were modified by inserting after subparagraph 26(1)(b)(ii) the following:

- " (ia) the Commissioner is satisfied that the sum of:
- (A) the value of the net tangible assets of the applicant; and
 - (B) the amount of an approved guarantee to the benefit of which the Commissioner is satisfied that the applicant is entitled, being a guarantee in respect of the applicant's duties as trustee of each relevant entity of which the applicant is, or is proposing to become, the trustee,
- is not less than the amount prescribed by the regulations; "

2. Section 28 of the Act is to have effect, in relation to approved trustees, as if it were modified by inserting after paragraph 28(2)(d) the following:

- " (da) if subparagraph 26(1)(b)(ia) applied to the approval of the trustee - that subparagraph has ceased to apply to the trustee; or "

3. Section 29 of the Act is to have effect, in relation to approved trustees, as if it were modified by inserting after paragraph 29(2)(c) the following:

- " (ca) if subparagraph 26(1)(b)(ia) applied to the approval of the trustee - that subparagraph ceasing to apply to the trustee; "

4. Section 123 of the Act is to have effect, in relation to custodians of superannuation entities (other than excluded funds), as if it were modified by omitting "either" from paragraph 123(1)(b) and substituting "any", by omitting "regulations." from subparagraph 123(1)(b)(ii) and substituting "regulations;", and by inserting after subparagraph 123(1)(b)(ii) the following:

- " (iii) the sum of:
- (A) the value of the net tangible assets of the body corporate; and
 - (B) the amount of an approved guarantee to the benefit of which the trustee of the entity is entitled, being a guarantee in respect of the due performance of the body corporate's duties as custodian of the entity,
- is not less than the amount prescribed by the regulations. "

5. Regulation 3.03 of the *Superannuation Industry (Supervision) Regulations* ("the Regulations") is to have effect, in relation to approved trustees and applicants for approval as trustee, as if it were modified by omitting "subparagraphs 26(1)(b)(i) and (ii)" and substituting "subparagraphs 26(1)(b)(i), (ii) and (iia)".

6. Regulation 13.19 of the Regulations is to have effect, in relation to custodians of superannuation entities (other than excluded funds), as if it were modified by omitting "subparagraphs 123(1)(b)(i) and (ii)" and substituting "subparagraphs 123(1)(b)(i), (ii) and (iii)".

This declaration:

- i. is taken to have commenced to have effect on 1 December 1993;
- ii. has no effect after 30 June 1996.

Dated 24 June 1994

R H Dean
Acting Commissioner



Superannuation Industry (Supervision) Act 1993

TEMPORARY MODIFICATION DECLARATION No 3

EXPLANATORY MEMORANDUM

ALLOWING APPROVED TRUSTEES TO HAVE A COMBINATION OF NET TANGIBLE ASSETS AND APPROVED GUARANTEE OF A TOTAL VALUE OF \$5 MILLION (THE MODIFICATIONS TO SECTIONS 26, 28 AND 29, AND REGULATION 3.03)

1. Part 2 of the *Superannuation Industry (Supervision) Act 1993* ("the Act"), which contains sections 21 to 29, provides for the Insurance and Superannuation Commissioner ("the Commissioner") to approve constitutional corporations as trustees for the purposes of the Act.
2. The significance of the approval of trustees is that:
 - (a) a fund cannot be an approved deposit fund unless it is maintained by an approved trustee (see section 10 definition of "approved trustee"); and
 - (b) the trustee of a public offer entity (defined in section 10 as a public offer superannuation fund, an approved deposit fund that is not an excluded approved deposit fund, or a pooled superannuation trust) must not issue or offer to issue superannuation interests in the entity or invite the making of applications for the issue of superannuation interests in the entity unless the trustee of the entity is an approved trustee (the other requirements of section 152(2) must also be satisfied).
3. The effect of section 26(1), when read together with regulation 3.03 of the *Superannuation Industry (Supervision) Regulations* ("the Regulations") (which prescribes the amount of \$5,000,000 for the purposes of the section), is that the Commissioner must approve an applicant as an approved trustee if the Commissioner is satisfied that the applicant can be relied on to perform, in a proper manner, the duties of trustee and if at least one of the following conditions applies:
 - (i) the applicant has net tangible assets of a value of at least \$5,000,000;

- (ii) the applicant is entitled to the benefit of an approved guarantee of at least \$5,000,000 in respect of its trustee duties in relation to each relevant entity of which the applicant is or will be the trustee;
- (iii) the applicant has agreed to comply with the Commissioner's requirements relating to the custody of the assets of each relevant entity of which the applicant is or will be the trustee.

