Commonwealth of Australia Gazette

No. GN 26, Wednesday, 5 July 1995

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GOVERNMENT NOTICES

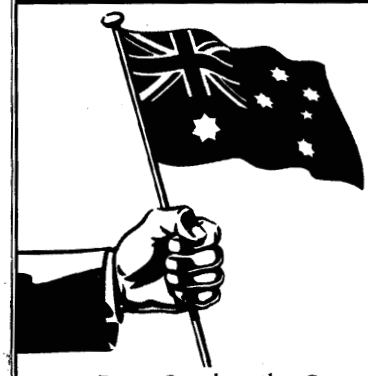
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The date of publication of this Gazette is 5 July 1995

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CLOSING TIMES:

Gazette copy will be accepted by the Gazette Office until 10.00 a.m. on Friday, the week prior to publication.

INQUIRIES:

Please direct all inquiries to (06) 295 4661.

PUBLIC SERVICE COMMISSIONER

PUBLIC SERVICE MEDAL - QUEEN'S BIRTHDAY 1995 HONOURS LIST

Sixteen officers in the Australian Public Service and other Commonwealth Government employment were awarded the Public Service Medal in the Queen's Birthday 1995 Honours List, announced on 12 June 1995, in recognition of outstanding public service. The recipients, who are listed below, are entitled to use the post-nominals "PSM". I offer them my congratulations on this significant recognition of their dedication and commitment to duty.

Denis Ives
Public Service Commissioner

Dr William Robert ADAM
ELTHAM VIC 3095
(Dept of Veterans' Affairs)

Ms Catherine Ann ARGALL
O'CONNOR ACT 2601
(Dept of Administrative Services)

Mr Timothy Bruce BUTLER
LONGREACH QLD 4730
(Australian Broadcasting Corporation)

Ms Janet Frances COOPER
LENAH VALLEY TAS 7008
(Federal Court of Australia)

Mr Graham Robert DEMPSTER
RIVETT ACT 2611
(Dept of the Environment, Sport and Territories)

Mr John Lester FORSTER
DUFFY ACT 2611
(Dept of Immigration and Ethnic Affairs)

Mr Alan Robert GREEN
WANTIRNA SOUTH VIC 3152
(Australian Electoral Commission)

Mr Brian Percy HENSON
PORT LINCOLN SA 5606
(Dept of Employment, Education and Training)

Mrs Elizabeth Nancy HICKEY
MACARTHUR ACT 2904
(Dept of the Prime Minister and Cabinet)

Mr Neil James JENSEN
MACLEOD VIC 3085
(AUSTRAC)

Mr Maurice John KENNEDY
KAMBAH ACT 2902
(Dept of Finance)

Mr Joseph KOWALSKI
COOK ACT 2614
(Dept of Primary Industries and Energy)

Mr Bruce Charles MARCH
WANGURI NT 0810
(Dept of Human Services and Health)

Ms Margaret Christine QUINN
MOSMAN NSW 2088
(Federal Court of Australia)

Mr Ceferino SANCHEZ
DARLINGTON SA 5047
(Dept of Social Security)

Ms Karen Gay TELFORD
NHULUNBUY NT 0881
(Dept of Social Security)

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WA	**Tony Allen** Ph (09) 321 2998 Fax (09) 321 2940

PERMANENT AND SHORT-TERM VACANCIES

Various Levels

The Challenge

The Spectrum Management Agency (SMA) is looking for lateral thinkers to fill a number of key positions at Senior Officer and Administrative Service Officer levels in its Market Development Group.

The successful applicants will come from a diverse range of backgrounds and have a mix of skills and experience, but will be able to refer to significant personal achievements in challenging environments. Applicants should also be able to demonstrate an aptitude for policy analysis and development, marketing, project management or change management. An appreciation of spectrum management reform objectives would be valuable, but is not essential.

The Organisation

The SMA is a statutory agency within the Communications and the Arts portfolio. It was established in 1993, in recognition of the important role that efficient radiocommunications plays in opening social, technological and economic opportunities for Australia. The Agency's mission is to facilitate access to, and use of, the radiofrequency spectrum so that its use can:

- promote economic efficiency;
- encourage technological change;
- expand freedom of choice;
- accelerate economic development; and
- benefit the general community.

The SMA is recognised as being a world leader in spectrum management reform. Its recent achievements include conducting the successful price-based allocation of metropolitan and regional MDS licences. It is currently developing policy directions for the introduction of new licensing arrangements such as spectrum property rights that encourage flexibility and efficiency in spectrum use.

The Task

Around the world, communication is in a state of rapid change.

New technology and the convergence of computing, telecommunications and radiocommunications on a technical level, and telephony, publishing, broadcasting and multimedia at a service level are rapidly changing how countries deal with allocation of scarce communication capacity.

The SMA has an important role to play in managing Australia's spectrum resources to take full advantage of the growing world information economy and in supporting the Government's communication reform agenda.

The Agency has established a Spectrum Marketing Team to implement a new and exciting concept for a tradeable spectrum access right called *spectrum licensing*. This Team will be responsible for translating the concept of tradeable spectrum access into workable business systems. While posing a number of difficult implementation challenges, *spectrum licensing* has the potential to give Australia a significant competitive edge in the global communications marketplace.

The Opportunities

The Team has a number of permanent and short-term vacancies (for up to one year) at Senior Officer and Administrative Service Officer levels to assist in the implementation phase of *spectrum licensing*. The successful applicants will be dedicated, multi-skilled individuals, with some supervisory experience and be able to work as part of a team.

While the vacancies are nominally for one year, the SMA will consider applicants who wish to undertake shorter or longer assignments or those who may wish to work on a part-time basis.

Qualifications

While tertiary qualifications are not essential, a background in arts, social science, communication theory, accounting or economics would be useful.

The successful applicants will have experience in or possess an aptitude for innovative policy development and implementation, some understanding of spectrum management reform objectives and their commercial and economic impact, have well-developed supervisory skills and an ability to work within a project team environment.

For further information concerning opportunities in the Spectrum Marketing Team, please contact Geoff Luther on (06) 256 5344.

GENERAL

Conditions: Normal Public Service conditions will apply.

Citizenship: To be eligible for appointment, applicants who have permanent resident status and who have applied or intend to apply for Australian citizenship may be appointed on probation pending citizenship being granted.

Applications: Applications stating relevant qualifications and experience should be forwarded by close of business 13 July, 1995 to:

The Spectrum Manager
Spectrum Management Agency
PO Box 78
Belconnen ACT 2616
Attention: Personnel Services Unit

The Agency is an equal opportunity employer and promotes a smoke-free work environment.



Spectrum Management Agency

General Information

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Subscriptions	(06) 295 4485
Accounts (Gazette Notices)	(06) 295 4864
Gazettal Forms	(06) 295 4613

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

or lodged at AGPS, Government Printing Office Building, Wentworth Avenue, Kingston. Notices are accepted for publication in the next available issue, unless otherwise specified.

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.

Copy will be returned unpublished if not submitted in accordance with these requirements.

CLOSING TIMES. Notices for publication should be lodged at AGPS, Government Printing Office Building, unless otherwise specified, by the following times (except at holiday periods for which special advice of earlier closing times will be given).

Government Notices Gazette all copy: Friday at 10.00 a.m. in the week before publication.

RATES for Government Notices are: $126.50 per camera-ready page.

For Special *Gazette* notices the rates are the same as for Government Notices plus $110.00 per page.

For Periodic *Gazette* notices the rates are $20.00 per camera-ready page plus $300.00 per issue plus 15% of total costs.

Late copy may be accepted on payment of a surcharge. For further information contact the Gazette Client Liaison Unit on (06) 295 4661.

SUBSCRIPTIONS are payable in advance and are accepted for a maximum period of one year. All subscriptions are on a firm basis and refunds for cancellations will not be given. Rates include surface postage in Australia and overseas. Other carriage rates are available on application.

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:	60 Waymouth St. tel. (08) 231 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) 9663 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 Publishing, 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*.

Gazette number	*Date of Publication*	*Subject*
P1	6.1.95	Determination under Section 98B of the *National Health Act 1953.*
P2	13.1.95	Tariff Quotas—Quota Transactions Processed in the Period 1 July 1994 to 31 December 1994.
P3	20.1.95	*Great Barrier Reef Marine Park Act 1975*—Particulars of permissions granted, refused, suspended, reinstated or revoked for the period 1.9.94 to 31.10.94 and not previously gazetted. Particulars of some permissions granted, refused, suspended reinstated or revoked for the period: 1.11.94 to 30.11.94
P4	20.1.95	*Great Barrier Reef Marine Park Act 1975*—Particulars of permissions granted, refused, suspended, reinstated or revoked for the period 1.11.94 to 30.11.94 and not previously gazetted. Particulars of permissions granted, refused, suspended reinstated or revoked for the period: 1.6.94 to 30.6.94
P5	27.1.95	Notice by the Australian Securities Commission of intention to deregister defunct companies.
P6	23.2.95	*Great Barrier Reef Marine Park Act 1975*—Particulars of permissions granted, refused, suspended, reinstated or revoked for the period 1.12.94 to 31.12.94 and not previously gazetted. Particulars of some permissions granted, refused, suspended, reinstated or revoked for the following periods: 1.1.95 to 31.1.95
P7	15.3.95	Amendment No. 24 to the Food Standards Code
P8	22.3.95	Amendment No. 25 to the Food Standards Code
P9	30.3.95	Notice by the Australian Securities Commission of intention to deregister defunct companies.
P10	30.3.95	Instruments made under Part VII of the *National Health Act 1953*
P11	31.3.95	*Great Barrier Reef Marine Park Act 1975*—Particulars of permissions granted, refused, suspended, reinstated or revoked for the period 1.1.95 to 31.1.95 and not previously gazetted. Particulars of some permissions granted, refused, suspended reinstated or revoked for the following periods: 1 Dec 94 to 31 Dec 94 and not previously gazetted
P12	31.3.95	Road Vehicle (National Standard) Determination No. 1 of 1995
P13	6.4.95	Aged or Disabled Care Act 1954 section 10F
P14	10.4.95	Amendment No. 26 to the Food Standards Code
P15	3.5.95	Notice by the Australian Securities Commission of intention to deregister defunct companies
P16	15.5.95	Notice by the Australian Securities Commission of intention to deregister defunct companies
P17	25.5.95	*Insurance (Agents and Brokers) Act 1984*
P18	30.5.95	*Australian Heritage Commission Act 1975*—Notice of intention to enter places in the register of the National Estate. Notice of entry 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. Notice of removal of entries from the register of the National Estate.

Gazette number	*Date of Publication*	*Subject*
P19	30.5.95	*Wildlife Protection (Regulation of Exports and Imports) Act 1982*—Schedule 1 and 2 (amended May 1995)
P20	2.6.95	*Radiocommunications Act 1922*
P21	20.6.95	*Aboriginal and Torres Strait Islander Commission Amendment (No. 3) Act 1993*
P22	21.6.95	Money or property unclaimed by dissenting shareholders
*P23	27.6.95	*Great Barrier Reef Marine Park Act 1975*—Particulars of permissions granted, refused, suspended, reinstated or revoked for the period 1 Feb. 95 to 31 Mar. 95 and not previously gazetted Particulars of some permissions granted, refused, suspended reinstated or revoked for the following period: 1 Apr. 95 to 30 Apr. 95 and not previously gazetted
*P24	28.6.95	*Radiocommunications Act 1922* Notice of issue of licences by price-based allocation system under the radiocommunications (allocation of multipoint distribution station licences-regional licences) Determination No. 1 of 1995

* First time notified

N.N.—901751

Legislation

Acts 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 28 June 1995 to the undermentioned Acts passed by the Senate and the House of Representatives in Parliament assembled, viz:

No. 57 of 1995 - An Act about privileges and immunities of certain overseas missions, and for related purposes [*Overseas Missions (Privileges and Immunities) Act 1995*].
No. 58 of 1995 - An Act to make consequential amendments relating to the *Overseas Missions (Privileges and Immunities) Act 1995* [*Overseas Missions (Privileges and Immunities)(Consequential Amendments) Act 1995*].
No. 59 of 1995 - An Act to amend the law relating to human rights, and for related purposes [*Human Rights Legislation Amendment Act 1995*].

HARRY EVANS
Clerk of the Senate

9501716

Acts 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 21 June 1995 to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 45 of 1995—An Act to amend the *Dairy Produce Act 1986*. (*Dairy Produce Amendment Act 1995*).

No. 46 of 1995—An Act to amend the *Dairy Produce Levy (No. 1) Act 1986*. (*Dairy Produce Levy (No. 1) Amendment Act 1995*).

No. 47 of 1995—An Act to amend the *Dairy Produce Levy (No. 2) Act 1986*. (*Dairy Produce Levy (No. 2) Amendment Act 1995*).

No. 48 of 1995—An Act to authorise the borrowing and spending of money for certain purposes. (*Loan Act 1995*).

L M BARLIN
Clerk of the House of Representatives

9501717

Acts 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 23 June 1995 to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 49 of 1995—An Act to amend certain legislation relating to housing, and for related purposes. (*Housing Legislation Amendment Act 1995*).

No. 50 of 1995—An Act to amend the *Interstate Road Transport Act 1985*. (*Interstate Road Transport Amendment Act 1995*).

No. 51 of 1995—An Act to amend the *Interstate Road Transport Charge Act 1985*. (*Interstate Road Transport Charge Amendment Act 1995*).

No. 52 of 1995—An Act relating to the small superannuation accounts scheme. (*Small Superannuation Accounts Act 1995*).

No. 53 of 1995—An Act to amend the law relating to superannuation. (*Superannuation Laws Amendment (Small Accounts and Other Measures) Act 1995*).

No. 54 of 1995—An Act to amend certain Acts relating to superannuation, and for related purposes. (*Superannuation Legislation Amendment Act (No. 1) 1995*).

L M BARLIN
Clerk of the House of Representatives

9501718

Acts 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 28 June 1995 to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 55 of 1995—An Act to amend the *Fringe Benefits Tax Act 1986*, and for related purposes. (*Fringe Benefits Tax Amendment Act 1995*).

No. 56 of 1995—An Act to amend the *Medicare Levy Act 1986*, and for related purposes. (*Medicare Levy Amendment Act 1995*).

L M BARLIN
Clerk of the House of Representatives

9501719

THE AUSTRALIAN NATIONAL UNIVERSITY

NOTIFICATION OF THE MAKING OF A STATUTE

Notice is hereby given that the undermentioned Statute has been made under the *Australian National University Act 1991*. Copies of the statute may be purchased from the Council Secretariat, The Australian National University, Canberra, ACT 0200.

Title of the Statute	Number	Price
Computing Services Amendment Statute No. 1	242	$1

9501720

Government Departments

Administrative Services

COMMONWEALTH OF AUSTRALIA

Australian Capital Territory (Planning and Land Management) Act 1988
NOTIFICATION OF REVOCATION OF DECLARATION OF NATIONAL LAND
I, FRANCIS JOHN WALKER, Minister of State for Administrative Services, pursuant to subsection 27(1) of the *Australian Capital Territory (Planning and Land Management) Act 1988*, HEREBY REVOKE the declaration made pursuant to the said subsection by the Minister of State for the Arts and Territories notified in the Commonwealth of Australia Gazette No. S76 dated 2 March 1989 in so far as that declaration relates to the areas of land described in the Schedule hereto.

SCHEDULE

Division/District	Section	Block	Map/Plan Reference
City	48	8	DP 5A

Explanation of map references - maps and plans referred to are held with the ACT Plan room of the Department of the Environment, Land and Planning, 220 Northbourne Avenue, Braddon ACT.

ACS - Actual Cadastral Series
CS E or D - Computation Sheets
DP - Deposited Plan

Dated: 27/6/95

FRANCIS JOHN WALKER
Minister for Administrative Services

9501721

AUSTRALIAN ELECTORAL COMMISSION

Notice of change to the Register of Political Parties

I, Wilfred James Gray, as delegate of the Australian Electoral Commission and pursuant to the provisions of the *Commonwealth Electoral Act 1918* approved on 14 June 1995 an application to insert the following address in the *Register of Political Parties* as that of the Registered Officer of the Tasmanian Greens :

6 Greenlands Avenue
SANDY BAY TAS 7005

W J Gray
Electoral Commissioner

9501722

AUSTRALIAN ELECTORAL COMMISSION

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

W J GRAY
Electoral Commissioner

THE SCHEDULE

New South Wales as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
BANKS	78983	1.90
BARTON	79302	2.31
BENNELONG	80012	3.23
BEROWRA	80961	4.45
BLAXLAND	77175	-0.42
BRADFIELD	79503	2.57
CALARE	76454	-1.35
CHARLTON	80656	4.06
CHIFLEY	78725	1.57
COOK	78346	1.08
COWPER	76009	-1.93
CUNNINGHAM	75098	-3.10
DOBELL	75915	-2.05
EDEN-MONARO	74988	-3.25
FARRER	74413	-3.99
FOWLER	82778	6.80
GILMORE	73633	-4.99
GRAYNDLER	80553	3.92
GREENWAY	78132	0.80
GWYDIR	74876	-3.39
HUGHES	79531	2.61
HUME	75538	-2.54
HUNTER	75498	-2.59
KINGSFORD-SMITH	77173	-0.43
LINDSAY	77441	-0.08
LOWE	78164	0.84
LYNE	77357	-0.19
MACARTHUR	79082	2.03
MACKELLAR	78766	1.62
MACQUARIE	76332	-1.51
MITCHELL	74291	-4.14
NEWCASTLE	76051	-1.87
NEW ENGLAND	74648	-3.68
NORTH SYDNEY	82195	6.04
PAGE	78345	1.08
PARKES	79576	2.66
PARRAMATTA	77404	-0.13
PATERSON	76866	-0.82
PROSPECT	75850	-2.13
REID	77917	0.52
RICHMOND	78439	1.20
RIVERINA	78746	1.59
ROBERTSON	74462	-3.92
SHORTLAND	74617	-3.72
SYDNEY	80091	3.33
THROSBY	74637	-3.70
WARRINGAH	76960	-0.70
WATSON	77129	-0.48
WENTWORTH	79755	2.90
WERRIWA	75981	-1.96
Totals	3875354 (Average: 77507)	

Victoria as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
ASTON	79484	-0.40
BALLARAT	79264	-0.67
BATMAN	87180	9.24
BENDIGO	80261	0.57
BRUCE	82928	3.91
BURKE	75177	-5.79
CALWELL	75299	-5.64
CASEY	75339	-5.59
CHISHOLM	83274	4.34
CORANGAMITE	77071	-3.42
CORIO	81575	2.21
DEAKIN	81805	2.50
DUNKLEY	80483	0.84
FLINDERS	77295	-3.14
GELLIBRAND	82219	3.02
GIPPSLAND	79682	-0.15
GOLDSTEIN	85429	7.04
HIGGINS	81131	1.66
HOLT	74086	-7.16
HOTHAM	87906	10.15
INDI	80223	0.52
ISAACS	74127	-7.11
JAGAJAGA	84751	6.19
KOOYONG	77379	-3.03
LALOR	73463	-7.94
LA TROBE	72129	-9.61
MCEWEN	76240	-4.46
MCMILLAN	80552	0.93
MALLEE	82241	3.05
MARIBYRNONG	79906	0.12
MELBOURNE	81474	2.09
MELBOURNE PORTS	77363	-3.05
MENZIES	80609	1.00
MURRAY	83147	4.18
SCULLIN	76013	-4.75
WANNON	82029	2.78
WILLS	84272	5.59
Totals	2952806 (Average: 79805)	

Queensland as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
BOWMAN	72666	-5.19
BRISBANE	80332	4.81
CAPRICORNIA	81204	5.94
DAWSON	81535	6.38
DICKSON	78248	2.09
FADDEN	72077	-5.95
FAIRFAX	73325	-4.33
FISHER	69585	-9.21
FORDE	71565	-6.62
GRIFFITH	78363	2.24
GROOM	79739	4.03
HERBERT	79042	3.12
HINKLER	80503	5.03
KENNEDY	80018	4.40
LEICHHARDT	78458	2.36
LILLEY	81728	6.63
LONGMAN	71784	-6.34
MCPHERSON	71435	-6.79
MARANOA	80040	4.43
MONCRIEFF	69819	-8.90
MORETON	82222	7.27
OXLEY	74082	-3.34
PETRIE	77556	1.18
RANKIN	73609	-3.95
RYAN	78816	2.83
WIDE BAY	75006	-2.13
Totals	1992757 (Average: 76644)	

Western Australia as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
BRAND	87216	13.21
CANNING	74774	-2.94
COWAN	79969	3.80
CURTIN	72937	-5.32
FORREST	80543	4.54
FREMANTLE	76054	-1.27
KALGOORLIE	71508	-7.17
MOORE	86652	12.47
O'CONNOR	75668	-1.77
PEARCE	75854	-1.53
PERTH	76351	-0.89
STIRLING	73732	-4.29
SWAN	73489	-4.60
TANGNEY	73812	-4.18
Totals	1078559 (Average: 77039)	

South Australia as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
ADELAIDE	81624	-2.26
BARKER	83881	0.43
BONYTHON	75485	-9.61
BOOTHBY	83180	-0.40
GREY	85314	2.15
HINDMARSH	85279	2.11
KINGSTON	84595	1.29
MAKIN	86886	4.03
MAYO	86980	4.14
PORT ADELAIDE	83725	0.25
STURT	78930	-5.49
WAKEFIELD	86317	3.35
Totals	1002196 (Average: 83516)	

Tasmania as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
BASS	66133	1.90
BRADDON	63214	-2.59
DENISON	66848	3.00
FRANKLIN	63164	-2.66
LYONS	65122	0.34
Totals	324481 (Average: 64896)	

Australian Capital Territory as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
CANBERRA	71299	7.68
FRASER	61411	-7.24
NAMADGI	65921	-0.43
Totals	198631 (Average: 66210)	

Northern Territory as at 31 May, 1995

Division	Enrolment	% Deviation from average divisional enrolment
NORTHERN TERRITORY	92976	
Totals	92976 (Average: 92976)	

TOTAL FOR AUSTRALIA 11 517 760

9501723

Attorney-General

HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION

SEX DISCRIMINATION ACT 1984

SECTION 46(1)

NOTICE OF GRANT OF EXEMPTION

Notice is hereby given of a decision of the Human Rights and Equal Opportunity Commission pursuant to sub-section 44(1) of the *Sex Discrimination Act 1984* ("the Act") in the following terms:

The Human Rights and Equal Opportunity Commission grants to the Trustees of the Provincial Insurance (Australia) Limited Pension Fund ("the Fund") and to any persons assisting the Trustees to administer the Fund, an exemption from 1 October 1994 until 30 June 1995, or until such time as those members cease employment with Provincial Insurance (Australia) Limited ("the Employer") - whichever is the earlier - from the operation of sections 14 and 22 of Part II of the Act, with respect to those members of the Fund who were in "Service" (as defined by the Fund) as at 1 January 1979.

(A) The Human Rights and Equal Commission's finding on material questions of fact relating to the application were as follows:

(i) Section 14 of the Act, which is contained in Division 1 of Part II, renders unlawful: discrimination by an employer against an employee on the ground of the employee's sex, marital status or pregnancy, inter alia, in the terms or conditions of employment that the employer affords the employee;

(ii) Section 22 of the Act, which is contained in Division 2 of Part II of the Act, renders unlawful discrimination by a person, who provides goods and services or makes facilities available, against another person on the ground of that person's sex, marital status or pregnancy in the provisison of those goods, services or facilities.

(ii) Pursuant to the terms of the Fund, those female members who were in the service of the Employer as at 1 January 1979 have a "normal retiring age" which is different from male members of the Fund. In addition, such female members contribute to the Fund at a lesser rate then male members but without suffering any correlative diminution in benefits derived from the Fund; and

(iii) The effect of the terms of the Fund described in (ii) above is that one female member of the Fund is treated differently than male members with respect to benefits derived pursuant to the Fund, in circumstances that are the same or not materially different.

(B) These findings were based on the following evidence:

(i) Application for exemption dated 11 August 1994 received from Towers Perrin, on behalf of the Trustees;

(ii) Letter dated 15 September 1994 from Towers Perrin on behalf of the Trustees; and

(iii) Various excerpts from the Fund documentation together with excerpts from the "Members' Booklet".

(C) The Commission's reasons for granting the exemptions are as follows:

(i) There is only one female member of the Fund who was "in Service" as at 1 January 1979;

(ii) No further female members of the Fund will be subject to the differential "normal retiring age" nor to the differential contribution rate described above;

(iii) It is in accordance with procedural fairness that the one remaining female member of the Fund to whom the differential provisions apply be allowed to derive the benefits from the Fund as it currently provides; and

(iv) Without the granting of an exemption pursuant to section 44(1) of the Act, the provision of benefits pursuant to the terms of the Fund by the Trustees to the one female member referred to above would, after 30 September 1994, be in breach of Part II of the Act.

Subject to the *Administrative Appeals Tribunal Act 1975,* an application may be made to the Administrative Appeals Tribunal for review of this decision, on behalf of any person or persons whose interests are affected by it.

Dated this 30th day of September 1994.

.....

Sue Walpole
Sex Discrimination Commissioner

9501724

Communications and the Arts

AUSTRALIAN BROADCASTING AUTHORITY S127 NOTICE OF DETERMINATION MADE PURSUANT TO S125(2) OF THE BROADCASTING SERVICES ACT 1992

PROGRAM STANDARDS FOR OPEN NARROWCASTING SERVICE LICENCES

The Australian Broadcasting Authority ("the ABA") publishes this notice pursuant to section 127(a) of the *Broadcasting Services Act 1992* ("the Act"), which requires the ABA to publish a notice in the *Gazette* when standards are determined, varied or revoked.

Following consideration of submissions made during a period of public consultation, (undertaken in fulfilment of the requirements of s126 of the Act) the ABA, pursuant to s125(2) of the Act, determined on 29 September 1994 program standards to apply to open narrowcasting services.

Copies of the standards are available from:

Australian Broadcasting Authority
Darling Park, 201 Sussex St, Sydney 2000.
(Postal address: PO BOX Q500
QUEEN VICTORIA BUILDING NSW 2000
Phone: (02) 334 7700, (Free Call 1 800 226 667), Fax: (02) 334 7799

AUSTRALIAN BROADCASTING AUTHORITY
S127 NOTICE OF DETERMINATION MADE PURSUANT TO S125(2) OF THE BROADCASTING SERVICES ACT 1992

PROGRAM STANDARDS FOR SUBSCRIPTION NARROWCASTING SERVICE LICENCES

The Australian Broadcasting Authority ("the ABA") publishes this notice pursuant to section 127(a) of the *Broadcasting Services Act 1992* ("the Act"), which requires the ABA to publish a notice in the *Gazette* when standards are determined, varied or revoked.

Following consideration of submissions made during a period of public consultation, (undertaken in fulfilment of the requirements of s126 of the Act) the ABA, pursuant to s125(2) of the Act, determined on 29 September 1994 program standards to apply to subscription narrowcasting services.

Copies of the standards are available from:

Australian Broadcasting Authority
Darling Park, 201 Sussex St, Sydney 2000.
(Postal address: PO BOX Q500
QUEEN VICTORIA BUILDING NSW 2000
Phone: (02) 334 7700, (Free Call 1 800 226 667), Fax: (02) 334 7799

9501725

Environment, Sport and Territories

Environment
Protection Agency

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 permit was granted on 2 June 1995 that allows the Gladstone Port Authority of Gladstone, to dump at sea up to 150,000 tonnes of spoil derived from the approach to the port.

Copies of the application and the permit may be obtained from the Environment Protection Agency, 40 Blackall Street BARTON ACT 2600, or may be inspected by appointment with Mr N Bowley on (079) 761316 or at the offices of the Gladstone Port Authority, Yarroon Street, Gladstone, Queensland 4680.

Mark Hyman
Assistant Secretary
Waste Management Branch
16 June 1995

9501726

40 Blackall Street Barton ACT 2600 Australia Telephone (06) 274 1999 Facsimile (06) 274 1666

NOTICE OF APPLICATION RECEIVED UNDER THE HAZARDOUS WASTE (REGULATION OF EXPORTS AND IMPORTS) ACT 1989

Pursuant to Section 33 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989, notice is given that an application was received on 6 June 1995 from Environautics Pty Ltd of Level 4 Colonial Mutual Building, 300 Queen Street, Brisbane Queensland 4000, to export pesticide waste for treatability studies and final disposal by Synthetica Technologies Inc in Richmond, California, USA.

Environautics propose to send a total of up to 16 tonnes of pesticide waste, containing arsenic, Organochlorines and Organophosphates in several shipments. The material is to travel direct to the USA, the first shipment by air and the remaining material by sea.

After the treatability studies have been completed, it is proposed that the residue will be landfilled in California subject to Unite States Environmental Protection Agency regulations.

Before a permit is granted for this proposal, Australia must conclude a bilateral arrangement with the United States as envisioned by Article 11 of the *Basel Convention on the Control of Transboundary Movements of Hazardous Waste and Their Disposal.* A bilateral arrangement is necessary because Australia is obliged under Article 4 of the Basel Convention not to permit transboundary movements of hazardous waste occurring between Australia and a non-Party, unless an appropriate bilateral, multilateral, or regional agreement or arrangement is in place. The United States is not a Party to the Basel Convention.

Mark Hyman
Assistant Secretary
Waste Management Branch

22 June 1995

9501727

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 existing stocks and collections of shells of native marine molluscs to be 'controlled specimens' for the purposes of subsection 10A. (2) of the Act, subject to the following conditions:

1. The owner must be able to satisfy the Australian Nature Conservation Agency that the stocks or collections of shells were legally acquired from the wild prior to the date of this declaration.

2. The owner must have registered a full inventory of his or her collection/stock with the Australian Nature Conservation Agency.

This declaration is valid until 30 June 1998.

Dated this 26th day of June 1995

Minister for the Environment, Sport and Territories

Subject to the *Administrative Appeals Tribunal Act 1975*, a person or persons whose interests are affected by this declaration may, within 28 days, make an application in writing to the Australian Nature Conservation Agency for the reasons for the decision. An application for independent review of the decision may be made to the Administrative Appeals Tribunal, on payment of the relevant fee, by or on behalf of the person or persons whose interests are affected, either within 28 days of receipt of the reasons for the decision, or within 28 days of this declaration if reasons for the decision are not sought. Further information may be obtained from:

Director, Population Assessment Unit
Australian Nature Conservation Agency
GPO Box 636
CANBERRA ACT 2601
Telephone: (06) 250 0200 Facsimile: (06) 250 0303

9501728

COMMONWEALTH OF AUSTRALIA

WILDLIFE PROTECTION (REGULATION OF EXPORTS AND IMPORTS) ACT 1982

SECTION 44

NOTICE

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 44(1) of that Act hereby notify that I am considering giving the following authority under section 44 of that Act to:

> Ms Louise Bainbridge of Dural, New South Wales, to export one live Galah (*Cacatua roseicapilla*).

In accordance with paragraph 44(1)(f) of that Act, I invite interested persons to lodge comments in writing on the desirability of giving the authority. Such comments should be lodged at the following address not later than 10 days after the date of publication of this Notice:

> The Director
> Wildlife Protection Authority
> Australian Nature Conservation Agency
> GPO Box 636
> CANBERRA ACT 2601

Dated Twenty-nine June 1995

Paul Jewell
Designated Authority
under sub-section 20(1) of the
Wildlife Protection (Regulation of Exports and Imports) Act 1982

COMMONWEALTH OF AUSTRALIA

Wildlife Protection (Regulation of Exports and Imports) Act 1982

Section 11

DECLARATION OF AN APPROVED INSTITUTION

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 the organisation 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 ninth day of June 1995

DESIGNATED AUTHORITY

SCHEDULE

Column 1 Item	Column 2 Name and Country of Institution	Column 3 Approved class, or Approved classes, of specimens
1.	Koshigaya Oyoshi Park 272-1 Oyoshi Park KOSHIGAYA CITY SAITAMA JAPAN 343	*Ardea picata* *Plegadis falcinellus* *Himantopus himantopus* *Vanellus tricolor* *Vanellus miles* *Geophaps lophotes* *Columba leucomela* *Chalcophaps indica* *Anthochaera carunculata* *Peophila acuticauda* *Lonchura castaneothorax* *Gymnorhina tibicen* *Nymphicus hollandicus* *Burhinus grallarius* *Cacatua leadbeateri* *Cacatua sanguinea* *Trichoglossus haematodus* *Platycercus elegans* *Geopelia humeralis* *Podargus strigoides* *Calyptorhynchus banksii* *Cacatua galerita* *Cacatua roseicapilla*

COMMONWEALTH OF AUSTRALIA

Wildlife Protection (Regulation of Exports and Imports) Act 1982

Section 12

DECLARATION OF AN APPROVED ZOOLOGICAL ORGANISATION

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 organisation specified in Column 2 of the Schedule, in an item in the Schedule, to be an approved zoological organisation in relation to the class, or classes, of specimens specified in Column 3 of the Schedule in that item.

Dated this twenty ninth day of June 1995

DESIGNATED AUTHORITY

SCHEDULE

Column 1 Item	Column 2 Name and Country of Zoo	Column 3 Approved class, or classes, of specimens
1.	Koshigaya Oyoshi Park 272-1 Oyoshi Park KOSHIGAYA CITY SAITAMA JAPAN 343	*Ardea picata* *Plegadis falcinellus* *Himantopus himantopus* *Vanellus tricolor* *Vanellus miles* *Geophaps lophotes* *Columba leucomela* *Chalcophaps indica* *Anthochaera carunculata* *Peophila acuticauda* *Lonchura castaneothorax* *Gymnorhina tibicen* *Nymphicus hollandicus* *Burhinus grallarius* *Cacatua leadbeateri* *Cacatua sanguinea* *Trichoglossus haematodus* *Platycercus elegans* *Geopelia humeralis* *Podargus strigoides* *Calyptorhynchus banksii* *Cacatua galerita* *Cacatua roseicapilla*

9501729

Great Barrier Marine Park Act 1975 Notice Under Subsection 39ZB(1) - Plans of Management

In accordance with provisions of subsection 39ZB(1) of the Great Barrier Reef Marine Park Act The Great Barrier Reef Marine Park Authority hereby:

(a) states that it proposes to prepare plans of management for areas of the Great Barrier Reef Marine Park that are specified in Schedule 1 to this notice and depicted generally in the attached map;

(b) invites interested persons to make written submissions in relation to matters to be included in the plans by 31 August 1995; and

(c) states the following address to which submissions may be sent:

The Chairperson
Great Barrier Reef Marine Park Authority
PO Box 1379
Townsville Qld 4180
Attention: Allan Williams

It is proposed that the primary focus in preparing these plans will be in relation to the management of anchor damage and the development of a strategic approach to placement of facilities (moorings, pontoons, mariculture infrastructure etc).

Notice under Section 39ZC - Moratorium on the grant of specified permissions

The Authority pursuant to subsection 39ZC(1) hereby directs that no relevant permissions of a kind referred to in Schedule 2 to this notice are to be granted under the Great Barrier Reef Marine Park Regulations in relation to the areas specified in Schedule 1 to this notice to which the proposed plans of management relate during the period beginning on the date of publication of this notice in the Gazette and ending:

(a) at the end of 12 months after that date; or

(b) on the day on which the relevant plan of management comes into force; whichever first occurs.

Ian McPhail
Chairperson

Copies of information packages are available from the above address, or by contacting James Haig at Queensland Department of Environment and Heritage on (070) 52 3043.

Public Meetings

There is no substitute for local knowledge. Discussion papers and detailed information will be available for all people attending meetings to discuss these new management initiatives. The meeting dates, times and venues are as follows:

Airlie Beach Monday 31 July 7:00 pm Whitsunday Terraces Tuesday 1 August 1:00 pm Whitsunday Terraces

Atherton Monday 17 July 7:00 pm International Club

Bloomfield Sunday 23 July 2:00 pm Bloomfield Boat Ramp

Bundaberg Monday 24 July 7:00 pm Brothers Leagues Club

Cairns Thursday 20 July 2:00 pm Cairns Marine Radio Club 7:00 pm Cairns Marine Radio Club

Cape Tribulation Monday 24 July 7:00 pm To Be Advised

Cardwell Thursday 3 August 7:00 pm Cardwell Community Hall

Cooktown Saturday 22 July 2:00 pm Community Hall

Gladstone Tuesday 25 July 7:00 pm Country Plaza International

Gordonvale Thursday 27 July 7:30 pm Community Hall

Ingham Monday 7 August 7:00 pm School Support Centre

Innisfail Wednesday 19 July 7:00 pm Boat Club

Mackay Thursday 27 July 7:00 pm Ocean International

Mareeba Tuesday 1 August 7:00 pm Leagues Club

Mission Beach Tuesday 8 August 7:00 pm Mission Beach Resort

Mossman Wednesday 26 July 7:00 pm RSL Hall

Port Douglas Tuesday 25 July 7:00 pm Klink Theatre

Townsville Wednesday 2 August 7:00 pm Seagulls

Yeppoon Wednesday 26 July 7:00 pm Bayview Towers

Schedule 1 - Plans of Management

The North Offshore Cairns Area Plan of Management (Area 1).

That area of the Great Barrier Reef Marine Park the boundary of which:

(a) commences at the point of Latitude 16°45'40" South, Longitude 146°05'29" East;

(b) runs thence north-easterly along the geodesic to the point of Latitude 16°43'41" South, Longitude 145°09'18" East;

(c) thence generally northerly along the geodesic to the point of Latitude 16°38'40" South, Longitude 146°07'18" East;

(d) thence generally south-westerly along the geodesic to the point of Latitude 16°24'14" South, Longitude 146°01'03" East;

(e) thence generally north-westerly to the point of Latitude 16°24'18" South, Longitude 145°59'03" East;

(f) thence generally south-westerly to the point of Latitude 16°39'14" South, Longitude 145°53'44" East;

(g) thence generally south-easterly to the point of Latitude 16°42'44" South, Longitude 145°56'6" East; and

(h) thence generally south-easterly to the point of commencement.

The Offshore Cairns Area Plan of Management (Area 2).

That area of the Great Barrier Reef Marine Park the boundary of which:

(a) commences at the point of Latitude 17°07'22" South, Longitude 146°11'04" East;

(b) runs thence north-easterly along the geodesic to the point of Latitude 17°01'07" South, Longitude 146°17'12" East;

(c) thence generally northerly along the geodesic to the point of Latitude 16°52'52" South, Longitude 146°19'46" East;

(d) thence generally south-easterly along the geodesic to the point of Latitude 16°58'11" South, Longitude 146°26'27" East;

(e) thence generally north-easterly to the point of Latitude 16°56'59" South, Longitude 146°28'27" East;

(f) thence generally north-westerly to the point of Latitude 16°44'52" South, Longitude 146°21'19" East;

(g) thence generally north-westerly to the point of Latitude 16°40'26" South, Longitude 146°14'53" East;

(h) thence generally south-westerly to the point of Latitude 16°47'11" South, Longitude 146°09'42" East;

(i) thence generally southerly to the point of Latitude 17°01'24" South, Longitude 146°06'46" East; and

(j) thence south-easterly to the point of commencement.

The Offshore Port Douglas Area Plan of Management (Area 3).

That area of the Great Barrier Reef Marine Park the boundary of which:

(a) commences at the point of Latitude 16°30'27" South, Longitude 145°49'52" East;

(b) runs thence generally north-easterly along the geodesic to the point of Latitude 16°20'04" South, Longitude 145°57'46" East;

(c) thence generally northerly along the geodesic to the point of Latitude 15°41'33" South, Longitude 145°49'12" East;

(d) thence generally south-westerly along the geodesic to the point of Latitude 15°45'40" South, Longitude 145°35'18" East;

(e) thence generally north-westerly to the point of Latitude 15°42'50" South, Longitude 145°28'14" East;

(f) thence generally westerly to the point of Latitude 15°42'50" South, Longitude 145°28'14" East;

(g) thence generally southerly to the intersection of the meridian of Longitude 145°22'43" East by the coastline of the mainland at low water,

(h) runs thence generally south-easterly, south-westerly, south-easterly and southerly along that coastline to the point of intersection of the coastline of the mainland at low water by the parallel of Latitude 16°17'00" South;

(i) thence generally south-easterly to the point of Latitude 16°19'22" South, Longitude 145°30'18" East; and

(j) thence generally south-easterly to the point of commencement.

The Ribbon Reefs Area Plan of Management (Area 4).

That area of the Great Barrier Reef Marine Park the boundary of which:

(a) commences at the point of Latitude 15°41'09" South, Longitude 145°45'37" East;

(b) runs thence generally easterly along the geodesic to the point of Latitude 15°40'35" South, Longitude 145°51'04" East;

(c) thence generally northerly along the geodesic to the point of Latitude 15°27'35" South, Longitude 145°50'21" East;

(d) thence generally northerly to the point of Latitude 14°43'22" South, Longitude 145°44'12" East;

(e) thence generally north-westerly to the point of Latitude 14°36'53" South, Longitude 145°39'19" East;

(f) thence generally south-westerly to the point of Latitude 14°38'56" South, Longitude 145°36'42" East;

(g) thence generally south-easterly to the point of Latitude 14°42'47" South, Longitude 145°39'58" East;

(h) runs thence generally southerly to the point of Latitude 15°04'12" South, Longitude 145°37'59" East;

(i) thence generally westerly to the point of Latitude 15°04'31" South, Longitude 145°36'07" East;

(j) thence generally southerly to the point of Latitude 15°07'24" South, Longitude 145°36'45" East;

(k) thence generally easterly to the point of Latitude 15°07'09" South, Longitude 145°39'52" East; and

(j) thence generally southerly to the point of commencement.

The Lizard Island Area Plan of Management (Area 5).

That area of the Great Barrier Reef Marine Park the boundary of which:

(a) has as the centre of a circle of radius 4000m the point of Latitude 14°40'42" South, Longitude 145°27'17" East:

The Frankland Islands Area Plan of Management (Area 6).

That area of the Great Barrier Reef Marine Park the boundary of which:

(a) commences at the point of Latitude 17°14'34" South, Longitude 146°05'48" East;

(b) runs thence north-easterly along the geodesic to the point of Latitude 17°13'53" South, Longitude 146°06'25" East;

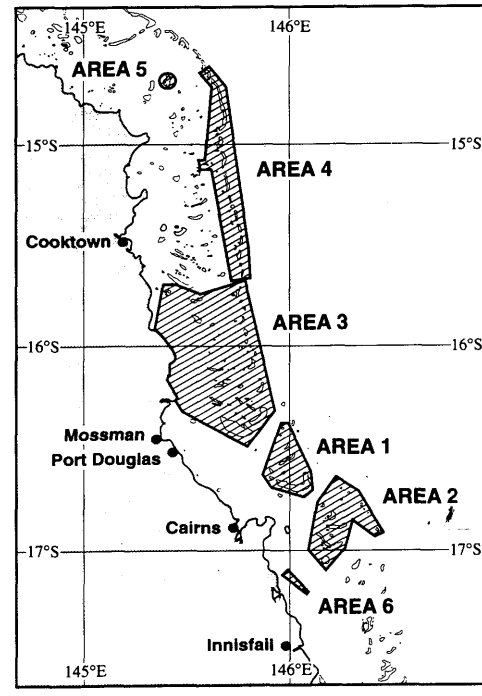
(c) thence generally north-westerly along the geodesic to the point of Latitude 17°07'23" South, Longitude 146°00'21" East;

(d) thence generally south-westerly along the geodesic to the point of Latitude 17°08'59" South, Longitude 145°58'51" East;

(e) thence generally south-easterly to the point of commencement.

Schedule 2 - Kinds of permissions to which this Direction Relates

Permissions for the installation of one or more moorings within the Great Barrier Reef Marine Park other than moorings that are to be installed in association with a pontoon or other structure (not being a mooring) that is affixed continuously to the seabed for at least 40 days in any sixty day period.



Human Services and Health

COMMONWEALTH OF AUSTRALIA
NATIONAL HEALTH ACT 1953

DETERMINATION OF PRINCIPLES UNDER SECTION 73BC

I, CARMEN MARY LAWRENCE, Minister for Human Services and Health, in pursuance of subsection 73BC(5B) of the National Health Act 1953 (the Act), hereby revoke the principles determined by me on 29 May 1995 under subsection 73BC(5B) of the Act, and determine with effect from 1 July 1995 the principles set out in the attached Schedule as principles relating to the operation of the Health Benefits Reinsurance Trust Fund established under subsection 73BC(2) of the Act as set out hereunder:

Dated this 28th day of June 1995

CARMEN MARY LAWRENCE
Minister for Human Services and Health

SCHEDULE

COMMONWEALTH OF AUSTRALIA
NATIONAL HEALTH ACT 1953 (THE ACT)

DETERMINATION OF PRINCIPLES FOR THE PURPOSES OF SUBSECTION 73BC(5B)

DEBIT OF BENEFITS

1. Organisations may debit to their Reinsurance Accounts payments made under an applicable benefits arrangement (ABA) and/or benefits paid under a supplementary hospital table ('supplementary benefits'), which meet the eligibility criteria set out in a determination made under subsection 73BB(9) of the Act, on the following basis:

(a) where in any 12 months period patient days of a contributor, in respect of any person covered by the contributor membership who is under the age of 65 years, exceed 35 days. Each claim should be examined to determine whether each accommodation day on the claim represents a day in excess of 35 days during the previous 12 months period up to that day; and

(b) for all patient days in respect of any person within a contributor membership who has reached the age of 65 years.

ACCOUNTS AND RECORDS TO BE MAINTAINED

2. Organisations are required under subsection 73BB(1) of the Act to maintain a Reinsurance Account in respect of each fund operated.

3. The specific recording and reporting requirements of the Private Health Insurance Administration Council ('the Council') are notified separately to organisations.

MEMBERSHIP RECORDS

4. Organisations are required to maintain accurate membership records in a format which allows the Council to arrange for the audit of the records and reconcile the membership details on the quarterly returns. It is important that membership records contain dates of birth of contributors and dependents.

5. The Council reserves the right to make adjustments to membership figures or amounts payable into or out of the Trust Fund where it becomes aware of discrepancies in membership figures notified or amounts debited or credited by organisations to their Reinsurance Accounts.

PROCEDURES TO BE FOLLOWED BY ORGANISATIONS

6. Within one month after the end of a quarter, each organisation shall forward a statement or statements, certified as being true and correct by the Public Officer, to the Council setting out the following details:

(a) fund benefits paid during the quarter in respect of Reinsurance Account contributors (including number of patient days). Separate details for ABA payments and supplementary benefits and persons under the age of 65 years and 65 years and over are required;

(b) adjustments to membership, benefits and patient days relating to previous periods; and

(c) details of the number of single and family contributors enrolled in an ABA at the end of the quarter.

7. For the purposes of paragraph 6, in the case of an organisation which is a restricted membership organisation and has members who reside in more than one State, a separate statement setting out the above details in respect of each State where members reside will be necessary. However, where the number of members (expressed as ABA single equivalent units) in any State is less than 5 per cent of the total membership of the organisation, the members in that State(s) shall be included with the State where the majority, or in the absence of a majority, the largest number of members reside.

ACTION BY THE COUNCIL

8. As soon as possible after the end of each settlement period, the Council will determine the net amounts payable by or to each organisation in respect of that period and notify them accordingly.

9. Subject to paragraph 10 below, the amounts will be determined on the following basis:

(a) ascertain the Reinsurance Account Deficit for each organisation's health benefits fund;

(b) subject to paragraph (c) below, calculate 80% of the Reinsurance Account Deficit for each organisation's health benefits fund(s) and attribute it to the reinsurance pool;

(c) in respect of benefits for professional services rendered in hospital, payments eligible for reinsurance are limited to 80 % of the difference between the Medicare rebate and the fee charged up to the maximum Medicare Benefits Schedule (MBS) fee;

(d) calculate the average number of contributors enrolled in an ABA for each organisation's health benefits fund(s). For this purpose, contributors at the family rate will count as two and those at the single rate as one;

(e) calculate a total number of average contributors pool by aggregating (d) in respect of each State;

(f) determine totals of the amounts calculated under (b), for all health benefits funds in respect of each State;

(g) determine the average amounts paid per contributor in respect of each State [i.e. the amounts calculated in (f) divided by the total number of average contributors calculated in (e)];

(h) determine the amount that would have applied to each health benefits fund if it had average experience in respect of each State [i.e. the average number of contributors calculated in (d) multiplied by the amounts calculated in (g)];

(i) calculate the difference between the amounts calculated in (b) and (h) for each health benefits fund. Where the total amount calculated in (h) exceeds the total amount calculated in (b) the organisation is to be notified that an amount equal to the difference is payable to the Trust Fund. Where the total amount calculated in (b) exceeds the total amount calculated in (h) the organisation is to be notified that an amount equal to the difference is payable from the Trust Fund.

10. In relation to an organisation which is a restricted membership organisation which submits separate statements as required by paragraph 7, the determination of amounts on the basis outlined in paragraph 9 shall assume for reinsurance purposes that those organisations operate a separate fund in each of the States in respect of which such a statement is submitted.

11. After receiving advice from the Council, organisations will be required, where payments are due to the Trust Fund, to make such payments within 14 days of the date of the advice. Payments not made by the due date may attract a penalty calculated at a daily rate of 15 per cent per annum.

12. Payments from the Trust Fund may, if the Council so determines, be made in two or more instalments. For each instalment, the Council shall distribute the total available moneys between organisations in proportion to the net amounts, if any, due to them.

CLAIMS LAG FOR HOSPITAL BENEFITS

13. The determination of the eligibility of benefits payments for transfer of transactions to Reinsurance Accounts must be based on the dates on which the treatment or services in respect of the contributor and his dependents are provided. However, the situation may arise, because of late claims, that benefits may be paid for a period which, had the claims been received within a reasonable time of the treatment or service, may have resulted in the determination of a different commencing date of the 12 months eligibility period. If this occurs, it may be necessary for the organisation to adjust the amount of benefits debited to its Reinsurance Account.

INCOME FROM INTEREST AND PENALTIES

14. Where the Council receives bank interest from the operation of the reinsurance arrangements or income from penalties imposed because of late payments, such amounts shall be applied by the Council to offset levies imposed on organisations under section 82G(h)(i) of the Act.