(These three subparagraphs summarise subparagraphs 26(1)(b)(i), (ii) and (iii) respectively.)

4. An approved guarantee is a guarantee given by or on behalf of the Commonwealth, a State or a Territory, by a body corporate authorised under Part II of the *Banking Act 1959* to carry on banking business in Australia, or by the Commonwealth Bank of Australia, the Commonwealth Savings Bank of Australia, the Commonwealth Development Bank of Australia or a State bank (section 10 definitions of "approved guarantee" and "approved bank").
5. "Net tangible assets" (not defined in the Act) means total assets less intangible assets less total liabilities.
6. The requirements in subparagraphs 26(1)(b)(i) and (ii) are intended to ensure that approved trustees have the financial capacity or backing to fulfil their duties and responsibilities as trustees.
7. However, there is a problem in that section 26(1) makes no provision for situations where an applicant does not fulfil either subparagraph 26(1)(b)(i) or subparagraph 26(1)(b)(ii), but has net tangible assets and the benefit of an approved guarantee the *combined value* of which is \$5,000,000. It is the Commissioner's view that a combination of net tangible assets and approved guarantee totalling \$5,000,000 held by an approved trustee has exactly the same effect in terms of providing the requisite financial backing to the trustee as the holding by the trustee of either \$5,000,000 in net tangible assets or an approved guarantee of an amount of \$5,000,000. In addition, section 26(1) in its present form can constitute an unnecessary barrier to entry to, and can thus have an anti-competitive effect on, the relevant parts of the superannuation industry. This is because an applicant with, say, \$4,000,000 in net tangible assets would be required to incur the expense of an approved guarantee for \$5,000,000, as would an applicant with only, say, \$200,000 in net tangible assets. The former applicant would have a combined financial backing of \$9,000,000, while the latter would have a combined financial backing of only \$5,200,000. The former applicant would suffer a competitive disadvantage compared with the latter, having more money tied up as net assets and also having to incur the cost of the approved guarantee.
8. For these reasons, the Commissioner has decided to temporarily modify section 26(1)(b) by adding a new subparagraph 26(1)(b)(ia), the effect of which is to permit the approval of applicants where the Commissioner is

satisfied that the sum of the value of the net tangible assets of the applicant, and the amount of an approved guarantee to the benefit of which the Commissioner is satisfied that the applicant is entitled, being a guarantee in respect of the applicant's duties as trustee of each relevant entity, is not less than \$5,000,000.

9. The temporary modification declaration also makes a number of consequential changes to other provisions:
 - (a) Section 28, which sets out grounds on which trustee approvals can be revoked, is modified by adding a new subparagraph 28(2)(da), which allows the Commissioner to revoke (subject to the Minister's consent, as required by section 28(3)) an approval where the approval was granted on the basis of subparagraph 26(1)(b)(iia) and that subparagraph has ceased to apply to the trustee.
 - (b) Section 29, which requires approved trustees to notify the Commissioner of certain events relevant to their approval, is modified by adding a new subparagraph 29(2)(ca), the effect of which is that where a trustee was approved on the basis of subparagraph 26(1)(b)(iia), the trustee is required to notify the Commissioner in writing as soon as practicable (and in any event within 30 days after becoming aware) if subparagraph 26(1)(b)(iia) ceases to apply to the trustee.
 - (c) Regulation 3.03, which prescribes the amount of \$5,000,000 for the purposes of subparagraphs 26(1)(b)(i) and (ii), is modified by making it prescribe the same amount for the purposes of subparagraph 26(1)(b)(iia).

ALLOWING CUSTODIANS TO HAVE A COMBINATION OF NET TANGIBLE ASSETS AND AN APPROVED GUARANTEE OF A TOTAL VALUE OF \$5 MILLION (THE MODIFICATION TO SECTION 123 AND REGULATION 13.19)

10. The effect of section 123(1), when read together with regulation 13.19 (which prescribes the amount of \$5,000,000 for the purposes of the section), is that the custodian of a superannuation entity (other than an excluded fund) must be a body corporate, and either:
 - (i) must have net tangible assets of a value of at least \$5,000,000; or
 - (ii) the trustee of the entity must be entitled to the benefit of an approved guarantee of at least \$5,000,000 in respect of the due performance of the custodian's duties as custodian of the entity.(These two subparagraphs summarise subparagraphs 123(1)(b)(i) and (ii) respectively.)
11. The requirements of subparagraphs 123(1)(b)(i) and (ii) are intended to ensure that custodians have the financial capacity or backing to fulfil their

duties and responsibilities as custodians.