INTERPRETATION

"Contributors" for the purposes of the calculations set out in these principles shall be deemed by an organisation to include all such persons who pay contributions or on whose behalf contributions are paid to the organisation, including those persons who may be in arrears in the payment of such contributions for any period, with the exception of the following persons:

(a) where persons normally make individual payments to the organisation, or to any agent of the organisation, those persons may be deemed to be no longer contributors if contribution payments are more than two months in arrears as provided for in Paragraph (g) of the Schedule to the Act, or such longer period as may be provided by the Rules of the organisation; and

(b) where persons normally make contribution payments through a group arrangement, those persons may be deemed to be no longer contributors if:

(i) contribution payments are more than two months in arrears as provided for in Paragraph (g) of the Schedule to the Act, or such longer period as may be provided by the Rules of the organisation, of the contribution payments for the group generally; and

(ii) the contributors have been advised in writing by the organisation that they are no longer contributors

"State" or "States".

For the purposes of paragraphs 7 to 10 inclusive of these principles, the Northern Territory shall be regarded as a State in the following circumstances:

(a) where an organisation (not being a restricted membership organisation) has, under its rules, established a separate fund in the Northern Territory, as permitted by subsection 68(3)(a)(ii) of the Act; or

(b) where a restricted membership organisation has not less that 5% of the total membership of the organisation resident in the Northern Territory and in accordance with paragraph 10 is deemed to operate a separate fund in respect of the Northern Territory.

9501731

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 $37.22 per occupied bed day effective from 1 July 1995, and

The Special Infrastructure Allowance to be $28.85 per occupied bed day effective from 1 July 1995.

Dated this eighth day of June 1995

08 JUN 1995

CARMEN LAWRENCE
Minister of State for Human Services
and Health

Determination No 1995-1996/1

9501732

COMMONWEALTH OF AUSTRALIA

HEALTH INSURANCE ACT 1973

Statement Under Section 106AA

On the first day of March 1995, I determined under section 106 of the *Health Insurance Act 1973*, that **Dr Thomas Tee Tick TAN**, a legally qualified, vocationally registered, general practitioner of 81 Cartwright Avenue, Busby, a suburb of Sydney, provided excessive services and that he should be reprimanded, counselled and repay $17,498.70 to the Commonwealth of Australia. In accordance with the provisions of section 106AB of the Act, Dr Tan is liable to the Commonwealth, by way of penalty, an amount equal to the amount of Medicare benefit determined as being excessive. The Committee also found that Dr Tan had misitemised certain services which resulted in an overpayment of $887.15 in Medicare benefits. Dr Tan, as a consequence, is required to pay a total of **$35,884.55**.

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

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

(a) provided services frequently and without necessity;

(b) claimed benefits for many services which need not have been provided separately;

(c) repeatedly treated his patients without a coherent plan;

(d) claimed separate and higher benefits services for the prescription of medications, particularly analgesics, for patients often seen; and

(e) exaggerated the complexity of the services claimed.

Of the 1,135 services reviewed by the Committee, 1,047 were found to be excessive either in part or in full. These practices resulted in more Medicare benefits being paid than were reasonably necessary for treatment of the patients' medical conditions.

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

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

.....
Dr Carmen Lawrence
Minister for Human Services and Health

Issued: 21 JUN 1995

9501733

NATIONAL FOOD AUTHORITY

FOOD STANDARDS

The following notices are made pursuant to the *National Food Authority Act 1991.*

All correspondence, including requests for further information on the matters detailed below, should be forwarded to the following address:

Standards Liaison Officer
National Food Authority
Box 7186
CANBERRA MAIL CENTRE ACT 2610 **Tel: 06-271 2219**

Written submissions should be received by the Authority no later the dates advised below. Submissions will be placed on the public register of the Authority unless a claim of commercial confidentiality (either in respect of all or part of the submission) is made and justified.

NOTICES PURSUANT TO SECTION 14

Use of Aspartame and Acesulphame-K to Chewing Gum (A248)

The National Food Authority received an application on 31 March 1995, from The Wrigley Company Pty. Ltd. to amend the Food Standards Code. The applicant seeks to permit the addition of two intense sweeteners, aspartame and acesulphame potassium, to sugar sweetened chewing gum.

The Authority has made a preliminary assessment, accepted the application and will make a full assessment. To assist this process, the Authority invites written submissions on matters relevant to this application by 16 August 1995.

Cyclamate and Saccharin in Reduced Energy Soft Drinks and Fruit Drinks (A250)

The National Food Authority received an application (A250) on 12 May 1995, from Cadbury Schweppes Pty. Ltd. to amend the Australian Food Standards Code. The applicant seeks to extend the use of two artificial sweeteners, cyclamate and saccharin, to reduced energy soft drinks and fruit drinks.

The Authority has made a preliminary assessment, accepted the application and will make a full assessment. To assist this process, the Authority invites written submissions on matters relevant to this application by 16 August 1995.

Use of Artificial Sweeteners in Reduced Energy Cordials, Syrups and Toppings (A251)

The National Food Authority received an application on 12 May 1995, from Cadbury Schweppes Pty. Ltd. to amend the Australian Food Standards Code. The applicant seeks to extend the use of six artificial sweeteners, aspartame, acesulphame-K, sucralose, alitame, cyclamate and saccharin, to reduced energy cordials, syrups and toppings.

The Authority has made a preliminary assessment, accepted the application and will make a full assessment. To assist this process, the Authority invites written submissions on matters relevant to this application by 16 August 1995.

NOTICE PURSUANT TO SECTION 17

Reduced Energy Beer (A229)

The National Food Authority has before it an application (A229) received on 13 October 1994 from the Australian Associated Brewers Inc to vary the Australian Food Standards Code to permit a 'reduced energy' claim for beer with 25% fewer kilojoules and at least 100 kJ less per serve (285 mL) than a reference beer.

Pursuant to section 15 of the National Food Authority Act 1991, the application has been rejected because the Authority is opposed to recommending a change to the Food Standards Code which would be in conflict with its own *Code of Practice on Nutrient Claims* and therefore a cause of confusion to consumers who would be faced with a different definition of 'reduced energy' when applied to beer as opposed to other beverages.

The Authority is, at the same time, reluctant to recommend revision of the *Code of Practice on Nutrient Claims* in the absence of serious difficulties being experienced by industry and in the absence of new information from the applicant justifying such action so soon after the completion of the *Code of Practice on Nutrient Claims* by contributing parties.

RISK ASSESSMENT AND MANAGEMENT

A draft discussion paper which outlines the use of risk assessment and management at the National Food Authority is now available for comment. It provides an overview of the decision-making process used for the protection of public health and safety in relation to the risks associated with the consumption of food.

Copies of the draft discussion paper are available from the Authority and the Authority invites written submissions on the draft discussion paper by 29 September 1995.

KAVA

The National Food Authority received an application (A242) on 13 February 1995 from the Northern Territory Department of Health and Community Services to amend the Australian Food Standards Code to accept that kava (*Piper methysticum*) in the Northern Territory not be subject to the provision of the Code which prohibits kava from being offered from sale.

Importation of kava in commercial consignments and its sale as a food is currently illegal throughout Australia as a result of its inclusion in the list of prohibited botanicals within Standard A12 - Metals and Contaminants in Food. The Authority has considered this application and believes that there is a case for the management of kava sale outside the provisions of Standard A12 although this would be a departure from the current uniform national food code because it represents a variation which would only apply in the Northern Territory.

In order for the Authority to make a full assessment of this application the Authority has published an information paper to promote informed discussion on the regulatory options for kava in Australia. Copies of the information paper are available from the Authority.

The Authority invites written submissions on matters relevant to this application by the new closing date of 21 July 1995.

9501734

Immigration and Ethnic Affairs

MIGRATION ACT 1958

Notice under subparagraph 5(2)(a)(ii)

Approved Persons and Organisations

I, Nick Bolkus, Minister for Immigration and Ethnic Affairs, hereby specify that IDP Education Australia Limited is an approved organisation for the purposes of subparagraph 5(2)(a)(ii) of the *Migration Act 1958*.

Dated this 15th day of June 1995

Minister for Immigration and Ethnic Affairs

9501735

Department of Immigration and Ethnic Affairs

Migration Agents Registration Scheme

Notice under section 289(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 2616

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

NAME	DATE OF BIRTH	BUSINESS NAME	BUSINESS ADDRESS	PROVIDES FREE SERVICE OR CHARGES FEES?
BARTLETT Keith John	14/9/1948	Hobbs International	2803 Admiralty Centre Tower 1 18 HARCOURT ROAD HONG KO	CHARGES
CASTLEDINE Ashley Graham	23/10/1964	Minter Ellison Northmore Hale	Level 51 Central Park 152-158 St George's Terr PERTH WA 6000	CHARGES
CHEN Xian Gui	3/9/1953	CF Migration Service	7/33 Davies Street BRUNSWICK NSW 3056	CHARGES
CHENG Wing Sophia	9/4/1970	Poteri Woods Solicitors	The Astor, 1st Floor 35 Astor Terrace SPRING HILL QLD 4000	CHARGES
LEE Anthony Trevor		Lee and Co Solicitors	35 Reid Road Wongaling via Mission Be NORTH QLD 4852	CHARGES
LEE Thong Sum	7/6/1949	TS Lee & Associates, Barristers & Solicitors	1/78 Woods Street DARWIN NT 0800	CHARGES
LIDDY James Gervase	31/3/1952	Taylor and Scott Solicitors	2nd Floor 309 Pitt Street SYDNEY NSW 2000	CHARGES
LOW Ley Choo	25/6/1964		4A Paisley Street FOOTSCRAY VIC 3011	CHARGES
MCLEOD Ian Leslie	28/11/1956	Trivett Keating Price	1st Floor 9 Stanley Street WODONGA VIC 3690	CHARGES
POINTON Gregory Alan	3/1/1954	Perrin Pointon	1st Floor 34 Thomas Drive CHEVRON ISLAND QLD 4217	CHARGES
TSANG William	9/1/1961		4A Paisley Street FOOTSCRAY VIC 3011	CHARGES
VERZI Anthony	12/5/1955	Ernst & Young	Ernst & Young Building Level 18 321 Kent Stre SYDNEY NSW 2000	CHARGES

for SECRETARY
5 July 1995

9501736

Industrial Relations

Determinations

PUBLIC SERVICE ACT 1922

NOTICE OF THE MAKING OF DETERMINATIONS UNDER SECTION 82D

NOTICE is hereby given that the following determinations have been made under section 82D of the Public Service Act. Copies of the determinations can be obtained from the Legal Services Group, Department of Industrial Relations, Jolimont Centre, Canberra City, A.C.T. ((06) 243 7877).

Number and Year of Determination	Description of Determination	Date made
No 16 of 1995	Amendment to Determination 1984/24 - Personal rate	7/3/95
No 17 of 1995	Amendment to Determination 1983/10 - Education Costs Allowance	8/3/95
No 18 of 1995	Amendment to Determination 1983/10 - Remote Localities	15/3/95
No 19 of 1995	Amendment to Determination 1984/24 - Personal rate	13/3/95
No 39 of 1995	Benefit on Retirement	3/5/95
No 52 of 1995	Amendment to Determination 1984/24 - Personal rates	18/5/95
No 53 of 1995	Amendment to Determination 1984/19 - Departmental Liasion Officers allowance	16/5/95
No 54 of 1995	Amendment to Determinations 1983/10 & District, Feild, Camping etc Allowances	24/5/95
No 55 of 1995	Disability allowance ACS Melbourne Airport	30/5/95
No 56 of 1995	Disability allowance COMCAR Fyshwick	6/6/95
No 57 of 1995	Amendment to Determination 1984/19 - Willis Island allowance	2/6/95
No 60 of 1995	Benefit on Retirement	11/5/95
No 61 of 1995	Benefit on Retirement	19/5/95
No 62 of 1995	Benefit on Retirement	18/5/95
No 64 of 1995	Benefit on Retirement	30/5/95
No 65 of 1995	Benefit on Retirement	25/5/95
No 66 of 1995	Benefit on Retirement	31/5/95
No 67 of 1995	Benefit on Retirement	30/5/95
No 68 of 1995	Benefit on Retirement	31/5/95
No 69 of 1995	Benefit on Retirement	1/6/95
No 70 of 1995	Benefit on Retirement	1/6/95
No 71 of 1995	Benefit on Retirement	6/6/95

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 APPLICATION FOR CONSENT TO AN ALTERATION OF ELIGIBILITY RULES

(D No. 30014 of 1995)

NOTICE is given that an application has been made under the Industrial Relations Act 1988 for consent to an alteration of the eligibility rules of **CPSU, the Community and Public Sector Union.**

The alteration is sought from the following:

2 - CONSTITUTION AND ELIGIBILITY FOR MEMBERSHIP

Persons shall be eligible for membership of the Union under either Part I or Part II of this Rule.

PART 1

A.1 Without in any way limiting or being limited by subrules B, C, D, E, G and H, the following persons are eligible for membership of the Union;

(i) any person employed, usually employed or qualified to be employed by;

(a) the Commonwealth;

(b) the Northern Territory;

(c) the Australian Capital Territory;

(d) a body corporate established for a public purpose, whether in whole or in part, by or under a law of the Commonwealth, the Australian Capital Territory or the Northern Territory other than any local Government body established under the Local Government Act (Northern Territory) or other Local Government legislation in the Northern Territory;

(e) by a company or other body corporate incorporated under a law of the Commonwealth or of a State or Territory, being a company or other body corporate in which the Commonwealth, the Northern Territory or the Australian Capital Territory has a controlling interest;

(f) any other authority or body (whether corporate or not) being an authority or body that is financed in whole or in substantial part, either directly or indirectly by money provided by the Commonwealth except;

(A) moneys paid as consideration in a commercial transaction, for the provision of goods or services to the Commonwealth,

(B) moneys paid by way of bounty or like payment,

(C) moneys paid to a State or States of the Commonwealth, or

(D) moneys paid to a Local Authority, City, Municipality, Town, Borough, Shire or like statutory authority which includes electricity, road, transport and port authorities and water or drainage boards,

(E) an authority or body that is financed in whole or in substantial part, either directly or indirectly, by money provided by the Commonwealth, pursuant to;

1. the Community Youth Support Scheme, or

2. the Supported Accommodation Assistance Program, or

3. the Family Day Care Services component of the Children Services Program, or

4. the Family Support Program, or

5. the Grant in Aid Ethnic Social Welfare Workers Program, or

6. the Youth Services or Welfare Services components of the ACT Community Development Program,

or any program, scheme or fund directly replacing any one of the above.

(ii) any officer or employee of the Union, or

(iii) any person who is an employee and who occupies a Statutory Office created under a law of the Commonwealth or the Northern Territory or the Australian Capital Territory or an Office established by the Executive of the Commonwealth, the Northern Territory or the Australian Capital Territory, or

(iv) all persons employed in the telecommunications industry as defined in Rule 3E by any authority, corporation or other body (other than a person employed by the Crown in the right of a State, or by a statutory authority established under any Act of a Parliament of a State, or by any company in which 50% or more of the shares are held by the Crown in the right of a State).

2. Notwithstanding the provisions of subrule 4 A.1, the following persons are not eligible for membership of the Union

(i) any person employed by:

(a) deleted

(b) the Australian Shipping Commission trading as Australian National Line;

(c) the Australian National Airlines Commission;

(d) the Australian National University;

(e) Banks established under the Commonwealth Banks Act and Reserve Bank Act;

(f) Qantas Airways Ltd;

(g) Universities and Colleges of Advanced Education other than colleges of Advanced Education in the Northern Territory or the Australian Capital Territory;

(h) the Australian Wheat Board;

(i) deleted

(j) the Territory Insurance Office.

(ii) persons employed as a/an:

(a) tradesman;

(b) artisan;

(c) draftsman, technical assistant or technical officer;

(d) member of the commissioned or non-commissioned ranks of the Australian Federal Police;

(e) mail officer or linesman;

(f) telecommunications technician, telecommunications technical officer or telecommunications electrical worker;

(g) postmaster;

(h) telegraphist;

(i) deleted

(j) deleted

(k) labourer;

(l) primary or secondary school teacher and teachers in non-government early childhood centres, business colleges, language schools or other private educational academies;

(m) ships painter or docker;

(n) nurse or nursing aide;

(o) driver, driver's assistant or conductor;

(p) railways employee other than as a senior officer, clerk, booking clerk, traffic inspector, assistant research officer, senior research officer;

(q) professional engineer;

(r) theatrical, film, television and video technicians;

(s) professional scientific staff;

(t) child care workers, cleaners, domestics or domestic workers, gardeners;

(u) security officers, attendants, watchmen and/or like designations.

(iii) (a) deleted

(b) persons employed in the professional structures of the Industry for which professional qualifications are mandatory.

(c) deleted

(d) Persons employed by the Australian Postal Commission and the Australian Telecommunications Commission who are eligible for membership of the Australian Telephone and Phonogram Officers' Association in accordance with its conditions of Eligibility for membership as at 1st September 1986, other than persons employed in Manual Assistance Centres in the position of Manager (M.A.C.) at M.A.6 and M.A.7 levels where the position was previously classified as Traffic Officer.

B. Without in any way limiting, or being limited by, subrules A, C, D, E, G and H, the membership of the Union shall also consist of any officer, employee or temporary employee of the Public Service of the Commonwealth, the Public Service of the Northern Territory and of the Australian Capital Territory, any public institution, authority or statutory corporation of the Northern Territory and of the service of any public institution or authority of the Commonwealth together with any authority, corporation or body engaged in the telecommunications industry as defined in Rule 3E, designated as:

(1) (a) administrative assistant (Darwin Institute of Technology) (all grades), administrative class (AI, A3, A4, A5) (NTPS), assistant (all grades), assistant (audiometry), assistant (canvassing), assistant cashier, assistant (computing), assistant (estimating), assistant keeper of relics, assistant moisture tester (dairy export), assistant publications officer, assistant senior overseer (telegraphs), assistant stamper (dairy export), assistant (stamp sales), assistant stationer, assistant (stationery etc.), assistant welfare officer, attendant and reader, attendant (all grades), attendant (legislative assembly), cabinet and ministerial officer, cashier, checker, checker-in-training, claims officer (all grades), clerical and administrative officer 1, 2 and 3 (Northern Territory Power and Water Authority), clerical assistant (all grades), clerk (fourth division), computing assistant, counter officer (all grades), courier, depot clerk, deputy principal attendant, district employment officer, employment officer, examiner, field assistant, gazette officer, indexer, indexer-in-charge, junior assistant, keeper of printed records, library assistant, medical records officer (Northern Territory Public Service) (all grades), messenger, methods assistant, ministerial messenger, ministerial officer, museum assistant (all grades), officer-in-charge, overseer (stamp sales), overseer

(telegraphs) (all grades), overseer (telegraph accounts), postal assistant, postal clerk, principal attendant, principal attendant (legislative assembly), publications officer, purchasing officer, school assistant (all grades), senior assistant (stamp sales), senior attendant, senior attendant (legislative assembly), senior checker, senior clerical assistant, senior computing assistant, senior examiner, senior indexer, senior messenger, senior overseer (telegraphs), senior employment officer, senior storemen, senior stores supervisor (all grades), social development assistant, social development officer (all grades), stationer, storeman, stores assistant, stores officer, stores supervisor, superintendent, supervising checker, supervisor (stationery etc.), tip-staff, truancy officer,

(b) assistant security officer (Weapons Research Establishment Salisbury and Department of Defence Canberra), assistant (transport), assistant transport officer, battery manager, chief custodial officer (Belconnen and Quamby Remand Centres), chief protective service inspector, conveyancing assistant, custodial officer (Belconnen and Quamby Remand Centres), custodial officer grade 3 (Quamby Remand Centre), field officer, inquiry officer (all grades), inspector traffic section, investigation officer (trades), licence inspector (all grades), motor driver, movements officer, movements officer (light transport), movements officer (heavy transport), movements officer (special services), officer-in-charge (outdoor inquiry), officer-in-charge (postal investigation), parking inspector (all grades), postal investigation officer (all grades), principal field officer, protective service inspector, protective service officer (all grades), protective service superintendent, searcher (all grades), senior assistant (transport), senior field officer, senior field officer (collections), senior field officer (standards), senior inquiry officer, senior inspector traffic section, senior licence inspector, senior motor driver, senior postal investigation officer (all grades), senior protective service officer (all grades), senior statistical collections officer, senior transport inspector, senior vehicle tester, senior weights and measures inspector, statistical collections officer (all grades), supervising field officer, supply and transport officer (survey) (all grades), traffic officer, traffic officer (inspector) (NTPS), traffic inspector, transport foreman, transport inspector, transport officer, transport supervisor (all grades), vehicle tester (all grades), weights and measures inspector, weights and measures superintendent, works and service officer,

(c) accounting machinist (all grades) accounting machinist controller (all grades), accounting machinist-in-charge (all grades), accounting machinist-in-training, accounting machinist supervisor (all grades), addressing machine operator, addressing machine operator-in-charge, assistant (typing - stenographic) (all grades), assistant private secretary, assistant reception, assistant (typing), card punch operator (all grades), communications operator (all grades), communicator (all grades), computer operator (all grades), court reporting typist (all grades), data preparation officer, data processing operator (all grades),

data processing operator-in-training, EDP operator (all grades), electorate secretary, hansard typist, keyboard instructor (all grades), keyboard operator, machine operator, machine operator-in-training, machine tabulator, overseer, personal secretary, receptionist-typist, secretarial assistant, secretary/typist, senior accounting machinist, senior communications operator, senior computer operator (all grades), senior data processing operator, senior machine operator, senior machine tabulator, senior typist stenographer (all grades), steno-secretary (all grades), supervising card punch operator (all grades), supervising communications operator, supervising (accounting machinist) (all grades), supervisor (communications), supervisor (data processing) (all grades), supervisor typists (all grades), telephone supervisor (Northern Territory Public Service), telephonist, teleprinter operator, teleprinter operator-in-charge, teletype facilities control officer, telex service operator, trainee computer operator, typist (all grades), typist controller (all grades), typist controller (word processing) (all grades), typist (photo-litho), typist (secretarial), typist supervisor (all grades), typist-in-charge (all grades), typist-in-charge (photo-litho), word processing supervisor (all grades), word processing typist (all grades),

(d) assistant cinematographer, assistant film cutter and biograph operator, assistant film processor, assistant photographer, assistant photography, assistant (plan printing) (all grades), assistant (printing) (all grades), assistant (projectionist), colour film printer, cutter (films), dark-room operator, film cutter and biograph operator (all grades), film officer, film processor, film processing supervisor (all grades), heliographer, officer-in-charge (photography and plan production), officer-in-charge (plan printing), overseer (printing room), printing supervisor, projectionist, projectionist (public relations), projectionist (16mm), photographer, photographer-in-charge, scheduling officer, section leader, senior film processor (all grades), senior assistant (photography), senior assistant (printing) (all grades), senior darkroom operator, senior photographer, small offset operator, supervisor (photography and plan production),

(e) airport foreman (all grades), airport groundsman, airport labourer, airport plant operator, airport safety officer, animal attendant, area officer, assistant (animals) (all grades), assistant barracks officer, assistant stock inspector, barracks officer, boring inspector, boring superintendent, building superintendent, caretaker, chainman, in Victoria Barracks in the State of Victoria only cleaners of all designations, custodian (buildings), district stock inspector, divisional stock inspector, drill foreman, drilling overseer, drilling superintendent, farm assistant (all grades), fisheries inspector, foreman animal attendant, foreman (ground maintenance), gardening overseer (all grades), groundsman, groundsman-gardener, labourer groundsman, manager (swimming pool), pastoral inspector, ranger, senior airport groundsman, senior assistant (farm), senior boring inspector, senior chainman (all grades), senior

driller, senior farm assistant, senior fisheries inspector, senior groundsman, senior pastoral inspector, senior ranger (all grades), senior stock inspector, station hand, stock inspector, supervisor (agriculture), supervisor (animals), supervisor (farm), supervisor (tree surgery), surveying assistant (all grades), surveying assistant supervisor (all grades), trainee ranger, water control officer (all grades), water control supervisor,

(f) assistant conservator, airport fire officer (all grades), assistant welfare branch, assistant radio inspector, assistant technical cataloguer, chief fire protection officer, chief health inspector, chief health surveyor, chief quarantine inspector, conservator, dental assistant, dental mechanic, dental technician, dental therapist in the Australian Capital Territory, fire protection officer, fire safety officer (all grades), health inspector, health surveyor, hydrometer tester, inspector, inspector (fire services), inspector (property), inspector (technical) (all grades), instructor (all grades), instructor (counter disaster), laboratory assistant, laboratory attendant, manager welfare branch, manual arts instructor, meatworks standards officer (all grades), medical laboratory assistant, music instructor, night switch operator (Snowy Mountains Hydro-electric Authority) (all grades), observer (all grades), observer (radio), pharmacy assistant, power station control room operator, power station plant operator, power station supervisor, power station unit operator, property inspector, quarantine inspector, radio monitor, regional fire officer, regional health inspector, regional health surveyor, safety instructor (Department of Defence), senior health inspector, senior health surveyor, senior inspector, senior inspector (property), senior instructor, senior observer (radio), senior operator (Snowy Mountains Hydro-electric Authority), senior power station supervisor, senior technical cataloguer (all grades), senior technical officer, senior technical officer (medical laboratory) (all grades), senior technical officer (science) (all grades), senior supervisor communications, station officer (Department of Defence Woomera), supervising technical cataloguer (all grades), supervisor (property), technical assistant (all grades), technical cataloguer, technical officer (all grades), technical officer (medical laboratory),technical officer (science) (all grades), trainee observer, trainee technical officer (medical laboratory), trainee technical officer (science), training instructor, wool sample inspector, wool standards officer,

(g) assistant catering adviser, assistant food services, assistant manager (Bars) (Joint House), assistant manager (Dining Rooms) (Joint House), assistant supervisor, assistant supervisor (food services), cafeteria manager (all grades), catering adviser (all grades), catering officer, cafeteria supervisor (all grades), deputy housekeeper (Joint House), deputy matron, food processor (all grades), food service adviser (all grades), food service manager (all grades), home liaison officer, home management instructress, housekeeper (Joint House), house manager (Joint House), matron N.T., senior assistant supervisor, supervisor, supervisor food processing, supervisor (food services),

(h) assistant chief preventive officer, boat-hand, boatman, chief investigator, chief preventive officer (all grades), coxswain, engine driver, head lightkeeper, inspector, investigator, locker, lightkeeper, marine officer, master of launch, preventive officer, preventive officer-in-training, quarantine assistant (all grades), senior investigator, senior master of launch, senior preventive officer (all grades), senior quarantine inspector, supervising investigator, supervising preventive officer.

(2) Together with any officer or employee, employed under the Commonwealth Serum Laboratories Commission Act 1961 or any amendment thereof, designated as - accounting machinist (all grades), accounting machinist controller (all grades), accounting machinist-in-charge (all grades), accounting machinist-in-training, accounting machinist supervisor (all grades), area officer, assistant (all grades), assistant (animals) (all grades), assistant (laboratory) (all grades), assistant (printing) (all grades), assistant supervisor, assistant supervisor (packaging), assistant (typing), clerical assistant (all grades), computer operator (all grades), computing assistant, data processing operator (all grades), data processing operator-in-training, food service manager (all grades), labourer, personal secretary (all grades), photographer, senior assistant, senior assistant (farm), senior computer operator (all grades), senior photographer, senior technical officer (all grades), station hand, stenographer, steno-secretary, supervisor (agriculture), supervisor (animals), supervisor (data processing) (all grades), supervisor (farm), supervisor (packaging), supervisor (packing section), supervisor (other sections), technical assistant (all grades), technical officer (all grades), telephonist, trainee computer operator, typist (all grades), typist-in-charge, typist (photo-litho), typist (secretarial), typist supervisor, word processing typist (all grades).

(3) Together with any officer or employee who is employed by the Australian Postal Commission and who is employed in any designation specified in Part (1) of this rule.

(4) Together with any officer or employee who is employed by the Australian Telecommunications Commission and/or any other authority, corporation or body engaged in the telecommunications industry as defined in Rule 3E who is employed in any designation or like designation specified in Part (1) of this Rule or designated as a message bureau operator or supervisor.

(5) Together with any Industrial Officer or Research Officer or other employee of the Union.

Provided however, that the following shall be excluded -

(a) engineering and architectural technical assistants and technical officers other than those engaged in laboratory work,

(b) technical officers employed on external plant work associated with the installation and maintenance of telephone, telegraph and radio plants in the Australian Postal Commission and/or the Australian Telecommunications Commission, and/or Aussat Ltd.,

(c) photographers, the greater part of whose duties is to take and prepare photographs for reproduction in newspapers and magazines,

(d) employees eligible for membership in the Printing and Kindred Industries Union employed in the establishment of the Australian Government Printer and the Northern Territory Public Service, Department of Transport and Works, Government Printing Office,

(e) employees of the Australian Postal Commission and/or the Australian Telecommunications Commission and/or Aussat Ltd. designated as telephonists, telex service operator and supervisor (telephone),

(f) technical assistants, technical officers and senior technical officers employed by the Commonwealth Scientific and Industrial Research Organization.

(g) employees of the Territory Insurance Office.

(h) any person working in or in connection with the telecommunications industry eligible for membership of the Metal and engineering Workers Union in accordance with its conditions of eligibility rule as at 1 July 1991 unless that person was eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility rule as at 1 July 1991.

C. Without in anyway limiting, or being limited by, subrules A, B, D, E, G and H, the membership of the Union shall also consist of any persons employed by the Australian Broadcasting Corporation with the exception of Actors, Dancers, Vocalists, Musicians, Journalists and persons employed in the following positions:

Deputy General Manager, Assistant General Manager, Assistant General Manager (General), Controller of Technical Services, Controller, News Services, Controller of Programmes, Controller, Management Services, Controller of Finance, Federal Director of Television Programmes, Federal Director of Radio Programmes, Federal Director of Programme Services, Director of Music, Director, Drama and Features (Radio), Director, Drama (Television), Director of Talks, Director of Light Entertainment, Director of Education, Director of Rural Broadcasts, Director of Personnel, Director of News (Radio), Director of News (Television), Director, Sporting Broadcasts, Director, Planning (Radio), Director of Overseas Services, Director, Organisation and Methods, Director of Branch Operations (Television), Director of Operations (Radio), Assistant Federal Director, Television Programmes, Assistant Director of Music (Programmes), Assistant Director of Music (General), Assistant Director of Drama and Features (Radio), Assistant Director of Light Entertainment, Assistant Director of Education, Assistant Director of Rural Broadcasts, Federal Budget Officer, Federal Supervisor, Religious Broadcasts, Federal Supervisor, Production Facilities, Federal Supervisor, Children's Sessions, Federal Talks Supervisor (General Talks), Federal Talks Supervisor (News/Talks), Federal Concert Manager, Chief Film Officer, Head of Special Projects, Head of Science Programmes, Head

of Secretariat, Supervisor, Buildings Planning, Superintendent, Office Services, Superintendent, Training and Welfare, Administrative Officer (Concerts), Administrative Officer (Industrial), Manager for Victoria, Manager for Queensland, Manager for South Australia, Manager for Western Australia, Manager for Tasmania, Manager for Papua/New Guinea, Assistant Manager for Victoria, Assistant Manager for Queensland, Assistant Manager for South Australia, Assistant Manager for Western Australia, Assistant Manager for Tasmania, Director of Programmes, NSW, Director of Programmes, Vic, News Editor, Victoria, Supervising Engineer, NSW, Supervising Engineer, Vic

PROVIDED THAT such members, who have been elected or appointed as Officers or Organisers of the Union shall continue to be financial members of the Union.

D. Without in any way limiting, or being limited by, subrules A, B, C, E, G and H, the membership of the Union shall also consist of:

(a) Any person holding a certificate of competency as meat inspector and employed in such capacity in the Australian Public Service, shall be eligible for membership on written application.

(b) Any person from time to time employed in the inspection and/or grading and/or packing of dried and/or fresh and/or canned fruits and/or dehydrated and/or canned and/or frozen vegetables and/or fish and/or fish products by any Australian Government Department or branch.

E. Without in any way limiting, or being limited by, subrules A, B, C, D, G and H, the membership of this Union shall also consist of:

(1) Any person with professional qualifications permanently or temporarily employed in:

1. The Australian Public Service;

2. The Public Service of the Northern Territory;

3. The Public Service of the Australian Capital Territory;

4. The service of any public institution or authority of the Australian Government whether such service is in the Australian Public Service or not; or

5. The service of any public institution or authority of the Northern Territory Government whether such service is in the Northern Territory Public Service or not,

in a professional capacity approved by the National Council on the recommendation of the Division Council shall be eligible for membership.

The following professions are approved:

1. Engineers:

(a) civil;
(b) mechanical;
(c) electrical;

(d) mining;
(e) marine;
(f) military;
(g) lighthouse;
(h) ship construction.

2. Architects and quantity surveyors.
3. Chemists.
4. Analysts and metallurgists.
5. Meteorologists.
6. Surveyors.
7. Draughtsmen.
8. Medical Officers, including surgeons.
9. Actuaries and statisticians.
10. Barristers and solicitors.
11. Biochemists.
12. Valuers:

(a) those persons who at the 1st day of January 1940 were classified as assistant valuer, valuer, senior valuer or chief valuer;

(b) those persons who may be appointed as valuers:

(i) who have graduated in architecture, surveying, agriculture or allied professions;

(ii) who are members of the Institute of Valuers; or

(iii) who have practised as valuers for a period of at least twelve years.

13. Any avocation requiring qualifications of a standard equivalent to those required for any of the foregoing professions, and which may be approved by the National Council on the recommendation of the Division Council.

Nothing in this subrule shall affect the rights of existing members.

(2) In addition to the professions included in Rule 4E(1) above, the following professions are also approved:

14. Agricultural Economist.
15. Agricultural Scientist.
16. Anthropologist.
17. Arboriculturist.
18. Assayer.
19. Bacteriologist.
20. Bibliographer.
21. Biologist.
22. Botanist.
23. Dentist.
24. Diplomat.
25. Economist.
26. Engineer:

(a) Aeronautical
(b) Chemical

(c) Electronic
(d) Radio
(e) Communications

27. Entomologist.
28. Forester.
29. Geologist.
30. Geophysicist.
31. Histologist.
32. Librarian.
33. Mathematician.
34. Mycologist.
35. Naval Architect.
36. Palaeontologist.
37. Pedologist.
38. Psychologist.
39. Scientist.
40. Social Worker.
41. Surveyor:

(a) Engineer and Ship
(b) Nautical and Ship

42. Timber Technologist.
43. Veterinarian.
44. Educationist.
45. Geographer.
46. Physicist.

(3) The professional capacities approved by the National Council on the recommendation of the Divisional Council with respect to persons employed in the service of the Commonwealth Serum Laboratories Commission are as follows:

1. Agricultural Scientist.
2. Bacteriologist.
3. Biochemist.
4. Botanist.
5. Chemical Engineer.
6. Chemist.
7. Engineer.
8. Haematologist.
9. Microbiologist.
10. Medical Practitioner.
11. Mycologist.
12. Serologist.
13. Statistician.
14. Veterinarian.

(4) Any persons permanently or temporarily employed in:

1. The Australian Public Service;

2. The Public Service of the Northern Territory;

3. The Public Service of the Australian Capital Territory;

4. The service of any public institution or authority of the Australian Government whether such service is in the Australian Public Service or not; or

5. The service of any public institution or authority of the Northern Territory Government whether such service is in the Northern Territory Public Service or not,

shall be eligible for Associate Membership under the following conditions:

1. A candidate for Associate Membership shall produce evidence that:

   (a) he/she is not less than 16 years of age;

   (b) his/her standard of education is sufficient to admit him/her to a course of tertiary education;

   (c) he/she is undergoing a course of training leading to a professional qualification; and

   (d) he/she is recommended for admission as an Associate member by two members of the Union.

2. An Associate Member shall submit, annually, a statement of progress of his/her course of training to the Professional Division Secretary. If an Associate Member fails to submit a statement, or if his/her progress is not satisfactory, the Professional Division Secretary shall remove his/her name from the Register of Associate Members.

3. The Professional Division Secretary shall, unless special reasons are shown to warrant a further extension, remove from the Register the name of an Associate Member who has not become eligible for ordinary membership under Rule 4E within eight years of the date of his/her admission.

4. An Associate Member may attend and vote at all meetings of the Union, take part in the debates, vote in all elections for which he/she is eligible, stand for election for any office in the Union, and be co-opted to any Committee.

5. On becoming eligible for admission as an ordinary member under Rule 4E, he/she shall cease to be an Associate Member and automatically become an ordinary member. He/she shall from that date be liable for all moneys due and payable by an ordinary member under these rules.

F. Notwithstanding anything to the contrary in sub-rules A, B, C, D, E nd I:

(1) Persons shall not be eligible for membership of the Union if those persons:

   (a) are engaged in technical, trades or production functions, including persons performing supervisory or managerial duties directly related to those functions, in or in connection with electronic, electrical, or mechanical work in the telecommunications industry, Australian Postal Corporation and the Department of Transport and Communications;

(b) are performing operator functions including persons performing supervisory or managerial duties directly related to those functions in the telecommunications industry and the Australian Postal Corporation;

unless those persons are eligible for membership of the Union in accordance with its conditions of eligibility rule as at 27 March 1992.

(2) Persons who are employed by employers engaged in or in connection with:

(a) the manufacture and distribution of cables and other conductors for the transmission of energy, or

(b) processes connected with or incidental to such manufacture and distribution,

shall not be eligible for membership of the Union unless such persons were eligible for membership of the Union as at 19 November 1991;

(3) Persons employed directly in supervising and/or operating and/or installing and/or maintaining and/or servicing an internal telecommunications system and are eligible for membership of the Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union pursuant to Rule 5, Part 1 and Part 2 of the Australian Municipal, Transport, Energy, Water, Ports, Community and Information services Union's rules as at 20 November 1991 shall not be eligible for membership unless the person was also eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 20 November 1991.

(4) Persons employed to service, repair, maintain, structurally alter and/or assemble business equipment (excluding typewriters) in the telecommunications industry and are eligible for membership of the Australian Municipal, Transport, Energy, Water, Ports Community and Information Services Union pursuant to Rule 5, Part 3 of the Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union's rules as at 20 November 1991 shall not be eligible for membership unless the person was also eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 20 November 1991. Without limiting the generality of the foregoing, the term "business equipment" shall be deemed to include inter alia, cash registers, accounting machines, adding machines, calculators, computers and peripheral equipment.

(5) Persons shall not be eligible for membership of the Union if those persons are engaged in technical, trades or production functions, including persons performing supervisory or managerial duties directly related to those functions, in or in connection with electronic, electrical or mechanical work in the electrical, electrical contracting and telecommunications industry, including telecommunications manufacturing and servicing unless those persons are eligible for membership of the Union in accordance with its conditions of eligibility rule as at 27 March 1992.

(6) Any person eligible for membership of the Australian Postal and Telecommunications Union in accordance with its conditions of eligibility for membership rule as at 18 October 1991 shall not be eligible for membership unless that person was also eligible for membership of the Australian public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 18 October 1991.

(7) Persons engaged in any of the following:

(i) providing postal services, and/or

(ii) receiving, sorting, despatching, processing or delivering mail, and/or

(iii) providing, installing or maintaining telecommunications services including persons performing the functions which are specified in the communications officer structure as set out in clause 51 of the Telecom/APTU Award as at 30 August 1991, and/or

(iv) driving, and/or

(v) storing goods and materials, and/or

(vi) labouring, patrolling, gardening or cleaning, and/or

(vii) cooking, general kitchen duties or serving food, and/or

(viii) drafting, and/or

(ix) oversighting or supervising any of the above services or functions.

shall not be eligible for membership unless:

(a) that person is performing tasks which if performed by that person in employment with either the Australian Telecommunications Corporation or the Australian Postal Corporation (or any successor thereto) as at 18 October 1991 would make that person eligible for membership of the Australian Public Sector and broadcasting Union, Australian Government employment, or

(b) that person would have been eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 18 October 1991.

(8) This sub-rule has no application to persons eligible for membership under sub-rules G and H of this Rule.

G. Without in any way limiting, or being limited by, subrules A, B, C, D, F and H, the persons eligible for membership of this union shall also include:

All persons engaged or employed in the utilization, operation, control, maintenance, installation, inspection, accounts, rates, instruction, repair and service of apparatus used for radio telegraphy, radio

telephony, radio television, radio facsimile, radio signals, cable operations, cable technology, cable engineering, teleprint operation, radar operation, beam and cable accounting and checking, and/or any of their kindred or associated branches as applied to the land, sea, or air; and shall include all persons engaged or employed as marine radio operators, assistant marine radio operators, junior marine radio operators, marine radio inspectors, marine radio technicians, marine radio engineers who carry out installations, service and maintenance of radio apparatus on any vessel, and all radio engineers, radio technicians, radio mechanics, control room operators and panel operators engaged on broadcasting stations (other than those under the control of the Australian Broadcasting Commission), and all radio engineers, radio technicians, radio operators, operators-in-charge, radar operators, radio examiners, radio inspectors engaged in aeradio stations throughout Australasia and the Islands of the Pacific (Department of Civil Aviation). All superintendent radio engineers, radio station masters, senior radio operators, radio operators, radio technicians, radio mechanics, riggers and assistant riggers engaged on coastal radio service stations throughout Australasia and the Islands of the Pacific, and all radio engineers, radio technicians, radio mechanics, riggers, assistant riggers, and cadets or apprentices engaged on beam wireless transmitting or receiving stations throughout Australasia and the Islands of the Pacific. All superintendents, supervisors, assistant supervisors, house engineers, supervising technicians, technicians, senior telegraphists, telegraphists, junior telegraphists, senior despatch clerks, despatch clerks, counter clerks, service clerks, accounts clerks, rates clerks, invoice clerks, phonogram clerks, bundlers or messengers engaged or employed in beam wireless and cable receiving or transmitting offices of Overseas Telecommunications Commission, Australia, or any branch or depot of such offices throughout Australasia and the Islands of the Pacific. All observers, observers (radio) and senior observers (radio) employed by the Bureau of Meteorology, Department of the Interior. All radio officers, engaged on any aircraft flying within Australasia and the Islands of the Pacific and beyond, and engaged or employed by any Company, Corporation, Commission, Department or Establishment in Australasia or the Islands of the Pacific, who carry out operations or services from the Australian mainland. All instructors engaged in any school or college where wireless or radio theoretical or practical instruction is given or taught, together with other persons whether employed in any of the abovementioned occupations, who are officers of the Union and have been admitted as members thereof.

Provided that nothing herein shall be taken as covering employees engaged in the manufacture of radio apparatus or appurtenant elements or in the maintenance, installation and/or servicing of radio elsewhere than in transmitting, receiving, aviation, radio service depots and/or telegraphic or cable stations, not including the fabrication or erection of masts, machinery, or other gear used in connexion therewith.

H. Without in any way limiting, or being limited by, subrules A, B, C, D, E, F and G shall also consist of:

(i) persons employed by the Commonwealth Scientific and Industrial Research Organisation in the following occupations or industrial pursuits whether in a trainee, practitioner, specialist or managerial capacity:

scientist, engineer, architect, librarian, scientific services officer and translator

or who are engaged in occupations or industrial pursuits the duties of which involve the possession of qualifications equivalent to those involved in these occupations or industrial pursuits.

(ii) persons employed by the Commonwealth Scientific and Industrial Research Organisation in the following classifications, designations, occupations or industrial pursuits whether in a practitioner, specialist, managerial, or trainee capacity:

(a) Senior Technical Officer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of senior technical officer, senior technician, principal technical officer, principal technician, chief technical officer or chief technician by whatever name called.

(b) Technical Officer or Technician which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of technical officer or technician by whatever name called.

(c) Technical Assistant (Laboratory) or Assistant (Laboratory Services) which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of technical assistant (laboratory), assistant (laboratory services), technical assistant, laboratory assistant, or laboratory services assistant by whatever name called.

(d) Library Officer or Assistant Library Officer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of library officer, assistant library officer, library technician or library assistant by whatever name called.

(e) Photographer or Graphic Designer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of photographer or graphic designer by whatever name called.

(f) Information Officer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of information officer by whatever name called.

(g) Persons whose duties require them to possess qualifications or skills equivalent to those involved in the foregoing classifications, designations, occupations or industrial pursuits.

who are engaged in research or research support, which expression shall, without limiting the generality thereof, include the dissemination or application of research outcomes to industry; together with such other persons, whether employed in the industry or not, as have been appointed or elected officers of the Union and admitted as members of such.

I. Any person who is eligible for membership of the Union under the provisions of any of the subrules in Rule 3 and the preceding subrules in Rule 4 shall not be excluded from membership of the Union by any other subrule in Rule 3 and the preceding subrules in Rule 4.

J. Notwithstanding anything to the contrary in subrules A, B, C, E, F, G, H and I persons who are members, staff members or special members of the Australian Federal Police are not eligible for membership of the Union under subrules A, B and C. This subrule has no application to persons eligible for membership under subrule D.

K. Notwithstanding anything to the contrary in subrules A, B, C, D, E, F, G, H and J all persons employed by the First Licensed carriers as defined hereunder, in or in connection with the telecommunications industry shall not be eligible for membership of the Union.

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

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

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

L. Notwithstanding anything to the contrary in sub-rule G, all persons employed or engaged in the function of ROV Pilots/Technicians in or in association with the operation, utilisation, control, maintenance, installation, repair and service of remotely operated sub sea vehicles and associated equipment shall not be eligible for membership of the Union.

M. Notwithstanding anything to the contrary in sub-rules A, B, C, D, E, F, G, H, I and J all persons employed by Telecom Technologies Pty Limited shall not be eligible for membership of the Union.

PART II

SECTION 1

In this section -

(a) References to "this rule" (or similar expressions) shall be construed as referring to this Section only of this rule and shall not be construed as limiting the scope of Section II hereof.

(b) References to persons not being eligible for membership of the Union (or similar expressions) shall be construed as limited to such persons not being eligible for membership under this Section of this rule.

(A) The Union shall consist of an unlimited number of employees employed by -

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

(ii) any statutory body representing the Crown in right of any State or States;

(iii) any instrumentality or authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown in right of any State or States; ,

(iv) any company or corporation in which at least fifty per centum of the issued shares are held by or for on behalf of or in the interest of the Crown in right of any State or States or if there are no issued shares, in which the governing body by whatever name called includes nominees appointed by or for or on behalf of or in the interest of the Crown in right of any State or States

in or in connection with any one or more of the industries of:

Brickmaking and quarrying

Building and construction

Harbours including dockyards jetties and coastal waters excluding the industry of shipping

Engineering

Finance and investment in commercial or private undertakings or projects and purposes of a non-governmental character excluding the industries of banking and credit unions

Housing including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land construction of residential premises for sale or lease and management of developed properties

Insurance but in Queensland, to the extent only of persons who are:-

(i) permanent employees of the Queensland Government or (in relation to the Crown in the right of the State) of a Crown Corporation, Crown Instrumentality or Minister representing the Crown; and

(ii) (a) employed in Suncorp Insurance and Finance as that body operated on 1 October, 1991 or any Public Sector successors of that body to the extent that such successor performs the functions of that body, or

(b) employed in the Workers' Compensation Board of Queensland as that body operated on 1 October, 1991 or to public sector successors of that body to the extent that such successor performs the functions of that body.

Manufacturing for commercial or private undertakings of purposes of a non-governmental character

The storage, conveyance and marketing of dairy and farm produce, fish, meat, grain, coal and coke but excluding the sale of any of the foregoing commodities by wholesale or retail

Medical officers and paramedical officers excluding legally qualified Medical Practitioners or persons studying or training to obtain such qualifications

Mining

Power and fuel supply and sale excluding the manufacture distribution or sale of gas however defined provided that this exclusion shall not apply to salaried employees of The Pipelines Authority of South Australia

Printing and publishing provided that the Union shall maintain but not extend its industrial coverage of employees who are covered by Federal or State Awards and Agreements or State or Federal Determinations in the printing industry

Regional Development and redevelopment including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land for mixed commercial residential and public use

Theatrical and amusements of any kind whether outdoor or indoor or in or about theatre halls sports exhibitions and agricultural shows but not so as to include employees not engaged in administrative and clerical duties and excluding the industry of professional musicians

Tourism including without limiting the generality thereof the acquisition planning survey restoration improvement management and promotion of Zoological and National Parks, places of historic interest, resorts and tourist attractions generally excluding the transport of passengers or goods by land water or air

Universities and colleges of advanced education but not including academic staff

Water conservation and irrigation including without limiting the generality thereof the storage transport inspection control metering and sale of water

(B) The Union shall also consist of an unlimited number of employees employed by -

(i) The Crown in right of any State or States;

(ii) any statutory body representing the Crown in right of any State or States;

(iii) any instrumentality or authority whether corporate or unincorporate acting under the control of or on behalf of or in the interest of the Crown in right of any State or States;

(iv) any company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in right of any State or States or if there are no issued shares, in which the governing body by whatever name called includes nominees appointed by or for or on behalf of or in the interest of the Crown in right of any State or States

and which employees are engaged in any one or more of the industrial pursuits of

Architects and Naval Architects

Chemical Engineers, Civil Engineers, Communication Engineers, Electrical Engineers, Electronic Engineers, Hydraulic Engineers, Marine Engineers, Mechanical Engineers, Metallurgical Engineers, Mining Engineers, Production Engineers, Radio Engineers, Railway Engineers, Road Engineers, Structural Engineers, Water and Sewerage Engineers and Wireless Engineers

Building Surveyors, Engineering Surveyors, Geodetic Surveyors and Computers, Hydrographic Surveyors, Land Surveyors, Marine Surveyors, Mining Surveyors, Quantity Surveyors, Survey Computers and Topographical Surveyors

Architectural Draughtsmen, Cartographers, Cartographic Draughtsmen, Chemical Engineering Draughtsmen, Civil Engineering Draughtsmen, Electrical Engineering Draughtsmen, Engineering Draughtsmen, Estimating Draughtsmen, Hydraulic Engineering Draughtsmen, Jig and Tool Draughtsmen, Marine Engineering Draughtsmen, Mechanical Engineering Draughtsmen, Mining Engineering Draughtsmen, Photogrammetric Draughtsmen, Production Engineering Draughtsmen, Radio Engineering Draughtsmen, Railway Engineering Draughtsmen, Road Engineering Draughtsmen, Ship Building Draughtsmen, Structural Draughtsmen, Survey Draughtsmen, Water and Sewerage Engineering Draughtsmen, Wireless Engineering Draughtsmen and Technical Illustrators

Medical officers including paramedical officers excluding legally qualified Medical Practitioners or persons studying or training to obtain such qualifications

Tracers

Certified Mine Managers, Engineering Inspectors, Building Inspectors, Testers of Engineering Materials, Supervisors of Engineering Production, Planners of Engineering Production, Construction or Maintenance Work, Weather Officers

Technical Assistants and Technical Officers

Social Welfare Work, Child Care, Provision of Social Services, Charity Work and without limiting the generality of the foregoing probation and parole services including rehabilitation programme management, youth and community services, ethnic affairs, drug referral and rehabilitation, child and family care services, retarded persons services, mental health services and counselling in institutions, community centres and crisis service areas

Non-academic staff employed by Universities and Colleges of Advanced Education

(C) The Union shall also consist of such other persons (not being any persons employed by any employer excluded in Rules 3(A) or 3(B)) as are officers of the Union or who may lawfully be or become members of a registered organisation of employees having the constitutional coverage and eligibility for membership set forth in sub-rule (A) and (B) of rule 3. Constitution of the rules of the Union.

(D) In the State of New South Wales the Union shall also consist of -

(a) Employees of the Crown in Right of the State of New South Wales; for the purposes of this Constitution the term "employees of the

Crown" without limiting the ordinary meaning of the term shall include employees of any person, firm, board, trust, company or corporation employing persons on behalf of the Government of the State; and

(b) Foreman Engineers and Administration Officers exercising supervisory duties employed by the Board of Fire Commissioners; and

(c) (i) Employees who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or employees in training in a public or private hospital or public dental clinic, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist);

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor and Alcoholism Counsellor, Chiropodist (or Pediatrist), whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution deemed by the employer to be of similar standing.

(ii) Employees of any organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or as employees in training, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast;

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor, Alcoholism Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution

deemed by the employer to be of similar standing but excluding employees howsoever qualified who are engaged or usually engaged in the callings or avocations of Child Care Officer, Library Officer or Remedial Gymnast in a Domiciliary institution operated by an organisation registered or exempt from registration as aforesaid.

(iii) Employees who are engaged or usually engaged in the callings or avocations whether as principal or assistant employees or as employees in training of School Dental Therapist, Dental Chairside Assistant or Dental Technician in a public hospital or by an organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, or a public dental clinic.

(iv) Provided that in the case of the callings or avocations of Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer;

(I) The certificate referred to above shall require at least two years full-time or three years part-time post Higher School Certificate level study.

(II) The institution referred to above is reasonably and properly 'deemed' by an employer.

(III) The employees are or should be reasonably and properly designated and classified as Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer respectively.

(d) Persons employed by -

(i) Colleges of Advanced Education;

(ii) The University of New South Wales, the University of Newcastle, the University of Wollongong or any Universities formed from a College of these Universities;

(iii) Agriculture Colleges;

including in each case

Foreman, Laboratory Craftsmen and those employed in a supervisory capacity

(iv) Persons employed by, or usually employed by or on behalf of The University of Sydney, Macquarie University and the University of New England in or in connection with one or more of the following industries or industrial pursuits

General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officers.

(e) The employees of the United Dental Hospital of Sydney.

(f) Employees of the administrative, clerical and general staff of the Legislative Assembly and of the Legislative Council.

(g) Senior executives, managers - country branches, inspectors, sales supervisors, engineers, laboratory staff, floor and production management and senior clerical officers employed by the New South Wales Egg Corporation.

(h) Persons in the Departments of Education or Technical and Further Education, Colleges of Advanced Education and in such other Departments, Sub-Departments or Institutions who are employed by any New South Wales Education Commission or its agents.

(i) Associates to Justices.

(j) Without in any way limiting the application of paragraphs (a) and (c) hereof:

(i) Persons employed in regional offices of any Department of State or corporation or body established by statute of the State of New South Wales administering or providing health services in the State of New South Wales and including such persons whose employment fulfils a function of such a regional office but who, due to the nature of their duties, are not employed within the precincts of that office.

(ii) Persons employed in or by area or community health services (howsoever called) other than persons engaged in non-professional duties in,

(a) a State Public Hospital;

(b) a community health centre located within the precincts of a State Public Hospital; or

(c) an area health service (not being a community health centre) located outside the precincts of a State Public Hospital.

For the purposes of this sub-paragraph the term "non-professional" duties shall mean duties other than those performed by the persons described in paragraph (D)(c) of this rule.

(iii) Persons, other than those described in paragraph (D)(c) of this rule, employed at the Sexually Transmitted Diseases Clinic and the Medical Examination and Immunisation Centre whilst such establishments are operated at locations not within the precincts of a Public Hospital by which such persons are employed.

(iv) Persons employed in or by or in connection with the administration of:

The Drug and Alcohol Authority
New South Wales State Cancer Council
The United Hospitals Auxiliary
The Institute of Psychiatry

(v) Persons employed in or by or in connection with the administration of any body (whether incorporated or unincorporated) established for the purpose of registering

persons for the practice of any profession, calling or vocation in the State of New South Wales.

(vi) For a period of three years from the making of an order pursuant to the Health Administration Act, 1982, persons other than those referred to in sub-paragraphs (i) - (iv) hereof, who by virtue of that order would not otherwise be eligible for membership in the Union, provided that at the time of the making of the order such persons were members of the Union.

Provided that nothing in this paragraph shall render eligible for membership in the Union persons engaged in the professions of nursing or mental nursing employed as trained nurses, trainees and assistants in nursing.

(k) Without limiting the generality of the foregoing paragraphs hereof, persons employed in or in connection with the provision of or rendering of medical and/or para-medical services in penal or like establishments deemed or proclaimed to be a prison pursuant to the Prisons Act, 1952, to persons incarcerated or otherwise detained.

(l) Persons employed at the Sydney Entertainment Centre in administrative, clerical, technical, professional or managerial capacities, including employees of any lessee of the Centre for operation as a place of entertainment, provided such persons are not employed to perform front-of-house activities nor engaged in any other capacity in or in connection with the selling of goods.

(m) Employees of the Australia Music Centre Ltd., and of any successor, assignee or transmittee of the business and/or functions of the said corporation or any part thereof.

(n) Without limiting the generality of any of the foregoing paragraphs hereof, all employees of the Joint Coal Board.

(o) Employees of the Totalizator Agency Board of N.S.W. performing duties for which the commencing salary is above the highest salary level for Branch Assistant Manager.

(E) In the State of South Australia the Union shall also consist of an unlimited number of persons -

(a) Employed permanently or temporarily in the Public Service within the meaning of the Government Management and Employment Act, 1985.

(b) Employed by or under any Board, Trust, Commission, Commissioner, Committee, or other public or statutory authority, appointed by the South Australian Government.

(c) Employed as Timekeepers, Foremen, or Inspectors in any department of the Public Service of South Australia.

(d) Employed on annual salary in any hospital or institution by or under the control of the South Australian Government.

(e) Employed by the Board or Committee of Management of the Adelaide Children's Hospital Incorporated, The Queen Victoria Hospital Incorporated, Lyell McEwin Hospital Incorporated, The Julia Farr Centre Incorporated, Minda Home Incorporated and any Hospital or

Health Centre Incorporated under the South Australian Health Commission Act 1975-1976 as amended and any other public or country community hospital or health centre.

(f) Employed as Executive Officers or in administrative, managerial or in a professional capacity by the Foundation for Multi Disciplinary Education in Community Health.

(g) Employed as nurses by the following State Government Hospitals - The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, The Modbury Hospital, the Whyalla Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Walleroo Hospital, Ru Rua Nursing Home.

(h) Employed as nurses who are Public Servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(i) Employed as nurses pursuant to direct Ministerial appointment (but not persons employed by "subordinates" of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to s.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(j) Employed as nurses in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(k) Employed as nurses by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(l) Employed as Dental Nurses.

(m) Notwithstanding anything contained in this rule, persons employed by the State Transport Authority of South Australia in a supervisory, clerical, administrative or inspectorial capacity who are members of the Federation as at 20th day of August, 1993 for so long as they remain members of the Federation and engaged in a supervisory, clerical, administrative or inspectorial capacity within the STA of SA.

(F) In the State of Tasmania the Union shall also consist of an unlimited number of persons employed in a permanent or temporary capacity by -

(a) the State;

(b) a State Authority which means any persons or body of persons or Authority, whether corporate or unincorporate, which is constituted or established under the authority of any Act or under Royal prerogative for the State of Tasmania;

(c) a State public hospital which means any hospital receiving aid from the State that is prescribed as a State public hospital and with which a board is charged with the management, maintenance, and regulation. Provided that nothing in this paragraph shall render eligible for membership of the Union any person employed on the general staff and/or nursing staff of a State public hospital in the State of Tasmania.

(G) In the State of Victoria the Union shall also consist of -

(a) Persons employed in the Public Service of Victoria or employed in any State instrumentality or other undertaking carried on by public authorities, commissions, or corporations under any State charter, statute, enactment, or proclamation of the State of Victoria and including any such person transferred or on loan to the Public Service of another State or to any instrumentality or other undertaking carried on under any statute, charter or enactment or proclamation of any State.

(b) Notwithstanding anything contained in this rule, persons employed by the Rural Water Corporation, Wimmera Mallee Rural Water Authority, Southern Rural Water Authority, Gippsland Rural Water Authority, Goulburn Murray Rural Water Authority and Sunraysia Rural Water Authority where the functions and activities of those bodies were undertaken by the Rural Water Corporation as at 22 November 1993.

(H) In the State of Western Australia the Union shall also consist of an unlimited number of persons -

(a) employed as an officer under and within the meaning of the Public Service Act, 1978-1980, or

(b) employed under the Forests Act, the Main Roads Act, or any Act now in force or hereafter enacted whereby any Board, Commission or other body is constituted to administer any such Act, or

(c) otherwise employed in any of the established branches of the Public Service of the State of Western Australia including State trading concerns, business undertakings and government institutions controlled by boards.

Exclusions

Notwithstanding anything hereinbefore contained

(i) Any person who is employed by any instrumentality of the Crown including without limiting the generality of the foregoing the following instrumentalities:-

Victorian Instrumentalities

Ballarat Water Board
Bendigo Water Board
Road Construction Authority of Victoria
Dandenong Valley Authority
Gas & Fuel Corporation
Port of Geelong Authority
Geelong Water Board

Latrobe Water Board
Melbourne Harbour Trust
Melbourne & Metropolitan Board of Works
The Metropolitan Transit Authority
Port of Melbourne Authority
State Transport Authority
State Electricity Commission of Victoria
Hospital & Charities Commission
Housing Commission

Western Australian Instrumentalities

Fremantle Port Authority
Main Roads Department
Western Australia Railways
State Energy Commission

South Australian Instrumentalities

Electricity Trust of South Australia
South Australian Housing Trust
The Pipelines Authority of South Australia

Tasmanian Instrumentalities

Marine Board of Burnie
Marine Board of Devonport
Marine Board of Hobart
Hydro-Electric Commission
Port of Launceston Authority
Hobart Regional Water Authority
Tasmanian Department of Transport

New South Wales Instrumentalities

Electricity Commission
Urban Transit Authority
Hunter District Water Board
Department of Main Roads
Maritime Services Board
Metropolitan Water, Sewerage and Drainage Board
Department of Motor Transport
Water Resources Commission
State Rail Authority
Traffic Authority of N.S.W.

and is or has been a Corporate Member or Graduate Member of The Institution of Engineers, Australia, or has passed the prescribed examinations for or is the holder of qualifications published by The Institution of Engineers, Australia, as granting eligibility for Graduate or Corporate membership of the said Institution or in respect of whom The Institution of Engineers, Australia, has given written notification that his qualifications would render him eligible for Graduate or Corporate Membership of the said Institution shall not be eligible for membership of the Union.

(ii) Any person who is employed in the tourist promotion section of the Public Transport Commission of N.S.W., the tourist promotion section of Victorian Railways, the Mt. Buffalo Chalet operated by the Victorian Railways or the tourist section of the marketing division of the N.S.W. Public Transport Commission

shall not be eligible for membership of the Union.

(iii) Any person employed by:

Australian National Railways Commission
Melbourne and Metropolitan Board of Works
Road Construction Authority of Victoria
Hydro-Electric Commission of Tasmania
Australian Mineral Development Commission
Electricity Trust of South Australia
State Electricity Commission of Victoria
Port of Geelong Authority
Melbourne Harbour Trust
Port of Melbourne Authority

The Metropolitan Transit Authority
Metropolitan Transport Trust of Tasmania
State Energy Commission of Western Australia
Maritime Services Board of N.S.W.
Melbourne Wholesale Fruit and Vegetable Market Trust
Pest Plant Control Boards in the State of South Australia
Vertebrate Pest Control Boards in the State of South Australia [Provided that Pest Plant Control Boards and Vertebrate Pest Control Boards shall neither mean nor include any or all of the Pest Plant Commission, the Vermin Control Administration Committee or the Vertebrate Pest Control Authority each in the State of South Australia]
Totalizator Board of Victoria
Totalizator Agency Board of South Australia as a casual employee
Totalizator Agency Board of Tasmania

shall not be eligible for membership of the Union.

(iv) Any person employed in a professional capacity by:

Public Transport Commission of N.S.W.,
Commissioner for Motor Transport, N.S.W.,
Victorian Railways Board,
Railway Construction Board, Victoria,
Transport Commission, Tasmania,
Western Australian Government Railways Commission,
State Transport Authority of South Australia (Rail Division)

shall not be eligible for membership of the Union.

(v) Employees of Municipal County Shire Councils Trusts or other Local Government Authorities (other than employees of the Sydney Cove Redevelopment Authority), Water Supply Boards or Trusts (other than employees of the New South Wales Water Resources Commission, the Metropolitan Water Authority of Western Australia and the Metropolitan Water Board of Tasmania), Sewerage Boards or Trusts (other than employees of the New South Wales Metropolitan Waste Disposal Authority), Road Boards (other than employees of the New South Wales Department of Main Roads and the Western Australian Main Roads Department), Electricity Supply and Generation Authorities (other than professional administrative clerical or salaried technical staff of the Electricity Authority or the Electricity Commission of New South Wales), employees (other than administrative or clerical staff) of any Western Australian Park Reserve Racecourse or Cemetery Board or Trust and employees of Port Authorities in the State of Queensland (other than the Port of Brisbane Authority)

shall not be eligible for membership of the said Union.

(vi) (a) Any person employed by a University other than The University of New South Wales (but not so as to include The Medical School of The University of New South Wales), The University of Newcastle, The University of Wollongong, the University of Western Australia, Murdoch University and/or their respective colleges or any university which may be formed as a result of granting autonomy to any such college, or persons employed in the industry of Librarianship and any related or ancillary or incidental activity within:-

(i) The University of Sydney
(ii) Macquarie University
(iii) New England University,

shall not be eligible for membership of the said Union

(b) Any person employed by a College of Advanced Education in any State as a member of the academic staff (which shall include Directors, Principals, Deputy and Assistant Directors or Principals, by whatever name called) shall not be eligible for membership of the said Union provided that the following Agriculture Colleges in the State of New South Wales shall not be regarded as Colleges of Advanced Education:

C B Alexander Agriculture College, Tocal
The Murrumbidgee College of Agriculture

(vii) Any person employed by,

I. The Crown in the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever;

II. Any,

(a) statutory body representing the Crown;

(b) instrumentality or authority whether corporate or unincorporate acting under the control of or for or behalf of or in the interest of the Crown;

(c) company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown;

which has as its function the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever; or

has as one of its functions the actual operation of such a system or systems of public transportation but only those persons employed in or in connection with the operation of these system or systems;

shall not be eligible for membership of the Union.

III. (A) The foregoing exclusion however shall not render ineligible for membership employees of the following statutory bodies, departments or ministries, notwithstanding that such statutory bodies, departments or ministries did not in the past operate or are not at present operating a system or systems of public transportation:-

(a) Western Australian Coastal Shipping Commission
(b) Albany Port Authority
(c) Bunbury Port Authority
(d) Esperance Port Authority
(e) Fremantle Port Authority
(f) Geraldton Port Authority
(g) Port Hedland Port Authority
(h) State Transport Commission (WA)
(i) Ministry of Transport (Victoria)
(j) Road Traffic Authority (Victoria)
(k) Commissioner for Motor Transport or Department of Motor Transport (N.S.W.)
(l) Department of Transport (S.A.)
(m) Any statutory body, department or ministry which in the future assumes the current functions of any of the employers specified in such paragraphs (a) to (l) hereof.

(B) Provided further that if any of the bodies, departments or ministries specified or referred to in (A) hereof operates a system of public transportation the persons employed in or in connection with the actual operation of that public transportation system shall not be eligible for membership of the Union.

(viii) The following persons shall not be eligible for membership of the Union in the State of New South Wales:

(a) Persons employed by Colleges of Advanced Education, the University of New South Wales, the University of Newcastle, the University of Wollongong and any University formed from a college of those Universities whose ordinary duties consist of work usually performed by watchmen, caretakers, cleaners, tea attendants, together with persons (other than foreman, laboratory craftsmen and those employed in a supervisory capacity) employed as carpenters, joiners, tile-layers, bricklayers, tuck-pointers, slaters, roof-tilers, shinglers, ridgers, cement-tilers or roof-fixers, painters, decorators, sign-writers, glazers, glass-cutters, paper-hangers, plasterers, plaster fixers, granolithic floor-layers, plumbers, gasfitters or pipe-fitters.

(b) Persons employed by the University of New South Wales, the University of Newcastle, the University of Wollongong and any University formed from a College of those Universities as academic staff.

(c) Persons employed by the United Dental Hospital in the profession of nursing as trained nurses, trainees and assistants in nursing.

(d) Persons employed by the Legislative Assembly and the Legislative Council as caretakers, cleaners, gatekeepers, lift attendants, tea attendants and watchmen.

(e) Persons in New South Wales who are employed as -

(I) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), engaged in pre-school, infant, primary or secondary public education controlled by the Government or employed by the Education Commission;

(II) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), and trainee teacher advisers engaged in technical and further education or adult migrant education or employed in evening colleges;

(III) Education officers (performing teaching duties) and teachers working in the Department of Corrective Services;

(IV) Teachers seconded as officers of the Research and Guidance Branch of the Education Department.

(f) Persons appointed to be members of the Police Force of New South Wales in a non-commissioned capacity.

(g) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

(h) Employees of the Totalizator Agency Board of N.S.W. in clerical classifications for which the commencing salary is at or below the highest salary level for Branch Assistant Manager.

(i) Persons employed by any State Public Hospital in the retail sale of goods.

(j) Persons employed in the Education Department in or in connection with the operation of school canteens and kiosks but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

(k) Persons wholly, mainly or principally engaged (and however designated) in the work of lift attending, porter's work, tea attendant, cleaning and related pollution control (except persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers) and caretaking (except persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers and also persons employed in or for a substantial part of their time in Court Houses, historic houses or Government House), or employed in child care centres, day nurseries, or pre-school kindergartens by the Department of Education or the Department of Technical and Further Education (other than teacher aides in pre-school kindergartens and nurseries within the grounds of public schools but excluding nursery cooks or nursery helps employed in the Department of Education Nursery Schools) or under the Youth Employment Scheme by Government Departments, other than by the Department of Corrective Services, but not excluding ancillary staff in schools and persons employed in supervisory positions above the level of the officer in charge of such a child care centre, or persons employed in a professional, inspectorial, administrative, clerical or technical capacity, provided that no persons employed by the United Dental Hospital shall be excluded by reason of this paragraph.

(ix) The following persons shall not be eligible for membership of the Union in the State of South Australia:

(a) Salaried Medical Officers

(b) Storemen and Packers

(c) Ministerial Press Secretaries

(d) Persons employed by Minda Incorporated below the level of and including the occupation of charge attendant and persons employed by the Electricity Trust of South Australia in the occupation of caretaker, cleaner, watchman or security officer.

(e) Employees engaged or usually engaged as electrical fitters, armature winders, electrical mechanics, battery winders, railway electricians, telephone fitters, radio workers, cable joiners, linesmen and lamp trimmers, electrical labourers,electric crane attendants, rail welders and their assistants, electrical welders whose work is associated with the work of an electrician, electricians engaged or usually engaged or employed in running and maintaining electrical plants dynamo, motor attendants or the like.

(f) Nurses other than:

(I) Nurses employed by the following State Government Hospitals -

The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, the Modbury Hospital, the Whyalla Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Wallaroo Hospital, Ru Rua Nursing Home.

(II) Nurses who are public servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(III) Nurses who are employed pursuant to direct Ministerial appointment (but not persons employed by subordinates of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to S.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(IV) Nurses employed in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital, who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(V) Nurses employed by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals, who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(g) Persons who are employed or are usually employed in any capacity whether permanent or casual in or in connection with:

(I) breweries, malt houses, bottling establishments, distilleries, wine cellars, wineries and spirit stores;

(II) aerated water, cordials, cider and ginger beer or other non-intoxicating beer factories and employees retailing to the public any of the products of these factories;

(III) hotels, wine saloons, wine bars, coffee palaces, coffee lounges, tea rooms, soda fountains, milk bars, fruit juice or flavour bars;

(IV) marine stores or yards, cork cutting factories, bottle washing establishments, patent yeast and vinegar factories;

(V) clubs, restaurants, meeting houses and board and lodging and apartment houses, catering establishments;

(VI) race courses, football grounds, cricket, dog racing, coursing and other sports grounds, industrial canteens, motels and casinos.

(h) Employees below the classification of foreman employed in the printing and kindred industries.

(i) Persons employed on a weekly or daily basis in the timber industry (provided that notwithstanding the generality of the foregoing, excluding persons employed as mill hands, saw men, timber graders or the like).

(j) Employees engaged or usually engaged in the process trade or business connected with or incidental to the manufacture, assembling or repairing of carriages, carts, wagons, trucks, railway cars, tram cars, motor cars, motor cycles, side cars, aircraft and other vehicles used in air transit and all other vehicles or parts thereof and whether in wood and/or metal and/or other material.

(k) Daily or weekly paid employees engaged in any of the following industries or callings:

Agricultural, horticultural, viticultural, construction or maintenance of roads, footpaths, aerodromes, bridges, reservoirs, lochs, drains, dams, weirs, channels, tunnels, school grounds or playgrounds, water and sewerage, land surveying and works and undertakings carried out by or on behalf of any local governing body.

(l) Persons employed or usually employed or engaged in or in connection with the industries or industrial pursuits of carpenters and joiners or as brick-layers, tuck pointers or in the trade or calling of a slater, roof tiler, shingler, ridger or cement tiler, fixer of roofing sheets of asbestos, fibre, fibrolite or cement mixtures and accessories, malthoid, sisalkraft or bituminous roofing materials and all accessories made of the same or similar materials.

(m) Carpenters and joiners, including ship's carpenters and joiners.

(n) Persons employed or engaged in or in connection with the industries of driving and the transport of persons and/or passengers and/or goods, wares, merchandise or any material whatsoever by or on vehicle or animals or by aircraft or by motor steam, oil, electric or other mechanically propelled contrivances, drivers assistants and conductors of same and stable work wheresoever performed, all yard and garage cleaning, and other work in connection with driving and transport, including washing, greasing, oiling, cleaning, polishing, tyre fitting and general attendance of horse or mechanically propelled vehicles and mechanical contrivances, loading and unloading onto and/or from any vehicle.

(o) Persons employed as roof plumber drainers, gasfitters, sanitary plumbers, registered drainers, plumber welders mechanical services plumbers, water plumbers or the like.

(p) Persons employed in:

(I) making and/or repairing the whole or any part of any male or female garment or of any article of wearing apparel whatsoever and the dyeing, cleaning, repairing or pressing or ironing of any such articles;

(II) making and/or repairing the whole or any part of any description of umbrella;

(III) making and/or repairing any description of handkerchiefs, serviettes, pillow slips, pillow shams, sheets and table cloths, towels, quilts, aprons, mosquito nets, bed valances or bed curtains;

(IV) embroidering or otherwise ornamenting any of the abovementioned articles;

(V) the industry of a furrier;

(VI) the making of chenille and the making and/or repairing of articles of all descriptions as are made of chenille.

(q) Firefighters, control room operators, probationary fire-fighters, fire equipment servicemen and hose-room men.

(r) Persons employed at the Australian Mineral Development Laboratory and the Electricity Trust of South Australia in a drafting capacity or a technical capacity.

(s) Persons who are employed in South Australia -

(I) As teachers in any Government school, pre-school, child-parent centre or technical and further education institution;

(II) In a technical and further education institution and responsible for the co-ordination of teaching therein;

(III) As pre-school aides OR assistants in child parent centres.

(t) The Commissioner, Deputy Commissioner, any Commissioned Officer and any other person who is a member of the Police Force of South Australia or who is undergoing training in order to qualify for appointment as a member of the Police Force of South Australia.

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Adelaide Festival Centre Trust in the retail sale of goods or the supply of food or drink for consumption on the premises or for take away, but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

(x) The following persons shall not be eligible for membership of the Union in the State of Western Australia:

(a) Persons employed as Clerical Officers in -

the State Engineering Works except those who are employed pursuant to the provisions of the Public Service Act;

the Lotteries Commission

(b) Persons employed as Clerical Officers in positions which, on a salary basis, are less than the salary paid to the respective Public Service Classifications set out hereafter -

Western Australian Meat Commission Robbs Jetty,	C 11 6
Western Australia Coastal Shipping Commission,	C 11 10
Western Australian Egg Marketing Board,	C 11 7
Fremantle Port Authority,	C 11 10/11

(c) Persons employed as Clerical Workers by -

the Minister for Water Supply, Sewerage and Drainage, or the Metropolitan Water Supply, Sewerage and Drainage Board, or the Minister for Works in connection with maintenance work in the field, on the job, or elsewhere away from Head Office.

(d) Persons engaged as wharfinger, assistant wharfingers, officers in charge of goods sheds or clerks at the ports under the control of the Department of Marine and Harbours in Western Australia.

(e) Persons employed as officers of the Western Australian Prison Service below the rank of Chief Officer.

(f) Persons appointed as Commission Agents by the Totalizator Agency Board.

(g) Persons employed as Foreman except those who are employed by the Minister for Mines.

(h) Persons employed as Police Officers, Police Cadets and Police Aides.

(i) Persons employed as Marine Pilots.

(j) Persons employed on an annual salary by the Western Australia Government Railways.

(k) Persons employed on an annual salary in a clerical, inspectorial or professional capacity by the Chairman of the Metropolitan Transport Trust.

(l) Persons employed in the profession or industry of nursing and being registered or entitled to be registered with the Nurses Board of Western Australia or as student nurses, other than those employed under the Public Service Act or by the Nurses Board of Western Australia.

(m) Persons employed as Shift Engineers, Royal Perth Hospital.

(n) Persons employed in the callings of foreman; laundryman; laundress; general hand; driver; gardener; security man; storeman; press operator; seamstress; sorter; cook; tradesman; dry cleaner; presser; cutter in the Hospital Laundry and Linen Service or other persons employed as Laundry Workers.

(o) Persons employed in Doctors' surgeries.

(p) Persons employed by the Western Australian Division of the Red Cross Society as Clerks.

(q) Persons employed by the Spastic Welfare Association as Tradesmen who perform the usual trade duties.

(r) Persons employed by universities as academic staff.

(s) Any person employed by the University of Western Australia who has an academic salary nexus and academic status.

(t) Any person employed by a university in the position of "The University Librarian".

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks
Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting and Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Totalizator Agency Board of Western Australia in casual or part-time clerical duties.

(w) Persons employed as wages employees as storemen, storemen operator or storemen-in-charge at:

(1) Building Management Authority
(2) Education Supplies Branch
(3) Fremantle Port Authority
(4) Government Stores Department
(5) Library Board of Western Australia
(6) State Engineering Works
(7) State Health Laboratory
(8) State Housing Commission
(9) WA Education Department
(10) WA Institute of Technology
(11) WA Meat Exports Pty Ltd
(12) WA Potato Marketing Board
(13) Police Department
(14) Any other Government Store listed as a named respondent to the Storemen Government Award 1979, No 20/1969

(x) Persons in Western Australia who are employed as teachers, education officers, (performing professional duties requiring teaching qualifications) guidance officers, demonstrators or counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), -

(I) by the Education Department;

(II) in a technical and further education institution;

(III) in pre-school centres (provided that teachers in pre-school centres hold or are enrolled in a course leading to a teaching academic qualification); OR

(IV) in community colleges.

(y) (i) Persons employed in the callings of cleaner; caretaker; lift attendant; window cleaner; watchman; charwoman; usher; doorgatekeeper; porter; janitor; cleaning and pollution control; attendant in ladies' retiring rooms; commissionaire; tea attendant; day or night patrolman; gardener; groundsman; gardener's labourer; maintenance labourer; home economics assistant; waiter; waitress; kitchen hand; maid; cook; horticulturist; domestic; trainee horticulturist; apprentice; security man

but not so as to exclude

persons employed for the purpose of undertaking professional, supervisory, technical, administrative and/or

clerical functions including, notwithstanding the generality of the foregoing, maintenance assistants; general assistants; maintenance officers and curators.

(ii) Persons employed in the callings of the keeper; aquarist or ranger in National Parks and Zoological Gardens.

(iii) Persons employed in the callings of power-mower operator; tractor-mower operator or leading hand employed by the Building Management Authority Mowing Services.

(iv) Persons employed in the occupation of teachers' aide.

but not so as to exclude

school assistants; technical assistants; library assistants; laboratory assistants and attendants.

(v) Domestic work, including leading hands,

but not so as to exclude

persons employed for the purpose of undertaking supervisory, administrative and/or clerical functions or for the purpose of instructing in domestic work or persons employed as homemakers.

(vi) Attendants, employed on wages, by the Trustees of the Western Australian Museum or the Board of the Art Gallery of Western Australia.

(vii) Persons employed in the callings of the first aid attendant or security officer by the State Energy Commission.

(viii) Persons employed in pre-school centres, child minding centres or day nurseries in the callings of Preschool Teacher or Qualified Child Care Worker or Unqualified Child Care Worker.

(ix) Persons employed in the calling of car park attendant other than persons employed by Universities or other tertiary education institutions in Western Australia.

(z) Employees of the Western Australian Water Authority solely or substantially engaged in or in connection with labouring; operation of portable or non-portable machinery or equipment for construction or maintenance purposes; tradespersons leading hands (except salaried supervisors); blacksmith's striker; dresser; oxy or electric welding assistant; driving of motor transport, articulated vehicles or mechanical equipment; and employees solely or substantially engaged in the callings of alarm room attendant; watchman; radio control room operator; caretaker; supervising storeman; senior storeman; storeman in charge; storeman; water treatment plant operator; assistant on water treatment plant; testers (including testers in charge and senior testers); ganger; survey hand; chain man; instrument hand; senior instrument hand; senior catchment warden; catchment warden; ranger; senior ranger; and employees engaged as non-trades foreman or assistant foreman; supervising or senior foreman; and employees engaged on the construction and maintenance of country water supplies as water supply controller, electric pump attendant or pumping station attendant.

(aa) Persons employed by:-

(i) any Public or Private Hospital, or

(ii) the SLCG (Inc) or

(iii) Silver Chain Nursing Association (Inc.), or

(iv) in establishments known as Princess Margaret Hospital for Children, Sir James Mitchell Spastic Centre, Ngal-a Mothercraft Training Centre, The Braille Hospital, Nadezda and Homes of Peace,

In the callings of

(a) home help or home care aide (Silver Chain Nursing Association (Inc.) only); social trainer (Nulsen Haven and SLCG (Inc) only); cottage parent or assistant supervisor (SLCG only); nursing assistant; enrolled nurse; student enrolled nurse; dental technician (Perth Dental Hospital only); cleaner; domestic maid; gardener; handyman; housemaid; kitchen man; kitchen maid; laundry worker; dry cleaner; orderly; pantry maid; wardsmaid; yardsman; seamstress; washing-machine hand; boiler-firing orderly; shaving orderly; storeman; driver; bus driver; chef; cook; window cleaner; dry cleaner; steward; animal house attendant; gardener and propagator; senior gardener; head gardener; butcher; carpenter; butcher's assistant; car park attendant; laboratory attendant; waitress; cafeteria assistant; theatre orderly; theatre assistant; ward assistant; CSSD assistant; CSSD orderly; farm assistant; head orderly; bootmaker; housemother (Mount Henry, Olive Jones Nurses' Home, Fremantle and Country Hospitals only); telephonist and receptionist (Swanbourne-Graylands Hospital only); training assistant (Spastic Welfare Association of W.A. (Inc.))

but not so as to exclude the callings of:

(b) home help supervisors; supervising dental technician; cleaning services officer or supervisor; general services supervisor; curator; grounds' supervisor; maintenance officer; assistant food supervisor; food supervisor; food staff supervisor; laundry manager;linen service officer; assistant linen service officer; storeman-clerk; stores officer; catering and domestic supervisor; catering officer; animal house technician; garage supervisor; laboratory assistant; warden; physiotherapy assistant; occupational therapy assistant; farm supervisor; manager, orderly and/or transport services; and orthopaedic appliance worker or assistant.

(bb) Employees of the Commissioner for Public Health in the Community Health and Child Health Services Branch of the Health Department in the calling of health worker or health worker (special).

(cc) Person other than persons employed as officers under and within the meaning of the Public Service Act 1978 to 1980 (W.A.) employed

(i) by any public or private hospital;

(ii) by the Hospital Laundry and Linen Service;

(iii) by the Western Australian School of Nursing or any service ancillary to the practice of medicine, including institutions or facilities all substantially engaged in providing medical laboratory services, radiological services, physiotherapy services, occupational therapy services, speech therapy services, social work services;

(iv) by the Western Australian Division of the Red Cross Society;

(v) by the Cerebral Palsy Association of Western Australia (Inc.);

(vi) by the Silver Chain Nursing Association (Inc.);

(vii) by the ACTIV Foundation (Inc.);

(viii) by the dentists as dental therapists;

(ix) by the Paraplegic-Quadriplegic Association of Western Australia (Inc.), Good Samaritan Industries or F.C.B. industries or facilities or services;

(x) in Western Australia eligible for membership of the Health Services Union of Australia and whose class or grade of employment falls within the scope of the Nurses (WA Mental Health Services) Award 1991 as at 17 August 1992.

(xi) The following persons shall not be eligible for membership of the Union in the State of Victoria:

(a) Persons who are members of the Police Force of Victoria of the designations and/or ranks of Constable, Sub-Officer, Commissioned Officer or Commissioner of Police or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Victoria in one or more of the designations and/or ranks aforesaid or who are members of the Retired Police Reserve of Victoria.

(b) Persons employed by the University of Melbourne as academic staff.

(c) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

Persons employed at the State Film Centre of Victoria.

(d) Persons employed by any State Public Hospital in the retail sale of goods.

(e) Persons employed by the State Transport Authority and the Metropolitan Transit Authority in the retail sale of goods.

(f) Persons in Victoria who are -

(I) employed in technical schools of the Education Department or in technical and further education institutions or in teaching classes administered by such institutions as teachers, lecturers, emergency teachers, teacher librarians, instrumental musicians or in school to work transition programmes;

(II) employed as teachers in a Technical-High School or in a High School with a technical education component or a post-primary school;

(III) employed as student teachers by the Education Department in technical and further education institutions or in the Technical and Further Education Teaching Service or by a technical and further education institution;

(IV) registered by the Victorian Technical Teachers' Education Board or by the Technical and Further Education Teaching Service Registration Board and are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education or any Victorian Technical and Further Education Board to perform professional duties requiring teaching qualifications;

(V) registered or eligible to be registered by the Technical Teachers' Registration Board, the Secondary Teachers' Registration Board or the Primary Teachers' Registration Board and are members of the Victorian Teaching Service employed in non-school positions to perform professional duties requiring teacher qualifications;

(VI) registered by the Victorian Secondary Teachers' Registration Board and employed in the secondary schools of the Education Department as teachers, librarians, instrumental teachers, remedial teachers, language assistants or persons who are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education to perform professional duties requiring teaching qualifications or in school to work transition programmes;

(VII) employed in the teaching service of the Education Department;

(VIII) who teach or supervise teaching -

(i) in day training centres registered pursuant to the Mental Health Act 1959 (Victoria) or any Act in substitution or amendment thereof, or

(ii) in institutions in Victoria for the education of the socially, physically, sensorily, educationally or intellectually handicapped, or

(iii) in institutions conducted by the Victorian Institute of Education Administration.

(g) (i) Caretakers, cleaners, domestic arts maids, gardeners, home economics assistants, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants, technical assistants,

typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by the Ministry of Education or Schools' Councils constituted pursuant to the Education Act 1975 as amended;

(ii) Caretakers, cleaners, gardeners, laundry workers, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by Colleges of Technical and Further Education pursuant to Section 3 of the Post Secondary Education Act 1978 as amended;

(iii) Caretakers, cleaners, gardeners, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by Colleges of Advanced Education constituted pursuant to the Post Secondary Education Act, 1978 as amended;

(iv) Persons who are employed under Section 41A of the Public Service Act, 1974 or any successor thereto and whose wages or conditions of service are governed by any of the following awards or any instrument successor thereto in relation to such employees in the administrative units listed hereunder or any successor thereto had such employees been employed in their present employment as at 11th November 1986. The awards referred to are:-

(a) The Award of the Cleaners' Conciliation and Arbitration Board; known colloquially as the Cleaners' Award.

(b) The Award of the Security Employees' Conciliation and Arbitration Board, known colloquially as the Security Employees' Award.

The Administrative Units referred to are:-

The Department of Property and Services, the Ministry for the Arts, the Law Department, the Ministry for Housing and the Department of Agriculture and Rural Affairs.

(v) Parking Officers and community guardians employed under Section 41A of Division 8 of the Public Service Act 1974 and/or any successor thereto;

(vi) Jury keepers (but not so as to exclude jury pool supervisors);

(vii) Animal attendants, caretakers, cleaners, gardeners, security officers, zoological keepers employed by the Zoological Board of Victoria (other than administrative/clerical or above a level equivalent to that of leading hands);

(viii) Dental Technicians and Dental Nurses employed by the Cancer Institute, the Royal Dental Hospital, Melbourne or by any hospital registered pursuant to the Health Commission Act, 1977 or other than as permanent or temporary officers of the Victorian Public Service by Community Health Centres;

(ix) Persons employed in pre-school kindergartens, centres for day or part-day care of children, day or part day nurseries and children's play centres, employed other than as permanent or temporary officers of the Victorian Public Service or except where the functions of such undertakings are carried on within the Victorian Public Service or where such functions are transferred or relocated outside the Victorian Public Service or become carried on by persons redeployed from employment in or by the Victorian Public Service.

(h) (i) persons employed in the Public Service of Victoria in the classes or grades listed in Schedule 5 of the Salary Schedules made by the Public Service Board under the Public Service Act 1974 (Vic.) in psychiatric, intellectual disabilities and alcohol and drug services;

(ii) persons whose employment is within the jurisdiction of the Health professional Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic.) as at 31 July 1992;

(iii) persons whose employment is within the jurisdiction of the Health and Allied Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic) as at 31 July 1992;

EXCEPT FOR:

persons employed in the Public Service of Victoria in the classifications or grades listed in the Schedules 1-4 of the Salary Schedules who are members of the SPSF as at 12 August 1992 and who remain members of the SPSF and who become employees of another employer as a consequence of the process of integration of services currently provided by the Health Department of Victoria into the public hospital system.

(j) Persons employed in the public and/or private health and community services sector in the State of Victoria who satisfy the conditions of eligibility for membership of the Health Services Union of Australia as at 18 April 1994.

(xii) The following persons shall not be eligible for membership of the Union in the State of Tasmania:

(a) Persons who are members of the Police Force of Tasmania or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Tasmania

(b) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

(c) Persons in Tasmania who are employed as -

(I) teachers, (including part time and/or relieving teachers, teacher librarians, student counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), supervisors and educational officers or any such other classification of employment incidental to education) engaged in kindergartens, pre-schools, infants, primary, secondary, senior secondary and technical and technical and further education under the control of the Government of Tasmania and such teachers seconded as officers or permanently employed as officers of the Service and Guidance Services branches of the Education Department;

(II) employed as professional officers in the Education Department to perform professional duties requiring teaching qualifications;

(III) Recreation Officers in the Education Department;

(IV) part-time and/or temporary relieving teachers employed by the Government of Tasmania;

(V) teachers in training on Government studentships

(d) (i) persons employed in the Department of Education except professional, administrative, clerical, technical and supervisory (above the level of leading hand) staff, teacher aides (including, but not limiting the generality thereof, aide, audio-visual aide, kindergarten aide, kindergarten teacher's aide, teacher's aide, teachers assistant, library aide, bus aide, laboratory aide, library assistant, recreation assistant, visual aides assistant, library/home economic aide, childcare aide), office assistant, machinist, bus driver, driver, store-man, stores officer, material storeman, and employees at the Media Centre Hobart and the Science Centre, Hobart.

(ii) cleaners other than employed by the employing authority for public hospitals.

(iii) ferry workers employed by Transport Tasmania.

(iv) traffic wardens.

(v) persons employed by the employing authorities for boarding schools and/or student hostels.

(vi) persons performing work presently classified as utility officer in the Department of Education whether or not the same are included in paragraph (i) hereof.

(xiii) Nurses in Queensland shall not be eligible for membership other than nurses who were on 1 July 1991 financial members of the Queensland State Service Union of Employees and continuously remain financial members thereof thereafter.

SECTION II

The Union shall also consist of an unlimited number of persons employed, or usually employed by or on behalf of

(a) The Crown in the right of the States of New South Wales and Queensland;

(b) Any Statutory Corporation, Instrumentality, Authority, or other similar statutory body, whether corporate or unincorporate, established by the Crown in the right of the States of New South Wales and Queensland; and

(c) The University of New South Wales (excluding the Medical School thereof);

(d) Any educational institution in the State of Queensland designated as a University or College of Advanced Education;

(e) The Master Misericordiae Hospitals in the State of Queensland; and

(f) The Australian Red Cross Society (Queensland Division), Blood Transfusion Service.

and without limiting the generality of the foregoing shall include the following:

New South Wales

(a) The Public Employment Industrial Relations Authority, or

(b) The Water Conservation and Irrigation Commission, or

(c) The Department of Main Roads of New South Wales, or

(d) The Electricity Commission of New South Wales, or

(e) The Maritime Services Board of New South Wales.

In Queensland

(a) Chief Executives of State Government Departments under the Public Service Management Act 1988

(b) General Manager, State Government Insurance Office.

(c) Senates of Universities in Queensland.

(d) The Councils of Colleges of Advanced Education in Queensland.

(e) The Cane Prices Board.

(f) The Council of the Queensland Institute of Medical Research.

(g) The Chairman of the Metropolitan Public Abattoir Board.

(h) Public Hospitals Boards in Queensland (Established under the Queensland Hospital Act).

(i) The Parliamentary Services Commission.

(j) The Queensland Corrective Services Commission.

in or in connection with any one or more of the following industries or industrial pursuits in:-

New South Wales

Agronomist
Agricultural Machinery Officer
Analyst
Architect
Architectural Assistant
Architectural Officer
Artist
Astronomer

Biologist
Biometrician
Botanist

Cartographer
Chemist
Computer
Curator

Dentist
Dental Therapist
Dietitian
District Officer
Draftsman

Engineers
Economist
Economic Research Officer
Editorial Staff
Education Officer
Engineering Analyst
Engineering Geologist
Engineering Assistant
Entomologist
Examiner of Title
Extension Officer

Field Officer
Forester and Assistant Forester

Geographer
Geologist

Health Inspector
Hydrogeologist
Hydrographers

Industrial Designer
Inspector of Mines and Collieries
Inspector
Interior Designer
Interpreter and Translator

Legal Officer
Librarian
Livestock Officer

Metallurgist
Music Teacher

Occupational Therapist

Pharmacist
Photogrammetrist
Photographic Field Officer
Psychologist
Physiotherapist
Planning Assistant
Planning Officer
Professional Assistant
Professional Officer
Public Relations Officer
Programmer

Quantity Surveyor

Rangers - (Graduates)
Research Officer
Research Scientist

Statisticians
Scientific Officer
Scientific Officer (Microbiologist)
Scientific Officer (Mycologist)
Scientific Officer (Virologist)
Search Officer
Soil Conservationist
Social Worker
Specification Writer
Speech Therapist
Student Welfare Officer
Supervising Dredgemaster
Surveyors
System Analyst

Technical Officer
Town Planner and Assistant Town Planner
Traffic Survey Technician
Training Co-Ordinators

Valuers and Assistant Valuers
Veterinary Officer
Visual Aids Officer
Vocational Guidance Officer

Water Rights Officer
Welfare Officer
Weeds Officer
Workshop Superintendent

Queensland

Accountants
Actuaries

Administrative Staffs of:
The Main Roads Board
The Commissioner for Trade
The Irrigation Commissioner
The Prickly Pear Land Commission
The General Manager of Government Sugar Mills
The Forestry Board

Administrative and Clerical Officers of the Government Printing Office
Advisers and their Assistants
Air Pilot, Premier's Department
Architects and their Assistants
Artists
Auditors

Barrier Fence Inspectors (for the purposes of the Barrier Fences Acts)
Stock Routes and Pest Destruction Branch, Department of Lands

Builders

Cane Testers
Cartographers
Civilian Testing Officers
Chemists and their Assistants
Computer Programmers
Crown Prosecutors

Dental Servicing Officers
Dental Therapists
Dentists
Designers
Dietitians/Nutritionists
Director and Managers, Queensland Cultural Centre Trust
Director and Deputy Director of Prosecutions
Dock Supervisors
Draftspersons and their Assistants

Economists
Editors
Education Officers
Electricians
Employees of the Queensland Tourist and Travel Corporation
Engineers and their Assistants
Experimentalists
Extension Officers

Finance Officers
Forepersons (excluding foreperson stevedores and foreperson carpenters)
Foresters

Gas Examiners
Geologists and their Assistants
Guidance Officers

Harbour Superintendents
Head Attendants - Asylums
Helicopter Pilot, State Emergency Service
Hydrologists and their Assistants
Hydrographers and their Assistants

Information Officers
Inspectors

Inspectors (for the purposes of the Stock Routes and Rural Lands Protection Acts) Stock Routes and Pest Destruction Branch, Department of Lands

Inspectors of Weights and Loads
Instructors
Instrument Makers
Insurance Commissioner

Journalists

Legal Officers
Liaison Officers
Librarians and their Assistants
Librarians and their Assistants - professional

Management Services Officers
Map Mounters
Marketing Officers
Matrons
Medical Officers
Medical Records Administrators

Medical Records Administrators employed pursuant to the terms of the Professional and Technical Employees' Award - Public Hospitals, Queensland and the Queensland Radium Institute

Medical Specialists

Navigational Aids Attendants, Department of Harbours and Marine
Nurses

Occupational Therapists

Officers and Employees of the State Government Insurance Office (Queensland) appointed under the provisions of Sections 9 and 10 of the State Government Insurance Office (Queensland) Act 1960 - 1985, and officers and employees of any corporation which is constituted by an Act of the Queensland Parliament that preserves and continues in existence the State Government Insurance Office (Queensland) under a new name and title

Officers and employees of the Agent General's Office

Officers and employees of the Queensland Government Representative Office, Tokyo

Officers or employees of the Queensland Industry Development Corporation
Organisers - Rural Youth
Organisers - Adult Education
Overseers

Parliamentary Officers and Reporters employed under the Parliamentary and Reporting Staff Award - State

Patrol Officers
Patrol Superintendents
Personnel Officers
Pharmacists
Photographers and their Assistants
Photogrammetrists
Physicists
Physiotherapists
Planning Officers
Podiatrists
Printing Office Forepersons
Probation Officers
Processing Assistants
Programme Officers
Property Officers
Psychologists and their Assistants

Rangers - Forestry, and their Assistants
Rangers - Land, and their Assistants
Reception Officers Queensland Police Department

Regional Inspectors (Noxious Plants) (for the purposes of the Stock Routes and Rural Lands Protection Act) Stock Routes and Pest Destruction Branch, Department of Lands

Research Officers
Residential Programme Officers
Residential Care Officers
Resource Officers

Scientists and their Assistants
Secretaries of Hospital Boards
Services Officers
Social Workers
Speech Therapists
State Public Servants
Statisticians
Supervisors and their Assistants
Superintendents
Systems Analyst
Surveyors

Teachers - Technical
Teachers - Manual Training
Technologists and their Assistants
Testing Officers
Technicians and their Assistants
Technical Advisers
Training Officers

Valuers and their Assistants
Veterinarians

Water Officers
Weighbridge Checking Officers
Welfare Officers
Works Officers

Provided that the addition by Application No. D30021 of 1990 of the following industrial pursuits to the above does not extend the coverage of the Union to persons employed in such pursuits by Regional Health Authorities in the State of Queensland, Mater Misericordiae Hospitals in the State of Queensland, or the Australia Red Cross Society (Queensland Division), Blood Transfusion Service:

Finance Officers
Librarians and their Assistants
Management Services Officers
Medical Records Administrators (other than persons employed pursuant to the Professional and Technical Employees' Award -

Public Hospitals Queensland and the Queensland Radium Institute)
Personnel Officers
Programme Officers
Services Officers

EXCEPT THAT notwithstanding anything hereinbefore contained it shall not include under Section II of this rule persons employed by:

(a) The Public Transport Commission of New South Wales; or

(b) The Department of Motor Transport of New South Wales; or

(c) The Sydney Opera House; or

(d) Brisbane City Council, Queensland Regional Electricity Boards, Queensland Electricity Commission, Northern Electricity Authority of Queensland, Southern Electricity Authority of Queensland, Brisbane Area Water Board, Queensland Electricity Generating Board, Far North Queensland Electricity

Board, North Queensland Electricity Board, Mackay Electricity Board, Capricornia Electricity Board, Wide Bay-Burnett Electricity Board, South East Queensland Electricity Board, South Western Electricity Board; or

(e) Any statutory corporation, authority, instrumentality, or other similar statutory body, whether corporate or unincorporate, which is an undertaking in the theatrical or amusement or motion picture production or processing industry; or

(f) Municipal, county and shire councils or trusts or other local government authorities (other than employees of the Sydney Cove Redevelopment Authority) water supply boards or trusts (other than employees of the New South Wales Water Resources Commission), sewerage boards or trusts (other than employees of the New South Wales Metropolitan Waste Disposal Authority), road boards (other than employees of the New South Wales Department of Main Roads and the Queensland Main Roads Department) and electricity supply and/or generation authorities (other than professional, administrative, clerical or salaried technical staff of the Electricity Authority or the Electricity Commission of New South Wales

(g) (i) Any Statutory Corporation, Instrumentality, Authority or other similar body whether corporate or unincorporate, engaged in or in connection with the operation of transport services for the carriage of passengers and/or goods by rail, road, air or water, or the registration and/or licensing of transport or road safety and without limiting the generality of the foregoing shall include the Public Transport Commission of New South Wales, the Department of Motor Transport of New South Wales, the Queensland Government Railways or a successor, transmittee or assignee of any of the foregoing, but notwithstanding anything hereinbefore contained, this exclusion shall in no way affect coverage by the Union of employees of the Department of Main Roads, New South Wales.