12. A similar problem exists in relation to section 123(1) as exists in relation to section 26(1), namely that section 123(1) does not make any provision for situations where the combined value of the net tangible assets of the custodian and an approved guarantee of the custodian's performance of its duties is \$5,000,000.
13. For reasons similar to those stated in paragraph 7, the Commissioner has decided to temporarily modify section 123(1)(b) by adding a new subparagraph 123(1)(b)(iii), the effect of which is to permit a body corporate to be the custodian of a superannuation entity where the sum of the value of the net tangible assets of the body corporate and the amount of an approved guarantee to the benefit of which the trustee of the entity is entitled, being a guarantee in respect of the due performance of the body corporate's duties as custodian of the entity, is not less than \$5,000,000.
14. The temporary modification declaration also makes a consequential change to regulation 13.19, which prescribes the amount of \$5,000,000 for the purposes of subparagraphs 123(1)(b)(i) and (ii), by making it prescribe the same amount for the purposes of subparagraph 123(1)(b)(iii).

DURATION OF THE TEMPORARY MODIFICATION DECLARATION

15. By force of section 333(2), temporary modification declaration number 3 will have no effect after 30 June 1996.

(Published by authority of the Insurance and Superannuation Commissioner)

9402559



**Commonwealth
of Australia**

Gazette

No. S 214, Tuesday, 21 June 1994

Published by the Australian Government Publishing Service, Canberra

SPECIAL



Government House
Canberra ACT 2600

21 June 1994

The Governor-General is pleased to announce the following awards of the Antarctic Medal:

ANTARCTIC MEDAL

(For outstanding service in connection with Australian Antarctic expeditions)

Mr Russell James BRAND

141 Brooker Avenue
Glebe Tas 7000

Mr Howard Douglas BURTON (Deceased 5 November 1993)

Next of Kin Miss Heather Lyndsey BURTON
50 Railway Parade, Pascoe Vale Vic 3044

Dr Geoffrey James MOORE

C/- The Australian Antarctic Division
Channel Highway
Kingston Tas 7050

By His Excellency's Command,

Douglas Sturkey
Official Secretary to
the Governor-General



9 780644 338523



NOTIFICATION OF ENTERING INTO POSSESSION OR CONTROL

TEAKLOFT HOLDINGS LIMITED A.C.N. 055 799 794

NATIONAL AUSTRALIA BANK LIMITED A.C.N. 004 044 937 gives notice that on the thirtyfirst day of May 1994 it took control of property of Teakloft Holdings Limited namely the lands described in the schedule below for the purpose of enforcing Bill of Mortgage No. L632100F given to it by Teakloft Holdings Limited.

SCHEDULE

Volume	Folio	County	Parish	Description
1986	69	Ward	Telemon	Lot 1 on RP 53567
4392	86	Ward	Telemon	Lot 137 on Plan W311714
4392	87	Ward	Telemon	Lot 107 on Plan W311595
6726	154	Ward	Telemon	Lot 303 on Plan W311992





**Commonwealth
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Gazette

No. S 216, Friday, 17 June 1994

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SPECIAL

FORM 91

**NOTICE OF HEARING OF APPLICATION TO APPROVE
A COMPROMISE OR AN ARRANGEMENT UNDER SECTION 411
OF THE CORPORATIONS LAW**

(Order 71 Subrule 22(7))

**IN THE FEDERAL COURT OF AUSTRALIA
VICTORIA DISTRICT REGISTRY
GENERAL DIVISION**

No. VG 3195/94

To all of the members of: **CP VENTURES LTD.** Australian Company
Number: 006 306 565.

On 27 June 1994 at 10.15am the Federal Court of Australia, Victoria District Registry, at 450 Little Bourke Street, Melbourne will hear an application by CP Ventures Ltd. in Proceedings No. VG 3195 of 1994 for the approval of the proposed compromise or arrangement between the above company and its members to be considered by meetings of the members of the company held on 22 June, 1994

The applicant's address for service is C/- Phillips Fox, Solicitors, 120 Collins Street, Melbourne (Ref. CAC:CPVE5690-017).

Any person wishing to oppose the approval of the compromise or arrangement must file a notice of appearance in Form 79 together with any affidavit on which he or she intends to rely at the hearing of the application and serve that notice of appearance and affidavit on the applicant at its address for service shown above not later than 2 days before the date appointed for the hearing of the application.



FORM 91

**NOTICE OF HEARING OF APPLICATION TO APPROVE
A COMPROMISE OR AN ARRANGEMENT UNDER SECTION 411
OF THE CORPORATIONS LAW**

(Order 71 Subrule 22(7))

**IN THE FEDERAL COURT OF AUSTRALIA
VICTORIA DISTRICT REGISTRY
GENERAL DIVISION**

No. VG 3194/94

To all of the members of: **AUSTECH VENTURES LTD.** Australian
Company Number: 002 729 197.

On 27 June 1994 at 10.15am the Federal Court of Australia,
Victoria District Registry, at 450 Little Bourke Street, Melbourne
will hear an application by Austech Ventures Ltd. in Proceedings
No. VG 3194 of 1994 for the approval of the proposed compromise or
arrangement between the above company and its members to be
considered by a meeting of the members of the company held on
22 June, 1994

The applicant's address for service is C/- Phillips Fox,
Solicitors, 120 Collins Street, Melbourne (Ref. CAC:CPVE5690-017).

Any person wishing to oppose the approval of the compromise or
arrangement must file a notice of appearance in Form 79 together
with any affidavit on which he or she intends to rely at the
hearing of the application and serve that notice of appearance and
affidavit on the applicant at its address for service shown above
not later than 2 days before the date appointed for the hearing of
the application.

FORM 86

**NOTICE OF APPLICATION UNDER SECTION 195
OF THE CORPORATIONS LAW**

(Order 71 Subrule 14(15))

**IN THE FEDERAL COURT OF AUSTRALIA
VICTORIA DISTRICT REGISTRY
GENERAL DIVISION**

No. VG 3194/94

NOTICE OF APPLICATION RELATING TO: AUSTECH VENTURES LTD.

AUSTRALIAN COMPANY NUMBER: 002 729 197

In Proceeding No. VG 3194 of 1994 **AUSTECH VENTURES LTD.** ("the Company") will apply to the Federal Court of Australia at 10.15am on 27 June, 1994 at 450 Little Bourke Street, Melbourne, for an order confirming a special resolution of the Company to reduce its share capital in the following terms:

"That, subject to and conditional upon:

- (1) the Scheme of Arrangement considered at a meeting of shareholders of the Company convened this day being approved by the Federal Court of Australia (with or without modification);
- (2) a Scheme of Arrangement considered at a meeting of shareholders of CP Ventures Ltd convened this day being approved by the Federal Court of Australia (with or without modification);
- (3) office copies of the Orders of the Federal Court approving both Schemes of Arrangement being lodged with the Australian Securities Commission;
- (4) the passing of the ordinary resolutions being considered at the meeting of shareholders of the Company convened this day;

the issued share capital of the Company be reduced from \$11,237,270 divided into 20,431,400 fully paid ordinary shares of 55 cents each to \$6,196,759.25 divided into



**Commonwealth
of Australia**

Gazette

No. S 218, Wednesday, 22 June 1994

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SPECIAL

AUSTRALIAN CAPITAL TERRITORY

RESERVED LAWS

NOTIFICATION OF THE MAKING OF AN ORDINANCE

NOTICE is hereby given that the undermentioned Ordinance of the Australian Capital Territory has been made. Copies of the Ordinance may be purchased at the ACT Civic Shopfront, Ground Level, Saraton Building, East Row, Canberra City ACT.

**Number and year
of Ordinance**

Short title

No. 5, 1994

Classification of Publications (Amendment) Ordinance (No. 3)
1994



9 780644 338295



No. S 219, Wednesday, 22 June 1994

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SPECIAL

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.

Act under which the Statutory Rules were made	Description of the Statutory Rules	Year and number of the Statutory Rules
<i>Corporations Act 1989</i>	Corporations (Fees) Regulations (Amendment)	1994 No. 199
<i>Industrial Relations Act 1988</i>	Industrial Relations Court Rules (Amendment)	1994 No. 200





**Commonwealth
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Gazette

No. S 220, Wednesday, 22 June 1994

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SPECIAL



Corporate Law Reform Act 1994

PROCLAMATION

I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (2) of the *Corporate Law Reform Act 1994*, fix 1 July 1994 as the day on which the following items, and paragraphs of items, of Schedule 1 of that Act commence:

- (a) items 1 to 86 (inclusive); and
- (b) items 95 to 105 (inclusive); and
- (c) paragraph 113 (a); and
- (d) items 114 to 116 (inclusive).