(ii) Save for employees of the Department of Main Roads, New South Wales, persons eligible for membership of the Australasian Transport Officers' Federation shall not be eligible for membership of the Union under Section II of this rule.

(h) In respect only of the industrial pursuit of Professional Engineer, any instrumentality of the Crown and, in particular, but without limiting the generality of the foregoing, the following:

(i) New South Wales

Electricity Commission; Department of Government Transport; Hunter District Water Board; Department of Main Roads; Maritime Services Board; Metropolitan Water Sewerage and Drainage Board; Water Resources Commission; Public Transport Commission; Department of Motor Transport.

(ii) Queensland

Queensland Railways; all Harbour Boards;

(i) Any university or College of Advanced Education as a member of academic staff

NOR under Section II of this rule persons members of or eligible to be members of:

(a) The Gas Industry Salaried Officers' Federation; or

(b) The Merchant Service Guild of Australia; or

(c) The Professional Officers' Association, Australian Public Service; or

(d) The Seamen's Union of Australia

NOR under Section II of this rule persons covered by awards to which the Federated Miscellaneous Workers Union of Employees of Australia Queensland Branch (state registered union of employees in Queensland) is a party and the Queensland Professional Officers' Association (state registered union in Queensland) is not a party.

Provided that The Union shall maintain but not extend its industrial coverage of employees who are covered by Federal or State awards and agreements or Federal or State determinations of the printing industry.

(2) Any person who is employed, or usually employed, or qualified to be employed within the industries or industrial pursuits specified in this Section shall be eligible for membership of the Union.

(3) Persons who may be elected to any office in the Union or who at the date of commencement of operation of this section of this rule held any office in the New South Wales Public Service Professional Officers' Association or the Queensland Professional Officers' Association shall be eligible for membership of the Union, whether or not employed or usually employed or qualified to be employed within the foregoing industries or industrial pursuits.

(4) Notwithstanding any other provision of this Section a person who is not eligible for membership of an organisation of employees registered pursuant to the Conciliation and Arbitration Act, 1904, as amended, shall not be eligible for membership of the Union pursuant to this section.

NOR under Section 11 of this Rule shall nurses be eligible for membership other than nurses who were on the 1st day of July 1991 financial members of the Queensland State Service Union of Employees and who continuously remain financial members thereof.

SECTION III

1. Without in any way limiting or being limited by the provisions of sections I and II of this Rule the Union shall consist of an unlimited number of persons, other than academic staff, wholly or substantially employed in the higher education industry who are:

   (a) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Murdoch University, Edith Cowan University, the University of Western Australia and Curtin University of Technology; or

   (b) Employees employed by Macquarie University as General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officers; or

   (c) Employees employed by the University of Technology, Sydney or the University of Western Sydney; or

(d) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New England; or

(f) Employees employed by the University of Sydney; or

(g) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New South Wales and the University of Newcastle (other than employees employed by those two universities in their medical schools); or

(h) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Charles Sturt University or the University of Wollongong; or

(i) Employed in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Melbourne, or LaTrobe University or the Victorian College of Agriculture and Horticulture Limited; or

(j) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Tasmania; or

(k) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Adelaide; or

(l) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Flinders University of South Australia; or

(m) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of South Australia; or

(n) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the University of Queensland or Griffith University, or James Cook University of Northern Queensland, or Queensland University of Technology, or the University of Central Queensland, or the University of Southern Queensland; or

(o) Employees in professional (other than engineering), administrative and clerical occupations employed by the University of New South Wales at the Australian Defence Force Academy; or

(p) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the Australian Catholic University in Queensland; or

(q) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the Australian Catholic University in New South Wales

2. In the interpretation of the terms professional, administrative, clerical, technical and trades occupations which appear in this rule (with the exception of Rule 3, Section 3(1)(n)), assistance in the ascertainment of the meaning of those terms shall be given by consideration of the broad functions described in, and the indicative classifications set out in the demarcation agreement between The State Public Services Federation and the Federated Miscellaneous Workers Union relating to coverage of general staff in Higher Education dated 24 August 1990 [which agreement is set out as Schedule A to these Rules].

3. Notwithstanding anything contained elsewhere in these rules all professional, administrative, clerical, computing and technical (except trades up to and including the level of leading hand) occupations of non-academic staff employed by or in Howard Florey Institute, the Walter and Eliza Hall Institute, the Ludwig Institute and the Murdoch Institute but not so as to include persons registered or enrolled or entitled to be registered or enrolled by any nursing authority, nor assistants in nursing employed in New South Wales or Queensland; and, medical practitioners not engaged in research and/or teaching and medical practitioners engaged in a research and/or teaching capacity who are also employed by a teaching hospital; and, persons employed by the Victorian Clinical Genetics Service Ltd shall not be eligible for membership.

PART III

No restriction or qualification to the eligibility for membership under Part I of this Rule shall restrict or qualify eligibility under Part II of this Rule and no restriction or qualification to the eligibility for membership under Part II of this Rule shall restrict or qualify eligibility under Part I of this Rule.

3 - DESCRIPTION OF INDUSTRY IN CONNECTION WITH WHICH THE ORGANISATION IS REGISTERED

The Industry in connection with which the Union is registered is as described in Part I and Part II of this Rule.

PART I

A. Without in any way limiting, or being limited by, the provisions of subrules B, C, D, E, F and G, the industry in or in connection with which the organisation is registered is the Australian Public Service Industry, Australian Government boards, instrumentalities, corporations, commissions and statutory authorities industry, the Public Service of the Northern Territory Industry, Northern Territory Government boards, instrumentalities, corporations, commissions, statutory authorities Industry and the Public Service of the Australian Capital Territory Industry, and;

B. Without in any way limiting, or being limited by, subrules A, C, D, E, F and G, the industry in connection with which the organisation is registered is employment by:

(a) the Commonwealth;

(b) the Northern Territory;

(c) the Australian Capital Territory;

(d) a body corporate established for a public purpose, whether in whole or in part, by or under a law of the Commonwealth, the Australian Capital Territory or the Northern Territory other than any local Government body established under the Local Government Act (Northern Territory) or other Local Government legislation in the Northern Territory;

(e) by a company or other body corporate incorporated under a law of the Commonwealth or of a State or Territory, being a company or other body corporate in which the Commonwealth, the Northern Territory or the Australian Capital Territory has a controlling interest;

(f) any other authority or body (whether corporate or not) being an authority or body that is financed in whole or in substantial part, either directly or indirectly by money provided by the Commonwealth except:

(A) moneys paid as consideration in a commercial transaction, for the provision of goods or services to the Commonwealth,

(B) moneys paid by way of bounty or like payment,

(C) moneys paid to a State or States of the Commonwealth, or,

(D) moneys paid to a Local Authority, City, Municipality, Town, Borough, Shire or like statutory authority, which includes electricity, road, transport and port authorities and water or drainage boards.

(E) an authority or body that is financed in whole or in substantial part, either directly or indirectly, by money provided by the Commonwealth, pursuant to;

1. the Community Youth Support Scheme, or

2. the Supported Accommodation Assistance Program, or

3. the Family Day Care Services component of the Children Services Program, or

4. the Family Support Program, or

5. the Grant in Aid Ethnic Social Welfare Workers Program, or

6. the Youth Services or Welfare Services components of the ACT Community Development Program,

or any program, scheme or fund directly replacing any one of the above.

(g) in a Statutory Office created under a law of the Commonwealth, the Northern Territory or the Australian Capital Territory or established by the Executive of the Commonwealth, the Northern Territory or the Australian Capital Territory.

C. Without in anyway limiting, or being limited by, subrules A, B, D, E, F and G, the industry in connection with which the organisation is registered is the broadcasting and television industry in the Australian Broadcasting Corporation in accordance with the Australian Broadcasting Corporation Act, 1983.

D. Without in any way limiting, or being limited by, subrules A, B, C, E, F and G, the industry in connection with which the organisation is registered is the employment of persons in -

1. The Australian Public Service;

2. The Public Service of the Northern Territory;

3. The Public Service of the Australian Capital Territory;

4. The service of any public institution or authority of the Australian Government whether such service is in the Australian Public Service or not; or

5. The Service of any public institution or authority of the Northern Territory whether such service is in the Northern Territory Public Service or not.

E. Without in any way limiting, or being limited by, sub-rules A, B, C, D, F and G, the industry in connection with which the organisation is registered is the telecommunications industry.

For the purposes of these Rules, the telecommunications industry means:

(a) Any business whose principal function is carrying on the supply and/or installation and/or maintenance of telecommunication services as defined in the Telecommunications Act 1991 and includes any business whose principal function is the supply and/or installation and/or maintenance of value added telecommunications services; and/or

(b) Any business whose principal function is incidental, ancillary or complimentary to the supply and/or installation and/or maintenance of telecommunication services as defined in the Telecommunications Act 1991; and/or

(c) Any business whose principal function is carrying on the installation and/or maintenance of equipment and line as defined in the Telecommunications Act 1991.

Provided always that this definition does not extend to or include any business whose principle function is the manufacture and supply of equipment and line as defined in the Telecommunications Act 1991 whether or not such business also installs and maintains equipment and line as defined.

F. Without in any way limiting, or being limited by, subrules A, B, C, D, E, and G, the Industry in or in connection with which the organisation is registered is the Radio Telegraphy, Radio Telephony, Radio Technology, Radio Television, Radio Facsimile, Radio Signals, Cable Operations, Cable Technology, Cable Engineering, Teleprinter Operation, Radio Operation, Beam and Cable Accounting and Checking Industry.

G. Without in any way limiting, or being limited by subrules A, B, C, D, E and F, the industry in connection with which the organisation is registered is the scientific and industrial research industry.

PART II

Section 1

In this section -

(a) References to "this rule" (or similar expressions) shall be construed as referring to this section only of this rule and shall not be construed as limiting the scope of Section II hereof.

(b) References to persons not being within the industries in or in connection with which the Union is registered (or similar expressions) shall be construed as limited to such persons not being within the industry in or in connection with which the Union is registered under this Section of this rule and shall not be construed as limiting in anyway the scope of Section II hereof.

(A) The industries in or in connection with which the Union is formed are the activities undertaken by and carried on by or by employees of

(i) The Crown in right of any State or States;

(ii) any statutory body representing the Crown in right of any State or States;

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

(iv) any company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in right of any State or States or, if there are no issued shares, in which the governing body by whatever name called includes nominees appointed by or for or on behalf of or in the interest of the Crown in right of any State or States.

Without limiting the generality of the foregoing these industries include:

Brickmaking and quarrying

Building and construction

Harbours including dockyards jetties and coastal waters excluding the industry of shipping

Engineering

Finance and investment in commercial or private undertakings or projects and purposes of a non-governmental character excluding the industries of banking and credit unions

Housing including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land construction of residential premises for sale or lease and management of developed properties

Insurance but in Queensland, to the extent only of persons who are:-

(i) permanent employees of the Queensland Government or (in relation to the Crown in the right of the State) of a Crown Corporation, Crown Instrumentality or Minister representing the Crown; and

(ii) (a) employed in Suncorp Insurance and Finance as that body operated on 1 October, 1991 or any Public Sector successors of that body to the extent that such successor performs the functions of that body, or

(b) employed in the Workers' Compensation Board of Queensland as that body operated on 1 October, 1991 or to public sector successor of that body to the extent that such successor performs the functions of that body.

Manufacturing for commercial or private undertakings or purposes of a non-governmental character

The storage, conveyance and marketing of dairy and farm produce, fish, meat, grain, coal and coke but excluding the sale of any of the foregoing commodities by wholesale or retail

Medical Officers and paramedical officers excluding legally qualified Medical Practitioners or persons studying or training to obtain such qualifications

Mining

Power and fuel supply and sale excluding the manufacture distribution or sale of gas however defined provided that this exclusion shall not apply to salaried employees of The Pipelines Authority of South Australia

Printing and publishing provided that the Union shall maintain but not extend its industrial coverage of employees who are covered by Federal or State Awards and Agreements or State or Federal Determinations in the printing industry

Regional Development and redevelopment including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land for mixed commercial residential and public use

Social Welfare, Child Care, Provision of Social Services, Charity Work and without limiting the generality of the foregoing probation and parole services including rehabilitation programme management, youth and community services, ethnic affairs, drug referral and

rehabilitation, child and family care services, retarded persons services, mental health services and counselling in institutions, community centres and crisis service areas

Theatrical and amusements of any kind whether outdoor or indoor or in or about theatre halls sports exhibitions and agricultural shows but not so as to include employees not engaged in administrative and clerical duties and excluding the industry of professional musicians

Tourism including without limiting the generality thereof the acquisition planning survey restoration improvement management and promotion of Zoological and National Parks, places of historic interest, resorts and tourist attractions generally excluding the transport of passengers or goods by land water or air

Universities and colleges of advanced education but not including academic staff

Water conservation and irrigation including without limiting the generality thereof the storage transport inspection control metering and sale of water

Architecture

Chemistry

Science

Surveying

Draughting including tracing

(B) Notwithstanding the foregoing and without limiting the generality thereof the industries in or in connection with which the Union is formed are also:

(1) In the State of New South Wales the industries carried on by and the activities undertaken by and carried on by

(a) employees of the Crown in Right of the State of New South Wales; for the purpose of this Constitution the term "employees of the Crown" without limiting the ordinary meaning of the term shall include employees of any person, firm, board, trust, company or corporation employing persons on behalf of the Government of the State; and

(b) Foremen Engineers and Administrative Officers exercising supervisory duties employed by the Board of Fire Commissioners; and

(c) (i) Employees who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or employees in training in a public or private hospital or public dental clinic, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist);

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor and Alcoholism Counsellor, Chiropodist (or Pediatrist), whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution deemed by the employer to be of similar standing.

(ii) Employees of any organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or as employees in training, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast;

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor, Alcoholism Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution deemed by the employer to be of similar standing but excluding employees howsoever qualified who are engaged or usually engaged in the callings or avocations of Child Care Officer, Library Officer or Remedial Gymnast in a Domiciliary institution operated by an organisation registered or exempt from registration as aforesaid.

(iii) Employees who are engaged or usually engaged in the callings or avocations whether as principal or assistant employees or as employees in training of

School Dental Therapist, Dental Chairside Assistant or Dental Technician in a public hospital or by an organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, or a public dental clinic.

(iv) Provided that in the case of the callings or avocations of Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer;

(I) The certificate referred to above shall require at least two years full-time or three years part-time post Higher School Certificate level study.

(II) The institution referred to above is reasonably and properly 'deemed' by an employer.

(III) The employees are or should be reasonably and properly designated and classified as Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer respectively.

(d) Persons employed by -

(i) Colleges of Advanced Education;

(ii) the University of New South Wales, the University of Newcastle, the University of Wollongong or any Universities formed from a College of these Universities;

(iii) Agricultural Colleges;

including in each case

Foremen, Laboratory Craftsmen and those employed in a supervisory capacity.

(iv) Persons employed, or unusually employed by or on behalf of The University of Sydney, Macquarie University and New England University in or in connection with one or more of the following industries or industrial pursuits General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officers.

(e) The employees of the United Dental Hospital of Sydney.

(f) Employees of the administrative, clerical and general staff of the Legislative Assembly and of the Legislative Council.

(g) Senior executives, managers - country branches, inspectors, sales supervisors, engineers, laboratory staff, floor and production management and senior clerical officers employed by the New South Wales Egg Corporation.

(h) Persons in the Departments of Education or Technical and Further Education, Colleges of Advanced Education and in such other Departments, Sub-Departments or Institutions who are employed by any New South Wales Education Commission or its agents.

(i) Associates to Justices.

(j) Without in any way limiting the application of paragraphs (a) and (c) hereof:

(i) Persons employed in regional offices of any Department of State or corporation or body established by statute of the State of New South Wales administering or providing health services in the State of New South Wales and including such persons whose employment fulfils a function of such a regional office but who, due to the nature of their duties, are not employed within the precincts of that office.

(ii) Persons employed in or by area or community health services (howsoever called) other than persons engaged in non-professional duties in,

(a) a State Public Hospital;

(b) a community health centre located within the precincts of a State Public Hospital; or

(c) an area health service (not being a community health centre) located outside the precincts of a State Public Hospital.

For the purposes of this sub-paragraph the term "non-professional" duties shall mean duties other than those performed by the persons described in paragraph (D)(c) of this rule.

(iii) Persons, other than those described in paragraph (B)(1)(c) of this rule, employed at the Sexually Transmitted Diseases Clinic and the Medical Examination and Immunisation Centre whilst such establishments are operated at locations not within the precincts of a Public Hospital by which such persons are employed.

(iv) Persons employed in or by or in connection with the administration of:

The Drug and Alcohol Authority
New South Wales State Cancer Council
The United Hospitals Auxiliary
The Institute of Psychiatry

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

(vi) For a period of three years from the making of an order pursuant to the Health Administration Act, 1982, persons other than those referred to in sub-paragraphs (i) - (iv) hereof, who by virtue of that order would not otherwise be eligible for membership in the Union, provided that at the time of the making of the order such persons were members of the Union.

Provided that nothing in this paragraph shall render eligible for membership in the Union persons engaged in the professions of nursing or mental nursing employed as trained nurses, trainees and assistants in nursing.

(k) Without limiting the generality of the foregoing paragraphs hereof, persons employed in or in connection with the provision of or rendering of medical and/or para-medical services in penal or like establishments deemed or proclaimed to be a prison pursuant to the Prisons Act, 1952, to persons incarcerated or otherwise detained.

(l) Persons employed at the Sydney Entertainment Centre in administrative, clerical, technical, professional or managerial capacities, including employees of any lessee of the Centre for operation as a place of entertainment, provided such persons are not employed to perform front-of-house activities nor engaged in any other capacity in or in connection with the selling of goods.

(m) Employees of the Australia Music Centre Ltd, and of any successor, assignee or transmittee of the business and/or functions of the said corporation or any part thereof.

(n) Without limiting the generality of any of the foregoing paragraphs hereof, all employees of the Joint Coal Board.

(2) In the State of South Australia the industries carried on by and the activities undertaken by and carried on by persons:

(a) Employed permanently or temporarily in the Public Service within the meaning of the Government Management and Employment Act, 1985.

(b) Employed by or under any Board, Trust, Commission, Commissioner, Committee, or other public or statutory authority, appointed by the South Australian Government.

(c) Employed as Timekeepers, Foremen, or Inspectors in any department of the Public Service of South Australia.

(d) Employed on annual salary in any hospital or institution by or under the control of the South Australian Government.

(e) Employed by the Board or Committee of Management of the Adelaide Children's Hospital Incorporated, The Queen Victoria Hospital Incorporated, Lyell McEwin Hospital Incorporated, The Julia Farr Centre Incorporated, Minda Home Incorporated and any Hospital or Health Centre Incorporated under the South Australian Health Commission Act 1975-1976 as amended and any other public or country community hospital or health centre.

(f) Employed as Executive Officers or in administrative, managerial or in a professional capacity by the Foundation for Multi Disciplinary Education in Community Health.

(g) Employed as nurses by the following State Government Hospitals - The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, The Modbury Hospital, the Whyalla Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Walleroo Hospital, Ru Rua Nursing Home.

(h) Employed as nurses who are Public Servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(i) Employed as nurses pursuant to direct Ministerial appointment (but not persons employed by "subordinates" of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to S.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(j) Employed as nurses in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(k) Employed as nurses by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(l) Employed as Dental Nurses.

(m) Notwithstanding anything contained in this rule, persons employed by the State Transport Authority of South Australia in a supervisory, clerical, administrative or inspectorial capacity who are members of the Federation as at 20th day of August, 1993 for so long as they remain members of the Federation and engaged in a supervisory, clerical, administrative or inspectorial capacity within the STA of SA.

(3) In the State of Tasmania the industries carried on by and the activities undertaken by and carried on by persons employed in a permanent or temporary capacity by -

(a) the State;

(b) a State Authority which means any persons or body of persons or Authority, whether corporate or unincorporate, which is constituted or established under the authority of any Act or under Royal prerogative for the State of Tasmania;

(c) a State public hospital which means any hospital receiving aid from the State that is prescribed as a State public hospital and with which a board is charged with the management, maintenance, and regulation. Provided that

nothing in this paragraph shall render eligible for membership of the Union any person employed on the general staff and/or nursing staff of a State public hospital in the State of Tasmania.

(4) In the State of Victoria the industries carried on by and the activities undertaken by and carried on by:

(a) Persons employed in the Public Service of Victoria or employed in any State instrumentality or other undertaking carried on by public authorities, commissions, or corporations under any State Charter, statute, enactment, or proclamation of the State of Victoria and including any such person transferred or on loan to the Public Service of another State or to any instrumentality or other undertaking carried on under any statute, charter or enactment or proclamation of any State.

(b) Notwithstanding anything contained in this rule, persons employed by the Rural Water Corporation, Wimmera Mallee Rural Water Authority, Southern Rural Water Authority, Gippsland Rural Water Authority, Goulburn Murray Rural Water Authority and Sunraysia Rural Water Authority where the functions and activities of those bodies were undertaken by the Rural Water Corporation as at 22 November 1993.

(5) In the State of Western Australia the industries carried on by persons -

(a) employed as an officer under and within the meaning of the Public Service Act, 1978-1980, or

(b) employed under the Forests Act, the Main Roads Act, or any Act now in force or hereafter enacted whereby any Board, Commission or other body is constituted to administer any such Act, or

(c) otherwise employed in any of the established branches of the Public Service of the State of Western Australia, including State trading concerns, business undertakings and government institutions controlled by boards.

Exclusions

Notwithstanding anything hereinbefore contained

(i) Any person who is employed by any Instrumentality of the Crown including without limiting the generality of the foregoing the following instrumentalities:-

Victorian Instrumentalities

Ballarat Water Board
Bendigo Water Board
Road Construction Authority of Victoria
Dandenong Valley Authority
Gas & Fuel Corporation
Port of Geelong Authority
Geelong Water Board
Latrobe Water Board

Melbourne Harbour Trust
Melbourne & Metropolitan Board of Works
The Metropolitan Transit Authority
Port of Melbourne Authority
State Transport Authority
State Electricity Commission of Victoria
Hospital & Charities Commission
Housing Commission

Western Australian Instrumentalities

Fremantle Port Authority
Main Roads Department
Western Australian Railways
State Energy Commission

South Australian Instrumentalities

Electricity Trust of South Australia
South Australian Housing Trust
The Pipelines Authority of South Australia

Tasmanian Instrumentalities

Marine Board of Burnie
Marine Board of Devonport
Marine Board of Hobart
Hydro-Electric Commission
Port of Launceston Authority
Hobart Regional Water Authority
Tasmanian Department of Transport

New South Wales Instrumentalities

Electricity Commission
Urban Transit Authority
Hunter District Water Board
Department of Main Roads
Maritime Services Board
Metropolitan Water, Sewerage and Drainage Board
Department of Motor Transport
Water Resources Commission
State Rail Authority
Traffic Authority of N.S.W.

and is or has been a Corporate Member or Graduate Member of The Institution of Engineers, Australia, or has passed the prescribed examinations for or is the holder of qualifications published by The Institution of Engineers, Australia, as granting eligibility for Graduate or Corporate Membership of the said Institution or in respect of whom The Institution of Engineers, Australia, has given written notification that his qualifications would render him eligible for Graduate or Corporate Membership of the said Institution shall not be within the industries in connection with which the Union is formed.

(ii) Any person who is employed in the tourist promotion section of the Public Transport Commission of N.S.W., the tourist promotion section of Victorian Railways, the Mt. Buffalo Chalet operated by the Victorian Railways or the tourist section of the marketing division of the N.S.W. Public Transport Commission

shall not be within the industries in connection with which the Union is formed.

(iii) Any person employed by:

Australian National Railways Commission
Melbourne and Metropolitan Board of Works
Road Construction Authority of Victoria
Hydro-Electric Commission of Tasmania
Australian Mineral Development Commission
Electricity Trust of South Australia
State Electricity Commission of Victoria
Port of Geelong Authority
Melbourne Harbour Trust
Port of Melbourne Authority
The Metropolitan Transit Authority
Metropolitan Transport Trust of Tasmania
State Energy Commission of Western Australia
Maritime Services Board of N.S.W.
Melbourne Wholesale Fruit and Vegetable Market Trust
Pest Plant Control Boards in the State of South Australia
Vertebrate Pest Control Boards in the State of South Australia
[Provided that Pest Plant Control Boards and Vertebrate Pest Control Boards shall neither mean nor include any or all of the Pest Plant Commission, the Vermin Control Administration Committee or the Vertebrate Pest Control Authority each in the State of South Australia]
Totalizator Agency Board of Victoria
Totalizator Agency Board of South Australia as a casual employee
Totalizator Agency Board of Tasmania

shall not be within the industries in connection with which the Union is formed.

(iv) Any person employed in a professional capacity by:

Public Transport Commission of N.S.W.,
Commissioner for Motor Transport, N.S.W.,
Victorian Railways Board,
Railway Construction Board, Victoria,
Transport Commission, Tasmania,
Western Australian Government Railways Commission,
State Transport Authority of South Australia (Rail Division)

shall not be within the industries in connection with which the Union is formed.

(v) Employees of Municipal County Shire Councils Trusts or other Local Government Authorities (other than employees of the Sydney Cove Redevelopment Authority) Water Supply Boards or Trusts (other than employees of the New South Wales Water Resources Commission, the Metropolitan Water Authority of Western Australia and the Metropolitan Water Board of Tasmania), Sewerage Board or Trust (other than employees of the New South Wales Metropolitan Waste Disposal Authority), Road Boards (other than employees of the New South Wales Department of Main Roads and the Western Australian Main Roads Department), Electricity Supply and Generation Authorities (other than professional administrative clerical or salaried technical staff of the Electricity Authority or the Electricity Commission of New South Wales) and employees (other than administrative or clerical staff) of any Western Australian Park Reserve Racecourse or Cemetery Board or Trust shall not be within the industries in connection with which the Union is formed.

(vi) (a) Any person employed by a University other than The University of New South Wales (but not so as to include The Medical School of The University of New South Wales), The University of Newcastle, The University of Wollongong, the University of Western Australia, Murdoch University or their respective colleges or any university which may be formed as a result of granting autonomy to any such college, or persons employed in the industry of Librarianship and/or any related or ancillary or incidental activity within:-

(i) The University of Sydney
(ii) Macquarie University
(iii) New England University,

shall not be within the industries in connection with which the Union is formed.

(b) Any person employed by a College of Advanced Education in any State as a member of the academic staff (which shall include Directors, Principals, Deputy and Assistant Directors or Principals, by whatever name called) shall not be within the industries in connection with which the Union is formed provided that the following Agricultural Colleges in the State of New South Wales shall not be regarded as Colleges of Advanced Education:

C B Alexander Agricultural College, Tocal
The Murrumbidgee College of Agriculture

(vii) Any person employed by,

I. The Crown in the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever;

II. Any,

(a) statutory body representing the Crown;

(b) instrumentality or authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown;

(c) company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown;

which has as its function the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever; or

has as one of its functions the actual operation of such a system or systems of public transportation but only those persons employed in or in connection with the operation of these system or systems;

shall not be within the industries in connection with which the Union is formed.

III. (A) The foregoing exclusion however shall not render ineligible for membership employees of the following statutory bodies, departments or ministries, notwithstanding that such statutory bodies, departments or ministries did not in the

past operate or are not at present operating a system or systems of public transportation:-

(a) Western Australian Coastal Shipping Commission
(b) Albany Port Authority
(c) Bunbury Port Authority
(d) Esperance Port Authority
(e) Fremantle Port Authority
(f) Geraldton Port Authority
(g) Port Hedland Port Authority
(h) State Transport Commission (WA)
(i) Ministry of Transport (Victoria)
(j) Road Traffic Authority (Victoria)
(k) Commissioner for Motor Transport or Department for Motor Transport (N.S.W.)
(l) Department of Transport (S.A.)
(m) Any statutory body, department or ministry which in the future assumes the current functions of any of the employers specified in such paragraphs (a) to (l) hereof.

(B) Provided further that if any of the bodies, departments or Ministries specified or referred to in (A) hereof operates a system of public transportation the persons employed in or in connection with the actual operation of that public transportation system shall not be within the industries in connection with which the Union is formed.

(viii) In the State of New South Wales

(a) Persons employed by Colleges of Advanced Education, the University of New South Wales, The University of Newcastle, The University of Wollongong and any University formed from a college of those Universities whose ordinary duties consist of work usually performed by watchmen, caretakers, cleaners, tea attendants, together with persons (other than foremen, laboratory craftsmen and those employed in a supervisory capacity) employed as carpenters, joiners, tile-layers, bricklayers, tuck-pointers, slaters, roof-tilers, shinglers, ridgers, cement-tilers or roof fixers, painters, decorators, sign-writers, glazers, glass-cutters, paper-hangers, plasterers, plaster fixers, granolithic floor-layers, plumbers, gasfitters or pipe-fitters.

(b) Persons employed by the University of New South Wales, the University of Newcastle, the University of Wollongong and any University formed from a college of those Universities as academic staff.

(c) Persons employed by the United Dental Hospital in the profession of nursing as trained nurses, trainees and assistants in nursing.

(d) Persons employed by the Legislative Assembly and the Legislative Council as caretakers, cleaners, gatekeepers, lift attendants, tea attendants and watchmen.

(e) Persons in New South Wales who are employed as -

(I) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social

work or psychology or medicine), engaged in pre-school, infant, primary or secondary public education controlled by the Government or employed by the Education Commission;

(II) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), and trainee teacher advisers engaged in technical and further education or adult migrant education or employed in evening colleges;

(III) Education officers (performing teaching duties) and teachers working in the Department of Corrective Services;

(IV) Teachers seconded as officers of the Research and Guidance Branch of the Education Department.

(f) Persons appointed to be members of the Police Force of New South Wales in a non-commissioned capacity.

(g) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(h) Employees of the Totalizator Agency Board of N.S.W. in clerical classifications for which the commencing salary is at or below the highest salary level for Branch Assistant Manager.

(i) Persons employed by any State Public Hospital in the retail sale of goods.

(j) Persons employed in the Education Department in or in connection with the operation of school canteens and kiosks but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

(k) Persons wholly, mainly or principally engaged (and however designated) in the work of lift attending, porter's work, tea attendant, cleaning and related pollution control (except persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers) and caretaking (except persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers and also persons employed in or for a substantial part of their time in Court Houses, historic houses or Government House), or employed in child care centres, day nurseries, or pre-school kindergartens by the Department of Education or the Department of Technical and Further Education (other than teacher aides in pre-school kindergartens and nurseries within the grounds of public schools but excluding nursery cooks or nursery helps employed in the Department of Education Nursery Schools) or under the Youth Employment Scheme by Government Departments, other than by the Department of Corrective Services, but not excluding ancillary staff in schools and persons employed in supervisory positions above the level of the officer in charge of such a child care centre, or persons employed in a professional, inspectorial, administrative, clerical or technical capacity, provided that no persons employed by the United Dental Hospital shall be excluded by reason of this paragraph.

shall not be within the industries in connection with which the Union is formed.

(ix) In the State of South Australia:

(a) Salaried Medical Officers

(b) Storemen and Packers

(c) Ministerial Press Secretaries

(d) Persons employed by Minda Incorporated below the level of and including the occupation of charge attendant and persons employed by the Electricity Trust of South Australia in the occupation of caretaker, cleaner, watchman or security officer

(e) Employees engaged or usually engaged as electrical fitters, armature winders, electrical mechanics, battery winders, railway electricians, telephone fitters, radio workers, cable joiners, linesmen and lamp trimmers, electrical labourers, electric crane attendants, rail welders and their assistants, electrical welders whose work is associated with the work of an electrician, electricians engaged or usually engaged or employed in running and maintaining electrical plants dynamo, motor attendants or the like

(f) Nurses other than:

(I) Nurses employed by the following State Government Hospitals -

The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, the Modbury Hospital, the

Whyalla Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Wallaroo Hospital, Ru Rua Nursing Home.

(II) Nurses who are public servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(III) Nurses who are employed pursuant to direct Ministerial appointment (but not persons employed by subordinates of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to S.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(IV) Nurses employed in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(V) Nurses employed by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals, who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(g) Persons who are employed or are usually employed in any capacity whether permanent or casual in or in connection with:

(I) Breweries, malt houses, bottling establishments, distilleries, wine cellars, wineries and spirit stores;

(II) Aerated water, cordials, cider and ginger beer or other non-intoxicating beer factories and employees retailing to the public any of the products of these factories;

(III) Hotels, wine saloons, wine bars, coffee palaces, coffee lounges, tea rooms, soda fountains, milk bars, fruit juice or flavour bars;

(IV) Marine stores or yards, cork cutting factories, bottle washing establishments, patent yeast and vinegar factories;

(V) Clubs, restaurants, meeting houses and board and lodging and apartment houses, catering establishments;

(VI) Race courses, football grounds, cricket, dog racing, coursing and other sports grounds, industrial canteens, motels and casinos.

(h) Employees below the classification of foreman employed in the printing and kindred industries.

(i) Persons employed on a weekly or daily basis in the timber industry (provided that notwithstanding the generality of the foregoing, excluding persons employed as mill hands, saw men, timber graders or the like).

(j) Employees engaged or usually engaged in the process trade or business connected with or incidental to the manufacture, assembling or repairing of carriages, carts, wagons, trucks, railway cars, tram cars, motor cars, motor cycles, side cars, aircraft and other vehicles used in air transit and all other vehicles or parts thereof and whether in wood and/or metal and/or other material.

(k) Daily or weekly paid employees engaged in any of the following industries or callings:

Agricultural, horticultural, viticultural, construction or maintenance of roads, footpaths, aerodromes, bridges, reservoirs, lochs, drains, dams, weirs, channels, tunnels, school grounds or playgrounds, water and sewerage, land surveying and works and undertakings carried out by or on behalf of any local governing body.

(l) Persons employed or usually employed or engaged in or in connection with the industries or industrial pursuits of carpenters and joiners or as brick-layers, tuck pointers or in the trade or calling of a slater, roof tiler, shingler, ridger or cement tiler, fixer of roofing sheets of asbestos, fibre, fibrolite or cement mixtures and accessories, malthoid, sisalkraft or bituminous roofing materials and all accessories made of the same or similar materials.

(m) Carpenters and joiners, including ship's carpenters and joiners.

(n) Persons employed or engaged in or in connection with the industries of driving and the transport of persons and/or passengers and/or goods, wares, merchandise or any material whatsoever by or on vehicle or animals or by aircraft or by motor steam, oil, electric or other mechanically propelled contrivances, drivers assistants and conductors of same and stable work wheresoever performed, all yard and garage cleaning, and other work in connection with driving and transport, including washing, greasing, oiling, cleaning, polishing, tyre fitting and general attendance of horse or mechanically propelled vehicles and mechanical contrivances, loading and unloading onto and/or from any vehicle.

(o) Persons employed as roof plumber drainers, gasfitters, sanitary plumbers, registered drainers, plumber welders mechanical services plumbers, water plumbers or the like.

(p) Persons employed in:

(I) making and/or repairing the whole or any part of any male or female garment or of any article of wearing apparel whatsoever and the dyeing, cleaning, repairing or pressing or ironing of any such articles;

(II) making and/or repairing the whole or any part of any description of umbrella;

(III) making and/or repairing any description of handkerchiefs, serviettes, pillow slips, pillow shams, sheets and table clothes, towels, quilts, aprons, mosquito nets, bed valances or bed curtains;

(IV) embroidering or otherwise ornamenting any of the above-mentioned articles;

(V) the industry of a furrier;

(VI) the making of chenille and the making and/or repairing of articles of all descriptions as are made of chenille.

(q) Firefighters, control room operators, probationary firefighters, fire equipment servicemen and hose-room men.

(r) Persons employed at the Australian Mineral Development Laboratory and the Electricity Trust of South Australia in a drafting capacity or a technical capacity.

(s) Persons who are employed in South Australia -

(I) As teachers in any Government school, pre-school, child-parent centre or technical and further education institution;

(II) In a technical and further education institution and responsible for the co-ordination of teaching therein;

(III) As pre-school aides OR assistants in child parent centres.

(t) The Commissioner, Deputy Commissioner, any Commissioned Officer and any other person who is a member of the Police Force of South Australia or who is undergoing training in order to qualify for appointment as a member of the Police Force of South Australia.

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Federation by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Adelaide Festival Centre Trust in the retail sale of goods or the supply of food or drink for consumption on the premises or for take away, but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

shall not be within the industries in connection with which the Union is formed.

(x) In the State of Western Australia

(a) Persons employed as Clerical Officers in -

the State Engineering Works except those who are employed pursuant to the provisions of the Public Service Act;

the Lotteries Commission

(b) Persons employed as Clerical Officers in positions which, on a salary basis, are less than the salary paid to the respective Public Service Classifications set out hereafter -

Western Australian Meat Commission Robbs Jetty,	C	11	6.
Western Australian Coastal Shipping Commission,	C	11	10.
Western Australian Egg Marketing Board,	C	11	7.
Fremantle Port Authority,	C	11	10/11.

(c) Persons employed as Clerical Workers by -

the Minister for Water Supply, Sewerage and Drainage the Metropolitan Water Supply, Sewerage and Drainage Board, or the Minister for Works

in connection and maintenance work in the field, on the job, or elsewhere away from Head Office.

(d) Persons engaged as wharfinger, assistant wharfingers, officers in charge of goods sheds or clerks at the ports under the control of the Department of Marine and Harbours in Western Australia.

(e) Persons employed as officers of the Western Australian Prison Service below the rank of Chief Officer.

(f) Persons appointed as Commission Agents by the Totalizator Agency Board.

(g) Persons employed as Foremen except those who are employed by the Minister for Mines.

(h) Persons employed as Police Officers, Police Cadets and Police Aides.

(i) Persons employed as Marine Pilots.

(j) Persons employed on an annual salary by the Western Australian Government Railways.

(k) Persons employed on an annual salary in a clerical, inspectorial or professional capacity by the Chairman of the Metropolitan Transport Trust.

(l) Persons employed in the profession or industry of nursing and being registered or entitled to be registered with the Nurses Board of Western Australia or as student nurses, other than those employed under the Public Service Act or by the Nurses Board of Western Australia.

(m) Persons employed as Shift Engineers, Royal Perth Hospital.

(n) Persons employed in the callings of foreman; laundryman; laundress; general hand; driver; gardener; security man; storeman; press operator; seamstress; sorter; cook; tradesman; dry cleaner; presser; cutter in the Hospital Laundry and Linen Service or other persons employed as Laundry Workers.

(o) Persons employed in Doctors' surgeries.

(p) Persons employed by the Western Australian Division of the Red Cross Society as Clerks.

(q) Persons employed by the Spastic Welfare Association as Tradesmen who perform the usual trade duties.

(r) Persons employed by universities as academic staff.

(s) Any person employed by the University of Western Australia who has an academic salary nexus and academic status.

(t) Any person employed by a university in the position of "The University Librarian".

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Totalizator Agency Board of Western Australia in casual or part-time clerical duties.

(w) Persons employed as wages employees as storemen, storemen operator or storemen-in-charge at:

(1) Building Management Authority
(2) Education Supplies Branch
(3) Fremantle Port Authority
(4) Government Stores Department
(5) Library Board of Western Australia
(6) State Engineering Works
(7) State Health Laboratory
(8) State Housing Commission
(9) WA Education Department
(10) WA Institute of Technology
(11) WA Meat Exports Pty Ltd
(12) WA Potato Marketing Board
(13) Police Department
(14) Any other Government Store listed as a named respondent to the Storemen Government Award 1979, No 20/1969.

(x) Persons in Western Australia who are employed as teachers, education officers, (performing professional duties requiring teaching qualifications) guidance officers, demonstrators or counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), -

(I) by the Education Department;

(II) in a technical and further education institution;

(III) in pre-school centres (provided that teachers in pre-school centres hold or are enrolled in a course leading to a teaching academic qualification): OR

(IV) in community colleges.

(y) (i) Persons employed in the callings of cleaner; caretaker; lift attendant; window cleaner; watchman; charwoman; usher; doorkeeper; gatekeeper; porter; janitor; cleaning and pollution control; attendant in ladies' retiring rooms; commissionaire; tea attendant; day or night patrolman; gardener; groundsman; gardener's labourer; maintenance labourer; home economics assistant; waiter; waitress; kitchen hand; maid; cook; horticulturist; domestic; trainee horticulturist; apprentice; security man

but not so as to exclude

persons employed for the purpose of undertaking professional, supervisory, technical, administrative and/or clerical functions including, notwithstanding the generality of the foregoing, maintenance assistants; general assistants; maintenance officers and curators.

(ii) Persons employed in the callings of the keeper; aquarist or ranger in National Parks and Zoological Gardens.

(iii) Persons employed in the callings of power-mower operator; tractor-mower operator or leading hand employed by the Building Management Authority Mowing Services.

(iv) Persons employed in the occupation of teachers' aide.

but not so as to exclude

school assistants; technical assistants; library assistants; laboratory assistants and attendants.

(v) Domestic work, including leading hands,

but not so as to exclude

persons employed for the purpose of undertaking supervisory, administrative and/or clerical functions or for the purpose of instructing in domestic work or persons employed as homemakers.

(vi) Attendants, employed on wages, by the Trustees of the Western Australian Museum or the Board of the Art Gallery of Western Australia.

(vii) Persons employed in the callings of the first aid attendant or security officer by the State Energy Commission.

(viii) Persons employed in pre-school centres, child minding centres or day nurseries in the callings of Pre-School Teacher or Qualified Child Care Worker or Unqualified Child Care Worker.

(ix) Persons employed in the calling of car park attendant other than persons employed by Universities or other tertiary education institutions in Western Australia.

(z) Employees of the Western Australian Water Authority solely or substantially engaged in or in connection with labouring; operation of portable or non-portable machinery or equipment for construction or maintenance purposes; tradespersons leading hands (except salaried supervisors); blacksmith's striker; dresser; oxy or electric welding assistant; driving of motor transport, articulated vehicles or mechanical equipment; and employees solely or substantially engaged in the callings of alarm room attendant; watchman; radio control room operator; caretaker; supervising storeman; senior storeman; storeman in charge; storeman; water treatment plant operator; assistant on water treatment plant; testers (including testers in charge and senior testers); ganger; survey hand; chain man; instrument hand; senior instrument hand; senior catchment warden; catchment warden; ranger; senior ranger; and employees engaged as non-trades foreman or assistant foreman; supervising or senior foreman; and employees engaged on the construction and maintenance of country water supplies as water supply controller, electric pump attendant or pumping station attendant.

(aa) Persons employed by:-

(i) any Public or Private Hospital, or

(ii) the SLCG (Inc) or

(iii) Silver Chain Nursing Association (Inc.), or

(iv) in establishments known as Princess Margaret Hospital for Children, Sir James Mitchell Spastic Centre, Ngal-a Mothercraft Training Centre, The Braille Hospital, Nadezda and Homes of Peace,

In the callings of

(a) home help or home care aide (Silver Chain Nursing Association (Inc.) only); social trainer (Nulsen Haven and SLCG (Inc) only); cottage parent or assistant supervisor (SLCG only); nursing assistant; enrolled nurse; student enrolled nurse; dental technician (Perth Dental Hospital only); cleaner; domestic maid; gardener; handyman; housemaid; kitchen man; kitchen maid; laundry worker; dry cleaner; orderly; pantry maid; wardsmaid; yardsman; seamstress; washing-machine hand; boiler-firing orderly; shaving orderly; storeman; driver; bus driver; chef; cook; window cleaner; dry cleaner; steward; animal house attendant; gardener and propagator; senior gardener; head gardener; butcher; carpenter; butcher's assistant; car park attendant; laboratory attendant; waitress; cafeteria assistant; theatre orderly; theatre assistant; ward assistant; CSSD assistant; CSSD orderly; farm assistant; head orderly; bootmaker; housemother (Mount Henry, Olive Jones Nurses' Home, Fremantle and Country Hospitals only); telephonist and receptionist (Swanbourne-Graylands Hospital only); training assistant (Spastic Welfare Association of W.A. (Inc.))

but not so as to exclude the callings of

(b) home help supervisors; supervising dental technician; cleaning services officer or supervisor; general services supervisor; curator; grounds' supervisor; maintenance officer; assistant food supervisor; food supervisor; food staff supervisor; laundry manager; linen service officer; assistant linen service officer; storeman-clerk; stores officer; catering and domestic supervisor; catering officer;animal house technician; garage supervisor; laboratory assistant; warden; physiotherapy assistant; occupational therapy assistant; farm supervisor; manager, orderly and/or transport services; and orthopaedic appliance worker or assistant.

(bb) Employees of the Commissioner for Public Health in the Community Health and Child Health Services Branch of the Health Department in the calling of health worker or health worker (special).

(cc) Persons other than persons employed as officers under and within the meaning of the Public Service Act 1978 to 1980 (W.A.) employed

(i) by any public or private hospital;

(ii) by the Hospital Laundry and Linen Service;

(iii) by the Western Australian School of Nursing or any service ancillary to the practice of medicine, including institutions or facilities all substantially engaged in providing medical laboratory services, radiological services, physiotherapy services, occupational therapy services, speech therapy services, social work services;

(iv) by the Western Australian Division of the Red Cross Society;

(v) by the Cerebral Palsy Association of Western Australia (Inc.);

(vi) by the Silver Chain Nursing Association (Inc.);

(vii) by the ACTIV Foundation (Inc.);

(viii) by dentists as dental therapists;

(ix) by the Paraplegic-Quadriplegic Association of Western Australia (Inc.), Good Samaritan Industries or F.C.B. industries or facilities or services;

(x) in Western Australia eligible for membership of the Health Services Union of Australia and whose class or grade of employment falls within the scope of the Nurses (WA Mental Health Services) Award 1991 as at 17 August 1992.

shall not be within the industries in connection with which the Union is formed.

(xi) In the State of Victoria -

(a) Persons who are members of the Police Force of Victoria of the designations and/or ranks of Constable, Sub Officer, Commissioned Officer or Commissioner of Police or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Victoria in one or more of the designations and/or ranks aforesaid or who are members of the Retired Police Reserve of Victoria.

(b) Persons employed by the University of Melbourne as academic staff.

(c) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

Persons employed at the State Film Centre of Victoria.

(d) Persons employed by any State Public Hospital in the retail sale of goods.

(e) Persons employed by the State Transport Authority and the Metropolitan Transit Authority in the retail sale of goods

(f) Persons in Victoria who are -

(I) employed in technical schools of the Education Department or in technical and further education institutions or in teaching classes administered by such institutions as teachers, lecturers, emergency teachers, teacher librarians, instrumental musicians or in school to work transition programmes;

(II) employed as teachers in a Technical-High School or in a High School with a technical education component or a post-primary school;

(III) employed as student teachers by the Education Department in technical and further education institutions or in the Technical and Further Education Teaching Service or by a technical and further education institution;

(IV) registered by the Victorian Technical Teachers' Education Board or by the Technical and Further Education Teaching Service Registration Board and are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education or any Victorian Technical and Further Education Board to perform professional duties requiring teaching qualifications;

(V) registered or eligible to be registered by the Technical Teachers' Registration Board, the Secondary Teachers' Registration Board or the Primary Teachers' Registration Board and are members of the Victorian Teaching Service employed in non-school positions to perform professional duties requiring teacher qualifications;

(VI) registered by the Victorian Secondary Teachers' Registration Board and employed in the secondary schools of the Education Department as teachers, librarians, instrumental teachers, remedial teachers, language assistants or persons who are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education to perform professional duties requiring teaching qualifications or in school to work transition programmes;

(VII) employed in the teaching service of the Education Department;

(VIII) who teach or supervise teaching -

(i) in day training centres registered pursuant to the Mental Health Act 1959 (Victoria) or any Act in substitution or amendment thereof, or

(ii) in institutions in Victoria for the education of the socially, physically, sensorily, educationally or intellectually handicapped, or

(iii) in institutions conducted by the Victorian Institute of Education Administration.

(g) (i) Caretakers, cleaners, domestic arts maids, gardeners, home economics assistants, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by the Ministry of Education or Schools' Councils constituted pursuant to the Education Act 1975 as amended;

(ii) Caretakers, cleaners, gardeners, laundry workers, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public; Service by Colleges of Technical and Further Education pursuant to Section 3 of the Post Secondary Education Act 1978 as amended;

(iii) Caretakers, cleaners, gardeners, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by Colleges of Advanced Education constituted pursuant to the Post Secondary Education Act, 1978 as amended;

(iv) Persons who are employed under Section 41A of the Public Service Act, 1974 or any successor thereto and whose wages or conditions of service are governed by any of the following awards or any instrument successor thereto in relation to such employees in the administrative units listed hereunder or any successor thereto had such employees been employed in their present employment as at 11th November 1986. The awards referred to are:-

(a) The Award of the Cleaners' Conciliation and Arbitration Board; known colloquially as the Cleaners' Award.

(b) The Award of the Security Employees' Conciliation and Arbitration Board, known colloquially as the Security Employees' Award.