Signed and sealed with the
Great Seal of Australia on
21 JUNE 1994

BILL HAYDEN
Governor-General

By His Excellency's Command,

Attorney-General



9 780644 338486



COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS —

- (A) Cosmos Australia Pty Limited ACN 010 992 711 ('Cosmos') is a foreign person for the purposes of subsection 4(6) and section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) Cosmos proposes to acquire such interests in shares in an Australian urban land corporation as specified in the notice received on 18 May 1994 furnished by Cosmos under section 26A of the Act;

NOW THEREFORE I, Ralph Willis, Treasurer, being satisfied that:

- (i) Cosmos proposes to acquire an interest in Australian urban land; and
- (ii) the proposed acquisition would be contrary to the national interest;

PROHIBIT the proposed acquisition pursuant to subsection 21A(2) of the Act.

Dated this

17th

day of

June

1994

Treasurer





**Commonwealth
of Australia**

Gazette

No. S 222, Thursday, 23 June 1994

Published by the Australian Government Publishing Service, Canberra

SPECIAL



Agricultural and Veterinary Chemical Products (Collection of Interim Levy) Act 1994

PROCLAMATION

I, WILLIAM GEORGE HAYDEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (1) of the *Agricultural and Veterinary Chemical Products (Collection of Interim Levy) Act 1994*, fix 1 July 1994 as the day on which that Act commences.



Signed and sealed with the
Great Seal of Australia on
21 JUNE 1994

BILL HAYDEN
Governor-General

By His Excellency's Command,

Minister for Resources



9 780644 338288



**Commonwealth
of Australia**

Gazette

No. S 223, Thursday, 23 June 1994

Published by the Australian Government Publishing Service, Canberra

SPECIAL

FORM 93

***NOTICE OF APPLICATION UNDER SECTION 459P
OF THE CORPORATIONS LAW***

(Order 71, sub-rule 36(8) and 37(9))

IN THE FEDERAL COURT OF AUSTRALIA)
VICTORIAN DISTRICT REGISTRY)
GENERAL DIVISION)

No. VG3213 of 1994

Notice of application to: **AUTO LOGIC PTY LTD**

AUSTRALIAN COMPANY NUMBER: 005 949 182

GREG WELCH will apply to the Federal Court of Australia at 2:15 pm on Monday the 4th day of July 1994 at the Federal Court of Australia at 450 Little Bourke Street, Melbourne in Proceeding No. VG3213 of 1994 for an order that **AUTO LOGIC PTY LTD** be wound up.

The applicant's address for service is C/- Messrs Masons Solicitors, 8/600 Lonsdale Street, Melbourne.

Any contributory member or creditor of the Company may appear at the hearing in person or by counsel or by 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 93B and must serve the notice of appearance and affidavit on the applicant at its address for service shown above, not later than 2 days before the day appointed for hearing.

This notice was inserted by Messrs Masons Solicitors of 8/600 Lonsdale Street, Melbourne, solicitors for the applicant.

Filed by:
MASONS SOLICITORS
Suite 8
600 Lonsdale Street
MELBOURNE VIC 3000

TEL: 6420299
FAX: 6709150
REF: AD:HP:9210



9 780644 338394



COMMONWEALTH OF AUSTRALIA

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

DECLARATION IN RELATION TO SIGNIFICANT OBJECTS
KNOWN AS THE STREHLOW COLLECTION

I, ROBERT EDWARD TICKNER, Minister of State for Aboriginal and Torres Strait Islander Affairs, make this declaration under section 12 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*:

- (a) having received an application by the Central Land Council established under the *Aboriginal Land Rights (Northern Territory) Act 1976* seeking the preservation and protection of certain objects from injury or desecration; and
- (b) being satisfied that the objects are:
 - (i) significant Aboriginal objects; and
 - (ii) under threat of injury or desecration; and
- (c) having considered the effects the making of the declaration may have on the proprietary or pecuniary interests of persons other than the applicants for the declaration; and
- (d) having considered all other matters that I consider relevant.

Objects

The objects the subject of the declaration are objects passed into the custody of the Government of South Australia for the purpose of protection and preservation from injury, deterioration or desecration, on 28 April 1992 (identified in the catalogue known as the "Fischer catalogue") and on 29 May 1992 (the objects known as the "Hugo inventory"), namely:

- (a) each significant Aboriginal object that is listed in Schedule 1; and
- (b) each of the related records made or acquired by Professor Ted Strehlow that is a significant Aboriginal object and that is described in Schedule 2.

Preservation

For the purpose of protection and preservation of the objects from injury or desecration, the Government of South Australia must not give possession, custody or control of any of the objects to any other person except:

- (a) with the written consent of the Commonwealth Minister for Aboriginal and Torres Strait Islander Affairs; and
- (b) subject to any conditions imposed by the Commonwealth Minister for Aboriginal and Torres Strait Islander Affairs.

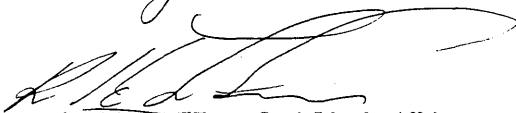
Duration

This declaration commences on 24 June 1994 and ends at the end of 23 September 1994.

Dated

23rd June

1994


Minister for Aboriginal and Torres Strait Islander Affairs



SCHEDULE 1

**SIGNIFICANT ABORIGINAL OBJECTS FROM THE STREHLOW
COLLECTION SURRENDERED TO, AND/OR SEIZED BY,
THE GOVERNMENT OF SOUTH AUSTRALIA**

number*	
1	"Mulga sugar totemic centre"
2	"Turunga"
3	"Bull-roarer"
4	"Turunga"
5	"Turunga"
6	"Turunga"
7	"Turunga"
8	"Turunga"
9	"Turunga"
10	"Hair piece"
11	"Turunga"
12	"Turunga"
13	"Turunga"
14	"Bull-roarer"
15	"Bull-roarer"
16	"Bull-roarer"
17	"Bull-roarer"
18	"Hair piece"
19	"Stone turunga"
20	"Stone turunga"
21	"Stone turunga"
22	"Turunga"
23	"Bull-roarer with hair string"
24	"Bull-roarer with hair string"
25	"Turunga"
26	"Turunga"
27	"Stone turunga"
28	"Stone turunga"
29	"Unidentified' stone tjurunga"
30	"Bull-roarer"
31	"Bull-roarer"
32	"Bull-roarer"
33	"Bull-roarer"
34	"Stone turunga"
35	"Stone turunga"
36	"Stone turunga"
37	"Stone turunga"
38	"Turunga"
39	"Bull-roarer"
40	"Bull-roarer" with hair string
41	"Bull-roarer" with hair string
42	"Bull-roarer" with hair string
43	"Bull-roarer" with hair string
44	"Bull-roarer" with hair string
45	"Bull-roarer" with hair string
46	"Bull-roarer" with hair string
47	"Bull-roarer"
48	"Bull-roarer"
49	"Bull-roarer"
50	"Bull-roarer"

51	"Bull-roarer"
52	"Turunga"
53	One of a set of bull-roarers attached with hair string
54	One of a set of bull-roarers attached with hair string
55	One of a set of bull-roarers attached with hair string
56	One of a set of bull-roarers attached with hair string
57	One of a set of bull-roarers attached with hair string
58	One of a set of bull-roarers attached with hair string
59	One of a set of bull-roarers attached with hair string
60	"The flying ant of Lukoria"
61	"Bull-roarer"
62	"Bull-roarer"
63	"Bull-roarer"
64	"Bull-roarer"
65	"Bull-roarer"
66	"Turunga"
67	"Hair ornament"
68	"Turunga"
69	"Turunga"
70	"Turunga"
71	"Turunga"
72	"Turunga"
73	"Turunga"
74	"Turunga"
75	"Turunga"
76	"Turunga"
77	"Bull-roarer"
78	"Turunga"
79	"Turunga"
80	"Turunga"
81	"Turunga"
82	"Bull-roarer with hair string"
83	"Bull-roarer with hair string"
84	"Stone turunga"
85	"Rain Stone"
86	"Tnjimantamanta"
87	"Tnjimantamanta"
89	"Rainstone"
90	"One of six pieces of rain rock from Kaparapara"
91	"One of six pieces of rain rock from Kaparapara"
92	"One of six pieces of rain rock from Kaparapara"
93	"One of six pieces of rain rock from Kaparapara"
94	"One of six pieces of rain rock from Kaparapara"
95	"One of six pieces of rain rock from Kaparapara"
96	"One of thirteen crystals"
97	"One of thirteen crystals"
98	"One of thirteen crystals"
99	"One of thirteen crystals"
100	"One of thirteen crystals"
101	"One of thirteen crystals"
102	"One of thirteen crystals"
103	"One of thirteen crystals"
104	"One of thirteen crystals"
105	"One of thirteen crystals"
106	"One of thirteen crystals"
107	"One of thirteen crystals"
108	"One of thirteen crystals"