The Administrative Units referred to are:-

The Department of Property and Services, the Ministry for the Arts, the Law Department, the Ministry for Housing and the Department of Agriculture and Rural Affairs.

(v) Parking Officers and community guardians employed under Section 41A of Division 8 of the Public Service Act 1974 and/or any successor thereto;

(vi) Jury keepers (but not so as to exclude jury pool supervisors);

(vii) Animal attendants, caretakers, cleaners, gardeners, security officers, zoological keepers employed by the Zoological Board of Victoria (other than administrative/clerical or above a level equivalent to that of leading hands);

(viii) Dental Technicians and Dental Nurses employed by the Cancer Institute, the Royal Dental Hospital, Melbourne or by any hospital registered pursuant to the Health Commission Act, 1977 or other than as permanent or temporary officers of the Victorian Public Service by Community Health Centres;

(ix) Persons employed in pre-school kindergartens, centres for day or part-day care of children, day or part day nurseries and children's play centres, employed other than as permanent or temporary officers of the Victorian Public Service or except where the functions of such undertakings are carried on within the Victorian Public Service or where such functions are transferred or relocated outside the Victorian Public Service or become carried on by persons redeployed from employment in or by the Victorian Public Service.

(h) (i) persons employed in the Public Service of Victoria in the classes or grades listed in Schedule 5 of the Salary Schedules made by the Public Service Board under the Public Service Act 1974 (Vic) in psychiatric, intellectual disabilities and alcohol and drug services;

(ii) persons whose employment is within the jurisdiction of the Health Professional Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic) as at 31 July 1992;

(iii) persons whose employment is within the jurisdiction of the Health and Allied Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic) as at 31 July 1992;

EXCEPT FOR:

persons employed in the Public Service of Victoria in the classifications or grades listed in the Schedules 1-4 of the Salary Schedules who are members of the SPSF as at 12 August 1992 and who remain members of the SPSF and who become employees of another employer as a consequence of the process of integration of services currently provided by the Health Department of Victoria into the public hospital system.

(j) Persons employed in the public and/or private health and community services sector in the State of Victoria who satisfy the conditions of eligibility for membership of the Health Services Union of Australia as at 18 April 1994.

shall not be within the industries in connection with which the Union is formed.

(xii) In the State of Tasmania -

(a) Persons who are members of the Police Force of Tasmania or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Tasmania

(b) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

(c) Persons in Tasmania who are employed as -

(I) teachers, (including part time and/or relieving teachers, teacher librarians, student counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), supervisors and educational officers or any such other classification of employment incidental to education) engaged in kindergartens, pre-schools, infants, primary, secondary, senior secondary and technical and technical and further education under the control of the Government of Tasmania and such teachers seconded as officers or permanently employed as officers of the Service and Guidance Services branches of the Education Department;

(II) employed as professional officers in the Education Department to perform professional duties requiring teaching qualifications;

(III) Recreation Officers in the Education Department;

(IV) part-time and/or temporary relieving teachers employed by the Government of Tasmania;

(V) teachers in training on Government studentships

(d) (i) persons employed in the Department of Education except professional, administrative, clerical, technical and supervisory (above the level of leading hand) staff, teacher aides (including, but not limiting the generality thereof, aide, audio-visual aide, kindergarten aide, kindergarten teacher's aide, teacher's aide, teachers assistant, library aide, bus aide, laboratory aide, library assistant, recreation assistant, visual aides assistant, library/home economic aide, childcare aide), office assistant, machinist, bus driver, driver, store-man, stores officer, material storeman, and employees at the Media Centre Hobart and the Science Centre, Hobart.

(ii) cleaners other than employed by the employing authority for public hospitals.

(iii) ferry workers employed by Transport Tasmania.

(iv) traffic wardens.

(v) persons employed by the employing authorities for boarding schools and/or student hostels.

(vi) persons performing work presently classified as utility officer in the Department of Education whether or not the same are included in paragraph (i) hereof.

shall not be within the industries in connection with which the Union is formed.

SECTION II

The Union is also formed in connection with the industry covering the following:

(a) The Crown in the right of the States of New South Wales and Queensland; and

(b) Any Statutory Corporation, Instrumentality, Authority or other similar statutory body, whether corporate or unincorporate, established by the Crown in the right of the States of New South Wales and Queensland; and

(c) The University of New South Wales (excluding the Medical School thereof);

(d) Any educational institution in the State of Queensland designated as a University or College of Advanced Education;

(e) The Mater Misericordiae Hospitals in the State of Queensland: and

(f) The Australian Red Cross Society (Queensland Division), Blood Transfusion Service.

and without limiting the generality of the foregoing shall include the following:

<u>In New South Wales</u>

(a) The Public Employment Industrial Relations Authority, or

(b) The Water Conservation and Irrigation Commission, or
(c) The Department of Main Roads of New South Wales, or
(d) The Electricity Commission of New South Wales, or
(e) The Maritime Services Board of New South Wales

In Queensland

(a) Chief Executives of State Government Departments under the Public Service Management Act 1988,
(b) General Manager, State Government Insurance Office,
(c) The Senates of Universities in Queensland,
(d) The Councils of Colleges of Advanced Education in Queensland,
(e) The Cane Prices Board,
(f) The Council of the Queensland Institute of Medical Research,
(g) The Chairman of the Metropolitan Public Abattoir Board,
(h) Public Hospitals Boards in Queensland (Established under the Queensland Hospital Act),
(i) The Parliamentary Services Commission,
(j) The Queensland Corrective Services Commission.

SECTION III

1. Without in any way limiting or being limited by the provisions of sections I and II of this Rule the Union shall consist of an unlimited number of persons, other than academic staff, wholly or substantially employed in the higher education industry who are:

(a) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Murdoch University, Edith Cowan University, the University of Western Australia and Curtin University of Technology; or

(b) Employees employed by Macquarie University as General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officer; or

(c) Employees employed by the University of Technology, Sydney or the University of Western Sydney; or

(d) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New England; or

(f) Employees employed by the University of Sydney; or

(g) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New South Wales and the University of Newcastle (other than employees employed by those two universities in their medical schools); or

(h) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Charles Sturt University or the University of Wollongong; or

(i) Employed in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Melbourne, or LaTrobe University or the Victorian College of Agriculture and Horticulture Limited; or

(j) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Tasmania; or

(k) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Adelaide; or

(l) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Flinders University of South Australia; or

(m) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of South Australia; or

(n) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the University of Queensland or Griffith University, or James Cook University of Northern Queensland, or Queensland University of Technology, or the University of Central Queensland, or the University of Southern Queensland; or

(o) Employees in professional (other than engineering), administrative and clerical occupations employed by the University of New South Wales at the Australian Defence Force Academy; or

(p) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the Australian Catholic University in Queensland; or

(q) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the Australian Catholic University in New South Wales

2. In the interpretation of the terms professional, administrative, clerical, technical and trades occupations which appear in this rule (with the exception of Rule 3, Section 3(1)(n)), assistance in the ascertainment of the meaning of those terms shall be given by consideration of the broad functions described in, and the indicative classifications set out in the demarcation agreement between The State Public Services Federation and the Federated Miscellaneous Workers Union relating to coverage of general staff in Higher Education dated 24 August 1990 [which agreement is set out as Schedule A to these Rules].

3. Notwithstanding anything contained elsewhere in these rules all professional, administrative, clerical, computing and technical (except trades up to and including the level of leading hand) occupations of non-academic staff employed by or in Howard Florey Institute, the Walter and Eliza Hall Institute, the Ludwig Institute and the Murdoch Institute

but not so as to include persons registered or enrolled or entitled to be registered or enrolled by any nursing authority, practitioners not engaged in research and/or teaching and medical practitioners engaged in a research and/or teaching capacity who are also employed by a teaching hospital; and, persons employed by the Victorian Clinical Genetics Service Ltd shall not be eligibile for membership.

PART III

No restriction or qualification to the description of industry under Part I of this Rule shall restrict or qualify the description of industry under Part II of this Rule and no restriction or qualification to the description of industry under Part II of this Rule shall restrict or qualify the description of industry under Part I of this Rule.

Schedule A

AGREEMENT DATED 24 AUGUST 1990 BETWEEN SPSF AND FMWU RELATING TO COVERAGE OF GENERAL STAFF IN HIGHER EDUCATION

PREAMBLE

1. FMWU and SPSF reaffirm their commitment to the ACTU policy on union rationalisation as adopted by the 1989 ACTU Congress. SPSF and FMWU are prepared to co-operate in a constructive manner with the progress of union rationalisation under the auspices of the ACTU provided that ACTU policy is applied in a consistent and practical manner across industries and between affiliates. The Interpretation of policy must be applied in a practical way having regard to the coverage in each industry and the various sectors in each industry. The definition of the industry is therefore crucial and must provide for an analysis of an industry to allow recognition of the different sectors and sub-industries. This may result in union coverage and status in sectors, states and territories being different.

2. The issue of union coverage of general staff in higher education is currently being considered by the Australian Industrial Relations Commission under s.118. The ACTU has intervened in the proceedings. Following the authorisation of the majority of unions in the area for the ACTU to make a determination on the appropriate form of union rationalisation in the general staff area the ACTU officers put forward a position to a meeting of unions on 13 July 1990 and later that day to the Commission. That proposal defined the industry as a single industry made up of academic staff and general staff. as a result of this definition it was determined that there was currently no union which could claim to have principal union status as no union could currently cover both academic and general staff. It was proposed that there be 8 significant unions - FAUSA, UACA, SPSF, FMWU, HREA, FCU, ADSTE, VCUSA. It was further reported that should FAUSA (University Academics), UACA (College Academics) and VCUSA (representing approximately 40% of the unionised general staff in Victoria) amalgamate they may be given principal union status with rights to recruit all academic and general staff across Australia. both SPSF and FMWU have formally rejected this proposal on the following grounds:

2.1 Higher education is made up of two main groups of employees - academic and general staff (which in turn is broken down into white and blue collar work sectors). The development of union coverage has recognised the differing interests of these two groups (the only overlap being FAUSA's ability to cover a small number of senior administrative staff in

South Australia and Victoria). The distinction between the groups is recognised by the AIRC and the ACTU in relation to the separation of awards applicable to general and academic staff in higher education. A similar distinction has been made by the ACTU under the proposals in the health industry which distinguishes between nursing and other health staff. SPSF and FMWU reject the view that academic and general staff should be in one union. The AHEIA (the employer organisation) has also rejected the concept of one union covering academic and general staff.

2.2 SPSF and FMWU collectively represent over 50% of the unionised workforce (SPSF has over 8,000 general staff members and FMWU has around 2,500). FMWU has constitutional coverage amongst general staff in all higher education institutions in Australia. SPSF has members in all institutions in the States. We reject the proposal that an amalgamation of the academic staff unions with a small state based union (VCUSA affiliated to the ACTU in September 1989 on the basis of 2,500 members) could legitimately extend their constitutional rules to cover all general staff. SPSF and FMWU do not believe it is appropriate that a union which does not have current constitutional coverage for at least a major proportion of an industry or an industry sector should be able to obtain principal union status pursuant to ACTU policy.

2.3 It is the view of SPSF and FMWU that higher education should be considered in terms of the distinct sectors with principal union status being determined in terms of each of those sectors. FMWU and SPSF believe there are three distinct areas within higher education which are dominated by three unions, these are: academic - FAUSA/UACA; 'white collar' (i.e. administrative/clerical, technical and professional) - SPSF; 'blue collar' (i.e. general services) - FMWU.

It is upon this joint position on the appropriate approach to union coverage that the following demarcation is based.

DEMARCATION AGREEMENT.

1. This agreement between the FMWU and SPSF shall apply in all institutions currently in existence and those to be formed in the future with the exception of those in the Northern Territory (which shall be covered solely by the FMWU). It is agreed that this demarcation agreement shall replace the previous agreement between SPSF and FMWU concerning McAuley College. It is further agreed that this agreement is without prejudice to and current or future demarcation arrangements, or discussions relating thereto, between FMWU and SPSF.

2. It is agreed that the FMWU areas of coverage shall be in the following areas (howsoever designated).

* Security and Cleaning

  Indicative classifications: Security Officers, Security Attendants, Patrolpersons, Gatekeepers, Traffic Officers, Watchpersons, Parking Attendants, Cleaners, Car Detailers, Ushers, Doorkeepers, Parking Inspectors.

* Residential/Building Services

  Indicative classifications: Caretakers, Tea Attendants, Cooks, Domestics, Lift Attendants, Custodians, Handypersons, Porters, Housepersons, Kitchenhands, Counter Assistants, Laundry Workers, Storeworkers, Cellar Hands, Waiters, Shop Assistants, Stewards, Dry Cleaners, Retiring Room Attendants.

* Outside Services

Indicative classifications: Gardeners, Groundspersons, Machinery Operators, Mower Operators, Maintenance Labourers, Trade Assistants, Farmhands, Nursery Workers, Curators, Turf Management, Labourers, Horticulturalist, Messengers, Animal Attendants.

* Trades

Indicative classifications: Mechanical/Electrical, Cooks, butchers, Plumbers, Painters, Building Trades.

* Child Care

Indicative classifications: Child Care Workers, Aides, Directors.

3. (a) It is agreed that the FMWU shall cover all the above classifications up to and including the level of Leading Hand. Those classifications above the level of Leading Hand shall be covered by SPSF.

(b) It is agreed that where a classification involves mixed functions where a major or substantial part of the functions are those of classifications covered by the SPSF that classification shall be covered by the SPSF.

(c) It is agreed that where a classification involves mixed functions where a major or substantial part of the functions are those of classifications covered by the FMWU that classification shall be covered by the FMWU.

4. It is agreed that SPSF shall cover the following areas (howsoever designated).

* Administrative/Clerical (other than Queensland)

Indicative classifications: Clerical Officers/Assistants, Administrative Officers/Assistants, Senior, Principals, Secretaries, P Operators, Typists, Stenographers, Photocopying Assistants, Supply Assistant, Finance Officers/Assistants, Personnel Officers, Industrial Relations Officers, Registrars, Assistant Registrars, Property Services Officers/managers, Publicity Officers/Public Relations Officers, Supervisors, Training Officers, Transport Officers, House Officers/Assistants, Building Supervisors, Bursars, Educational Services Officers, Registry Officers/Assistants, Telephonists, General Assistants (Clerical), Gallery/Museum Attendants, Sports Centre/Swimming Pool Attendants.

* Professional

Indicative classifications: Professional Officers, Scientific Officers, Research Officers/Assistants, Legal Officers, Architects, Engineers, Computer Systems Officers, Computer Programmers, Agronomists, Accountants, Actuaries, Archivists, Cartographers, Dentists, Doctors, Nurses, Dental Assistants, Draftspeople, Economists, Librarians, Library Technicians, Library Assistants, Library Attendants, Library Officers, Occupational Therapists, Photographers, Journalists, Psychologists, Physiotherapists, Social Workers, Counsellors, Statisticians, Systems Analysts, Welfare Officers, Veterinarians, Veterinary Assistants, Graphic Artists/Designers, Artists, Projectionists, Animal Nurses.

* Technical

Indicative classifications: Technical Officers/Assistants, Laboratory Assistants/Craftspeople Attendants, Seniors, Managers, Technicians, Audio-Visual Technician, Medical Technologist, Maintenance Officer/Supervisor, Reprographic Manager, Printing Assistants, Printers, Offset Operators, Supervisors, Computer Operators, Clerk of Works, Photographic Operator, Photographic Assistants, Photo Typesetter, Safety Officers, Glassblowers, Glass Attendants.

5. Other Unions

(a) SPSF and FMWU recognise the significant membership of HREA at Sydney University, the University of New England, Macquarie University and at the Australian National University. Whist neither union seeks to disturb HREA's coverage at these institutions it is the long term view of SPSF and FMWU that HREA should reconsider its involvement in the higher education industry.

(b) SPSF and FMWU recognise the demarcation between SPSF and FCU in relation to clerical staff in higher education in Queensland.

(c) The SPSF and FMWU agree that no unions currently with constitutional capacity and membership in the higher education industry should be required to vacate involvement in the industry without full discussion and by an agreed process in consultation with the SPSF, FMWU and other unions with continuing involvement in the industry.

6. Recruitment and Representation

FMWU and SPSF agree that where possible the two unions shall co-operate in joint recruitment exercises particularly in those areas which have been under unionised in the past.

7. Implementation of this Agreement

(a) It is agreed that Branch Officers of SPSF and FMWU will identify those classifications where it has been agreed that union coverage (subject to sub-clause (g) of this clause) shall change (based on the above list of indicative classifications) and should examine at first instance any areas or classifications where there is some doubt as to the appropriate union coverage and endeavour to determine such questions. Should any question or dispute arise regarding the appropriate union coverage not be settled between Branch Officers of SPSF and FMWU the matters shall be referred to nominated Federal Officers of the two unions who shall determine the coverage. This procedure shall also apply as to areas where there is doubt or a dispute about whether the work in question is being performed in or in connection with the industry of higher education, or in connection with another industry.

(b) Persons employed in those classifications shall be advised of the new union coverage and encouraged to join the appropriate union: this shall be a voluntary decision by the employee, however, every effort shall be made by the unions to facilitate the exchange. It is agreed that the primary objective of membership exchange should not have a reverse effect in terms of employees deciding not to be in any union. This will require much effort on behalf of both unions to ensure that the end result is a positive exchange.

(c) Should some employees not transfer membership immediately, the unions shall enter into a servicing agreement.

(d) All new employees would join the appropriate union.

(e) It is agreed the above process will be reviewed after 2 years.

(f) The eligibility rules of the SPSF and the FMWU and award coverage shall reflect this agreement.

(g) The parties agree that where members within an occupational classification designed in this agreement as falling within the coverage of the FMWU or SPSF are currently solely or in the majority members of the union not designated by this agreement as having coverage of this classification, either nationally or in a particular state, further discussions shall occur between FMWU and SPSF before any final determination is made as to coverage of this classification or the operation of the implementation clauses of this agreement.

to the following

2 - CONSTITUTION AND ELIGIBILITY FOR MEMBERSHIP

Persons shall be eligible for membership of the Union under either Part I, Part II or Part III of this Rule.

PART 1

A.1 Without in any way limiting or being limited by subrules B, C, D, E, G and H, the following persons are eligible for membership of the Union;

(i) any person employed, usually employed or qualified to be employed by;

(a) the Commonwealth;

(b) the Northern Territory;

(c) the Australian Capital Territory;

(d) a body corporate established for a public purpose, whether in whole or in part, by or under a law of the Commonwealth, the Australian Capital Territory or the Northern Territory other than any local Government body established under the Local Government Act (Northern Territory) or other Local Government legislation in the Northern Territory;

(e) by a company or other body corporate incorporated under a law of the Commonwealth or of a State or Territory, being a company or other body corporate in which the Commonwealth, the Northern Territory or the Australian Capital Territory has a controlling interest;

(f) any other authority or body (whether corporate or not) being an authority or body that is financed in whole or in substantial part, either directly or indirectly by money provided by the Commonwealth except;

(A) moneys paid as consideration in a commercial transaction, for the provision of goods or services to the Commonwealth,

(B) moneys paid by way of bounty or like payment,

(C) moneys paid to a State or States of the Commonwealth, or

(D) moneys paid to a Local Authority, City, Municipality, Town, Borough, Shire or like statutory authority which includes electricity, road, transport and port authorities and water or drainage boards,

(E) an authority or body that is financed in whole or in substantial part, either directly or indirectly, by money provided by the Commonwealth, pursuant to;

1. the Community Youth Support Scheme, or

2. the Supported Accommodation Assistance Program, or

3. the Family Day Care Services component of the Children Services Program, or

4. the Family Support Program, or

5. the Grant in Aid Ethnic Social Welfare Workers Program, or

6. the Youth Services or Welfare Services components of the ACT Community Development Program,

or any program, scheme or fund directly replacing any one of the above.

(ii) any officer or employee of the Union, or

(iii) any person who is an employee and who occupies a Statutory Office created under a law of the Commonwealth or the Northern Territory or the Australian Capital Territory or an Office established by the Executive of the Commonwealth, the Northern Territory or the Australian Capital Territory, or

(iv) all persons employed in the telecommunications industry as defined in subrule E of PART 1 of Rule 3 of Chapter A by any authority, corporation or other body (other than a person employed by the Crown in the right of a State, or by a statutory authority established under any Act of a Parliament of a State, or by any company in which 50% or more of the shares are held by the Crown in the right of a State).

2. Notwithstanding the provisions of subrule 2A.1, the following persons are not eligible for membership of the Union

(i) any person employed by:

(a) deleted

(b) the Australian Shipping Commission trading as Australian National Line;

(c) the Australian National Airlines Commission;

(d) the Australian National University;

(e) Banks established under the Commonwealth Banks Act and Reserve Bank Act;

(f) Qantas Airways Ltd;

(g) Universities and Colleges of Advanced Education other than colleges of Advanced Education in the Northern Territory or the Australian Capital Territory;

(h) the Australian Wheat Board;

(i) deleted

(j) the Territory Insurance Office.

(ii) persons employed as a/an:

(a) tradesman;

(b) artisan;

(c) draftsman, technical assistant or technical officer;

(d) member of the commissioned or non-commissioned ranks of the Australian Federal Police;

(e) mail officer or linesman;

(f) telecommunications technician, telecommunications technical officer or telecommunications electrical worker;

(g) postmaster;

(h) telegraphist;

(i) deleted

(j) deleted

(k) labourer;

(l) primary or secondary school teacher and teachers in non-government early childhood centres, business colleges, language schools or other private educational academies;

(m) ships painter or docker;

(n) nurse or nursing aide;

(o) driver, driver's assistant or conductor;

(p) railways employee other than as a senior officer, clerk, booking clerk, traffic inspector, assistant research officer, senior research officer;

(q) professional engineer;

(r) theatrical, film, television and video technicians;

(s) professional scientific staff;

(t) child care workers, cleaners, domestics or domestic workers, gardeners;

(u) security officers, attendants, watchmen and/or like designations.

(iii) (a) deleted

(b) persons employed in the professional structures of the Industry for which professional qualifications are mandatory.

(c) deleted

(d) Persons employed by the Australian Postal Commission and the Australian Telecommunications Commission who are eligible for membership of the Australian Telephone and Phonogram Officers' Association in accordance with its conditions of Eligibility for membership as at 1st September 1986, other than persons employed in Manual Assistance Centres in the position of Manager (M.A.C.) at M.A.6 and M.A.7 levels where the position was previously classified as Traffic Officer.

B. Without in any way limiting, or being limited by, subrules A, C, D, E, G and H, the membership of the Union shall also consist of any officer, employee or temporary employee of the Public Service of the Commonwealth, the Public Service of the Northern Territory and of the Australian Capital Territory, any public institution, authority or statutory corporation of the Northern Territory and of the service of any public institution or authority of the Commonwealth together with any authority, corporation or body engaged in the telecommunications industry as defined in subrule E of PART 1 of Rule 3 of Chapter A, designated as:

(1) (a) administrative assistant (Darwin Institute of Technology) (all grades), administrative class (AI, A3, A4, A5) (NTPS), assistant (all grades), assistant (audiometry), assistant (canvassing), assistant cashier, assistant (computing), assistant (estimating), assistant keeper of relics, assistant moisture tester (dairy export), assistant publications officer, assistant senior overseer (telegraphs), assistant stamper (dairy export), assistant (stamp sales), assistant stationer, assistant (stationery etc.), assistant welfare officer, attendant and reader, attendant (all grades), attendant (legislative assembly), cabinet and ministerial officer, cashier, checker, checker-in-training, claims officer (all grades), clerical and administrative officer 1, 2 and 3 (Northern Territory Power and Water Authority), clerical assistant (all grades), clerk (fourth division), computing assistant, counter officer (all grades), courier, depot clerk, deputy principal attendant, district employment officer, employment officer, examiner, field assistant, gazette officer, indexer, indexer-in-charge, junior assistant, keeper of printed records, library assistant, medical records officer (Northern Territory Public Service) (all grades), messenger, methods assistant, ministerial

messenger, ministerial officer, museum assistant (all grades), officer-in-charge, overseer (stamp sales), overseer (telegraphs) (all grades), overseer (telegraph accounts), postal assistant, postal clerk, principal attendant, principal attendant (legislative assembly), publications officer, purchasing officer, school assistant (all grades), senior assistant (stamp sales), senior attendant, senior attendant (legislative assembly), senior checker, senior clerical assistant, senior computing assistant, senior examiner, senior indexer, senior messenger, senior overseer (telegraphs), senior employment officer, senior storemen, senior stores supervisor (all grades), social development assistant, social development officer (all grades), stationer, storeman, stores assistant, stores officer, stores supervisor, superintendent, supervising checker, supervisor (stationery etc.), tip-staff, truancy officer,

(b) assistant security officer (Weapons Research Establishment Salisbury and Department of Defence Canberra), assistant (transport), assistant transport officer, battery manager, chief custodial officer (Belconnen and Quamby Remand Centres), chief protective service inspector, conveyancing assistant, custodial officer (Belconnen and Quamby Remand Centres), custodial officer grade 3 (Quamby Remand Centre), field officer, inquiry officer (all grades), inspector traffic section, investigation officer (trades), licence inspector (all grades), motor driver, movements officer, movements officer (light transport), movements officer (heavy transport), movements officer (special services), officer-in-charge (outdoor inquiry), officer-in-charge (postal investigation), parking inspector (all grades), postal investigation officer (all grades), principal field officer, protective service inspector, protective service officer (all grades), protective service superintendent, searcher (all grades), senior assistant (transport), senior field officer, senior field officer (collections), senior field officer (standards), senior inquiry officer, senior inspector traffic section, senior licence inspector, senior motor driver, senior postal investigation officer (all grades), senior protective service officer (all grades), senior statistical collections officer, senior transport inspector, senior vehicle tester, senior weights and measures inspector, statistical collections officer (all grades), supervising field officer, supply and transport officer (survey) (all grades), traffic officer, traffic officer (inspector) (NTPS), traffic inspector, transport foreman, transport inspector, transport officer, transport supervisor (all grades), vehicle tester (all grades), weights and measures inspector, weights and measures superintendent, works and service officer,

(c) accounting machinist (all grades) accounting machinist controller (all grades), accounting machinist-in-charge (all grades), accounting machinist-in-training, accounting machinist supervisor (all grades), addressing machine operator, addressing machine operator-in-charge, assistant (typing - stenographic) (all grades), assistant private secretary, assistant reception, assistant (typing), card punch operator (all grades), communications operator (all grades), communicator (all grades), computer operator (all grades), court reporting typist (all grades), data

preparation officer, data processing operator (all grades), data processing operator-in-training, EDP operator (all grades), electorate secretary, hansard typist, keyboard instructor (all grades), keyboard operator, machine operator, machine operator-in-training, machine tabulator, overseer, personal secretary, receptionist-typist, secretarial assistant, secretary/typist, senior accounting machinist, senior communications operator, senior computer operator (all grades), senior data processing operator, senior machine operator, senior machine tabulator, senior typist stenographer (all grades), steno-secretary (all grades), supervising card punch operator (all grades), supervising communications operator, supervising (accounting machinist) (all grades), supervisor (communications), supervisor (data processing) (all grades), supervisor typists (all grades), telephone supervisor (Northern Territory Public Service), telephonist, teleprinter operator, teleprinter operator-in-charge, teletype facilities control officer, telex service operator, trainee computer operator, typist (all grades), typist controller (all grades), typist controller (word processing) (all grades), typist (photo-litho), typist (secretarial), typist supervisor (all grades), typist-in-charge (all grades), typist-in-charge (photo-litho), word processing supervisor (all grades), word processing typist (all grades),

(d) assistant cinematographer, assistant film cutter and biograph operator, assistant film processor, assistant photographer, assistant photography, assistant (plan printing) (all grades), assistant (printing) (all grades), assistant (projectionist), colour film printer, cutter (films), dark-room operator, film cutter and biograph operator (all grades), film officer, film processor, film processing supervisor (all grades), heliographer, officer-in-charge (photography and plan production), officer-in-charge (plan printing), overseer (printing room), printing supervisor, projectionist, projectionist (public relations), projectionist (16mm), photographer, photographer-in-charge, scheduling officer, section leader, senior film processor (all grades), senior assistant (photography), senior assistant (printing) (all grades), senior darkroom operator, senior photographer, small offset operator, supervisor (photography and plan production),

(e) airport foreman (all grades), airport groundsman, airport labourer, airport plant operator, airport safety officer, animal attendant, area officer, assistant (animals) (all grades), assistant barracks officer, assistant stock inspector, barracks officer, boring inspector, boring superintendent, building superintendent, caretaker, chainman, in Victoria Barracks in the State of Victoria only cleaners of all designations, custodian (buildings), district stock inspector, divisional stock inspector, drill foreman, drilling overseer, drilling superintendent, farm assistant (all grades), fisheries inspector, foreman animal attendant, foreman (ground maintenance), gardening overseer (all grades), groundsman, groundsman-gardener, labourer groundsman, manager (swimming pool), pastoral inspector, ranger, senior airport groundsman, senior assistant (farm), senior boring inspector, senior chainman (all grades), senior

driller, senior farm assistant, senior fisheries inspector, senior groundsman, senior pastoral inspector, senior ranger (all grades), senior stock inspector, station hand, stock inspector, supervisor (agriculture), supervisor (animals), supervisor (farm), supervisor (tree surgery), surveying assistant (all grades), surveying assistant supervisor (all grades), trainee ranger, water control officer (all grades), water control supervisor,

(f) assistant conservator, airport fire officer (all grades), assistant welfare branch, assistant radio inspector, assistant technical cataloguer, chief fire protection officer, chief health inspector, chief health surveyor, chief quarantine inspector, conservator, dental assistant, dental mechanic, dental technician, dental therapist in the Australian Capital Territory, fire protection officer, fire safety officer (all grades), health inspector, health surveyor, hydrometer tester, inspector, inspector (fire services), inspector (property), inspector (technical) (all grades), instructor (all grades), instructor (counter disaster), laboratory assistant, laboratory attendant, manager welfare branch, manual arts instructor, meatworks standards officer (all grades), medical laboratory assistant, music instructor, night switch operator (Snowy Mountains Hydro-electric Authority) (all grades), observer (all grades), observer (radio), pharmacy assistant, power station control room operator, power station plant operator, power station supervisor, power station unit operator, property inspector, quarantine inspector, radio monitor, regional fire officer, regional health inspector, regional health surveyor, safety instructor (Department of Defence), senior health inspector, senior health surveyor, senior inspector, senior inspector (property), senior instructor, senior observer (radio), senior operator (Snowy Mountains Hydro-electric Authority), senior power station supervisor, senior technical cataloguer (all grades), senior technical officer, senior technical officer (medical laboratory) (all grades), senior technical officer (science) (all grades), senior supervisor communications, station officer (Department of Defence Woomera), supervising technical cataloguer (all grades), supervisor (property), technical assistant (all grades), technical cataloguer, technical officer (all grades), technical officer (medical laboratory),technical officer (science) (all grades), trainee observer, trainee technical officer (medical laboratory), trainee technical officer (science), training instructor, wool sample inspector, wool standards officer,

(g) assistant catering adviser, assistant food services, assistant manager (Bars) (Joint House), assistant manager (Dining Rooms) (Joint House), assistant supervisor, assistant supervisor (food services), cafeteria manager (all grades), catering adviser (all grades), catering officer, cafeteria supervisor (all grades), deputy housekeeper (Joint House), deputy matron, food processor (all grades), food service adviser (all grades), food service manager (all grades), home liaison officer, home management instructress, housekeeper (Joint House), house manager (Joint House), matron N.T., senior assistant supervisor, supervisor, supervisor food processing, supervisor (food services),

(h) assistant chief preventive officer, boat-hand, boatman, chief investigator, chief preventive officer (all grades), coxswain, engine driver, head lightkeeper, inspector, investigator, locker, lightkeeper, marine officer, master of launch, preventive officer, preventive officer-in-training, quarantine assistant (all grades), senior investigator, senior master of launch, senior preventive officer (all grades), senior quarantine inspector, supervising investigator, supervising preventive officer.

(2) Together with any officer or employee, employed under the Commonwealth Serum Laboratories Commission Act 1961 or any amendment thereof, designated as - accounting machinist (all grades), accounting machinist controller (all grades), accounting machinist-in-charge (all grades), accounting machinist-in-training, accounting machinist supervisor (all grades), area officer, assistant (all grades), assistant (animals) (all grades), assistant (laboratory) (all grades), assistant (printing) (all grades), assistant supervisor, assistant supervisor (packaging), assistant (typing), clerical assistant (all grades), computer operator (all grades), computing assistant, data processing operator (all grades), data processing operator-in-training, food service manager (all grades), labourer, personal secretary (all grades), photographer, senior assistant, senior assistant (farm), senior computer operator (all grades), senior photographer, senior technical officer (all grades), station hand, stenographer, steno-secretary, supervisor (agriculture), supervisor (animals), supervisor (data processing) (all grades), supervisor (farm), supervisor (packaging), supervisor (packing section), supervisor (other sections), technical assistant (all grades), technical officer (all grades), telephonist, trainee computer operator, typist (all grades), typist-in-charge, typist (photo-litho), typist (secretarial), typist supervisor, word processing typist (all grades).

(3) Together with any officer or employee who is employed by the Australian Postal Commission and who is employed in any designation specified in Part (1) of this rule.

(4) Together with any officer or employee who is employed by the Australian Telecommunications Commission and/or any other authority, corporation or body engaged in the telecommunications industry as defined in subrule E of PART 1 of Rule 3 of Chapter A who is employed in any designation or like designation specified in Part (1) of this Rule or designated as a message bureau operator or supervisor.

(5) Together with any Industrial Officer or Research Officer or other employee of the Union.

Provided however, that the following shall be excluded -

(a) engineering and architectural technical assistants and technical officers other than those engaged in laboratory work,

(b) technical officers employed on external plant work associated with the installation and maintenance of telephone, telegraph and radio plants in the Australian Postal Commission and/or the Australian Telecommunications Commission, and/or Aussat Ltd.,

(c) photographers, the greater part of whose duties is to take and prepare photographs for reproduction in newspapers and magazines,

(d) employees eligible for membership in the Printing and Kindred Industries Union employed in the establishment of the Australian Government Printer and the Northern Territory Public Service, Department of Transport and Works, Government Printing Office,

(e) employees of the Australian Postal Commission and/or the Australian Telecommunications Commission and/or Aussat Ltd. designated as telephonists, telex service operator and supervisor (telephone),

(f) technical assistants, technical officers and senior technical officers employed by the Commonwealth Scientific and Industrial Research Organization.

(g) employees of the Territory Insurance Office.

(h) any person working in or in connection with the telecommunications industry eligible for membership of the Metal and engineering Workers Union in accordance with its conditions of eligibility rule as at 1 July 1991 unless that person was eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility rule as at 1 July 1991.

C. Without in anyway limiting, or being limited by, subrules A, B, D, E, G and H, the membership of the Union shall also consist of any persons employed by the Australian Broadcasting Corporation with the exception of Actors, Dancers, Vocalists, Musicians, Journalists and persons employed in the following positions:

Deputy General Manager, Assistant General Manager, Assistant General Manager (General), Controller of Technical Services, Controller, News Services, Controller of Programmes, Controller, Management Services, Controller of Finance, Federal Director of Television Programmes, Federal Director of Radio Programmes, Federal Director of Programme Services, Director of Music, Director, Drama and Features (Radio), Director, Drama (Television), Director of Talks, Director of Light Entertainment, Director of Education, Director of Rural Broadcasts, Director of Personnel, Director of News (Radio), Director of News (Television), Director, Sporting Broadcasts, Director, Planning (Radio), Director of Overseas Services, Director, Organisation and Methods, Director of Branch Operations (Television), Director of Operations (Radio), Assistant Federal Director, Television Programmes, Assistant Director of Music (Programmes), Assistant Director of Music (General), Assistant Director of Drama and Features (Radio), Assistant Director of Light Entertainment, Assistant Director of Education, Assistant Director of Rural Broadcasts, Federal Budget Officer, Federal Supervisor, Religious Broadcasts, Federal Supervisor, Production Facilities, Federal Supervisor, Children's Sessions, Federal Talks Supervisor (General Talks), Federal Talks Supervisor (News/Talks), Federal Concert Manager, Chief Film Officer, Head of Special Projects, Head of Science Programmes, Head of Secretariat, Supervisor, Buildings Planning, Superintendent,

Office Services, Superintendent, Training and Welfare, Administrative Officer (Concerts), Administrative Officer (Industrial), Manager for Victoria, Manager for Queensland, Manager for South Australia, Manager for Western Australia, Manager for Tasmania, Manager for Papua/New Guinea, Assistant Manager for Victoria, Assistant Manager for Queensland, Assistant Manager for South Australia, Assistant Manager for Western Australia, Assistant Manager for Tasmania, Director of Programmes, NSW, Director of Programmes, Vic, News Editor, Victoria, Supervising Engineer, NSW, Supervising Engineer, Vic

PROVIDED THAT such members, who have been elected or appointed as Officers or Organisers of the Union shall continue to be financial members of the Union.

D. Without in any way limiting, or being limited by, subrules A, B, C, E, G and H, the membership of the Union shall also consist of:

(a) Any person holding a certificate of competency as meat inspector and employed in such capacity in the Australian Public Service, shall be eligible for membership on written application.

(b) Any person from time to time employed in the inspection and/or grading and/or packing of dried and/or fresh and/or canned fruits and/or dehydrated and/or canned and/or frozen vegetables and/orfish and/or fish products by any Australian Government Department or branch.

E. Without in any way limiting, or being limited by, subrules A, B, C, D, G and H, the membership of this Union shall also consist of:

(1) Any person with professional qualifications permanently or temporarily employed in:

1. The Australian Public Service;

2. The Public Service of the Northern Territory;

3. The Public Service of the Australian Capital Territory;

4. The service of any public institution or authority of the Australian Government whether such service is in the Australian Public Service or not; or

5. The service of any public institution or authority of the Northern Territory Government whether such service is in the Northern Territory Public Service or not,

in a professional capacity approved by the National Council on the recommendation of the Division Council shall be eligible for membership.

The following professions are approved:

1. Engineers:

(a) civil;
(b) mechanical;
(c) electrical;
(d) mining;
(e) marine;

(f) military;
(g) lighthouse;
(h) ship construction.

2. Architects and quantity surveyors.
3. Chemists.
4. Analysts and metallurgists.
5. Meteorologists.
6. Surveyors.
7. Draughtsmen.
8. Medical Officers, including surgeons.
9. Actuaries and statisticians.
10. Barristers and solicitors.
11. Biochemists.
12. Valuers:

(a) those persons who at the 1st day of January 1940 were classified as assistant valuer, valuer, senior valuer or chief valuer;

(b) those persons who may be appointed as valuers:

(i) who have graduated in architecture, surveying, agriculture or allied professions;

(ii) who are members of the Institute of Valuers; or

(iii) who have practised as valuers for a period of at least twelve years.

13. Any avocation requiring qualifications of a standard equivalent to those required for any of the foregoing professions, and which may be approved by the National Council on the recommendation of the Division Council.

Nothing in this subrule shall affect the rights of existing members.

(2) In addition to the professions included in Rule 2E(1) above, the following professions are also approved:

14. Agricultural Economist.
15. Agricultural Scientist.
16. Anthropologist.
17. Arboriculturist.
18. Assayer.
19. Bacteriologist.
20. Bibliographer.
21. Biologist.
22. Botanist.
23. Dentist.
24. Diplomat.
25. Economist.
26. Engineer:

(a) Aeronautical
(b) Chemical
(c) Electronic
(d) Radio
(e) Communications

27. Entomologist.
28. Forester.
29. Geologist.
30. Geophysicist.
31. Histologist.
32. Librarian.
33. Mathematician.
34. Mycologist.
35. Naval Architect.
36. Palaeontologist.
37. Pedologist.
38. Psychologist.
39. Scientist.
40. Social Worker.
41. Surveyor:

    (a) Engineer and Ship
    (b) Nautical and Ship

42. Timber Technologist.
43. Veterinarian.
44. Educationist.
45. Geographer.
46. Physicist.

(3) The professional capacities approved by the National Council on the recommendation of the Divisional Council with respect to persons employed in the service of the Commonwealth Serum Laboratories Commission are as follows:

1. Agricultural Scientist.
2. Bacteriologist.
3. Biochemist.
4. Botanist.
5. Chemical Engineer.
6. Chemist.
7. Engineer.
8. Haematologist.
9. Microbiologist.
10. Medical Practitioner.
11. Mycologist.
12. Serologist.
13. Statistician.
14. Veterinarian.

(4) Any persons permanently or temporarily employed in:

1. The Australian Public Service;

2. The Public Service of the Northern Territory;

3. The Public Service of the Australian Capital Territory;

4. The service of any public institution or authority of the Australian Government whether such service is in the Australian Public Service or not; or

5. The service of any public institution or authority of the Northern Territory Government whether such service is in the Northern Territory Public Service or not,

shall be eligible for Associate Membership under the following conditions:

1. A candidate for Associate Membership shall produce evidence that:

   (a) he/she is not less than 16 years of age;

   (b) his/her standard of education is sufficient to admit him/her to a course of tertiary education;

   (c) he/she is undergoing a course of training leading to a professional qualification; and

   (d) he/she is recommended for admission as an Associate member by two members of the Union.

2. An Associate Member shall submit, annually, a statement of progress of his/her course of training to the Professional Division Secretary. If an Associate Member fails to submit a statement, or if his/her progress is not satisfactory, the Professional Division Secretary shall remove his/her name from the Register of Associate Members.

3. The Professional Division Secretary shall, unless special reasons are shown to warrant a further extension, remove from the Register the name of an Associate Member who has not become eligible for ordinary membership under Rule 4E within eight years of the date of his/her admission.

4. An Associate Member may attend and vote at all meetings of the Union, take part in the debates, vote in all elections for which he/she is eligible, stand for election for any office in the Union, and be co-opted to any Committee.

5. On becoming eligible for admission as an ordinary member under Rule 4E, he/she shall cease to be an Associate Member and automatically become an ordinary member. He/she shall from that date be liable for all moneys due and payable by an ordinary member under these rules.

F. Notwithstanding anything to the contrary in sub-rules A, B, C, D, E nd I:

(1) Persons shall not be eligible for membership of the Union if those persons:

   (a) are engaged in technical, trades or production functions, including persons performing supervisory or managerial duties directly related to those functions, in or in connection with electronic, electrical, or mechanical work in the telecommunications industry, Australian Postal Corporation and the Department of Transport and Communications;

   (b) are performing operator functions including persons performing supervisory or managerial duties directly related to those functions in the telecommunications industry and the Australian Postal Corporation;

unless those persons are eligible for membership of the Union in accordance with its conditions of eligibility rule as at 27 March 1992.

(2) Persons who are employed by employers engaged in or in connection with:

(a) the manufacture and distribution of cables and other conductors for the transmission of energy, or

(b) processes connected with or incidental to such manufacture and distribution,

shall not be eligible for membership of the Union unless such persons were eligible for membership of the Union as at 19 November 1991;

(3) Persons employed directly in supervising and/or operating and/or installing and/or maintaining and/or servicing an internal telecommunications system and are eligible for membership of the Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union pursuant to Rule 5, Part 1 and Part 2 of the Australian Municipal, Transport, Energy, Water, Ports, Community and Information services Union's rules as at 20 November 1991 shall not be eligible for membership unless the person was also eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 20 November 1991.

(4) Persons employed to service, repair, maintain, structurally alter and/or assemble business equipment (excluding typewriters) in the telecommunications industry and are eligible for membership of the Australian Municipal, Transport, Energy, Water, Ports Community and Information Services Union pursuant to Rule 5, Part 3 of the Australian Municipal, Transport, Energy, Water, Ports, Community and Information Services Union's rules as at 20 November 1991 shall not be eligible for membership unless the person was also eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 20 November 1991. Without limiting the generality of the foregoing, the term "business equipment" shall be deemed to include inter alia, cash registers, accounting machines, adding machines, calculators, computers and peripheral equipment.

(5) Persons shall not be eligible for membership of the Union if those persons are engaged in technical, trades or production functions, including persons performing supervisory or managerial duties directly related to those functions, in or in connection with electronic, electrical or mechanical work in the electrical, electrical contracting and telecommunications industry, including telecommunications manufacturing and servicing unless those persons are eligible for membership of the Union in accordance with its conditions of eligibility rule as at 27 March 1992.

(6) Any person eligible for membership of the Australian Postal and Telecommunications Union in accordance with its conditions of eligibility for membership rule as at 18 October 1991 shall not be eligible for membership unless that person was also eligible for membership of the Australian public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 18 October 1991.

(7) Persons engaged in any of the following:

(i) providing postal services, and/or

(ii) receiving, sorting, despatching, processing or delivering mail, and/or

(iii) providing, installing or maintaining telecommunications services including persons performing the functions which are specified in the communications officer structure as set out in clause 51 of the Telecom/APTU Award as at 30 August 1991, and/or

(iv) driving, and/or

(v) storing goods and materials, and/or

(vi) labouring, patrolling, gardening or cleaning, and/or

(vii) cooking, general kitchen duties or serving food, and/or

(viii) drafting, and/or

(ix) oversighting or supervising any of the above services or functions.

shall not be eligible for membership unless:

(a) that person is performing tasks which if performed by that person in employment with either the Australian Telecommunications Corporation or the Australian Postal Corporation (or any successor thereto) as at 18 October 1991 would make that person eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment or

(b) that person would have been eligible for membership of the Australian Public Sector and Broadcasting Union, Australian Government Employment in accordance with its conditions of eligibility for membership rule as at 18 October 1991.

(8) This sub-rule has no application to persons eligible for membership under sub-rules G and H of this Rule.

G. Without in any way limiting, or being limited by, subrules A, B, C, D, E, F and H, the persons eligible for membership of this union shall also include:

All persons engaged or employed in the utilization, operation, control, maintenance, installation, inspection, accounts, rates, instruction, repair and service of apparatus used for radio telegraphy, radio telephony, radio television, radio facsimile, radio signals, cable operations, cable technology, cable engineering, teleprint operation, radar operation, beam and cable accounting and checking, and/or any of their kindred or associated branches as applied to the land, sea, or air; and shall include all persons engaged or employed as marine radio operators, assistant marine radio operators, junior marine radio operators, marine radio inspectors, marine radio technicians, marine radio engineers who carry out installations, service and maintenance of radio apparatus on any vessel, and all radio engineers, radio technicians, radio mechanics, control room operators and panel operators

engaged on broadcasting stations (other than those under the control of the Australian Broadcasting Commission), and all radio engineers, radio technicians, radio operators, operators-in-charge, radar operators, radio examiners, radio inspectors engaged in aeradio stations throughout Australasia and the Islands of the Pacific (Department of Civil Aviation). All superintendent radio engineers, radio station masters, senior radio operators, radio operators, radio technicians, radio mechanics, riggers and assistant riggers engaged on coastal radio service stations throughout Australasia and the Islands of the Pacific, and all radio engineers, radio technicians, radio mechanics, riggers, assistant riggers, and cadets or apprentices engaged on beam wireless transmitting or receiving stations throughout Australasia and the Islands of the Pacific. All superintendents, supervisors, assistant supervisors, house engineers, supervising technicians, technicians, senior telegraphists, telegraphists, junior telegraphists, senior despatch clerks, despatch clerks, counter clerks, service clerks, accounts clerks, rates clerks, invoice clerks, phonogram clerks, bundlers or messengers engaged or employed in beam wireless and cable receiving or transmitting offices of Overseas Telecommunications Commission, Australia, or any branch or depot of such offices throughout Australasia and the Islands of the Pacific. All observers, observers (radio) and senior observers (radio) employed by the Bureau of Meteorology, Department of the Interior. All radio officers, engaged on any aircraft flying within Australasia and the Islands of the Pacific and beyond, and engaged or employed by any Company, Corporation, Commission, Department or Establishment in Australasia or the Islands of the Pacific, who carry out operations or services from the Australian mainland. All instructors engaged in any school or college where wireless or radio theoretical or practical instruction is given or taught, together with other persons whether employed in any of the abovementioned occupations, who are officers of the Union and have been admitted as members thereof.

Provided that nothing herein shall be taken as covering employees engaged in the manufacture of radio apparatus or appurtenant elements or in the maintenance, installation and/or servicing of radio elsewhere than in transmitting, receiving, aviation, radio service depots and/or telegraphic or cable stations, not including the fabrication or erection of masts, machinery, or other gear used in connexion therewith.

H. Without in any way limiting, or being limited by, subrules A, B, C, D, E, F and G shall also consist of:

(i) persons employed by the Commonwealth Scientific and Industrial Research Organisation in the following occupations or industrial pursuits whether in a trainee, practitioner, specialist or managerial capacity:

scientist, engineer, architect, librarian, scientific services officer and translator

or who are engaged in occupations or industrial pursuits the duties of which involve the possession of qualifications equivalent to those involved in these occupations or industrial pursuits.

(ii) persons employed by the Commonwealth Scientific and Industrial Research Organisation in the following classifications, designations, occupations or industrial pursuits whether in a practitioner, specialist, managerial, or trainee capacity:

(a) Senior Technical Officer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of senior technical officer, senior technician, principal technical officer, principal technician, chief technical officer or chief technician by whatever name called.

(b) Technical Officer or Technician which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of technical officer or technician by whatever name called.

(c) Technical Assistant (Laboratory) or Assistant (Laboratory Services) which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of technical assistant (laboratory), assistant (laboratory services), technical assistant, laboratory assistant, or laboratory services assistant by whatever name called.

(d) Library Officer or Assistant Library Officer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of library officer, assistant library officer, library technician or library assistant by whatever name called.

(e) Photographer or Graphic Designer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of photographer or graphic designer by whatever name called.

(f) Information Officer which expression shall, without limiting the generality thereof, include employees designated as or usually performing the duties of information officer by whatever name called.

(g) Persons whose duties require them to possess qualifications or skills equivalent to those involved in the foregoing classifications, designations, occupations or industrial pursuits.

who are engaged in research or research support, which expression shall, without limiting the generality thereof, include the dissemination or application of research outcomes to industry; together with such other persons, whether employed in the industry or not, as have been appointed or elected officers of the Union and admitted as members of such.