109	"One of six stones"
110	"One of six stones"
111	"One of six stones"
112	"One of six stones"
113	"One of six stones"
114	"One of six stones"
115	"One of five pieces of turunga fragments"
116	"One of five pieces of turunga fragments"
117	"One of five pieces of turunga fragments"
118	"One of five pieces of turunga fragments"
119	"One of five pieces of turunga fragments"
120	"A piece of kangaroo fat stone", one of a suite of four
121	"A piece of kangaroo fat stone", one of a suite of four
122	"A piece of kangaroo fat stone", one of a suite of four
123	"A piece of kangaroo fat stone", one of a suite of four
124	"One of four pieces of kangaroo fat stone"
125	"One of four pieces of kangaroo fat stone"
126	"One of four pieces of kangaroo fat stone"
127	"One of four pieces of kangaroo fat stone"
128	"Kuntanka - sacred stone"
129	"One of two small bull-roarers with hair string"
130	"One of two small bull-roarers with hair string"
131	"Small bull-roarer", one of suite of three
132	"Small bull-roarer", one of suite of three
133	"Small bull-roarer", one of suite of three
134	"Hair ornament"
135	"Hair ornament"
137	"Turunga", one of a suite of eight
138	"Turunga", one of a suite of eight
139	"Turunga", one of a suite of eight
140	"Turunga", one of a suite of eight
141	"Turunga", one of a suite of eight
142	"Turunga", one of a suite of eight
143	"Turunga", one of a suite of eight
144	"Turunga", one of a suite of eight
146	"Ntjala", pointing bone, one of a suite of four
147	"Ntjala", pointing bone, one of a suite of four
148	"Ntjala", pointing bone, one of a suite of four
149	"Ntjala", pointing bone, one of a suite of four
161	"A box of feather and hair 'things'"
175	"honey ant gathering hooks"
196	"pointing bone"
197	"pointing bone"
198	Possum teeth/jaws attached to hair string
256	"Imora of Karkiljakilja", one of a suite of ten
257	"Imora of Karkiljakilja", one of a suite of ten
258	"Imora of Karkiljakilja", one of a suite of ten
259	"Imora of Karkiljakilja", one of a suite of ten
260	"Imora of Karkiljakilja", one of a suite of ten
261	"Imora of Karkiljakilja", one of a suite of ten
262	"Imora of Karkiljakilja", one of a suite of ten
263	"Imora of Karkiljakilja", one of a suite of ten

264	"Imora of Karkiljakilja", one of a suite of ten
265	"Imora of Karkiljakilja", one of a suite of ten

Catalogue
number #

9	Item of secret/sacred nature
10	Item of secret/sacred nature
12	Item of secret/sacred nature
13	Item of secret/sacred nature
14	Item of secret/sacred nature
15	Item of secret/sacred nature
16	Item of secret/sacred nature
17	Item of secret/sacred nature
18	Item of secret/sacred nature

* as cited by BAGSHAW, G.C 1992 CONFIDENTIAL REPORT TO THE THE DIRECTOR, CENTRAL LAND COUNCIL, CONCERNING THE TRADITIONAL OWNERSHIP OF ABORIGINAL OBJECTS SURRENDERED TO THE SOUTH AUSTRALIAN GOVERNMENT BY C. STREHLOW (and corresponding to the numbers used in the Fischer catalogue).

as cited by BAGSHAW, G.C 1992 CONFIDENTIAL REPORT TO THE THE DIRECTOR, CENTRAL LAND COUNCIL, CONCERNING THE TRADITIONAL OWNERSHIP OF ABORIGINAL OBJECTS SURRENDERED TO THE SOUTH AUSTRALIAN GOVERNMENT BY C. STREHLOW (being objects listed in the Hugo inventory as being contained in Boxes numbered 40, 30, 27, 28, 37 and 24).

SCHEDULE 2

All records which contain descriptions, details or reproductions of Central Australian Aboriginal sacra (ie objects, designs, songs, myths etc) or which provide immediate contextual information (eg social, political, historical, genealogical and/or geographical data) pertinent to such sacra.

These records include:

- (a) all major field diaries, workbooks, object registers and sacred object purchase records (41 volumes); all the Office Diaries; all the London Diaries; and the first three Personal Diaries;
- (b) all raw field notes (10 volumes) being identified as follows:-
 - Wotan Account Book 1955;
 - 'Faint' book - Santa Teresa;
 - eight Fortis Record Books;
- (c) all cine film, slides, still photographs, sound recordings and transcriptions of secret/sacred subject matter including:-
 - sound recordings being both pressed discs and tape recordings;
 - photographs and slides containing secret-sacred images;
 - three rolls of 16mm film;
 - transcriptions of sound recordings contained in two springback folders marked 'Records 1-13' and 'Records 14-24b' respectively;
- (d) all volumes of C Strehlow's handwritten draft of *Die Aranda und Loritja-Stämme in Zentral-Australien* (3 volumes identified respectively entitled *Sagen, Cultus and Leben*);
- (e) all drawings, correspondence, family trees, reports, manuscripts and other documents (including books and magazines) identified as follows:-
 - drawings of three sacred objects with notes, located in Green Box 1;
 - letter from TGH Strehlow to R V Southey dated 19/5/1960, with two lists of recordings plus documentation attached;
 - letter from R V Southey to TGH Strehlow of 19/2/1960 and attached list of disc recordings of 'Ellery Creek Traditions 1949/50';
 - a list of verses and site names inscribed on the reverse of an un-dated letter from ?Sister [sic] Armstrong about the condition of Willie;
 - document entitled 'Ayers Rock and Winbaraku by CP Mountford: a critical examination' (57 pages);
 - four lists of sound recordings (with summaries of contents) being:-
 - (i) microgroove discs made at EMI, Sydney, October 1956;
 - (ii) recordings collected by TGH Strehlow: Ajura festival 1960;
 - (iii) Ajura festival 1962, LP discs produced November 1969;
 - (iv) Ajura festival 1962, LP discs produced March 1972;
 - list of 'Cash paid to Aboriginal informants, Central Australia, September 1964' contained in a manilla folder with sundry correspondence of the 1973-74 period;
 - two foolscap handwritten bodies of material, being part of the materials of C Strehlow (boxed with other correspondence to one von Leonhardi) being:-
 - (i) one containing texts in Aranda with Loritja and German translations and many pages of Aranda/Loritja equivalent expressions in columns;
 - (ii) one containing large amounts of shorthand (possibly proof corrections sent to von Leonhardi, whose name appears on the first page);
 - documents contained in an untitled folder (which contains circulars from the Anthropological Society of SA) being:-

- (i) transcriptions of tape recordings in TGH Strehlow's handwriting; and
 - (ii) a typed list of site names with Dreamings and 'sheet nos.' in columns next to them;
 - a folder entitled 'Owners of Sites in Central Australia (from the genealogies)' and its contents;
 - 20 foolscap pages (unbound) being transcriptions of 'reels' (these pages are located with the raw field notes in paragraph (b) above);
 - family trees contained in ten manila folders and seven 'Regal Letters' boxes;
 - unidentified/untitled narrative contained in a Brampton's springback folder;
 - report by TGH Strehlow entitled 'Alice Springs land rights';
 - a document entitled 'P's map names, Centenary project' incorporating a number of typed lists;
 - typescript description of 'Native Cat Ceremonies of Watarka';
 - volume of photographic plates entitled 'Symbolism in Aboriginal Art';
 - all copies of all magazines containing reproductions of secret-sacred images including copies of the magazines 'Stern', 'Du', and 'People' and any other magazines containing reproductions of any of the photographs included in 'Symbolism in Aboriginal Art';
- (f) all identification labels associated with the objects presently held by the South Australian government.



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SPECIAL

COMMONWEALTH OF AUSTRALIA

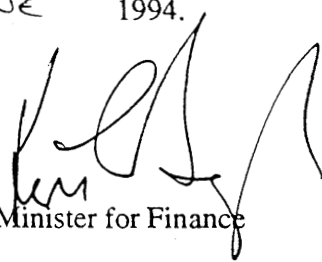
Moomba-Sydney Pipeline System Sale Act 1994

NOMINATION OF BODY CORPORATE

I, KIM CHRISTIAN BEAZLEY, Minister for Finance, acting under section 6 of the *Moomba-Sydney Pipeline System Sale Act 1994*, nominate East-Aust. Pipeline Limited for the purposes of that Act.

Dated

22 JUNE 1994.


Minister for Finance



9 780644 338271



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SPECIAL

Superannuation Benefits (Supervisory Mechanisms) Act 1990

DECLARATION UNDER SUBSECTION 3(1)

I, Robert Dal Santo, Delegate of the Minister of State for Finance, in pursuance of subsection 3(1) of the *Superannuation Benefits (Supervisory Mechanisms) Act 1990*, hereby declare the following body to be a "relevant body" for the purposes of that Act

Australian Meat Technology Ltd

Dated this 22nd day of June 1994

R. Dal Santo
Delegate of the Minister of State for Finance



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