I. Any person who is eligible for membership of the Union under the provisions of any of the subrules in Rule 3 and the preceding subrules in Rule 2 shall not be excluded from membership of the Union by any other subrule in Rule 3 and the preceding subrules in Rule 2.

J. Notwithstanding anything to the contrary in subrules A, B, C, E, F, G, H and I persons who are members, staff members or special members of the Australian Federal Police are not eligible for membership of the Union under subrules A, B and C. This subrule has no application to persons eligible for membership under subrule D.

K. Notwithstanding anything to the contrary in subrules A, B, C, D, E, F, G, H and J all persons employed by the First Licensed carriers as defined hereunder, in or in connection with the telecommunications industry shall not be eligible for membership of the Union.

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

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

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

L. Notwithstanding anything to the contrary in sub-rule G, all persons employed or engaged in the function of ROV Pilots/Technicians in or in association with the operation, utilisation, control, maintenance, installation, repair and service of remotely operated sub sea vehicles and associated equipment shall not be eligible for membership of the Union.

M. Notwithstanding anything to the contrary in sub-rules A, B, C, D, E, F, G, H, I and J all persons employed by Telecom Technologies Pty Limited shall not be eligible for membership of the Union.

PART II

SECTION 1.

In this section -

(a) References to "this rule" (or similar expressions) shall be construed as referring to this Section only of this rule and shall not be construed as limiting the scope of Section II hereof.

(b) References to persons not being eligible for membership of the Union (or similar expressions) shall be construed as limited to such persons not being eligible for membership under this Section of this rule.

(A) The Union shall consist of an unlimited number of employees employed by -

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

(ii) any statutory body representing the Crown in right of any State or States;

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

(iv) any company or corporation in which at least fifty per centum of the issued shares are held by or for on behalf of or in the interest of the Crown in right of any State or States or if there

are no issued shares, in which the governing body by whatever name called includes nominees appointed by or for or on behalf of or in the interest of the Crown in right of any State or States

in or in connection with any one or more of the industries of:

Brickmaking and quarrying

Building and construction

Harbours including dockyards jetties and coastal waters excluding the industry of shipping

Engineering

Finance and investment in commercial or private undertakings or projects and purposes of a non-governmental character excluding the industries of banking and credit unions

Housing including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land construction of residential premises for sale or lease and management of developed properties

Insurance but in Queensland, to the extent only of persons who are:-

(i) permanent employees of the Queensland Government or (in relation to the Crown in the right of the State) of a Crown Corporation, Crown Instrumentality or Minister representing the Crown; and

(ii) (a) employed in Suncorp Insurance and Finance as that body operated on 1 October, 1991 or any Public Sector successors of that body to the extent that such successor performs the functions of that body, or

(b) employed in the Workers' Compensation Board of Queensland as that body operated on 1 October, 1991 or to public sector successors of that body to the extent that such successor performs the functions of that body.

Manufacturing for commercial or private undertakings of purposes of a non-governmental character

The storage, conveyance and marketing of dairy and farm produce, fish, meat, grain, coal and coke but excluding the sale of any of the foregoing commodities by wholesale or retail

Medical officers and paramedical officers excluding legally qualified Medical Practitioners or persons studying or training to obtain such qualifications

Mining

Power and fuel supply and sale excluding the manufacture distribution or sale of gas however defined provided that this exclusion shall not apply to salaried employees of The Pipelines Authority of South Australia

Printing and publishing provided that the Union shall maintain but not extend its industrial coverage of employees who are covered by Federal or State Awards and Agreements or State or Federal Determinations in the printing industry

Regional Development and redevelopment including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land for mixed commercial residential and public use

Theatrical and amusements of any kind whether outdoor or indoor or in or about theatre halls sports exhibitions and agricultural shows but not so as to include employees not engaged in administrative and clerical duties and excluding the industry of professional musicians

Tourism including without limiting the generality thereof the acquisition planning survey restoration improvement management and promotion of Zoological and National Parks, places of historic interest, resorts and tourist attractions generally excluding the transport of passengers or goods by land water or air

Universities and colleges of advanced education but not including academic staff

Water conservation and irrigation including without limiting the generality thereof the storage transport inspection control metering and sale of water

(B) The Union shall also consist of an unlimited number of employees employed by -

(i) The Crown in right of any State or States;

(ii) any statutory body representing the Crown in right of any State or States;

(iii) any instrumentality or authority whether corporate or unincorporate acting under the control of or on behalf of or in the interest of the Crown in right of any State or States;

(iv) any company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in right of any State or States or if there are no issued shares, in which the governing body by whatever name called includes nominees appointed by or for or on behalf of or in the interest of the Crown in right of any State or States

and which employees are engaged in any one or more of the industrial pursuits of

Architects and Naval Architects

Chemical Engineers, Civil Engineers, Communication Engineers, Electrical Engineers, Electronic Engineers, Hydraulic Engineers, Marine Engineers, Mechanical Engineers, Metallurgical Engineers, Mining Engineers, Production Engineers, Radio Engineers, Railway Engineers, Road Engineers, Structural Engineers, Water and Sewerage Engineers and Wireless Engineers

Building Surveyors, Engineering Surveyors, Geodetic Surveyors and Computers, Hydrographic Surveyors, Land Surveyors, Marine Surveyors, Mining Surveyors, Quantity Surveyors, Survey Computers and Topographical Surveyors

Architectural Draughtsmen, Cartographers, Cartographic Draughtsmen, Chemical Engineering Draughtsmen, Civil Engineering Draughtsmen, Electrical Engineering Draughtsmen, Engineering Draughtsmen, Estimating Draughtsmen, Hydraulic Engineering Draughtsmen, Jig and Tool Draughtsmen, Marine Engineering Draughtsmen, Mechanical Engineering Draughtsmen, Mining Engineering Draughtsmen, Photogrammetric Draughtsmen, Production Engineering Draughtsmen, Radio Engineering Draughtsmen, Railway Engineering Draughtsmen, Road Engineering Draughtsmen, Ship Building Draughtsmen, Structural Draughtsmen, Survey Draughtsmen, Water and Sewerage Engineering Draughtsmen, Wireless Engineering Draughtsmen and Technical Illustrators

Medical officers including paramedical officers excluding legally qualified Medical Practitioners or persons studying or training to obtain such qualifications

Tracers

Certified Mine Managers, Engineering Inspectors, Building Inspectors, Testers of Engineering Materials, Supervisors of Engineering Production, Planners of Engineering Production, Construction or Maintenance Work, Weather Officers

Technical Assistants and Technical Officers

Social Welfare Work, Child Care, Provision of Social Services, Charity Work and without limiting the generality of the foregoing probation and parole services including rehabilitation programme management, youth and community services, ethnic affairs, drug referral and rehabilitation, child and family care services, retarded persons services, mental health services and counselling in institutions, community centres and crisis service areas

Non-academic staff employed by Universities and Colleges of Advanced Education

(C) The Union shall also consist of such other persons (not being any persons employed by any employer excluded in Rules 3(A) or 3(B)) as are officers of the Union or who may lawfully be or become members of a registered organisation of employees having the constitutional coverage and eligibility for membership set forth in sub-rule (A) and (B) of rule 3. Constitution of the rules of the Union.

(D) In the State of New South Wales the Union shall also consist of -

(a) Employees of the Crown in Right of the State of New South Wales; for the purposes of this Constitution the term "employees of the Crown" without limiting the ordinary meaning of the term shall include employees of any person, firm, board, trust, company or corporation employing persons on behalf of the Government of the State; and

(b) Foreman Engineers and Administration Officers exercising supervisory duties employed by the Board of Fire Commissioners; and

(c) (i) Employees who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or employees in training in a public or private hospital or public dental clinic, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist);

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor and Alcoholism Counsellor, Chiropodist (or Pediatrist), whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution deemed by the employer to be of similar standing.

(ii) Employees of any organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or as employees in training, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast;

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor, Alcoholism Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution deemed by the employer to be of similar standing but excluding employees howsoever qualified who are engaged or usually engaged in the callings or avocations of Child Care Officer, Library Officer or Remedial Gymnast in a Domiciliary institution operated by an organisation registered or exempt from registration as aforesaid.

(iii) Employees who are engaged or usually engaged in the callings or avocations whether as principal or assistant employees or

as employees in training of School Dental Therapist, Dental Chairside Assistant or Dental Technician in a public hospital or by an organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, or a public dental clinic.

(iv) Provided that in the case of the callings or avocations of Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer;

(I) The certificate referred to above shall require at least two years full-time or three years part-time post Higher School Certificate level study.

(II) The institution referred to above is reasonably and properly 'deemed' by an employer.

(III) The employees are or should be reasonably and properly designated and classified as Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer respectively.

(d) Persons employed by -

(i) Colleges of Advanced Education;

(ii) The University of New South Wales, the University of Newcastle, the University of Wollongong or any Universities formed from a College of these Universities;

(iii) Agriculture Colleges;

including in each case

Foreman, Laboratory Craftsmen and those employed in a supervisory capacity

(iv) Persons employed by, or usually employed by or on behalf of The University of Sydney, Macquarie University and the University of New England in or in connection with one or more of the following industries or industrial pursuits

General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officers.

(e) The employees of the United Dental Hospital of Sydney.

(f) Employees of the administrative, clerical and general staff of the Legislative Assembly and of the Legislative Council.

(g) Senior executives, managers - country branches, inspectors, sales supervisors, engineers, laboratory staff, floor and production management and senior clerical officers employed by the New South Wales Egg Corporation.

(h) Persons in the Departments of Education or Technical and Further Education, Colleges of Advanced Education and in such other Departments, Sub-Departments or Institutions who are employed by any New South Wales Education Commission or its agents.

(i) Associates to Justices.

(j) Without in any way limiting the application of paragraphs (a) and (c) hereof:

(i) Persons employed in regional offices of any Department of State or corporation or body established by statute of the State of New South Wales administering or providing health services in the State of New South Wales and including such persons whose employment fulfils a function of such a regional office but who, due to the nature of their duties, are not employed within the precincts of that office.

(ii) Persons employed in or by area or community health services (howsoever called) other than persons engaged in non-professional duties in,

(a) a State Public Hospital;

(b) a community health centre located within the precincts of a State Public Hospital; or

(c) an area health service (not being a community health centre) located outside the precincts of a State Public Hospital.

For the purposes of this sub-paragraph the term "non-professional" duties shall mean duties other than those performed by the persons described in paragraph (D)(c) of this rule.

(iii) Persons, other than those described in paragraph (D)(c) of this rule, employed at the Sexually Transmitted Diseases Clinic and the Medical Examination and Immunisation Centre whilst such establishments are operated at locations not within the precincts of a Public Hospital by which such persons are employed.

(iv) Persons employed in or by or in connection with the administration of:

The Drug and Alcohol Authority
New South Wales State Cancer Council
The United Hospitals Auxiliary
The Institute of Psychiatry

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

(vi) For a period of three years from the making of an order pursuant to the Health Administration Act, 1982, persons other than those referred to in sub-paragraphs (i) - (iv) hereof, who by virtue of that order would not otherwise be eligible for membership in the Union, provided that at the time of the making of the order such persons were members of the Union.

Provided that nothing in this paragraph shall render eligible for membership in the Union persons engaged in the professions of nursing or mental nursing employed as trained nurses, trainees and assistants in nursing.

(k) Without limiting the generality of the foregoing paragraphs hereof, persons employed in or in connection with the provision of or rendering of medical and/or para-medical services in penal or like establishments deemed or proclaimed to be a prison pursuant to the Prisons Act, 1952, to persons incarcerated or otherwise detained.

(l) Persons employed at the Sydney Entertainment Centre in administrative, clerical, technical, professional or managerial capacities, including employees of any lessee of the Centre for operation as a place of entertainment, provided such persons are not employed to perform front-of-house activities nor engaged in any other capacity in or in connection with the selling of goods.

(m) Employees of the Australia Music Centre Ltd., and of any successor, assignee or transmittee of the business and/or functions of the said corporation or any part thereof.

(n) Without limiting the generality of any of the foregoing paragraphs hereof, all employees of the Joint Coal Board.

(o) Employees of the Totalizator Agency Board of N.S.W. performing duties for which the commencing salary is above the highest salary level for Branch Assistant Manager.

(E) In the State of South Australia the Union shall also consist of an unlimited number of persons -

(a) Employed permanently or temporarily in the Public Service within the meaning of the Government Management and Employment Act, 1985.

(b) Employed by or under any Board, Trust, Commission, Commissioner, Committee, or other public or statutory authority, appointed by the South Australian Government.

(c) Employed as Timekeepers, Foremen, or Inspectors in any department of the Public Service of South Australia.

(d) Employed on annual salary in any hospital or institution by or under the control of the South Australian Government.

(e) Employed by the Board or Committee of Management of the Adelaide Children's Hospital Incorporated, The Queen Victoria Hospital Incorporated, Lyell McEwin Hospital Incorporated, The Julia Farr Centre Incorporated, Minda Home Incorporated and any Hospital or Health Centre Incorporated under the South Australian Health Commission Act 1975-1976 as amended and any other public or country community hospital or health centre.

(f) Employed as Executive Officers or in administrative, managerial or in a professional capacity by the Foundation for Multi Disciplinary Education in Community Health.

(g) Employed as nurses by the following State Government Hospitals - The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, The Modbury Hospital, the Whyalla

Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Walleroo Hospital, Ru Rua Nursing Home.

(h) Employed as nurses who are Public Servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(i) Employed as nurses pursuant to direct Ministerial appointment (but not persons employed by "subordinates" of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to s.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(j) Employed as nurses in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(k) Employed as nurses by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(l) Employed as Dental Nurses.

(m) Notwithstanding anything contained in this rule, persons employed by the State Transport Authority of South Australia in a supervisory, clerical, administrative or inspectorial capacity who are members of the Union as at 20th day of August, 1993 for so long as they remain members of the Union and engaged in a supervisory, clerical, administrative or inspectorial capacity within the STA of SA.

(F) In the State of Tasmania the Union shall also consist of an unlimited number of persons employed in a permanent or temporary capacity by -

(a) the State;

(b) a State Authority which means any persons or body of persons or Authority, whether corporate or unincorporate, which is constituted or established under the authority of any Act or under Royal prerogative for the State of Tasmania;

(c) a State public hospital which means any hospital receiving aid from the State that is prescribed as a State public hospital and with which a board is charged with the management, maintenance, and regulation. Provided that nothing in this paragraph shall render eligible for membership of the Union any person employed on the general staff and/or nursing staff of a State public hospital in the State of Tasmania.

(G) In the State of Victoria the Union shall also consist of -

(a) Persons employed in the Public Service of Victoria or employed in any State instrumentality or other undertaking carried on by public authorities, commissions, or corporations under any State charter,

statute, enactment, or proclamation of the State of Victoria and including any such person transferred or on loan to the Public Service of another State or to any instrumentality or other undertaking carried on under any statute, charter or enactment or proclamation of any State.

(b) Notwithstanding anything contained in this rule, persons employed by the Rural Water Corporation, Wimmera Mallee Rural Water Authority, Southern Rural Water Authority, Gippsland Rural Water Authority, Goulburn Murray Rural Water Authority and Sunraysia Rural Water Authority where the functions and activities of those bodies were undertaken by the Rural Water Corporation as at 22 November 1993.

(H) In the State of Western Australia the Union shall also consist of an unlimited number of persons -

(a) employed as an officer under and within the meaning of the Public Service Act, 1978-1980, or

(b) employed under the Forests Act, the Main Roads Act, or any Act now in force or hereafter enacted whereby any Board, Commission or other body is constituted to administer any such Act, or

(c) otherwise employed in any of the established branches of the Public Service of the State of Western Australia including State trading concerns, business undertakings and government institutions controlled by boards.

Exclusions

Notwithstanding anything hereinbefore contained

(i) Any person who is employed by any instrumentality of the Crown including without limiting the generality of the foregoing the following instrumentalities:-

Victorian Instrumentalities

Ballarat Water Board
Bendigo Water Board
Road Construction Authority of Victoria
Dandenong Valley Authority
Gas & Fuel Corporation
Port of Geelong Authority
Geelong Water Board
Latrobe Water Board
Melbourne Harbour Trust
Melbourne & Metropolitan Board of Works
The Metropolitan Transit Authority
Port of Melbourne Authority
State Transport Authority
State Electricity Commission of Victoria
Hospital & Charities Commission
Housing Commission

Western Australian Instrumentalities

Fremantle Port Authority
Main Roads Department
Western Australia Railways
State Energy Commission

South Australian Instrumentalities

Electricity Trust of South Australia
South Australian Housing Trust
The Pipelines Authority of South Australia

Tasmanian Instrumentalities

Marine Board of Burnie
Marine Board of Devonport
Marine Board of Hobart
Hydro-Electric Commission
Port of Launceston Authority
Hobart Regional Water Authority
Tasmanian Department of Transport

New South Wales Instrumentalities

Electricity Commission
Urban Transit Authority
Hunter District Water Board
Department of Main Roads
Maritime Services Board
Metropolitan Water, Sewerage and Drainage Board
Department of Motor Transport
Water Resources Commission
State Rail Authority
Traffic Authority of N.S.W.

and is or has been a Corporate Member or Graduate Member of The Institution of Engineers, Australia, or has passed the prescribed examinations for or is the holder of qualifications published by The Institution of Engineers, Australia, as granting eligibility for Graduate or Corporate membership of the said Institution or in respect of whom The Institution of Engineers, Australia, has given written notification that his qualifications would render him eligible for Graduate or Corporate Membership of the said Institution shall not be eligible for membership of the Union.

(ii) Any person who is employed in the tourist promotion section of the Public Transport Commission of N.S.W., the tourist promotion section of Victorian Railways, the Mt. Buffalo Chalet operated by the Victorian Railways or the tourist section of the marketing division of the N.S.W. Public Transport Commission

shall not be eligible for membership of the Union.

(iii) Any person employed by:

Australian National Railways Commission
Melbourne and Metropolitan Board of Works
Road Construction Authority of Victoria

Hydro-Electric Commission of Tasmania
Australian Mineral Development Commission
Electricity Trust of South Australia
State Electricity Commission of Victoria
Port of Geelong Authority
Melbourne Harbour Trust
Port of Melbourne Authority

The Metropolitan Transit Authority
Metropolitan Transport Trust of Tasmania
State Energy Commission of Western Australia
Maritime Services Board of N.S.W.
Melbourne Wholesale Fruit and Vegetable Market Trust
Pest Plant Control Boards in the State of South Australia
Vertebrate Pest Control Boards in the State of South Australia [Provided that Pest Plant Control Boards and Vertebrate Pest Control Boards shall neither mean nor include any or all of the Pest Plant Commission, the Vermin Control Administration Committee or the Vertebrate Pest Control Authority each in the State of South Australia]
Totalizator Board of Victoria
Totalizator Agency Board of South Australia as a casual employee
Totalizator Agency Board of Tasmania

shall not be eligible for membership of the Union.

(iv) Any person employed in a professional capacity by:

Public Transport Commission of N.S.W.,
Commissioner for Motor Transport, N.S.W.,
Victorian Railways Board,
Railway Construction Board, Victoria,
Transport Commission, Tasmania,
Western Australian Government Railways Commission,
State Transport Authority of South Australia (Rail Division)

shall not be eligible for membership of the Union.

(v) Employees of Municipal County Shire Councils Trusts or other Local Government Authorities (other than employees of the Sydney Cove Redevelopment Authority), Water Supply Boards or Trusts (other than employees of the New South Wales Water Resources Commission, the Metropolitan Water Authority of Western Australia and the Metropolitan Water Board of Tasmania), Sewerage Boards or Trusts (other than employees of the New South Wales Metropolitan Waste Disposal Authority), Road Boards (other than employees of the New South Wales Department of Main Roads and the Western Australian Main Roads Department), Electricity Supply and Generation Authorities (other than professional administrative clerical or salaried technical staff of the Electricity Authority or the Electricity Commission of New South Wales), employees (other than administrative or clerical staff) of any Western Australian Park Reserve Racecourse or Cemetery Board or Trust and employees of Port Authorities in the State of Queensland (other than the Port of Brisbane Authority)

shall not be eligible for membership of the said Union.

(vi) (a) Any person employed by a University other than The University of New South Wales (but not so as to include The Medical School of The University of New South Wales), The University of Newcastle, The University of Wollongong, the University of Western Australia, Murdoch University and/or their respective colleges or any

university which may be formed as a result of granting autonomy to any such college, or persons employed in the industry of Librarianship and any related or ancillary or incidental activity within:-

(i) The University of Sydney
(ii) Macquarie University
(iii) New England University,

shall not be eligible for membership of the said Union

(b) Any person employed by a College of Advanced Education in any State as a member of the academic staff (which shall include Directors, Principals, Deputy and Assistant Directors or Principals, by whatever name called) shall not be eligible for membership of the said Union provided that the following Agriculture Colleges in the State of New South Wales shall not be regarded as Colleges of Advanced Education:

C B Alexander Agriculture College, Tocal
The Murrumbidgee College of Agriculture

(vii) Any person employed by,

I. The Crown in the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever;

II. Any,

(a) statutory body representing the Crown;

(b) instrumentality or authority whether corporate or unincorporate acting under the control of or for or behalf of or in the interest of the Crown;

(c) company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown;

which has as its function the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever; or

has as one of its functions the actual operation of such a system or systems of public transportation but only those persons employed in or in connection with the operation of these system or systems;

shall not be eligible for membership of the Union.

III. (A) The foregoing exclusion however shall not render ineligible for membership employees of the following statutory bodies, departments or ministries, notwithstanding that such statutory bodies, departments or ministries did not in the past operate or are not at present operating a system or systems of public transportation:-

(a) Western Australian Coastal Shipping Commission
(b) Albany Port Authority
(c) Bunbury Port Authority

(d) Esperance Port Authority
(e) Fremantle Port Authority
(f) Geraldton Port Authority
(g) Port Hedland Port Authority
(h) State Transport Commission (WA)
(i) Ministry of Transport (Victoria)
(j) Road Traffic Authority (Victoria)
(k) Commissioner for Motor Transport or Department of Motor Transport (N.S.W.)
(l) Department of Transport (S.A.)
(m) Any statutory body, department or ministry which in the future assumes the current functions of any of the employers specified in such paragraphs (a) to (l) hereof.

(B) Provided further that if any of the bodies, departments or ministries specified or referred to in (A) hereof operates a system of public transportation the persons employed in or in connection with the actual operation of that public transportation system shall not be eligible for membership of the Union.

(viii) The following persons shall not be eligible for membership of the Union in the State of New South Wales:

(a) Persons employed by Colleges of Advanced Education, the University of New South Wales, the University of Newcastle, the University of Wollongong and any University formed from a college of those Universities whose ordinary duties consist of work usually performed by watchmen, caretakers, cleaners, tea attendants, together with persons (other than foreman, laboratory craftsmen and those employed in a supervisory capacity) employed as carpenters, joiners, tile-layers, bricklayers, tuck-pointers, slaters, roof-tilers, shinglers, ridgers, cement-tilers or roof-fixers, painters, decorators, sign-writers, glazers, glass-cutters, paper-hangers, plasterers, plaster fixers, granolithic floor-layers, plumbers, gasfitters or pipe-fitters.

(b) Persons employed by the University of New South Wales, the University of Newcastle, the University of Wollongong and any University formed from a College of those Universities as academic staff.

(c) Persons employed by the United Dental Hospital in the profession of nursing as trained nurses, trainees and assistants in nursing.

(d) Persons employed by the Legislative Assembly and the Legislative Council as caretakers, cleaners, gatekeepers, lift attendants, tea attendants and watchmen.

(e) Persons in New South Wales who are employed as -

(I) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), engaged in pre-school, infant, primary or secondary public education controlled by the Government or employed by the Education Commission;

(II) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social

work or psychology or medicine), and trainee teacher advisers engaged in technical and further education or adult migrant education or employed in evening colleges;

(III) Education officers (performing teaching duties) and teachers working in the Department of Corrective Services;

(IV) Teachers seconded as officers of the Research and Guidance Branch of the Education Department.

(f) Persons appointed to be members of the Police Force of New South Wales in a non-commissioned capacity.

(g) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

(h) Employees of the Totalizator Agency Board of N.S.W. in clerical classifications for which the commencing salary is at or below the highest salary level for Branch Assistant Manager.

(i) Persons employed by any State Public Hospital in the retail sale of goods.

(j) Persons employed in the Education Department in or in connection with the operation of school canteens and kiosks but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

(k) Persons wholly, mainly or principally engaged (and however designated) in the work of lift attending, porter's work, tea attendant, cleaning and related pollution control (except persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers) and caretaking (except

persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers and also persons employed in or for a substantial part of their time in Court Houses, historic houses or Government House), or employed in child care centres, day nurseries, or pre-school kindergartens by the Department of Education or the Department of Technical and Further Education (other than teacher aides in pre-school kindergartens and nurseries within the grounds of public schools but excluding nursery cooks or nursery helps employed in the Department of Education Nursery Schools) or under the Youth Employment Scheme by Government Departments, other than by the Department of Corrective Services, but not excluding ancillary staff in schools and persons employed in supervisory positions above the level of the officer in charge of such a child care centre, or persons employed in a professional, inspectorial, administrative, clerical or technical capacity, provided that no persons employed by the United Dental Hospital shall be excluded by reason of this paragraph.

(ix) The following persons shall not be eligible for membership of the Union in the State of South Australia:

(a) Salaried Medical Officers

(b) Storemen and Packers

(c) Ministerial Press Secretaries

(d) Persons employed by Minda Incorporated below the level of and including the occupation of charge attendant and persons employed by the Electricity Trust of South Australia in the occupation of caretaker, cleaner, watchman or security officer.

(e) Employees engaged or usually engaged as electrical fitters, armature winders, electrical mechanics, battery winders, railway electricians, telephone fitters, radio workers, cable joiners, linesmen and lamp trimmers, electrical labourers,electric crane attendants, rail welders and their assistants, electrical welders whose work is associated with the work of an electrician, electricians engaged or usually engaged or employed in running and maintaining electrical plants dynamo, motor attendants or the like.

(f) Nurses other than:

(I) Nurses employed by the following State Government Hospitals -

The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, the Modbury Hospital, the Whyalla Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Wallaroo Hospital, Ru Rua Nursing Home.

(II) Nurses who are public servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(III) Nurses who are employed pursuant to direct Ministerial appointment (but not persons employed by subordinates of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to S.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(IV) Nurses employed in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital, who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(V) Nurses employed by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals, who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(g) Persons who are employed or are usually employed in any capacity whether permanent or casual in or in connection with:

(I) breweries, malt houses, bottling establishments, distilleries, wine cellars, wineries and spirit stores;

(II) aerated water, cordials, cider and ginger beer or other non-intoxicating beer factories and employees retailing to the public any of the products of these factories;

(III) hotels, wine saloons, wine bars, coffee palaces, coffee lounges, tea rooms, soda fountains, milk bars, fruit juice or flavour bars;

(IV) marine stores or yards, cork cutting factories, bottle washing establishments, patent yeast and vinegar factories;

(V) clubs, restaurants, meeting houses and board and lodging and apartment houses, catering establishments;

(VI) race courses, football grounds, cricket, dog racing, coursing and other sports grounds, industrial canteens, motels and casinos.

(h) Employees below the classification of foreman employed in the printing and kindred industries.

(i) Persons employed on a weekly or daily basis in the timber industry (provided that notwithstanding the generality of the foregoing, excluding persons employed as mill hands, saw men, timber graders or the like).

(j) Employees engaged or usually engaged in the process trade or business connected with or incidental to the manufacture, assembling or repairing of carriages, carts, wagons, trucks, railway cars, tram cars, motor cars, motor cycles, side cars, aircraft and other vehicles used in air transit and all other vehicles or parts thereof and whether in wood and/or metal and/or other material.

(k) Daily or weekly paid employees engaged in any of the following industries or callings:

Agricultural, horticultural, viticultural, construction or maintenance of roads, footpaths, aerodromes, bridges, reservoirs, lochs, drains, dams, weirs, channels, tunnels, school grounds or playgrounds, water and sewerage, land surveying and works and undertakings carried out by or on behalf of any local governing body.

(l) Persons employed or usually employed or engaged in or in connection with the industries or industrial pursuits of carpenters and joiners or as brick-layers, tuck pointers or in the trade or calling of a slater, roof tiler, shingler, ridger or cement tiler, fixer of roofing sheets of asbestos, fibre, fibrolite or cement mixtures and accessories, malthoid, sisalkraft or bituminous roofing materials and all accessories made of the same or similar materials.

(m) Carpenters and joiners, including ship's carpenters and joiners.

(n) Persons employed or engaged in or in connection with the industries of driving and the transport of persons and/or passengers and/or goods, wares, merchandise or any material whatsoever by or on vehicle or animals or by aircraft or by motor steam, oil, electric or other mechanically propelled contrivances, drivers assistants and conductors of same and stable work wheresoever performed, all yard and garage cleaning, and other work in connection with driving and transport, including washing, greasing, oiling, cleaning, polishing, tyre fitting and general attendance of horse or mechanically propelled vehicles and mechanical contrivances, loading and unloading onto and/or from any vehicle.

(o) Persons employed as roof plumber drainers, gasfitters, sanitary plumbers, registered drainers, plumber welders mechanical services plumbers, water plumbers or the like.

(p) Persons employed in:

(I) making and/or repairing the whole or any part of any male or female garment or of any article of wearing apparel whatsoever and the dyeing, cleaning, repairing or pressing or ironing of any such articles;

(II) making and/or repairing the whole or any part of any description of umbrella;

(III) making and/or repairing any description of handkerchiefs, serviettes, pillow slips, pillow shams, sheets and table cloths, towels, quilts, aprons, mosquito nets, bed valances or bed curtains;

(IV) embroidering or otherwise ornamenting any of the abovementioned articles;

(V) the industry of a furrier;

(VI) the making of chenille and the making and/or repairing of articles of all descriptions as are made of chenille.

(q) Firefighters, control room operators, probationary firefighters, fire equipment servicemen and hose-room men.

(r) Persons employed at the Australian Mineral Development Laboratory and the Electricity Trust of South Australia in a drafting capacity or a technical capacity.

(s) Persons who are employed in South Australia -

(I) As teachers in any Government school, pre-school, child-parent centre or technical and further education institution;

(II) In a technical and further education institution and responsible for the co-ordination of teaching therein;

(III) As pre-school aides OR assistants in child parent centres.

(t) The Commissioner, Deputy Commissioner, any Commissioned Officer and any other person who is a member of the Police Force of South Australia or who is undergoing training in order to qualify for appointment as a member of the Police Force of South Australia.

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Adelaide Festival Centre Trust in the retail sale of goods or the supply of food or drink for consumption on the premises or for take away, but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

(x) The following persons shall not be eligible for membership of the Union in the State of Western Australia:

(a) Persons employed as Clerical Officers in -

the State Engineering Works except those who are employed pursuant to the provisions of the Public Service Act;

the Lotteries Commission

(b) Persons employed as Clerical Officers in positions which, on a salary basis, are less than the salary paid to the respective Public Service Classifications set out hereafter -

Western Australian Meat Commission Robbs Jetty,	C 11 6
Western Australia Coastal Shipping Commission,	C 11 10
Western Australian Egg Marketing Board,	C 11 7
Fremantle Port Authority,	C 11 10/11

(c) Persons employed as Clerical Workers by -

the Minister for Water Supply, Sewerage and Drainage, or the Metropolitan Water Supply, Sewerage and Drainage Board, or the Minister for Works in connection with maintenance work in the field, on the job, or elsewhere away from Head Office.

(d) Persons engaged as wharfinger, assistant wharfingers, officers in charge of goods sheds or clerks at the ports under the control of the Department of Marine and Harbours in Western Australia.

(e) Persons employed as officers of the Western Australian Prison Service below the rank of Chief Officer.

(f) Persons appointed as Commission Agents by the Totalizator Agency Board.

(g) Persons employed as Foreman except those who are employed by the Minister for Mines.

(h) Persons employed as Police Officers, Police Cadets and Police Aides.

(i) Persons employed as Marine Pilots.

(j) Persons employed on an annual salary by the Western Australia Government Railways.

(k) Persons employed on an annual salary in a clerical, inspectorial or professional capacity by the Chairman of the Metropolitan Transport Trust.

(l) Persons employed in the profession or industry of nursing and being registered or entitled to be registered with the Nurses Board of Western Australia or as student nurses, other than those employed under the Public Service Act or by the Nurses Board of Western Australia.

(m) Persons employed as Shift Engineers, Royal Perth Hospital.

(n) Persons employed in the callings of foreman; laundryman; laundress; general hand; driver; gardener; security man; storeman; press operator; seamstress; sorter; cook; tradesman; dry cleaner; presser; cutter in the Hospital Laundry and Linen Service or other persons employed as Laundry Workers.

(o) Persons employed in Doctors' surgeries.

(p) Persons employed by the Western Australian Division of the Red Cross Society as Clerks.

(q) Persons employed by the Spastic Welfare Association as Tradesmen who perform the usual trade duties.

(r) Persons employed by universities as academic staff.

(s) Any person employed by the University of Western Australia who has an academic salary nexus and academic status.

(t) Any person employed by a university in the position of "The University Librarian".

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks
Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting and Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Totalizator Agency Board of Western Australia in casual or part-time clerical duties.

(w) Persons employed as wages employees as storemen, storemen operator or storemen-in-charge at:

(1) Building Management Authority
(2) Education Supplies Branch
(3) Fremantle Port Authority
(4) Government Stores Department
(5) Library Board of Western Australia
(6) State Engineering Works
(7) State Health Laboratory
(8) State Housing Commission
(9) WA Education Department
(10) WA Institute of Technology
(11) WA Meat Exports Pty Ltd
(12) WA Potato Marketing Board
(13) Police Department
(14) Any other Government Store listed as a named respondent to the Storemen Government Award 1979, No 20/1969

(x) Persons in Western Australia who are employed as teachers, education officers, (performing professional duties requiring teaching qualifications) guidance officers, demonstrators or counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), -

(I) by the Education Department;

(II) in a technical and further education institution;

(III) in pre-school centres (provided that teachers in pre-school centres hold or are enrolled in a course leading to a teaching academic qualification); OR

(IV) in community colleges.

(y) (i) Persons employed in the callings of cleaner; caretaker; lift attendant; window cleaner; watchman; charwoman; usher; doorgatekeeper; porter; janitor; cleaning and pollution control; attendant in ladies' retiring rooms; commissionaire; tea attendant; day or night patrolman; gardener; groundsman; gardener's labourer; maintenance labourer; home economics assistant; waiter; waitress; kitchen hand; maid; cook; horticulturist; domestic; trainee horticulturist; apprentice; security man

but not so as to exclude

persons employed for the purpose of undertaking professional, supervisory, technical, administrative and/or

clerical functions including, notwithstanding the generality of the foregoing, maintenance assistants; general assistants; maintenance officers and curators.

(ii) Persons employed in the callings of the keeper; aquarist or ranger in National Parks and Zoological Gardens.

(iii) Persons employed in the callings of power-mower operator; tractor-mower operator or leading hand employed by the Building Management Authority Mowing Services.

(iv) Persons employed in the occupation of teachers' aide.

but not so as to exclude

school assistants; technical assistants; library assistants; laboratory assistants and attendants.

(v) Domestic work, including leading hands,

but not so as to exclude

persons employed for the purpose of undertaking supervisory, administrative and/or clerical functions or for the purpose of instructing in domestic work or persons employed as homemakers.

(vi) Attendants, employed on wages, by the Trustees of the Western Australian Museum or the Board of the Art Gallery of Western Australia.

(vii) Persons employed in the callings of the first aid attendant or security officer by the State Energy Commission.

(viii) Persons employed in pre-school centres, child minding centres or day nurseries in the callings of Preschool Teacher or Qualified Child Care Worker or Unqualified Child Care Worker.

(ix) Persons employed in the calling of car park attendant other than persons employed by Universities or other tertiary education institutions in Western Australia.

(z) Employees of the Western Australian Water Authority solely or substantially engaged in or in connection with labouring; operation of portable or non-portable machinery or equipment for construction or maintenance purposes; tradespersons leading hands (except salaried supervisors); blacksmith's striker; dresser; oxy or electric welding assistant; driving of motor transport, articulated vehicles or mechanical equipment; and employees solely or substantially engaged in the callings of alarm room attendant; watchman; radio control room operator; caretaker; supervising storeman; senior storeman; storeman in charge; storeman; water treatment plant operator; assistant on water treatment plant; testers (including testers in charge and senior testers); ganger; survey hand; chain man; instrument hand; senior instrument hand; senior catchment warden; catchment warden; ranger; senior ranger; and employees engaged as non-trades foreman or assistant foreman; supervising or senior foreman; and

employees engaged on the construction and maintenance of country water supplies as water supply controller, electric pump attendant or pumping station attendant.

(aa) Persons employed by:-

(i) any Public or Private Hospital, or

(ii) the SLCG (Inc) or

(iii) Silver Chain Nursing Association (Inc.), or

(iv) in establishments known as Princess Margaret Hospital for Children, Sir James Mitchell Spastic Centre, Ngal-a Mothercraft Training Centre, The Braille Hospital, Nadezda and Homes of Peace,

In the callings of

(a) home help or home care aide (Silver Chain Nursing Association (Inc.) only); social trainer (Nulsen Haven and SLCG (Inc) only); cottage parent or assistant supervisor (SLCG only); nursing assistant; enrolled nurse; student enrolled nurse; dental technician (Perth Dental Hospital only); cleaner; domestic maid; gardener; handyman; housemaid; kitchen man; kitchen maid; laundry worker; dry cleaner; orderly; pantry maid; wardsmaid; yardsman; seamstress; washing-machine hand; boiler-firing orderly; shaving orderly; storeman; driver; bus driver; chef; cook; window cleaner; dry cleaner; steward; animal house attendant; gardener and propagator; senior gardener; head gardener; butcher; carpenter; butcher's assistant; car park attendant; laboratory attendant; waitress; cafeteria assistant; theatre orderly; theatre assistant; ward assistant; CSSD assistant; CSSD orderly; farm assistant; head orderly; bootmaker; housemother (Mount Henry, Olive Jones Nurses' Home, Fremantle and Country Hospitals only); telephonist and receptionist (Swanbourne-Graylands Hospital only); training assistant (Spastic Welfare Association of W.A. (Inc.))

but not so as to exclude the callings of:

(b) home help supervisors; supervising dental technician; cleaning services officer or supervisor; general services supervisor; curator; grounds' supervisor; maintenance officer; assistant food supervisor; food supervisor; food staff supervisor; laundry manager;linen service officer; assistant linen service officer; storeman-clerk; stores officer; catering and domestic supervisor; catering officer; animal house technician; garage supervisor; laboratory assistant; warden; physiotherapy assistant; occupational therapy assistant; farm supervisor; manager, orderly and/or transport services; and orthopaedic appliance worker or assistant.

(bb) Employees of the Commissioner for Public Health in the Community Health and Child Health Services Branch of the Health Department in the calling of health worker or health worker (special).

(cc) Person other than persons employed as officers under and within the meaning of the Public Service Act 1978 to 1980 (W.A.) employed

(i) by any public or private hospital;

(ii) by the Hospital Laundry and Linen Service;

(iii) by the Western Australian School of Nursing or any service ancillary to the practice of medicine, including institutions or facilities all substantially engaged in providing medical laboratory services, radiological services, physiotherapy services, occupational therapy services, speech therapy services, social work services;

(iv) by the Western Australian Division of the Red Cross Society;

(v) by the Cerebral Palsy Association of Western Australia (Inc.);

(vi) by the Silver Chain Nursing Association (Inc.);

(vii) by the ACTIV Foundation (Inc.);

(viii) by the dentists as dental therapists;

(ix) by the Paraplegic-Quadriplegic Association of Western Australia (Inc.), Good Samaritan Industries or F.C.B. industries or facilities or services;

(x) in Western Australia eligible for membership of the Health Services Union of Australia and whose class or grade of employment falls within the scope of the Nurses (WA Mental Health Services) Award 1991 as at 17 August 1992.

(xi) The following persons shall not be eligible for membership of the Union in the State of Victoria:

(a) Persons who are members of the Police Force of Victoria of the designations and/or ranks of Constable, Sub-Officer, Commissioned Officer or Commissioner of Police or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Victoria in one or more of the designations and/or ranks aforesaid or who are members of the Retired Police Reserve of Victoria.

(b) Persons employed by the University of Melbourne as academic staff.

(c) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

Persons employed at the State Film Centre of Victoria.

(d) Persons employed by any State Public Hospital in the retail sale of goods.

(e) Persons employed by the State Transport Authority and the Metropolitan Transit Authority in the retail sale of goods.

(f) Persons in Victoria who are -

(I) employed in technical schools of the Education Department or in technical and further education institutions or in teaching classes administered by such institutions as teachers, lecturers, emergency teachers, teacher librarians, instrumental musicians or in school to work transition programmes;

(II) employed as teachers in a Technical-High School or in a High School with a technical education component or a post-primary school;

(III) employed as student teachers by the Education Department in technical and further education institutions or in the Technical and Further Education Teaching Service or by a technical and further education institution;

(IV) registered by the Victorian Technical Teachers' Education Board or by the Technical and Further Education Teaching Service Registration Board and are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education or any Victorian Technical and Further Education Board to perform professional duties requiring teaching qualifications;

(V) registered or eligible to be registered by the Technical Teachers' Registration Board, the Secondary Teachers' Registration Board or the Primary Teachers' Registration Board and are members of the Victorian Teaching Service employed in non-school positions to perform professional duties requiring teacher qualifications;

(VI) registered by the Victorian Secondary Teachers' Registration Board and employed in the secondary schools of the Education Department as teachers, librarians, instrumental teachers, remedial teachers, language assistants or persons who are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education to perform professional duties requiring teaching qualifications or in school to work transition programmes;

(VII) employed in the teaching service of the Education Department;

(VIII) who teach or supervise teaching -

(i) in day training centres registered pursuant to the Mental Health Act 1959 (Victoria) or any Act in substitution or amendment thereof, or

(ii) in institutions in Victoria for the education of the socially, physically, sensorily, educationally or intellectually handicapped, or

(iii) in institutions conducted by the Victorian Institute of Education Administration.

(g) (i) Caretakers, cleaners, domestic arts maids, gardeners, home economics assistants, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by the Ministry of Education or Schools' Councils constituted pursuant to the Education Act 1975 as amended;

(ii) Caretakers, cleaners, gardeners, laundry workers, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by Colleges of Technical and Further Education pursuant to Section 3 of the Post Secondary Education Act 1978 as amended;

(iii) Caretakers, cleaners, gardeners, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by Colleges of Advanced Education constituted pursuant to the Post Secondary Education Act, 1978 as amended;

(iv) Persons who are employed under Section 41A of the Public Service Act, 1974 or any successor thereto and whose wages or conditions of service are governed by any of the following awards or any instrument successor thereto in relation to such employees in the administrative units listed hereunder or any successor thereto had such employees been employed in their present employment as at 11th November 1986. The awards referred to are:-

(a) The Award of the Cleaners' Conciliation and Arbitration Board; known colloquially as the Cleaners' Award.

(b) The Award of the Security Employees' Conciliation and Arbitration Board, known colloquially as the Security Employees' Award.

The Administrative Units referred to are:-

The Department of Property and Services, the Ministry for the Arts, the Law Department, the Ministry for Housing and the Department of Agriculture and Rural Affairs.

(v) Parking Officers and community guardians employed under Section 41A of Division 8 of the Public Service Act 1974 and/or any successor thereto;

(vi) Jury keepers (but not so as to exclude jury pool supervisors);

(vii) Animal attendants, caretakers, cleaners, gardeners, security officers, zoological keepers employed by the Zoological Board of Victoria (other than administrative/clerical or above a level equivalent to that of leading hands);

(viii) Dental Technicians and Dental Nurses employed by the Cancer Institute, the Royal Dental Hospital, Melbourne or by any hospital registered pursuant to the Health Commission Act, 1977 or other than as permanent or temporary officers of the Victorian Public Service by Community Health Centres;

(ix) Persons employed in pre-school kindergartens, centres for day or part-day care of children, day or part day

nurseries and children's play centres, employed other than as permanent or temporary officers of the Victorian Public Service or except where the functions of such undertakings are carried on within the Victorian Public Service or where such functions are transferred or relocated outside the Victorian Public Service or become carried on by persons redeployed from employment in or by the Victorian Public Service.

(h) (i) persons employed in the Public Service of Victoria in the classes or grades listed in Schedule 5 of the Salary Schedules made by the Public Service Board under the Public Service Act 1974 (Vic.) in psychiatric, intellectual disabilities and alcohol and drug services;

(ii) persons whose employment is within the jurisdiction of the Health professional Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic.) as at 31 July 1992;

(iii) persons whose employment is within the jurisdiction of the Health and Allied Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic) as at 31 July 1992;

EXCEPT FOR:

persons employed in the Public Service of Victoria in the classifications or grades listed in the Schedules 1-4 of the Salary Schedules who are members of the SPSF as at 12 August 1992 and who remain members of the SPSF and who become employees of another employer as a consequence of the process of integration of services currently provided by the Health Department of Victoria into the public hospital system.

(j) Persons employed in the public and/or private health and community services sector in the State of Victoria who satisfy the conditions of eligibility for membership of the Health Services Union of Australia as at 18 April 1994.

(xii) The following persons shall not be eligible for membership of the Union in the State of Tasmania:

(a) Persons who are members of the Police Force of Tasmania or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Tasmania

(b) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

(c) Persons in Tasmania who are employed as -

(I) teachers, (including part time and/or relieving teachers, teacher librarians, student counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), supervisors and educational officers or any such other classification of employment incidental to education) engaged in kindergartens, pre-schools, infants, primary, secondary, senior secondary and technical and technical and further education under the control of the Government of Tasmania and such teachers seconded as officers or permanently employed as officers of the Service and Guidance Services branches of the Education Department;

(II) employed as professional officers in the Education Department to perform professional duties requiring teaching qualifications;

(III) Recreation Officers in the Education Department;

(IV) part-time and/or temporary relieving teachers employed by the Government of Tasmania;

(V) teachers in training on Government studentships

(d) (i) persons employed in the Department of Education except professional, administrative, clerical, technical and supervisory (above the level of leading hand) staff, teacher aides (including, but not limiting the generality thereof, aide, audio-visual aide, kinder-garten aide, kindergarten teacher's aide, teacher's aide, teachers assistant, library aide, bus aide, laboratory aide, library assistant, recreation assistant, visual aides assistant, library/home economic aide, childcare aide), office assistant, machinist, bus driver, driver, store-man, stores officer, material storeman, and employees at the Media Centre Hobart and the Science Centre, Hobart.

(ii) cleaners other than employed by the employing authority for public hospitals.

(iii) ferry workers employed by Transport Tasmania.

(iv) traffic wardens.

(v) persons employed by the employing authorities for boarding schools and/or student hostels.

(vi) persons performing work presently classified as utility officer in the Department of Education whether or not the same are included in paragraph (i) hereof.

(xiii) Nurses in Queensland shall not be eligible for membership other than nurses who were on 1 July 1991 financial members of the Queensland State Service Union of Employees and continuously remain financial members thereof thereafter.

SECTION II

The Union shall also consist of an unlimited number of persons employed, or usually employed by or on behalf of

(a) The Crown in the right of the States of New South Wales and Queensland;

(b) Any Statutory Corporation, Instrumentality, Authority, or other similar statutory body, whether corporate or unincorporate, established by the Crown in the right of the States of New South Wales and Queensland; and

(c) The University of New South Wales (excluding the Medical School thereof);

(d) Any educational institution in the State of Queensland designated as a University or College of Advanced Education;

(e) The Mater Misericordiae Hospitals in the State of Queensland; and

(f) The Australian Red Cross Society (Queensland Division), Blood Transfusion Service.

and without limiting the generality of the foregoing shall include the following:

New South Wales

(a) The Public Employment Industrial Relations Authority, or

(b) The Water Conservation and Irrigation Commission, or

(c) The Department of Main Roads of New South Wales, or

(d) The Electricity Commission of New South Wales, or

(e) The Maritime Services Board of New South Wales.

In Queensland

(a) Chief Executives of State Government Departments under the Public Service Management Act 1988

(b) General Manager, State Government Insurance Office.

(c) Senates of Universities in Queensland.

(d) The Councils of Colleges of Advanced Education in Queensland.

(e) The Cane Prices Board.

(f) The Council of the Queensland Institute of Medical Research.

(g) The Chairman of the Metropolitan Public Abattoir Board.

(h) Public Hospitals Boards in Queensland (Established under the Queensland Hospital Act).

(i) The Parliamentary Services Commission.

(j) The Queensland Corrective Services Commission.

in or in connection with any one or more of the following industries or industrial pursuits in:-

New South Wales

Agronomist
Agricultural Machinery Officer
Analyst
Architect
Architectural Assistant
Architectural Officer
Artist
Astronomer

Biologist
Biometrician
Botanist

Cartographer
Chemist
Computer
Curator

Dentist
Dental Therapist
Dietitian
District Officer
Draftsman

Engineers
Economist
Economic Research Officer
Editorial Staff
Education Officer
Engineering Analyst
Engineering Geologist
Engineering Assistant
Entomologist
Examiner of Title
Extension Officer

Field Officer
Forester and Assistant Forester

Geographer
Geologist

Health Inspector
Hydrogeologist
Hydrographers

Industrial Designer
Inspector of Mines and Collieries
Inspector
Interior Designer
Interpreter and Translator

Legal Officer
Librarian
Livestock Officer

Metallurgist
Music Teacher

Occupational Therapist

Pharmacist
Photogrammetrist
Photographic Field Officer
Psychologist
Physiotherapist
Planning Assistant
Planning Officer
Professional Assistant
Professional Officer
Public Relations Officer
Programmer

Quantity Surveyor

Rangers - (Graduates)
Research Officer
Research Scientist

Statisticians
Scientific Officer
Scientific Officer (Microbiologist)
Scientific Officer (Mycologist)
Scientific Officer (Virologist)
Search Officer
Soil Conservationist
Social Worker
Specification Writer
Speech Therapist
Student Welfare Officer
Supervising Dredgemaster
Surveyors
System Analyst

Technical Officer
Town Planner and Assistant Town Planner
Traffic Survey Technician
Training Co-Ordinators

Valuers and Assistant Valuers
Veterinary Officer
Visual Aids Officer
Vocational Guidance Officer

Water Rights Officer
Welfare Officer
Weeds Officer
Workshop Superintendent

Queensland

Accountants
Actuaries

Administrative Staffs of:
The Main Roads Board
The Commissioner for Trade
The Irrigation Commissioner
The Prickly Pear Land Commission
The General Manager of Government Sugar Mills
The Forestry Board

Administrative and Clerical Officers of the Government Printing Office
Advisers and their Assistants
Air Pilot, Premier's Department
Architects and their Assistants
Artists
Auditors

Barrier Fence Inspectors (for the purposes of the Barrier Fences Acts)
Stock Routes and Pest Destruction Branch, Department of Lands

Builders

Cane Testers
Cartographers
Civilian Testing Officers
Chemists and their Assistants
Computer Programmers
Crown Prosecutors

Dental Servicing Officers
Dental Therapists
Dentists
Designers
Dietitians/Nutritionists
Director and Managers, Queensland Cultural Centre Trust
Director and Deputy Director of Prosecutions
Dock Supervisors
Draftspersons and their Assistants

Economists
Editors
Education Officers
Electricians

Employees of the Queensland Tourist and Travel Corporation
Engineers and their Assistants
Experimentalists
Extension Officers

Finance Officers
Forepersons (excluding foreperson stevedores and foreperson carpenters)
Foresters

Gas Examiners
Geologists and their Assistants
Guidance Officers

Harbour Superintendents
Head Attendants - Asylums
Helicopter Pilot, State Emergency Service
Hydrologists and their Assistants
Hydrographers and their Assistants

Information Officers
Inspectors

Inspectors (for the purposes of the Stock Routes and Rural Lands Protection Acts) Stock Routes and Pest Destruction Branch, Department of Lands

Inspectors of Weights and Loads
Instructors
Instrument Makers
Insurance Commissioner

Journalists

Legal Officers
Liaison Officers
Librarians and their Assistants
Librarians and their Assistants - professional

Management Services Officers
Map Mounters
Marketing Officers
Matrons
Medical Officers
Medical Records Administrators

Medical Records Administrators employed pursuant to the terms of the Professional and Technical Employees' Award - Public Hospitals, Queensland and the Queensland Radium Institute

Medical Specialists

Navigational Aids Attendants, Department of Harbours and Marine
Nurses

Occupational Therapists

Officers and Employees of the State Government Insurance Office (Queensland) appointed under the provisions of Sections 9 and 10 of the State Government Insurance Office (Queensland) Act 1960 - 1985, and

officers and employees of any corporation which is constituted by an Act of the Queensland Parliament that preserves and continues in existence the State Government Insurance Office (Queensland) under a new name and title

Officers and employees of the Agent General's Office

Officers and employees of the Queensland Government Representative Office, Tokyo

Officers or employees of the Queensland Industry Development Corporation
Organisers - Rural Youth
Organisers - Adult Education
Overseers

Parliamentary Officers and Reporters employed under the Parliamentary and Reporting Staff Award - State

Patrol Officers
Patrol Superintendents
Personnel Officers
Pharmacists
Photographers and their Assistants
Photogrammetrists
Physicists
Physiotherapists
Planning Officers
Podiatrists
Printing Office Forepersons
Probation Officers
Processing Assistants
Programme Officers
Property Officers
Psychologists and their Assistants

Rangers - Forestry, and their Assistants
Rangers - Land, and their Assistants
Reception Officers Queensland Police Department

Regional Inspectors (Noxious Plants) (for the purposes of the Stock Routes and Rural Lands Protection Act) Stock Routes and Pest Destruction Branch, Department of Lands

Research Officers
Residential Programme Officers
Residential Care Officers
Resource Officers

Scientists and their Assistants
Secretaries of Hospital Boards
Services Officers
Social Workers
Speech Therapists
State Public Servants
Statisticians
Supervisors and their Assistants
Superintendents
Systems Analyst
Surveyors

Teachers - Technical
Teachers - Manual Training
Technologists and their Assistants
Testing Officers
Technicians and their Assistants
Technical Advisers
Training Officers

Valuers and their Assistants
Veterinarians

Water Officers
Weighbridge Checking Officers
Welfare Officers
Works Officers

Provided that the addition by Application No. D30021 of 1990 of the following industrial pursuits to the above does not extend the coverage of the Union to persons employed in such pursuits by Regional Health Authorities in the State of Queensland, Mater Misericordiae Hospitals in the State of Queensland, or the Australia Red Cross Society (Queensland Division), Blood Transfusion Service:

Finance Officers
Librarians and their Assistants
Management Services Officers
Medical Records Administrators (other than persons employed pursuant to the Professional and Technical Employees' Award -

Public Hospitals Queensland and the Queensland Radium Institute)
Personnel Officers
Programme Officers
Services Officers

EXCEPT THAT notwithstanding anything hereinbefore contained it shall not include under Section II of this rule persons employed by:

(a) The Public Transport Commission of New South Wales; or

(b) The Department of Motor Transport of New South Wales; or

(c) The Sydney Opera House; or

(d) Brisbane City Council, Queensland Regional Electricity Boards, Queensland Electricity Commission, Northern Electricity Authority of Queensland, Southern Electricity Authority of Queensland, Brisbane Area Water Board, Queensland Electricity Generating Board, Far North Queensland Electricity Board, North Queensland Electricity Board, Mackay Electricity Board, Capricornia Electricity Board, Wide Bay-Burnett Electricity Board, South East Queensland Electricity Board, South Western Electricity Board; or

(e) Any statutory corporation, authority, instrumentality, or other similar statutory body, whether corporate or unincorporate, which is an undertaking in the theatrical or amusement or motion picture production or processing industry; or

(f) Municipal, county and shire councils or trusts or other local government authorities (other than employees of the Sydney Cove Redevelopment Authority) water supply boards or trusts (other than employees of the New South Wales Water Resources Commission), sewerage boards or trusts (other

than employees of the New South Wales Metropolitan Waste Disposal Authority), road boards (other than employees of the New South Wales Department of Main Roads and the Queensland Main Roads Department) and electricity supply and/or generation authorities (other than professional, administrative, clerical or salaried technical staff of the Electricity Authority or the Electricity Commission of New South Wales

(g) (i) Any Statutory Corporation, Instrumentality, Authority or other similar body whether corporate or unincorporate, engaged in or in connection with the operation of transport services for the carriage of passengers and/or goods by rail, road, air or water, or the registration and/or licensing of transport or road safety and without limiting the generality of the foregoing shall include the Public Transport Commission of New South Wales, the Department of Motor Transport of New South Wales, the Queensland Government Railways or a successor, transmittee or assignee of any of the foregoing, but notwithstanding anything hereinbefore contained, this exclusion shall in no way affect coverage by the Union of employees of the Department of Main Roads, New South Wales.

(ii) Save for employees of the Department of Main Roads, New South Wales, persons eligible for membership of the Australasian Transport Officers' Federation shall not be eligible for membership of the Union under Section II of this rule.

(h) In respect only of the industrial pursuit of Professional Engineer, any instrumentality of the Crown and, in particular, but without limiting the generality of the foregoing, the following:

(i) New South Wales

Electricity Commission; Department of Government Transport; Hunter District Water Board; Department of Main Roads; Maritime Services Board; Metropolitan Water Sewerage and Drainage Board; Water Resources Commission; Public Transport Commission; Department of Motor Transport.

(ii) Queensland

Queensland Railways; all Harbour Boards;

(i) Any university or College of Advanced Education as a member of academic staff

NOR under Section II of this rule persons members of or eligible to be members of:

(a) The Gas Industry Salaried Officers' Federation; or

(b) The Merchant Service Guild of Australia; or

(c) The Professional Officers' Association, Australian Public Service; or

(d) The Seamen's Union of Australia

NOR under Section II of this rule persons covered by awards to which the Federated Miscellaneous Workers Union of Employees of Australia Queensland Branch (state registered union of employees in Queensland) is a party and the Queensland Professional Officers' Association (state registered union in Queensland) is not a party.

Provided that The Union shall maintain but not extend its industrial coverage of employees who are covered by Federal or State awards and agreements or Federal or State determinations of the printing industry.

(2) Any person who is employed, or usually employed, or qualified to be employed within the industries or industrial pursuits specified in this Section shall be eligible for membership of the Union.

(3) Persons who may be elected to any office in the Union or who at the date of commencement of operation of this section of this rule held any office in the New South Wales Public Service Professional Officers' Association or the Queensland Professional Officers' Association shall be eligible for membership of the Union, whether or not employed or usually employed or qualified to be employed within the foregoing industries or industrial pursuits.

(4) Notwithstanding any other provision of this Section a person who is not eligible for membership of an organisation of employees registered pursuant to the Conciliation and Arbitration Act, 1904, as amended, shall not be eligible for membership of the Union pursuant to this section.

NOR under Section 11 of this Rule shall nurses be eligible for membership other than nurses who were on the 1st day of July 1991 financial members of the Queensland State Service Union of Employees and who continuously remain financial members thereof.

SECTION III

1. Without in any way limiting or being limited by the provisions of sections I and II of this Rule the Union shall consist of an unlimited number of persons, other than academic staff, wholly or substantially employed in the higher education industry who are:

(a) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Murdoch University, Edith Cowan University, the University of Western Australia and Curtin University of Technology; or

(b) Employees employed by Macquarie University as General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officers; or

(c) Employees employed by the University of Technology, Sydney or the University of Western Sydney; or

(d) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New England; or

(f) Employees employed by the University of Sydney; or

(g) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New South Wales and the University of Newcastle (other than employees employed by those two universities in their medical schools); or

(h) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Charles Sturt University or the University of Wollongong; or

(i) Employed in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Melbourne, or LaTrobe University or the Victorian College of Agriculture and Horticulture Limited; or

(j) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Tasmania; or

(k) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Adelaide; or

(l) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Flinders University of South Australia; or

(m) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of South Australia; or

(n) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the University of Queensland or Griffith University, or James Cook University of Northern Queensland, or Queensland University of Technology, or the University of Central Queensland, or the University of Southern Queensland; or

(o) Employees in professional (other than engineering), administrative and clerical occupations employed by the University of New South Wales at the Australian Defence Force Academy; or

(p) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the Australian Catholic University in Queensland; or

(q) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the Australian Catholic University in New South Wales

2. In the interpretation of the terms professional, administrative, clerical, technical and trades occupations which appear in this rule (with the exception of Rule 3, Section 3(1)(n)), assistance in the ascertainment of the meaning of those terms shall be given by consideration of the broad functions described in, and the

indicative classifications set out in the demarcation agreement between The State Public Services Federation and the Federated Miscellaneous Workers Union relating to coverage of general staff in Higher Education dated 24 August 1990 [which agreement is set out as Schedule A to these Rules].

3. Notwithstanding anything contained elsewhere in these rules all professional, administrative, clerical, computing and technical (except trades up to and including the level of leading hand) occupations of non-academic staff employed by or in Howard Florey Institute, the Walter and Eliza Hall Institute, the Ludwig Institute and the Murdoch Institute but not so as to include persons registered or enrolled or entitled to be registered or enrolled by any nursing authority, nor assistants in nursing employed in New South Wales or Queensland; and, medical practitioners not engaged in research and/or teaching and medical practitioners engaged in a research and/or teaching capacity who are also employed by a teaching hospital; and, persons employed by the Victorian Clinical Genetics Service Ltd shall not be eligible for membership.

PART III

Independent contractors who, if they were employees performing work of the kind which they usually perform as independent contractors, would be eligible for membership of the Union under Part I or Part II of this Rule shall be eligible for membership of the Union.

PART IV

No restriction or qualification to the eligibility for membership under Part I of this Rule shall restrict or qualify eligibility under Part II of this Rule and no restriction or qualification to the eligibility for membership under Part II of this Rule shall restrict or qualify eligibility under Part I of this Rule.

3 - DESCRIPTION OF INDUSTRY IN CONNECTION WITH WHICH THE ORGANISATION IS REGISTERED

The Industry in connection with which the Union is registered is as described in Part I, Part II, and Part III of this Rule.

PART I

A. Without in any way limiting, or being limited by, the provisions of subrules B, C, D, E, F and G, the industry in or in connection with which the organisation is registered is the Australian Public Service Industry, Australian Government boards, instrumentalities, corporations, commissions and statutory authorities industry, the Public Service of the Northern Territory Industry, Northern Territory Government boards, instrumentalities, corporations, commissions, statutory authorities Industry and the Public Service of the Australian Capital Territory Industry, and;

B. Without in any way limiting, or being limited by, subrules A, C, D, E, F and G, the industry in connection with which the organisation is registered is employment by:

(a) the Commonwealth;

(b) the Northern Territory;

(c) the Australian Capital Territory;

(d) a body corporate established for a public purpose, whether in whole or in part, by or under a law of the Commonwealth, the Australian Capital Territory or the Northern Territory other than any local Government body established under the Local Government Act (Northern Territory) or other Local Government legislation in the Northern Territory;

(e) by a company or other body corporate incorporated under a law of the Commonwealth or of a State or Territory, being a company or other body corporate in which the Commonwealth, the Northern Territory or the Australian Capital Territory has a controlling interest;

(f) any other authority or body (whether corporate or not) being an authority or body that is financed in whole or in substantial part, either directly or indirectly by money provided by the Commonwealth except:

(A) moneys paid as consideration in a commercial transaction, for the provision of goods or services to the Commonwealth,

(B) moneys paid by way of bounty or like payment,

(C) moneys paid to a State or States of the Commonwealth, or,

(D) moneys paid to a Local Authority, City, Municipality, Town, Borough, Shire or like statutory authority, which includes electricity, road, transport and port authorities and water or drainage boards.

(E) an authority or body that is financed in whole or in substantial part, either directly or indirectly, by money provided by the Commonwealth, pursuant to;

1. the Community Youth Support Scheme, or

2. the Supported Accommodation Assistance Program, or

3. the Family Day Care Services component of the Children Services Program, or

4. the Family Support Program, or

5. the Grant in Aid Ethnic Social Welfare Workers Program, or

6. the Youth Services or Welfare Services components of the ACT Community Development Program,

or any program, scheme or fund directly replacing any one of the above.

(g) in a Statutory Office created under a law of the Commonwealth, the Northern Territory or the Australian Capital Territory or established by the Executive of the Commonwealth, the Northern Territory or the Australian Capital Territory.

C. Without in anyway limiting, or being limited by, subrules A, B, D, E, F and G, the industry in connection with which the organisation is registered is the broadcasting and television industry in the Australian Broadcasting Corporation in accordance with the Australian Broadcasting Corporation Act, 1983.

D. Without in any way limiting, or being limited by, subrules A, B, C, E, F and G, the industry in connection with which the organisation is registered is the employment of persons in -

1. The Australian Public Service;

2. The Public Service of the Northern Territory;

3. The Public Service of the Australian Capital Territory;

4. The service of any public institution or authority of the Australian Government whether such service is in the Australian Public Service or not; or

5. The Service of any public institution or authority of the Northern Territory whether such service is in the Northern Territory Public Service or not.

E. Without in any way limiting, or being limited by, sub-rules A, B, C, D, F and G, the industry in connection with which the organisation is registered is the telecommunications industry.

For the purposes of these Rules, the telecommunications industry means:

(a) Any business whose principal function is carrying on the supply and/or installation and/or maintenance of telecommunication services as defined in the Telecommunications Act 1991 and includes any business whose principal function is the supply and/or installation and/or maintenance of value added telecommunications services; and/or

(b) Any business whose principal function is incidental, ancillary or complimentary to the supply and/or installation and/or maintenance of telecommunication services as defined in the Telecommunications Act 1991; and/or

(c) Any business whose principal function is carrying on the installation and/or maintenance of equipment and line as defined in the Telecommunications Act 1991.

Provided always that this definition does not extend to or include any business whose principle function is the manufacture and supply of equipment and line as defined in the Telecommunications Act 1991 whether or not such business also installs and maintains equipment and line as defined.

F. Without in any way limiting, or being limited by, subrules A, B, C, D, E, and G, the Industry in or in connection with which the organisation is registered is the Radio Telegraphy, Radio Telephony, Radio Technology, Radio Television, Radio Facsimile, Radio Signals, Cable Operations, Cable Technology, Cable Engineering, Teleprinter Operation, Radio Operation, Beam and Cable Accounting and Checking Industry.

G. Without in any way limiting, or being limited by subrules A, B, C, D, E and F, the industry in connection with which the organisation is registered is the scientific and industrial research industry.

PART II

Section 1

In this section -

(a) References to "this rule" (or similar expressions) shall be construed as referring to this section only of this rule and shall not be construed as limiting the scope of Section II hereof.

(b) References to persons not being within the industries in or in connection with which the Union is registered (or similar expressions) shall be construed as limited to such persons not being within the industry in or in connection with which the Union is registered under this Section of this rule and shall not be construed as limiting in anyway the scope of Section II hereof.

(A) The industries in or in connection with which the Union is formed are the activities undertaken by and carried on by or by employees of

(i) The Crown in right of any State or States;

(ii) any statutory body representing the Crown in right of any State or States;

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

(iv) any company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown in right of any State or States or, if there are no issued shares, in which the governing body by whatever name called includes nominees appointed by or for or on behalf of or in the interest of the Crown in right of any State or States.

Without limiting the generality of the foregoing these industries include:

Brickmaking and quarrying

Building and construction

Harbours including dockyards jetties and coastal waters excluding the industry of shipping

Engineering

Finance and investment in commercial or private undertakings or projects and purposes of a non-governmental character excluding the industries of banking and credit unions

Housing including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land construction of residential premises for sale or lease and management of developed properties

Insurance but in Queensland, to the extent only of persons who are:-

(i) permanent employees of the Queensland Government or (in relation to the Crown in the right of the State) of a Crown Corporation, Crown Instrumentality or Minister representing the Crown; and

(ii) (a) employed in Suncorp Insurance and Finance as that body operated on 1 October, 1991 or any Public Sector successors of that body to the extent that such successor performs the functions of that body, or

(b) employed in the Workers' Compensation Board of Queensland as that body operated on 1 October, 1991 or to public sector successor of that body to the extent that such successor performs the functions of that body.

Manufacturing for commercial or private undertakings or purposes of a non-governmental character

The storage, conveyance and marketing of dairy and farm produce, fish, meat, grain, coal and coke but excluding the sale of any of the foregoing commodities by wholesale or retail

Medical Officers and paramedical officers excluding legally qualified Medical Practitioners or persons studying or training to obtain such qualifications

Mining

Power and fuel supply and sale excluding the manufacture distribution or sale of gas however defined provided that this exclusion shall not apply to salaried employees of The Pipelines Authority of South Australia

Printing and publishing provided that the Union shall maintain but not extend its industrial coverage of employees who are covered by Federal or State Awards and Agreements or State or Federal Determinations in the printing industry

Regional Development and redevelopment including without limiting the generality thereof the acquisition planning survey subdivision improvement sale or lease of land for mixed commercial residential and public use

Social Welfare, Child Care, Provision of Social Services, Charity Work and without limiting the generality of the foregoing probation and parole services including rehabilitation programme management, youth and community services, ethnic affairs, drug referral and rehabilitation, child and family care services, retarded persons services, mental health services and counselling in institutions, community centres and crisis service areas

Theatrical and amusements of any kind whether outdoor or indoor or in or about theatre halls sports exhibitions and agricultural shows but not so as to include employees not engaged in administrative and clerical duties and excluding the industry of professional musicians

Tourism including without limiting the generality thereof the acquisition planning survey restoration improvement management and promotion of Zoological and National Parks, places of historic interest, resorts and tourist attractions generally excluding the transport of passengers or goods by land water or air

Universities and colleges of advanced education but not including academic staff

Water conservation and irrigation including without limiting the generality thereof the storage transport inspection control metering and sale of water

Architecture

Chemistry

Science

Surveying

Draughting including tracing

(B) Notwithstanding the foregoing and without limiting the generality thereof the industries in or in connection with which the Union is formed are also:

(1) In the State of New South Wales the industries carried on by and the activities undertaken by and carried on by

(a) employees of the Crown in Right of the State of New South Wales; for the purpose of this Constitution the term "employees of the Crown" without limiting the ordinary meaning of the term shall include employees of any person, firm, board, trust, company or corporation employing persons on behalf of the Government of the State; and

(b) Foremen Engineers and Administrative Officers exercising supervisory duties employed by the Board of Fire Commissioners; and

(c) (i) Employees who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or employees in training in a public or private hospital or public dental clinic, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist);

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor and Alcoholism Counsellor, Chiropodist (or Pediatrist), whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution deemed by the employer to be of similar standing.

(ii) Employees of any organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, who are graduates or graduands of a recognised university or who hold a diploma of a recognised body and who are engaged or usually engaged in any of the following callings or avocations whether as principal or assistant employees or as employees in training, namely:

Bacteriologist, Pathologist, Medical Scientist, Scientific Officer (other than Medical Technologist), Bio-Medical Engineer, Physician, Surgeon, Psychologist, Dental Scientist, Dentist, Optometrist, Oculist, Audiologist, Speech Therapist, Occupational Therapist, Music Therapist, Dietician, Librarian, Medical Record Librarian (or Administrator), Social Worker, Physiotherapist, Welfare Officer, Health Education Officer, Alcoholism Counsellor, Nurse Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast;

together with such other employees who are engaged or usually engaged in the callings or avocations of Welfare Officer, Health Education Officer, Nurse Counsellor, Alcoholism Counsellor, Chiropodist (or Pediatrist), Child Care Officer, Library Officer or Remedial Gymnast, whether as principal or assistant employees or as employees in training and who hold a certificate of a technical college or of an institution deemed by the employer to be of similar standing but excluding employees howsoever qualified who are engaged or usually engaged in the callings or avocations of Child Care Officer, Library Officer or Remedial Gymnast in a Domiciliary institution operated by an organisation registered or exempt from registration as aforesaid.

(iii) Employees who are engaged or usually engaged in the callings or avocations whether as principal or assistant employees or as employees in training of School Dental Therapist, Dental Chairside Assistant or Dental Technician in a public hospital or by an organisation registered or exempt from registration under the Charitable Collections Act, 1934, as amended, or a public dental clinic.

(iv) Provided that in the case of the callings or avocations of Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer;

(I) The certificate referred to above shall require at least two years full-time or three years part-time post Higher School Certificate level study.

(II) The institution referred to above is reasonably and properly 'deemed' by an employer.

(III) The employees are or should be reasonably and properly designated and classified as Nurse Counsellor, Alcoholism Counsellor, Child Care Officer, Welfare Officer and Health Education Officer respectively.

(d) Persons employed by -

(i) Colleges of Advanced Education;

(ii) the University of New South Wales, the University of Newcastle, the University of Wollongong or any Universities formed from a College of these Universities;

(iii) Agricultural Colleges;

including in each case

Foremen, Laboratory Craftsmen and those employed in a supervisory capacity.

(iv) Persons employed, or unusually employed by or on behalf of The University of Sydney, Macquarie University and New England University in or in connection with one or more of the following industries or industrial pursuits

General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officers.

(e) The employees of the United Dental Hospital of Sydney.

(f) Employees of the administrative, clerical and general staff of the Legislative Assembly and of the Legislative Council.

(g) Senior executives, managers - country branches, inspectors, sales supervisors, engineers, laboratory staff, floor and production management and senior clerical officers employed by the New South Wales Egg Corporation.

(h) Persons in the Departments of Education or Technical and Further Education, Colleges of Advanced Education and in such other Departments, Sub-Departments or Institutions who are employed by any New South Wales Education Commission or its agents.

(i) Associates to Justices.

(j) Without in any way limiting the application of paragraphs (a) and (c) hereof:

(i) Persons employed in regional offices of any Department of State or corporation or body established by statute of the State of New South Wales administering or providing health services in the State of New South Wales and including such persons whose employment fulfils a function of such a regional office but who, due to the nature of their duties, are not employed within the precincts of that office.

(ii) Persons employed in or by area or community health services (howsoever called) other than persons engaged in non-professional duties in,

(a) a State Public Hospital;

(b) a community health centre located within the precincts of a State Public Hospital; or

(c) an area health service (not being a community health centre) located outside the precincts of a State Public Hospital.

For the purposes of this sub-paragraph the term "non-professional" duties shall mean duties other than those performed by the persons described in paragraph (D)(c) of this rule.

(iii) Persons, other than those described in paragraph (B)(1)(c) of this rule, employed at the Sexually Transmitted Diseases Clinic and the Medical Examination and Immunisation Centre whilst such establishments are operated at locations not within the precincts of a Public Hospital by which such persons are employed.

(iv) Persons employed in or by or in connection with the administration of:

The Drug and Alcohol Authority
New South Wales State Cancer Council
The United Hospitals Auxiliary
The Institute of Psychiatry

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

(vi) For a period of three years from the making of an order pursuant to the Health Administration Act, 1982, persons other than those referred to in sub-paragraphs (i) - (iv) hereof, who by virtue of that order would not otherwise be eligible for membership in the Union, provided that at the time of the making of the order such persons were members of the Union.

Provided that nothing in this paragraph shall render eligible for membership in the Union persons engaged in the professions of nursing or mental nursing employed as trained nurses, trainees and assistants in nursing.

(k) Without limiting the generality of the foregoing paragraphs hereof, persons employed in or in connection with the provision of or rendering of medical and/or para-medical services in penal or like establishments deemed or proclaimed to be a prison pursuant to the Prisons Act, 1952, to persons incarcerated or otherwise detained.

(l) Persons employed at the Sydney Entertainment Centre in administrative, clerical, technical, professional or managerial capacities, including employees of any lessee of the Centre for operation as a place of entertainment, provided such persons are not employed to perform front-of-house activities nor engaged in any other capacity in or in connection with the selling of goods.

(m) Employees of the Australia Music Centre Ltd, and of any successor, assignee or transmittee of the business and/or functions of the said corporation or any part thereof.

(n) Without limiting the generality of any of the foregoing paragraphs hereof, all employees of the Joint Coal Board.

(2) In the State of South Australia the industries carried on by and the activities undertaken by and carried on by persons:

(a) Employed permanently or temporarily in the Public Service within the meaning of the Government Management and Employment Act, 1985.

(b) Employed by or under any Board, Trust, Commission, Commissioner, Committee, or other public or statutory authority, appointed by the South Australian Government.

(c) Employed as Timekeepers, Foremen, or Inspectors in any department of the Public Service of South Australia.

(d) Employed on annual salary in any hospital or institution by or under the control of the South Australian Government.

(e) Employed by the Board or Committee of Management of the Adelaide Children's Hospital Incorporated, The Queen Victoria Hospital Incorporated, Lyell McEwin Hospital Incorporated, The Julia Farr Centre Incorporated, Minda Home Incorporated and any Hospital or Health Centre Incorporated under the South Australian Health Commission Act 1975-1976 as amended and any other public or country community hospital or health centre.

(f) Employed as Executive Officers or in administrative, managerial or in a professional capacity by the Foundation for Multi Disciplinary Education in Community Health.

(g) Employed as nurses by the following State Government Hospitals - The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, The Modbury Hospital, the Whyalla Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Walleroo Hospital, Ru Rua Nursing Home.

(h) Employed as nurses who are Public Servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(i) Employed as nurses pursuant to direct Ministerial appointment (but not persons employed by "subordinates" of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to S.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(j) Employed as nurses in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(k) Employed as nurses by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(l) Employed as Dental Nurses.

(m) Notwithstanding anything contained in this rule, persons employed by the State Transport Authority of South Australia in a supervisory, clerical, administrative or inspectorial capacity who are members of the Union as at 20th day of August, 1993 for so long as they remain members of the Union and engaged in a supervisory, clerical, administrative or inspectorial capacity within the STA of SA.

(3) In the State of Tasmania the industries carried on by and the activities undertaken by and carried on by persons employed in a permanent or temporary capacity by -

(a) the State;

(b) a State Authority which means any persons or body of persons or Authority, whether corporate or unincorporate, which is constituted or established under the authority of any Act or under Royal prerogative for the State of Tasmania;

(c) a State public hospital which means any hospital receiving aid from the State that is prescribed as a State public hospital and with which a board is charged with the management, maintenance, and regulation. Provided that nothing in this paragraph shall render eligible for membership of the Union any person employed on the general staff and/or nursing staff of a State public hospital in the State of Tasmania.

(4) In the State of Victoria the industries carried on by and the activities undertaken by and carried on by:

(a) Persons employed in the Public Service of Victoria or employed in any State instrumentality or other undertaking carried on by public authorities, commissions, or

corporations under any State Charter, statute, enactment, or proclamation of the State of Victoria and including any such person transferred or on loan to the Public Service of another State or to any instrumentality or other undertaking carried on under any statute, charter or enactment or proclamation of any State.

(b) Notwithstanding anything contained in this rule, persons employed by the Rural Water Corporation, Wimmera Mallee Rural Water Authority, Southern Rural Water Authority, Gippsland Rural Water Authority, Goulburn Murray Rural Water Authority and Sunraysia Rural Water Authority where the functions and activities of those bodies were undertaken by the Rural Water Corporation as at 22 November 1993.

(5) In the State of Western Australia the industries carried on by persons -

(a) employed as an officer under and within the meaning of the Public Service Act, 1978-1980, or

(b) employed under the Forests Act, the Main Roads Act, or any Act now in force or hereafter enacted whereby any Board, Commission or other body is constituted to administer any such Act, or

(c) otherwise employed in any of the established branches of the Public Service of the State of Western Australia, including State trading concerns, business undertakings and government institutions controlled by boards.

Exclusions

Notwithstanding anything hereinbefore contained

(i) Any person who is employed by any Instrumentality of the Crown including without limiting the generality of the foregoing the following instrumentalities:-

Victorian Instrumentalities

Ballarat Water Board
Bendigo Water Board
Road Construction Authority of Victoria
Dandenong Valley Authority
Gas & Fuel Corporation
Port of Geelong Authority
Geelong Water Board
Latrobe Water Board
Melbourne Harbour Trust
Melbourne & Metropolitan Board of Works
The Metropolitan Transit Authority
Port of Melbourne Authority
State Transport Authority
State Electricity Commission of Victoria
Hospital & Charities Commission
Housing Commission

Western Australian Instrumentalities

Fremantle Port Authority
Main Roads Department
Western Australian Railways
State Energy Commission

South Australian Instrumentalities

Electricity Trust of South Australia
South Australian Housing Trust
The Pipelines Authority of South Australia

Tasmanian Instrumentalities

Marine Board of Burnie
Marine Board of Devonport
Marine Board of Hobart
Hydro-Electric Commission
Port of Launceston Authority
Hobart Regional Water Authority
Tasmanian Department of Transport

New South Wales Instrumentalities

Electricity Commission
Urban Transit Authority
Hunter District Water Board
Department of Main Roads
Maritime Services Board
Metropolitan Water, Sewerage and Drainage Board
Department of Motor Transport
Water Resources Commission
State Rail Authority
Traffic Authority of N.S.W.

and is or has been a Corporate Member or Graduate Member of The Institution of Engineers, Australia, or has passed the prescribed examinations for or is the holder of qualifications published by The Institution of Engineers, Australia, as granting eligibility for Graduate or Corporate Membership of the said Institution or in respect of whom The Institution of Engineers, Australia, has given written notification that his qualifications would render him eligible for Graduate or Corporate Membership of the said Institution shall not be within the industries in connection with which the Union is formed.

(ii) Any person who is employed in the tourist promotion section of the Public Transport Commission of N.S.W., the tourist promotion section of Victorian Railways, the Mt. Buffalo Chalet operated by the Victorian Railways or the tourist section of the marketing division of the N.S.W. Public Transport Commission

shall not be within the industries in connection with which the Union is formed.

(iii) Any person employed by:

Australian National Railways Commission
Melbourne and Metropolitan Board of Works
Road Construction Authority of Victoria
Hydro-Electric Commission of Tasmania

Australian Mineral Development Commission
Electricity Trust of South Australia
State Electricity Commission of Victoria
Port of Geelong Authority
Melbourne Harbour Trust
Port of Melbourne Authority
The Metropolitan Transit Authority
Metropolitan Transport Trust of Tasmania
State Energy Commission of Western Australia
Maritime Services Board of N.S.W.
Melbourne Wholesale Fruit and Vegetable Market Trust
Pest Plant Control Boards in the State of South Australia
Vertebrate Pest Control Boards in the State of South Australia
[Provided that Pest Plant Control Boards and Vertebrate Pest Control Boards shall neither mean nor include any or all of the Pest Plant Commission, the Vermin Control Administration Committee or the Vertebrate Pest Control Authority each in the State of South Australia]
Totalizator Agency Board of Victoria
Totalizator Agency Board of South Australia as a casual employee
Totalizator Agency Board of Tasmania

shall not be within the industries in connection with which the Union is formed.

(iv) Any person employed in a professional capacity by:

Public Transport Commission of N.S.W.,
Commissioner for Motor Transport, N.S.W.,
Victorian Railways Board,
Railway Construction Board, Victoria,
Transport Commission, Tasmania,
Western Australian Government Railways Commission,
State Transport Authority of South Australia (Rail Division)

shall not be within the industries in connection with which the Union is formed.

(v) Employees of Municipal County Shire Councils Trusts or other Local Government Authorities (other than employees of the Sydney Cove Redevelopment Authority) Water Supply Boards or Trusts (other than employees of the New South Wales Water Resources Commission, the Metropolitan Water Authority of Western Australia and the Metropolitan Water Board of Tasmania), Sewerage Board or Trust (other than employees of the New South Wales Metropolitan Waste Disposal Authority), Road Boards (other than employees of the New South Wales Department of Main Roads and the Western Australian Main Roads Department), Electricity Supply and Generation Authorities (other than professional administrative clerical or salaried technical staff of the Electricity Authority or the Electricity Commission of New South Wales) and employees (other than administrative or clerical staff) of any Western Australian Park Reserve Racecourse or Cemetery Board or Trust shall not be within the industries in connection with which the Union is formed.

(vi) (a) Any person employed by a University other than The University of New South Wales (but not so as to include The Medical School of The University of New South Wales), The University of Newcastle, The University of Wollongong, the University of Western Australia, Murdoch University or their respective colleges or any university which may be formed as a result of granting autonomy to any such college, or persons employed in the industry of Librarianship and/or any related or ancillary or incidental activity within:-

(i) The University of Sydney
(ii) Macquarie University
(iii) New England University,

shall not be within the industries in connection with which the Union is formed.

(b) Any person employed by a College of Advanced Education in any State as a member of the academic staff (which shall include Directors, Principals, Deputy and Assistant Directors or Principals, by whatever name called) shall not be within the industries in connection with which the Union is formed provided that the following Agricultural Colleges in the State of New South Wales shall not be regarded as Colleges of Advanced Education:

C B Alexander Agricultural College, Tocal
The Murrumbidgee College of Agriculture

(vii) Any person employed by,

I. The Crown in the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever;

II. Any,

(a) statutory body representing the Crown;

(b) instrumentality or authority whether corporate or unincorporate acting under the control of or for or on behalf of or in the interest of the Crown;

(c) company or corporation in which at least fifty per centum of the issued shares are held by or for or on behalf of or in the interest of the Crown;

which has as its function the actual operation of a system or systems of public transportation of persons and/or goods, wares, merchandise or any material whatsoever; or

has as one of its functions the actual operation of such a system or systems of public transportation but only those persons employed in or in connection with the operation of these system or systems;

shall not be within the industries in connection with which the Union is formed.

III. (A) The foregoing exclusion however shall not render ineligible for membership employees of the following statutory bodies, departments or ministries, notwithstanding that such statutory bodies, departments or ministries did not in the past operate or are not at present operating a system or systems of public transportation:-

(a) Western Australian Coastal Shipping Commission
(b) Albany Port Authority
(c) Bunbury Port Authority
(d) Esperance Port Authority
(e) Fremantle Port Authority
(f) Geraldton Port Authority
(g) Port Hedland Port Authority

(h) State Transport Commission (WA)
(i) Ministry of Transport (Victoria)
(j) Road Traffic Authority (Victoria)
(k) Commissioner for Motor Transport or Department for Motor Transport (N.S.W.)
(l) Department of Transport (S.A.)
(m) Any statutory body, department or ministry which in the future assumes the current functions of any of the employers specified in such paragraphs (a) to (l) hereof.

(B) Provided further that if any of the bodies, departments or Ministries specified or referred to in (A) hereof operates a system of public transportation the persons employed in or in connection with the actual operation of that public transportation system shall not be within the industries in connection with which the Union is formed.

(viii) In the State of New South Wales

(a) Persons employed by Colleges of Advanced Education, the University of New South Wales, The University of Newcastle, The University of Wollongong and any University formed from a college of those Universities whose ordinary duties consist of work usually performed by watchmen, caretakers, cleaners, tea attendants, together with persons (other than foremen, laboratory craftsmen and those employed in a supervisory capacity) employed as carpenters, joiners, tile-layers, bricklayers, tuck-pointers, slaters, roof-tilers, shinglers, ridgers, cement-tilers or roof fixers, painters, decorators, sign-writers, glazers, glass-cutters, paper-hangers, plasterers, plaster fixers, granolithic floor-layers, plumbers, gasfitters or pipe-fitters.

(b) Persons employed by the University of New South Wales, the University of Newcastle, the University of Wollongong and any University formed from a college of those Universities as academic staff.

(c) Persons employed by the United Dental Hospital in the profession of nursing as trained nurses, trainees and assistants in nursing.

(d) Persons employed by the Legislative Assembly and the Legislative Council as caretakers, cleaners, gatekeepers, lift attendants, tea attendants and watchmen.

(e) Persons in New South Wales who are employed as -

(I) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), engaged in pre-school, infant, primary or secondary public education controlled by the Government or employed by the Education Commission;

(II) Teachers, supervisors, counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), and trainee teacher advisers engaged in technical and further education or adult migrant education or employed in evening colleges;

(III) Education officers (performing teaching duties) and teachers working in the Department of Corrective Services;

(IV) Teachers seconded as officers of the Research and Guidance Branch of the Education Department.

(f) Persons appointed to be members of the Police Force of New South Wales in a non-commissioned capacity.

(g) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph:

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(h) Employees of the Totalizator Agency Board of N.S.W. in clerical classifications for which the commencing salary is at or below the highest salary level for Branch Assistant Manager.

(i) Persons employed by any State Public Hospital in the retail sale of goods.

(j) Persons employed in the Education Department in or in connection with the operation of school canteens and kiosks but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

(k) Persons wholly, mainly or principally engaged (and however designated) in the work of lift attending, porter's work, tea attendant, cleaning and related pollution control (except persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers) and caretaking (except persons employed in a supervisory capacity above the level of leading hand and persons who perform mixed functions and a substantial part of whose duties comprise other work such as attendants, gardeners, general assistants, guides or messengers and also persons employed in or for a substantial part of their time in Court Houses, historic houses or Government House), or employed in child care centres, day nurseries, or pre-school kindergartens by

the Department of Education or the Department of Technical and Further Education (other than teacher aides in pre-school kindergartens and nurseries within the grounds of public schools but excluding nursery cooks or nursery helps employed in the Department of Education Nursery Schools) or under the Youth Employment Scheme by Government Departments, other than by the Department of Corrective Services, but not excluding ancillary staff in schools and persons employed in supervisory positions above the level of the officer in charge of such a child care centre, or persons employed in a professional, inspectorial, administrative, clerical or technical capacity, provided that no persons employed by the United Dental Hospital shall be excluded by reason of this paragraph.

shall not be within the industries in connection with which the Union is formed.

(ix) In the State of South Australia:

(a) Salaried Medical Officers

(b) Storemen and Packers

(c) Ministerial Press Secretaries

(d) Persons employed by Minda Incorporated below the level of and including the occupation of charge attendant and persons employed by the Electricity Trust of South Australia in the occupation of caretaker, cleaner, watchman or security officer

(e) Employees engaged or usually engaged as electrical fitters, armature winders, electrical mechanics, battery winders, railway electricians, telephone fitters, radio workers, cable joiners, linesmen and lamp trimmers, electrical labourers, electric crane attendants, rail welders and their assistants, electrical welders whose work is associated with the work of an electrician, electricians engaged or usually engaged or employed in running and maintaining electrical plants dynamo, motor attendants or the like

(f) Nurses other than:

(I) Nurses employed by the following State Government Hospitals -

The Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Flinders Medical Centre, the Modbury Hospital, the Whyalla Hospital, Port Pirie Hospital, Port Augusta Hospital, Port Lincoln Hospital, Mount Gambier Hospital, Wallaroo Hospital, Ru Rua Nursing Home.

(II) Nurses who are public servants within the meaning of the Government Management and Employment Act, 1985 and in particular but without limiting the generality thereof, senior mental health nurses.

(III) Nurses who are employed pursuant to direct Ministerial appointment (but not persons employed by subordinates of any Minister in respect of whom the Minister's consent only is required) and in particular, but without limiting the generality thereof, nurses employed pursuant to S.6 of the Alcohol and Drug Addicts (Treatment) Act 1961-1971.

(IV) Nurses employed in the following psychiatric hospitals and institutions, Enfield Hospital, Glenside Hospital, Hillcrest Hospital, Willis House, Palm Lodge, the Psychiatric Day Hospital, Strathmont Hospital who were members of the Union as at 17 April 1980, who remain members continuously thereafter.

(V) Nurses employed by the Health Commission, any community health centre, the Queen Victoria Hospital, Minda Home, country community hospitals, who were members of the Union as at 17 April, 1980, who remain members continuously thereafter.

(g) Persons who are employed or are usually employed in any capacity whether permanent or casual in or in connection with:

(I) Breweries, malt houses, bottling establishments, distilleries, wine cellars, wineries and spirit stores;

(II) Aerated water, cordials, cider and ginger beer or other non-intoxicating beer factories and employees retailing to the public any of the products of these factories;

(III) Hotels, wine saloons, wine bars, coffee palaces, coffee lounges, tea rooms, soda fountains, milk bars, fruit juice or flavour bars;

(IV) Marine stores or yards, cork cutting factories, bottle washing establishments, patent yeast and vinegar factories;

(V) Clubs, restaurants, meeting houses and board and lodging and apartment houses, catering establishments;

(VI) Race courses, football grounds, cricket, dog racing, coursing and other sports grounds, industrial canteens, motels and casinos.

(h) Employees below the classification of foreman employed in the printing and kindred industries.

(i) Persons employed on a weekly or daily basis in the timber industry (provided that notwithstanding the generality of the foregoing, excluding persons employed as mill hands, saw men, timber graders or the like).

(j) Employees engaged or usually engaged in the process trade or business connected with or incidental to the manufacture, assembling or repairing of carriages, carts, wagons, trucks, railway cars, tram cars, motor cars, motor cycles, side cars, aircraft and other vehicles used in air transit and all other vehicles or parts thereof and whether in wood and/or metal and/or other material.

(k) Daily or weekly paid employees engaged in any of the following industries or callings:

Agricultural, horticultural, viticultural, construction or maintenance of roads, footpaths, aerodromes, bridges, reservoirs, lochs, drains, dams, weirs, channels, tunnels,

school grounds or playgrounds, water and sewerage, land surveying and works and undertakings carried out by or on behalf of any local governing body.

(l) Persons employed or usually employed or engaged in or in connection with the industries or industrial pursuits of carpenters and joiners or as brick-layers, tuck pointers or in the trade or calling of a slater, roof tiler, shingler, ridger or cement tiler, fixer of roofing sheets of asbestos, fibre, fibrolite or cement mixtures and accessories, malthoid, sisalkraft or bituminous roofing materials and all accessories made of the same or similar materials.

(m) Carpenters and joiners, including ship's carpenters and joiners.

(n) Persons employed or engaged in or in connection with the industries of driving and the transport of persons and/or passengers and/or goods, wares, merchandise or any material whatsoever by or on vehicle or animals or by aircraft or by motor steam, oil, electric or other mechanically propelled contrivances, drivers assistants and conductors of same and stable work wheresoever performed, all yard and garage cleaning, and other work in connection with driving and transport, including washing, greasing, oiling, cleaning, polishing, tyre fitting and general attendance of horse or mechanically propelled vehicles and mechanical contrivances, loading and unloading onto and/or from any vehicle.

(o) Persons employed as roof plumber drainers, gasfitters, sanitary plumbers, registered drainers, plumber welders mechanical services plumbers, water plumbers or the like.

(p) Persons employed in:

(I) making and/or repairing the whole or any part of any male or female garment or of any article of wearing apparel whatsoever and the dyeing, cleaning, repairing or pressing or ironing of any such articles;

(II) making and/or repairing the whole or any part of any description of umbrella;

(III) making and/or repairing any description of handkerchiefs, serviettes, pillow slips, pillow shams, sheets and table clothes, towels, quilts, aprons, mosquito nets, bed valances or bed curtains;

(IV) embroidering or otherwise ornamenting any of the above-mentioned articles;

(V) the industry of a furrier;

(VI) the making of chenille and the making and/or repairing of articles of all descriptions as are made of chenille.

(q) Firefighters, control room operators, probationary firefighters, fire equipment servicemen and hose-room men.

(r) Persons employed at the Australian Mineral Development Laboratory and the Electricity Trust of South Australia in a drafting capacity or a technical capacity.

(s) Persons who are employed in South Australia -

(I) As teachers in any Government school, pre-school, child-parent centre or technical and further education institution;

(II) In a technical and further education institution and responsible for the co-ordination of teaching therein;

(III) As pre-school aides OR assistants in child parent centres.

(t) The Commissioner, Deputy Commissioner, any Commissioned Officer and any other person who is a member of the Police Force of South Australia or who is undergoing training in order to qualify for appointment as a member of the Police Force of South Australia.

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Adelaide Festival Centre Trust in the retail sale of goods or the supply of food or drink for consumption on the premises or for take away, but not excluding persons so employed in an administrative, clerical, technical, professional or managerial capacity.

shall not be within the industries in connection with which the Union is formed.

(x) In the State of Western Australia

(a) Persons employed as Clerical Officers in -

the State Engineering Works except those who are employed pursuant to the provisions of the Public Service Act;

the Lotteries Commission

(b) Persons employed as Clerical Officers in positions which, on a salary basis, are less than the salary paid to the respective Public Service Classifications set out hereafter -

Western Australian Meat Commission Robbs Jetty,	C	11	6.
Western Australian Coastal Shipping Commission,	C	11	10.
Western Australian Egg Marketing Board,	C	11	7.
Fremantle Port Authority,	C	11	10/11.

(c) Persons employed as Clerical Workers by -

the Minister for Water Supply, Sewerage and Drainage the Metropolitan Water Supply, Sewerage and Drainage Board, or the Minister for Works

in connection and maintenance work in the field, on the job, or elsewhere away from Head Office.

(d) Persons engaged as wharfinger, assistant wharfingers, officers in charge of goods sheds or clerks at the ports under the control of the Department of Marine and Harbours in Western Australia.

(e) Persons employed as officers of the Western Australian Prison Service below the rank of Chief Officer.

(f) Persons appointed as Commission Agents by the Totalizator Agency Board.

(g) Persons employed as Foremen except those who are employed by the Minister for Mines.

(h) Persons employed as Police Officers, Police Cadets and Police Aides.

(i) Persons employed as Marine Pilots.

(j) Persons employed on an annual salary by the Western Australian Government Railways.

(k) Persons employed on an annual salary in a clerical, inspectorial or professional capacity by the Chairman of the Metropolitan Transport Trust.

(l) Persons employed in the profession or industry of nursing and being registered or entitled to be registered with the Nurses Board of Western Australia or as student nurses, other than those employed under the Public Service Act or by the Nurses Board of Western Australia.

(m) Persons employed as Shift Engineers, Royal Perth Hospital.

(n) Persons employed in the callings of foreman; laundryman; laundress; general hand; driver; gardener; security man; storeman; press operator; seamstress; sorter; cook; tradesman; dry cleaner; presser; cutter in the Hospital Laundry and Linen Service or other persons employed as Laundry Workers.

(o) Persons employed in Doctors' surgeries.

(p) Persons employed by the Western Australian Division of the Red Cross Society as Clerks.

(q) Persons employed by the Spastic Welfare Association as Tradesmen who perform the usual trade duties.

(r) Persons employed by universities as academic staff.

(s) Any person employed by the University of Western Australia who has an academic salary nexus and academic status.

(t) Any person employed by a university in the position of "The University Librarian".

(u) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described.

(v) Persons employed by the Totalizator Agency Board of Western Australia in casual or part-time clerical duties.

(w) Persons employed as wages employees as storemen, storemen operator or storemen-in-charge at:

(1) Building Management Authority
(2) Education Supplies Branch
(3) Fremantle Port Authority
(4) Government Stores Department
(5) Library Board of Western Australia
(6) State Engineering Works
(7) State Health Laboratory
(8) State Housing Commission
(9) WA Education Department

(10) WA Institute of Technology
(11) WA Meat Exports Pty Ltd
(12) WA Potato Marketing Board
(13) Police Department
(14) Any other Government Store listed as a named respondent to the Storemen Government Award 1979, No 20/1969.

(x) Persons in Western Australia who are employed as teachers, education officers, (performing professional duties requiring teaching qualifications) guidance officers, demonstrators or counsellors (not being counsellors engaged in Social Welfare work or in the practice of social work or psychology or medicine), -

(I) by the Education Department;

(II) in a technical and further education institution;

(III) in pre-school centres (provided that teachers in pre-school centres hold or are enrolled in a course leading to a teaching academic qualification): OR

(IV) in community colleges.

(y) (i) Persons employed in the callings of cleaner; caretaker; lift attendant; window cleaner; watchman; charwoman; usher; doorkeeper; gatekeeper; porter; janitor; cleaning and pollution control; attendant in ladies' retiring rooms; commissionaire; tea attendant; day or night patrolman; gardener; groundsman; gardener's labourer; maintenance labourer; home economics assistant; waiter; waitress; kitchen hand; maid; cook; horticulturist; domestic; trainee horticulturist; apprentice; security man

but not so as to exclude

persons employed for the purpose of undertaking professional, supervisory, technical, administrative and/or clerical functions including, notwithstanding the generality of the foregoing, maintenance assistants; general assistants; maintenance officers and curators.

(ii) Persons employed in the callings of the keeper; aquarist or ranger in National Parks and Zoological Gardens.

(iii) Persons employed in the callings of power-mower operator; tractor-mower operator or leading hand employed by the Building Management Authority Mowing Services.

(iv) Persons employed in the occupation of teachers' aide.

but not so as to exclude

school assistants; technical assistants; library assistants; laboratory assistants and attendants.

(v) Domestic work, including leading hands,

but not so as to exclude

persons employed for the purpose of undertaking supervisory,

administrative and/or clerical functions or for the purpose of instructing in domestic work or persons employed as homemakers.

(vi) Attendants, employed on wages, by the Trustees of the Western Australian Museum or the Board of the Art Gallery of Western Australia.

(vii) Persons employed in the callings of the first aid attendant or security officer by the State Energy Commission.

(viii) Persons employed in pre-school centres, child minding centres or day nurseries in the callings of Pre-School Teacher or Qualified Child Care Worker or Unqualified Child Care Worker.

(ix) Persons employed in the calling of car park attendant other than persons employed by Universities or other tertiary education institutions in Western Australia.

(z) Employees of the Western Australian Water Authority solely or substantially engaged in or in connection with labouring; operation of portable or non-portable machinery or equipment for construction or maintenance purposes; tradespersons leading hands (except salaried supervisors); blacksmith's striker; dresser; oxy or electric welding assistant; driving of motor transport, articulated vehicles or mechanical equipment; and employees solely or substantially engaged in the callings of alarm room attendant; watchman; radio control room operator; caretaker; supervising storeman; senior storeman; storeman in charge; storeman; water treatment plant operator; assistant on water treatment plant; testers (including testers in charge and senior testers); ganger; survey hand; chain man; instrument hand; senior instrument hand; senior catchment warden; catchment warden; ranger; senior ranger; and employees engaged as non-trades foreman or assistant foreman; supervising or senior foreman; and employees engaged on the construction and maintenance of country water supplies as water supply controller, electric pump attendant or pumping station attendant.

(aa) Persons employed by:-

(i) any Public or Private Hospital, or

(ii) the SLCG (Inc) or

(iii) Silver Chain Nursing Association (Inc.), or

(iv) in establishments known as Princess Margaret Hospital for Children, Sir James Mitchell Spastic Centre, Ngal-a Mothercraft Training Centre, The Braille Hospital, Nadezda and Homes of Peace,

<u>In the callings of</u>

(a) home help or home care aide (Silver Chain Nursing Association (Inc.) only); social trainer (Nulsen Haven and SLCG (Inc) only); cottage parent or assistant supervisor (SLCG only); nursing assistant; enrolled nurse; student enrolled nurse; dental technician (Perth Dental Hospital only); cleaner; domestic maid; gardener; handyman; housemaid; kitchen man;

kitchen maid; laundry worker; dry cleaner; orderly; pantry maid; wardsmaid; yardsman; seamstress; washing-machine hand; boiler-firing orderly; shaving orderly; storeman; driver; bus driver; chef; cook; window cleaner; dry cleaner; steward; animal house attendant; gardener and propagator; senior gardener; head gardener; butcher; carpenter; butcher's assistant; car park attendant; laboratory attendant; waitress; cafeteria assistant; theatre orderly; theatre assistant; ward assistant; CSSD assistant; CSSD orderly; farm assistant; head orderly; bootmaker; housemother (Mount Henry,

Olive Jones Nurses' Home, Fremantle and Country Hospitals only); telephonist and receptionist (Swanbourne-Graylands Hospital only); training assistant (Spastic Welfare Association of W.A. (Inc.))

but not so as to exclude the callings of

(b) home help supervisors; supervising dental technician; cleaning services officer or supervisor; general services supervisor; curator; grounds' supervisor; maintenance officer; assistant food supervisor; food supervisor; food staff supervisor; laundry manager; linen service officer; assistant linen service officer; storeman-clerk; stores officer; catering and domestic supervisor; catering officer;animal house technician; garage supervisor; laboratory assistant; warden; physiotherapy assistant; occupational therapy assistant; farm supervisor; manager, orderly and/or transport services; and orthopaedic appliance worker or assistant.

(bb) Employees of the Commissioner for Public Health in the Community Health and Child Health Services Branch of the Health Department in the calling of health worker or health worker (special).

(cc) Persons other than persons employed as officers under and within the meaning of the Public Service Act 1978 to 1980 (W.A.) employed

(i) by any public or private hospital;

(ii) by the Hospital Laundry and Linen Service;

(iii) by the Western Australian School of Nursing or any service ancillary to the practice of medicine, including institutions or facilities all substantially engaged in providing medical laboratory services, radiological services, physiotherapy services, occupational therapy services, speech therapy services, social work services;

(iv) by the Western Australian Division of the Red Cross Society;

(v) by the Cerebral Palsy Association of Western Australia (Inc.);

(vi) by the Silver Chain Nursing Association (Inc.);

(vii) by the ACTIV Foundation (Inc.);

(viii) by dentists as dental therapists;

(ix) by the Paraplegic-Quadriplegic Association of Western Australia (Inc.), Good Samaritan Industries or F.C.B. industries or facilities or services;

(x) in Western Australia eligible for membership of the Health Services Union of Australia and whose class or grade of employment falls within the scope of the Nurses (WA Mental Health Services) Award 1991 as at 17 August 1992.

shall not be within the industries in connection with which the Union is formed.

(xi) In the State of Victoria -

(a) Persons who are members of the Police Force of Victoria of the designations and/or ranks of Constable, Sub Officer, Commissioned Officer or Commissioner of Police or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Victoria in one or more of the designations and/or ranks aforesaid or who are members of the Retired Police Reserve of Victoria.

(b) Persons employed by the University of Melbourne as academic staff.

(c) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

Persons employed at the State Film Centre of Victoria.

(d) Persons employed by any State Public Hospital in the retail sale of goods.

(e) Persons employed by the State Transport Authority and the Metropolitan Transit Authority in the retail sale of goods

(f) Persons in Victoria who are -

(I) employed in technical schools of the Education Department or in technical and further education institutions or in teaching classes administered by such institutions as teachers, lecturers, emergency teachers, teacher librarians, instrumental musicians or in school to work transition programmes;

(II) employed as teachers in a Technical-High School or in a High School with a technical education component or a post-primary school;

(III) employed as student teachers by the Education Department in technical and further education institutions or in the Technical and Further Education Teaching Service or by a technical and further education institution;

(IV) registered by the Victorian Technical Teachers' Education Board or by the Technical and Further Education Teaching Service Registration Board and are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education or any Victorian Technical and Further Education Board to perform professional duties requiring teaching qualifications;

(V) registered or eligible to be registered by the Technical Teachers' Registration Board, the Secondary Teachers' Registration Board or the Primary Teachers' Registration Board and are members of the Victorian Teaching Service employed in non-school positions to perform professional duties requiring teacher qualifications;

(VI) registered by the Victorian Secondary Teachers' Registration Board and employed in the secondary schools of the Education Department as teachers, librarians, instrumental teachers, remedial teachers, language assistants or persons who are employed by the Victorian Institute of Secondary Education or the Victorian State Board of Education to perform professional duties requiring teaching qualifications or in school to work transition programmes;

(VII) employed in the teaching service of the Education Department;

(VIII) who teach or supervise teaching -

(i) in day training centres registered pursuant to the Mental Health Act 1959 (Victoria) or any Act in substitution or amendment thereof, or

(ii) in institutions in Victoria for the education of the socially, physically, sensorily, educationally or intellectually handicapped, or

(iii) in institutions conducted by the Victorian Institute of Education Administration.

(g) (i) Caretakers, cleaners, domestic arts maids, gardeners, home economics assistants, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants,

technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by the Ministry of Education or Schools' Councils constituted pursuant to the Education Act 1975 as amended;

(ii) Caretakers, cleaners, gardeners, laundry workers, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by Colleges of Technical and Further Education pursuant to Section 3 of the Post Secondary Education Act 1978 as amended;

(iii) Caretakers, cleaners, gardeners, security officers (other than administrative/clerical or above the level of leading hands) and teacher aides (but not excluding ancillary staff in the same areas, such as persons employed as clerical assistants, technical assistants, typists, library assistants, laboratory assistants and attendants, administrative officers and the like) employed other than as permanent or temporary officers of the Victorian Public Service by Colleges of Advanced Education constituted pursuant to the Post Secondary Education Act, 1978 as amended;

(iv) Persons who are employed under Section 41A of the Public Service Act, 1974 or any successor thereto and whose wages or conditions of service are governed by any of the following awards or any instrument successor thereto in relation to such employees in the administrative units listed hereunder or any successor thereto had such employees been employed in their present employment as at 11th November 1986. The awards referred to are:-

(a) The Award of the Cleaners' Conciliation and Arbitration Board; known colloquially as the Cleaners' Award.

(b) The Award of the Security Employees' Conciliation and Arbitration Board, known colloquially as the Security Employees' Award.

The Administrative Units referred to are:-

The Department of Property and Services, the Ministry for the Arts, the Law Department, the Ministry for Housing and the Department of Agriculture and Rural Affairs.

(v) Parking Officers and community guardians employed under Section 41A of Division 8 of the Public Service Act 1974 and/or any successor thereto;

(vi) Jury keepers (but not so as to exclude jury pool supervisors);

(vii) Animal attendants, caretakers, cleaners, gardeners, security officers, zoological keepers employed by the Zoological Board of Victoria (other than administrative/clerical or above a level equivalent to that of leading hands);

(viii) Dental Technicians and Dental Nurses employed by the Cancer Institute, the Royal Dental Hospital, Melbourne or by any hospital registered pursuant to the Health Commission Act, 1977 or other than as permanent or temporary officers of the Victorian Public Service by Community Health Centres;

(ix) Persons employed in pre-school kindergartens, centres for day or part-day care of children, day or part day nurseries and children's play centres, employed other than as permanent or temporary officers of the Victorian Public Service or except where the functions of such undertakings are carried on within the Victorian Public Service or where such functions are transferred or relocated outside the Victorian Public Service or become carried on by persons redeployed from employment in or by the Victorian Public Service.

(h) (i) persons employed in the Public Service of Victoria in the classes or grades listed in Schedule 5 of the Salary Schedules made by the Public Service Board under the Public Service Act 1974 (Vic) in psychiatric, intellectual disabilities and alcohol and drug services;

(ii) persons whose employment is within the jurisdiction of the Health Professional Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic) as at 31 July 1992;

(iii) persons whose employment is within the jurisdiction of the Health and Allied Services Conciliation and Arbitration Board established pursuant to the Industrial Relations Act 1979 (Vic) as at 31 July 1992;

EXCEPT FOR:

persons employed in the Public Service of Victoria in the classifications or grades listed in the Schedules 1-4 of the Salary Schedules who are members of the SPSF as at 12 August 1992 and who remain members of the SPSF and who become employees of another employer as a consequence of the process of integration of services currently provided by the Health Department of Victoria into the public hospital system.

(j) Persons employed in the public and/or private health and community services sector in the State of Victoria who satisfy the conditions of eligibility for membership of the Health Services Union of Australia as at 18 April 1994.

shall not be within the industries in connection with which the Union is formed.

(xii) In the State of Tasmania -

(a) Persons who are members of the Police Force of Tasmania or who are undergoing a full-time course of training the object of which is to qualify such persons for employment as members of the Police Force of Tasmania

(b) Persons employed in or in connection with theatrical and amusements of any kind, other than persons employed upon:

I Clerical duties

II Administrative duties

III Professional and/or management duties, not being duties which are an element of Front-of-House or Back-of-House functions

Provided that the following persons shall not be excluded from membership of the Union by this sub-paragraph

Persons employed in zoological parks

Persons employed in or in connection with the operation and administration of Lotteries howsoever described

Persons employed by Totalizator Agency Boards and like organisations providing betting services of any kind but not so as to include Front-of-House staff employed in casinos and like venues

Persons employed by or in connection with the operation of Sporting or Gaming Control Boards howsoever described

Persons employed in or in connection with Departments of Sport and Recreation howsoever described

(c) Persons in Tasmania who are employed as -

(I) teachers, (including part time and/or relieving teachers, teacher librarians, student counsellors (not being counsellors engaged in Social Welfare work or in the practice of 'social work or psychology or medicine), supervisors and educational officers or any such other classification of employment incidental to education) engaged in kindergartens, pre-schools, infants, primary, secondary, senior secondary and technical and technical and further education under the control of the Government of Tasmania and such teachers seconded as officers or permanently employed as officers of the Service and Guidance Services branches of the Education Department;

(II) employed as professional officers in the Education Department to perform professional duties requiring teaching qualifications;

(III) Recreation Officers in the Education Department;

(IV) part-time and/or temporary relieving teachers employed by the Government of Tasmania;

(V) teachers in training on Government studentships

(d) (i) persons employed in the Department of Education except professional, administrative, clerical, technical and supervisory (above the level of leading hand) staff, teacher aides (including, but not limiting the generality thereof, aide, audio-visual aide, kindergarten aide, kindergarten teacher's aide, teacher's aide, teachers assistant, library

aide, bus aide, laboratory aide, library assistant, recreation assistant, visual aides assistant, library/home economic aide, childcare aide), office assistant, machinist, bus driver, driver, store-man, stores officer, material storeman, and employees at the Media Centre Hobart and the Science Centre, Hobart.

(ii) cleaners other than employed by the employing authority for public hospitals.

(iii) ferry workers employed by Transport Tasmania.

(iv) traffic wardens.

(v) persons employed by the employing authorities for boarding schools and/or student hostels.

(vi) persons performing work presently classified as utility officer in the Department of Education whether or not the same are included in paragraph (i) hereof.

shall not be within the industries in connection with which the Union is formed.

SECTION II

The Union is also formed in connection with the industry covering the following:

(a) The Crown in the right of the States of New South Wales and Queensland; and

(b) Any Statutory Corporation, Instrumentality, Authority or other similar statutory body, whether corporate or unincorporate, established by the Crown in the right of the States of New South Wales and Queensland; and

(c) The University of New South Wales (excluding the Medical School thereof);

(d) Any educational institution in the State of Queensland designated as a University or College of Advanced Education;

(e) The Mater Misericordiae Hospitals in the State of Queensland: and

(f) The Australian Red Cross Society (Queensland Division), Blood Transfusion Service.

and without limiting the generality of the foregoing shall include the following:

<u>In New South Wales</u>

(a) The Public Employment Industrial Relations Authority, or
(b) The Water Conservation and Irrigation Commission, or
(c) The Department of Main Roads of New South Wales, or
(d) The Electricity Commission of New South Wales, or
(e) The Maritime Services Board of New South Wales

In Queensland

(a) Chief Executives of State Government Departments under the Public Service Management Act 1988,
(b) General Manager, State Government Insurance Office,
(c) The Senates of Universities in Queensland,
(d) The Councils of Colleges of Advanced Education in Queensland,
(e) The Cane Prices Board,
(f) The Council of the Queensland Institute of Medical Research,
(g) The Chairman of the Metropolitan Public Abattoir Board,
(h) Public Hospitals Boards in Queensland (Established under the Queensland Hospital Act),
(i) The Parliamentary Services Commission,
(j) The Queensland Corrective Services Commission.

SECTION III

1. Without in any way limiting or being limited by the provisions of sections I and II of this Rule the Union shall consist of an unlimited number of persons, other than academic staff, wholly or substantially employed in the higher education industry who are:

(a) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Murdoch University, Edith Cowan University, the University of Western Australia and Curtin University of Technology; or

(b) Employees employed by Macquarie University as General Library Assistants, Library Assistants, Senior Library Assistants, Assistant Librarians, Librarians, Librarians-in-Charge, Senior Librarians, Library Technicians, Assistant Library Technicians and Library Officer; or

(c) Employees employed by the University of Technology, Sydney or the University of Western Sydney; or

(d) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New England; or

(f) Employees employed by the University of Sydney; or

(g) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of New South Wales and the University of Newcastle (other than employees employed by those two universities in their medical schools); or

(h) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Charles Sturt University or the University of Wollongong; or

(i) Employed in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Melbourne, or LaTrobe University or the Victorian College of Agriculture and Horticulture Limited; or

(j) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Tasmania; or

(k) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of Adelaide; or

(l) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by Flinders University of South Australia; or

(m) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the University of South Australia; or

(n) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the University of Queensland or Griffith University, or James Cook University of Northern Queensland, or Queensland University of Technology, or the University of Central Queensland, or the University of Southern Queensland; or

(o) Employees in professional (other than engineering), administrative and clerical occupations employed by the University of New South Wales at the Australian Defence Force Academy; or

(p) Employees in professional and technical (except trades up to and including the level of leading hand) occupations (but not including administrative or clerical occupations) employed by the Australian Catholic University in Queensland; or

(q) Employees in professional, administrative, clerical and technical (except trades up to and including the level of leading hand) occupations employed by the Australian Catholic University in New South Wales

2. In the interpretation of the terms professional, administrative, clerical, technical and trades occupations which appear in this rule (with the exception of Rule 3, Section 3(1)(n)), assistance in the ascertainment of the meaning of those terms shall be given by consideration of the broad functions described in, and the indicative classifications set out in the demarcation agreement between The State Public Services Federation and the Federated Miscellaneous Workers Union relating to coverage of general staff in Higher Education dated 24 August 1990 [which agreement is set out as Schedule A to Chapter A of these Rules].

3. Notwithstanding anything contained elsewhere in these rules all professional, administrative, clerical, computing and technical (except trades up to and including the level of leading hand) occupations of non-academic staff employed by or in Howard Florey Institute, the Walter and Eliza Hall Institute, the Ludwig Institute and the Murdoch Institute but not so as to include persons registered or enrolled or entitled to be registered or enrolled by any nursing authority, practitioners not engaged in research and/or teaching and medical practitioners engaged in a research and/or teaching capacity who are also employed by a teaching hospital; and, persons employed by the Victorian Clinical Genetics Service Ltd shall not be eligibile for membership.

PART III

Independent contractors who, if they were employees performing work of the kind which they usually perform as independent contractors, would be eligible for membership of the Union under Part I or Part II of this Rule shall be eligible for membership of the Union.

PART IV

No restriction or qualification to the description of industry under Part I of this Rule shall restrict or qualify the description of industry under Part II of this Rule and no restriction or qualification to the description of industry under Part II of this Rule shall restrict or qualify the description of industry under Part I of this Rule.

Schedule A

AGREEMENT DATED 24 AUGUST 1990 BETWEEN SPSF AND FMWU RELATING TO COVERAGE OF GENERAL STAFF IN HIGHER EDUCATION

PREAMBLE

1. FMWU and SPSF reaffirm their commitment to the ACTU policy on union rationalisation as adopted by the 1989 ACTU Congress. SPSF and FMWU are prepared to co-operate in a constructive manner with the progress of union rationalisation under the auspices of the ACTU provided that ACTU policy is applied in a consistent and practical manner across industries and between affiliates. The Interpretation of policy must be applied in a practical way having regard to the coverage in each industry and the various sectors in each industry. The definition of the industry is therefore crucial and must provide for an analysis of an industry to allow recognition of the different sectors and sub-industries. This may result in union coverage and status in sectors, states and territories being different.

2. The issue of union coverage of general staff in higher education is currently being considered by the Australian Industrial Relations Commission under s.118. The ACTU has intervened in the proceedings. Following the authorisation of the majority of unions in the area for the ACTU to make a determination on the appropriate form of union rationalisation in the general staff area the ACTU officers put forward a position to a meeting of unions on 13 July 1990 and later that day to the Commission. That proposal defined the industry as a single industry made up of academic staff and general staff. as a result of this definition it was determined that there was currently no union which could claim to have principal union status as no union could currently cover both academic and general staff. It was proposed that there be 8 significant unions - FAUSA, UACA, SPSF, FMWU, HREA, FCU, ADSTE, VCUSA. It was further reported that should FAUSA (University Academics), UACA (College Academics) and VCUSA (representing approximately 40% of the unionised general staff in Victoria) amalgamate they may be given principal union status with rights to recruit all academic and general staff across Australia. both SPSF and FMWU have formally rejected this proposal on the following grounds:

2.1 Higher education is made up of two main groups of employees - academic and general staff (which in turn is broken down into white and blue collar work sectors). The development of union coverage has recognised the differing interests of these two groups (the only overlap being FAUSA's ability to cover a small number of senior administrative staff in

South Australia and Victoria). The distinction between the groups is recognised by the AIRC and the ACTU in relation to the separation of awards applicable to general and academic staff in higher education. A similar distinction has been made by the ACTU under the proposals in the health industry which distinguishes between nursing and other health staff. SPSF and FMWU reject the view that academic and general staff should be in one union. The AHEIA (the employer organisation) has also rejected the concept of one union covering academic and general staff.

2.2 SPSF and FMWU collectively represent over 50% of the unionised workforce (SPSF has over 8,000 general staff members and FMWU has around 2,500). FMWU has constitutional coverage amongst general staff in all higher education institutions in Australia. SPSF has members in all institutions in the States. We reject the proposal that an amalgamation of the academic staff unions with a small state based union (VCUSA affiliated to the ACTU in September 1989 on the basis of 2,500 members) could legitimately extend their constitutional rules to cover all general staff. SPSF and FMWU do not believe it is appropriate that a union which does not have current constitutional coverage for at least a major proportion of an industry or an industry sector should be able to obtain principal union status pursuant to ACTU policy.

2.3 It is the view of SPSF and FMWU that higher education should be considered in terms of the distinct sectors with principal union status being determined in terms of each of those sectors. FMWU and SPSF believe there are three distinct areas within higher education which are dominated by three unions, these are: academic - FAUSA/UACA; 'white collar' (i.e. administrative/clerical, technical and professional) - SPSF; 'blue collar' (i.e. general services) - FMWU.

It is upon this joint position on the appropriate approach to union coverage that the following demarcation is based.

DEMARCATION AGREEMENT.

1. This agreement between the FMWU and SPSF shall apply in all institutions currently in existence and those to be formed in the future with the exception of those in the Northern Territory (which shall be covered solely by the FMWU). It is agreed that this demarcation agreement shall replace the previous agreement between SPSF and FMWU concerning McAuley College. It is further agreed that this agreement is without prejudice to and current or future demarcation arrangements, or discussions relating thereto, between FMWU and SPSF.

2. It is agreed that the FMWU areas of coverage shall be in the following areas (howsoever designated).

* Security and Cleaning

  Indicative classifications: Security Officers, Security Attendants, Patrolpersons, Gatekeepers, Traffic Officers, Watchpersons, Parking Attendants, Cleaners, Car Detailers, Ushers, Doorkeepers, Parking Inspectors.

* Residential/Building Services

  Indicative classifications: Caretakers, Tea Attendants, Cooks, Domestics, Lift Attendants, Custodians, Handypersons, Porters, Housepersons, Kitchenhands, Counter Assistants, Laundry Workers, Storeworkers, Cellar Hands, Waiters, Shop Assistants, Stewards, Dry Cleaners, Retiring Room Attendants.

* Outside Services

Indicative classifications: Gardeners, Groundspersons, Machinery Operators, Mower Operators, Maintenance Labourers, Trade Assistants, Farmhands, Nursery Workers, Curators, Turf Management, Labourers, Horticulturalist, Messengers, Animal Attendants.

* Trades

Indicative classifications: Mechanical/Electrical, Cooks, butchers, Plumbers, Painters, Building Trades.

* Child Care

Indicative classifications: Child Care Workers, Aides, Directors.

3. (a) It is agreed that the FMWU shall cover all the above classifications up to and including the level of Leading Hand. Those classifications above the level of Leading Hand shall be covered by SPSF.

(b) It is agreed that where a classification involves mixed functions where a major or substantial part of the functions are those of classifications covered by the SPSF that classification shall be covered by the SPSF.

(c) It is agreed that where a classification involves mixed functions where a major or substantial part of the functions are those of classifications covered by the FMWU that classification shall be covered by the FMWU.

4. It is agreed that SPSF shall cover the following areas (howsoever designated).

* Administrative/Clerical (other than Queensland)

Indicative classifications: Clerical Officers/Assistants, Administrative Officers/Assistants, Senior, Principals, Secretaries, P Operators, Typists, Stenographers, Photocopying Assistants, Supply Assistant, Finance Officers/Assistants, Personnel Officers, Industrial Relations Officers, Registrars, Assistant Registrars, Property Services Officers/managers, Publicity Officers/Public Relations Officers, Supervisors, Training Officers, Transport Officers, House Officers/Assistants, Building Supervisors, Bursars, Educational Services Officers, Registry Officers/Assistants, Telephonists, General Assistants (Clerical), Gallery/Museum Attendants, Sports Centre/Swimming Pool Attendants.

* Professional

Indicative classifications: Professional Officers, Scientific Officers, Research Officers/Assistants, Legal Officers, Architects, Engineers, Computer Systems Officers, Computer Programmers, Agronomists, Accountants, Actuaries, Archivists, Cartographers, Dentists, Doctors, Nurses, Dental Assistants, Draftspeople; Economists, Librarians, Library Technicians, Library Assistants, Library Attendants, Library Officers, Occupational Therapists, Photographers, Journalists, Psychologists, Physiotherapists, Social Workers, Counsellors, Statisticians, Systems Analysts, Welfare Officers, Veterinarians, Veterinary Assistants, Graphic Artists/Designers, Artists, Projectionists, Animal Nurses.

* Technical

Indicative classifications: Technical Officers/Assistants, Laboratory Assistants/Craftspeople Attendants, Seniors, Managers, Technicians, Audio-Visual Technician, Medical Technologist, Maintenance Officer/Supervisor, Reprographic Manager, Printing Assistants, Printers, Offset Operators, Supervisors, Computer Operators, Clerk of Works, Photographic Operator, Photographic Assistants, Photo Typesetter, Safety Officers, Glassblowers, Glass Attendants.

5. Other Unions

(a) SPSF and FMWU recognise the significant membership of HREA at Sydney University, the University of New England, Macquarie University and at the Australian National University. Whist neither union seeks to disturb HREA's coverage at these institutions it is the long term view of SPSF and FMWU that HREA should reconsider its involvement in the higher education industry.

(b) SPSF and FMWU recognise the demarcation between SPSF and FCU in relation to clerical staff in higher education in Queensland.

(c) The SPSF and FMWU agree that no unions currently with constitutional capacity and membership in the higher education industry should be required to vacate involvement in the industry without full discussion and by an agreed process in consultation with the SPSF, FMWU and other unions with continuing involvement in the industry.

6. Recruitment and Representation

FMWU and SPSF agree that where possible the two unions shall co-operate in joint recruitment exercises particularly in those areas which have been under unionised in the past.

7. Implementation of this Agreement

(a) It is agreed that Branch Officers of SPSF and FMWU will identify those classifications where it has been agreed that union coverage (subject to sub-clause (g) of this clause) shall change (based on the above list of indicative classifications) and should examine at first instance any areas or classifications where there is some doubt as to the appropriate union coverage and endeavour to determine such questions. Should any question or dispute arise regarding the appropriate union coverage not be settled between Branch Officers of SPSF and FMWU the matters shall be referred to nominated Federal Officers of the two unions who shall determine the coverage. This procedure shall also apply as to areas where there is doubt or a dispute about whether the work in question is being performed in or in connection with the industry of higher education, or in connection with another industry.

(b) Persons employed in those classifications shall be advised of the new union coverage and encouraged to join the appropriate union. this shall be a voluntary decision by the employee, however, every effort shall be made by the unions to facilitate the exchange. It is agreed that the primary objective of membership exchange should not have a reverse effect in terms of employees deciding not to be in any union. This will require much effort on behalf of both unions to ensure that the end result is a positive exchange.

(c) Should some employees not transfer membership immediately, the unions shall enter into a servicing agreement.

(d) All new employees would join the appropriate union.

(e) It is agreed the above process will be reviewed after 2 years.

(f) The eligibility rules of the SPSF and the FMWU and award coverage shall reflect this agreement.

(g) The parties agree that where members within an occupational classification designed in this agreement as falling within the coverage of the FMWU or SPSF are currently solely or in the majority members of the union not designated by this agreement as having coverage of this classification, either nationally or in a particular state, further discussions shall occur between FMWU and SPSF before any final determination is made as to coverage of this classification or the operation of the implementation clauses of this agreement.

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

the reason for the proposal:

(1) The reason for the proposed application is to enable the extension of eligibility for membership to independent contractors who, if they were employees performing work of the kind which they usually perform as independent contractors, would be eligible for membership of the Union under Part I or Part II of this Rule shall be eligible for membership of the Union; and

(2) to correct typographical, clerical and formal errors in the eligibility and industry rules.

the effect of the proposal:

(1) The effect of the proposed alteration will be to extend eligibility for membership to independent contractors who, if they were employees performing work of the kind which they usually perform as independent contractors, would be eligible for membership of the Union under Part I or Part II of this Rule shall be eligible for membership of the Union; and

(2) typographical, clerical and formal errors will have been corrected.

Any interested organisation, registered under the Industrial Relations Act, association or person who desires to object to the application may do so by lodging in the Industrial Registry a written statement within thirty-five (35) days after the publication of this advertisement and by serving on the organisation [whose address for service is: Level 6, 390 Lonsdale Street, Melbourne, VIC 3000] within seven (7) days after the notice of objection has been lodged, copies of the notice of objection and the written statement so lodged.

M. Kelly
INDUSTRIAL REGISTRAR

9501738

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

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

IN the matter of

ACTORS (THEATRICAL) AWARD 1992

C No. 20985 of 1995

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

Notice is hereby given-

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

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 6 June 1995; and

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

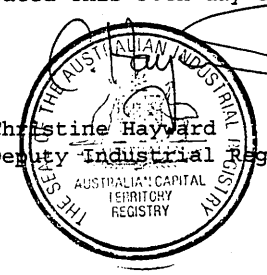
A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

A0005 V019
PRINT NO. M2592

Clause No.	Subject	Substance of variation
Schedule 1		
Part B & Part C		Wage rates, 2nd safety net adjustment
10	Rates of Pay	Wage rates, 2nd safety net adjustment
39	Enterprise Flexibility Provision	Wage rates, 2nd safety net adjustment

Dated this 30th day of June 1995



Christine Hayward
Deputy Industrial Registrar

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

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

IN the matter of

COUNTRY PRINTING AWARD 1959

C No. 20631 of 1995

Dated the 29th day of July 1987
AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 23 June 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 30 April 1995; and

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

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

SCHEDULE OF TERMS TO BE VARIED

C0056 V161
PRINT NO. M1195

Clause No.	Subject	Substance of variation
12	Rate of Wage	Implementation of second Safety Net Adjustment
12B	Interim Classification Structure	Implementation of Second Safety Net Adjustment
16	Foreman or Leading Hand	Implementation of second Safety Net Adjustment
16A	First Aid Attendant	Implementation of second Safety Net Adjustment
31	Apprentices	Implementation of second Safety Net Adjustment
42	Bronzing or Dusting-off	Implementation of second Safety Net Adjustment
Schedule A - Machine Composition Metal		
1	Piece Work Rates for Machine Composition (Metal)	Implementation of second Safety Net Adjustment
Schedule I		
6	Wages	Implementation of second Safety Net Adjustment

Dated this 30th day of June 1995

Christine Hayward
Deputy Industrial Registrar

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

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

IN the matter of

CLOTHING TRADES AWARD 1982

C No. 35304 of 1994

Dated the 7th day of March 1986
AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 22 June 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 27 February 1995; and

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

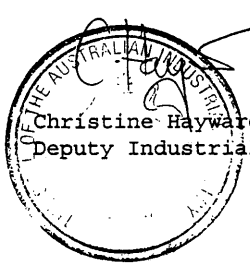
A copy of the award may be inspected at the Australian Industrial Registry at Level 4, CML Building, University Avenue, Canberra.

SCHEDULE OF TERMS TO BE VARIED

C0037 V170
PRINT NO. M3023

Clause No.	Subject	Substance of variation
2	Arrangement	Deletion of old and insertion of new clause title
9A	National Training Wage	Wage Rates - National Training Wage

Dated this 30th day of June 1995



Christine Hayward
Deputy Industrial Registrar

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

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

IN the matter of

COUNTRY PRINTING AWARD 1959

C No. 33903 of 1994

Dated the 29th day of July 1987
AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 22 June 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 27 March 1995; and

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

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

SCHEDULE OF TERMS TO BE VARIED

C0056 V164
PRINT NO. M2377

Clause No.	Subject	Substance of variation
27	Annual Leave	Public Holidays

Dated this 30th day of June 1995



Christine Hayward
Deputy Industrial Registrar

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1988

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

IN the matter of

COUNTRY PRINTING AWARD 1959

C No. 20650 of 1995

Dated the 29th day of July 1987
AND in the matter of the variation of the above award

Notice is hereby given-

(a) That on 20 June 1995, the Commission varied the term/s of the above-mentioned award referred to in the Schedule below;

(b) that the variation will be a common rule of the Australian Capital Territory in the industry in respect of which the dispute arose with effect from 15 May 1995; and

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

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

SCHEDULE OF TERMS TO BE VARIED

C0056 V163
PRINT NO. M1716

Clause No.	Subject	Substance of variation
Award	Roping-in No. 4 Award 1995	Wages and working conditions - roping-in

Dated this 30th day of June 1995

Christine Hayward
Deputy Industrial Registrar

Industrial Relations Act 1988

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF APPLICATION FOR COMMON RULE DECLARATION

IN the matter of:

The award to be known as:

Retail and Wholesale Industry - Shop, Distributive and Allied Employees Association - ACT - Award 1995

C No. 34140 of 1995

Notice is hereby given that the Shop, Distributive and Allied Employees Association has made application for a declaration that the terms hereinafter mentioned be a common rule:

in the Australian Capital Territory for the retail industry;

A copy of the award may be inspected at the Australian Industrial Registry, CML Building, 17-21 University Avenue, Canberra and 80 William Street, East Sydney, free of charge.

The application will be heard at 10.45am on Thursday the 13th day of July 1995, at CML Building, University Avenue Canberra before Commissioner Foggo.

If you desire to be heard on the hearing of the application, notice to that effect must be given to the Commission.

Persons and organisations not so appearing or represented will be bound by any declaration made by the Commission in the matter which is applicable to them.

Dated 23rd day of June 1995.

Christine Hayward
Deputy Industrial Registrar

9501739

Pharmaceutical Benefits Remuneration Tribunal

STATEMENT

1. Section 98BAA of the *National Health Act* 1953 (the "Act") specifies that the Tribunal must give effect to certain agreements. The Agreement dated 24th day of April 1995 between the Minister for Human Services and Health and the Pharmacy Guild of Australia is such an agreement.

2. Pursuant to the terms and provisions of the said Section 98BAA of the said Act, the Tribunal hereby and herewith issues a determination for the payments to approved pharmacists with effect from 1 July 1995 in respect of the supply by them of pharmaceutical benefits under the Act. The rates are as specified in the attached determination.

Dated this the 22nd day of June 1995

L Drake
Chairperson

J R Richardson
Member

M O'Brien
Member

G Miller
Member

Ian A McAuley
Member

COMMONWEALTH OF AUSTRALIA
NATIONAL HEALTH ACT 1953
DETERMINATION UNDER SECTION 98B

Part I - General

1. In pursuance of paragraph 98B(1)(a) of the *National Health Act* 1953, the Pharmaceutical Benefits Remuneration Tribunal hereby determines that the Commonwealth price of all or any pharmaceutical benefits is to be worked out for the purpose of payments to approved pharmacists in respect of the supply by them of pharmaceutical benefits, as set out in this Determination.

2. This Determination shall have effect from 1 July 1995, and shall remain in force until 30 June 1996, or, until such time as a further determination is made by the Tribunal, in accordance with Clauses 4 and 5 of the Agreement made on the 24th day of April 1995 between the Minister for Human Services and Health and the Pharmacy Guild of Australia.

3. The Determination under section 98B of the Act, made on the 19th day of December 1994 with effect from 1 January 1995 is hereby revoked.

4. This Determination includes the appendices hereto and shall consist of the following parts:

Part I	General
Part II	Ready Prepared Pharmaceutical Benefits
Part III	Benefits other than Ready Prepared Pharmaceutical Benefits

5. This Determination shall not apply to the supply of a pharmaceutical benefit by an approved pharmacist to a medical practitioner for the purpose of section 93 of the Act.

6. In addition to the amount calculated in accordance with Part II of this Determination the Commonwealth price shall include a dangerous drug fee of $1.78 in respect of those ready prepared pharmaceutical benefits determined by the Minister under paragraph 98C(1)(b) of the Act to be dangerous drugs for the purpose of payment of a dangerous drug fee. The fee shall also apply to those drugs prescribed by State legislation which are to be treated similarly to dangerous drugs.

7. In addition to the amount calculated in accordance with Part II or Part III of this Determination, the Commonwealth price will include in respect of prescriptions supplied in Western Australia an allowance for freight cost in accordance with the following table:

Distance from Perth GPO	Additional Fee Per Prescription
Metropolitan Areas specified in accordance with the WA Electoral Districts Act 1947	
Less than 100 km	0 cents
Between 100-400 km	6 cents
Between 400-1000 km	11 cents
More than 1000 km	13 cents
	29 cents

8. For the purposes of this Determination, the manufacturers' packs of pharmaceutical benefits on which the approved prices to pharmacists are based are:

(a) Standard Packs - a standard pack for a benefit is the pack which contains a number of units equal to the number specified as the maximum quantity in the Determination by the Minister under section 85 of the Act for that benefit;

(b) Non-Standard Packs - a non-standard pack for a benefit is any pack of a ready prepared benefit, other than a standard pack, that is used for pricing purposes; and

(c) For drugs used in extemporaneously prepared benefits, the agreed purchase quantity is that agreed upon between the Minister and the Pharmacy Guild of Australia.

9. Where, in accordance with subsection 88(6) of the Act, a medical practitioner, instead of directing a repeated supply of a pharmaceutical benefit, directs the supply on one occasion of a quantity or number of units of the benefit, not exceeding the total quantity or number of units that could be prescribed if he directed a repeated supply, the Commonwealth price for that supply shall include only one dispensing fee and the appropriate price for the container.

10. A payment in respect of the supply of a pharmaceutical benefit shall not be made unless supply of that pharmaceutical benefit was made in accordance with the *National Health (Pharmaceutical Benefits) Regulations* and the relevant Determination made by the Minister under the Act.

11. Where in respect of a drug or medicinal preparation the Minister has determined, pursuant to section 85 of the Act, a brand or brands under which that drug or medicinal preparation may be supplied as a pharmaceutical benefit under Part VII of the Act, no payment by the Commonwealth shall be made in respect of the supply by an approved pharmacist of any other brand or brands of that drug or medicinal preparation.

Part II - Ready Prepared Pharmaceutical Benefits

12. The Commonwealth price for a ready prepared pharmaceutical benefit shall be:

(a) where a standard pack is available, the sum of:

(i) the approved price to pharmacists of that standard pack, plus mark up as specified in paragraph 13;

(ii) a dispensing fee of $4.06 for each supply of benefits made, except in the case of benefits which involve the admixture of ready prepared ingredients and are determined as such by the Minister under section 98C of the Act in which case a dispensing fee of $5.89 will apply; and

(iii) an administration fee of $0.21;

(b) where a quantity of a benefit that is ordered and supplied is less than the quantity in a standard pack or a non-standard pack, the sum of:

(i) the amount ascertained in accordance with paragraph 16;

(ii) a dispensing fee of $4.06 for each supply of benefits made;

(iii) an administration fee of $0.21; and

(iv) an amount for the supply of a container, based on the cost of a ready prepared container as ascertained in accordance with paragraph 14, plus mark up, as specified in paragraph 13, of that cost; and

(c) where a quantity of a benefit is ordered and supplied, that is more than the quantity contained in the standard or non-standard pack, as applicable, the sum of:

(i) the approved price to pharmacists of each complete standard or non-standard pack, as applicable, plus mark up as specified in paragraph 13, contained in the quantity dispensed;

(ii) the amount ascertained, in accordance with paragraph 16 hereof in respect of that remainder, if any, of the quantity ordered that is less than a standard or non-standard pack, as applicable;

(iii) a dispensing fee of $4.06 for each supply of benefit made, except in the case of benefits which involve the admixture of ready prepared ingredients and are determined as such

by the Minister under section 98C of the Act, in which case a dispensing fee of $5.89 will apply. (An additional amount for a container is not payable.); and

(iv) an administration fee of $0.21.

13. The mark up referred to in this Part shall be:

(a) ten per cent, where the price to pharmacist for the maximum quantity of the benefit as determined under subsection 85A(2) of the Act is not more than $180.00; or

(b) $18.00, where the price to pharmacist for the maximum quantity of the benefit as determined under subsection 85A(2) of the Act is more than $180.00, but less than $360.00; or

(c) five per cent, where the price to pharmacist for the maximum quantity of the benefit as determined under subsection 85A(2) of the Act is $360.00 or greater.

14. The cost of a ready prepared container is the arithmetic average of the prices for the particular container based on a quantity of one hundred, as at the first day in January each year as obtained from wholesalers or manufacturers as agreed between the Secretary and the Pharmacy Guild of Australia and that cost will apply from and including the first day in April of that year to and including the last day of March in the following year. The particular containers will be a 150 millilitres vial for use for injectibles and a 25 millilitres vial for other ready prepared benefits.

15. The amount of the payment for a benefit or a container shall in each case be taken to the nearest cent, one half cent being counted as one cent.

16. Where a quantity of a benefit is ordered and supplied that is less than the quantity in a standard pack or a non-standard pack (i.e., a broken quantity), the amount referred to in paragraph 12(b)(i) and 12(c)(ii) hereof shall be ascertained by:

(a) adding mark up as specified in paragraph 13 to the agreed price to approved pharmacists of the standard or non-standard pack as the case may be;

(b) ascertaining the percentage that the number of units in the broken quantity bears to the number of units in the applicable pack;

(c) selecting, in Column A of the table set out hereunder, the percentage ascertained in accordance with the last preceding sub-paragraph, or, where that percentage is not specified in that column, the nearest higher percentage so specified;

(d) taking the percentage set out in Column B of the table set out hereunder, immediately below the percentage so selected; and

(e) taking the percentage so ascertained in sub-paragraph (d) of this paragraph of the amount ascertained in sub-paragraph (a).

Column A -
5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100 per cent

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Column B -
10 18 26 32 38 44 50 54 58 62 66 70 74 78 82 86 90 94 98 100 per cent

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17. Notwithstanding anything contained elsewhere in this Determination the Commonwealth price in respect of the supply of a quantity of a ready prepared pharmaceutical benefit shall not exceed the Commonwealth price of a greater quantity of that benefit.

18. Where a prescription calls for a quantity of one of the benefits determined by the Minister under section 98C of the Act as being a benefit, the complete pack of which should be supplied regardless of any lesser quantity ordered, the Commonwealth price shall be calculated on the basis that the complete pack was supplied.

Part III - Benefits Other than Ready Prepared Pharmaceutical Benefits

19. In this Part -

'extemporaneously prepared pharmaceutical benefit' means a benefit other than a ready prepared pharmaceutical benefit.

'wastage' means the combined loss which arises from:

(a) transferring drugs and chemicals from the package, in which they are delivered to the approved pharmacist, to the dispensing package delivered to the customer;

(b) deterioration; and

(c) obsolescence.

20. The Commonwealth price in respect of an extemporaneously prepared pharmaceutical benefit including benefits included in the Standard Formulae

List (as defined in the Determination made by the Minister under paragraph 98C(1)(b) of the Act) shall, subject to paragraph 35, be the sum of the following amounts:

(a) the amount in respect of ingredients in the quantities supplied, ascertained in accordance with paragraphs 21 to 24 hereof inclusive;

(b) the amount in respect of the appropriate container as calculated in accordance with paragraph 30 hereof; and

(c) a dispensing fee of $5.89; and

(d) an administration fee of $0.21.

21. For the purposes of paragraph 20 the amount in respect of an ingredient in an extemporaneously prepared pharmaceutical benefit where the quantity of the ingredient is equal to the agreed purchase quantity, shall be the sum of:

(a) the basic wholesale price of the ingredient;

(b) mark up, as specified in paragraph 22, on (a); and

(c) an amount where applicable representing mark-up to cover wastage on (a) determined in accordance with Appendix A.

22. The mark up referred to in this Part shall be:

(a) ten per cent, where the price to pharmacist for the maximum quantity of the benefit as determined under sub-section 85A(2) of the Act is not more than $180.00; or

(b) $18.00, where the price to pharmacist for the maximum quantity of the benefit as determined under sub-section 85A(2) of the Act is more than $180.00, but less than $360.00; or

(c) five per cent, where the price to pharmacist for the maximum quantity of the benefit as determined under sub-section 85A(2) of the Act is $360.00 or greater.

23. For the purposes of paragraph 20 the amount in respect of an ingredient in an extemporaneously prepared pharmaceutical benefit where the quantity of the ingredient is less than the agreed purchase quantity, shall be ascertained as follows:

(a) by ascertaining the basic pricing unit to be used for the quantity to be dispensed by reference to the table of basic pricing units in Appendix B;

(b) by ascertaining the cost of the basic pricing unit by reducing the amount ascertained in accordance with paragraph 21 by the quantity factor or factors shown in Appendix B appropriate to the basic pricing unit required and rounding off the resultant amount to the nearest cent, one half cent being counted as one cent;

(c) by multiplying the cost of the basic pricing unit by the fraction that the quantity to be dispensed bears to the quantity contained in the basic pricing unit except for:

(i) quantities up to 50 milligrams or 50 microlitres which shall be paid at the amount for 50 milligrams or 50 microlitres;

(ii) quantities exceeding 700 milligrams or 700 microlitres but not exceeding one gram or one millilitre which shall be paid at the amount for one gram or one millilitre;

(iii) quantities exceeding 7 grams or 7 millilitres but not exceeding 10 grams or 10 millilitres which shall be paid at the amount for 10 grams or 10 millilitres; and

(iv) quantities exceeding 80 grams or 80 millilitres but not exceeding 90 grams or 90 millilitres which shall be paid at the amount for 80 grams or 80 millilitres.

For the purposes of this paragraph the quantity of the ingredient shall be calculated to the next upward 50 milligrams or 50 microlitres.

24. For the purposes of paragraph 20 the amount in respect of an ingredient in an extemporaneously prepared pharmaceutical benefit where the quantity of the ingredient is greater than the agreed purchase quantity shall be ascertained as follows:

(a) except in the case of drugs which are unstable or packed sterile, as determined by the Minister under section 98C of the Act, by dividing the quantity dispensed by the quantity contained in the agreed purchase quantity and multiplying by the basic wholesale price of the agreed purchase quantity;

(b) where the ingredient is one of the drugs which are unstable or packed sterile, as determined by the Minister under section 98C of the Act, by multiplying the price of the agreed purchase quantity by the number of whole packs of the agreed purchase quantity required to dispense the quantity of the ingredient.

25. The amount payable in respect of an extemporaneously prepared pharmaceutical benefit which comprises a vehicle which is specified in the prescription under a particular name and an additional specified ingredient or

ingredients, shall be calculated in accordance with the provisions of paragraph 26 or 27 hereof as the case may be.

26. Where the vehicle is a single liquid ingredient and one or more other ingredients are added, displacement of the vehicle by solids (if any) shall be disregarded for pricing purposes and the amount payable for the pharmaceutical benefit as a whole shall be calculated in accordance with the provisions of paragraph 20.

27. Where the vehicle is compounded from two or more ingredients and one or more other ingredients are added, displacement of the vehicle by solids (if any) shall be disregarded for pricing purposes and the amounts payable for the respective ingredients shall be the sum of:

(a) the price of each ingredient of the vehicle; and

(b) the price of each of the ingredients which is added to the vehicle;

calculated in each case in accordance with provisions of paragraph 21, 23 or 24 hereof as the case may be.

28. The amount ascertained in respect of an ingredient in accordance with paragraph 21 shall be taken to the nearest cent, one half cent being counted as one cent.

29. The basic wholesale price of a drug used in the preparation of extemporaneously prepared pharmaceutical benefits shall be calculated as the arithmetic average of wholesale costs of the drug, in a purchase quantity agreed upon by the Secretary and the Pharmacy Guild of Australia and available from wholesale drug distributors. For this purpose the basic wholesale cost of a drug shall be ascertained and shall take effect in accordance with the following timetable:

Basic wholesale cost ascertained	Prices take effect for pharmaceutical benefits
As at 1 January	As at 1 Aril of the same year
As at 1 May	As at 1 August of the same year
As at 1 September	As at 1 December of the same year

30. In calculating the amount in respect of an ingredient or the basic wholesale price of a basic pricing unit, the amount so calculated shall be taken to the nearest cent, one half cent being counted as one cent.

31. The price payable for each size and type of container for extemporaneously prepared pharmaceutical benefits shall be based on the average of wholesale costs for that container, in the purchase quantity agreed upon between the Secretary of the Department of Human Services and Health and the Pharmacy Guild of Australia and available from wholesale distributors in the capital city of the relevant State, plus mark up, as specified

in paragraph 22, rounded off to the nearest cent, one-half cent being counted as one cent.

32. For the purpose of this Part, the wholesale costs of the particular containers shall be ascertained and shall take effect in accordance with the following timetable:

Basic wholesale cost ascertained from wholesalers	Prices take effect as pharmaceutical benefits
As at 1 April	As at 1 August of the same year
As at 1 August	As at 1 December of the same year
As at 1 December	As at 1 April of the following year

33. Where a wholesale distributor will not supply containers of a particular size or type in the purchase quantity agreed to by the Secretary and the Pharmacy Guild of Australia, the price of the purchase quantity shall be calculated by multiplying the price of the smallest quantity, above the purchase unit, in which the wholesaler will supply containers of that size and type by the fraction that the quantity in the agreed purchase quantity bears to the quantity in which the wholesaler will supply.

34. In the case of bulk powders, the amount payable for the container shall be the amount for a screw cap jar which is nominally rated to hold at least double the quantity prescribed.

35. Where the prescription orders a quantity of a pharmaceutical benefit in excess of the capacity of the largest size container of the appropriate type for which provision is made, payment for containers shall be made as if the pharmaceutical benefit had been supplied in more than one of the containers for which provision is made.

36. Notwithstanding anything contained elsewhere in this Determination the Commonwealth price in respect of supply of a quantity of an extemporaneously prepared pharmaceutical benefit shall not exceed the Commonwealth price of a greater quantity of that benefit.

37. Notwithstanding anything contained elsewhere in this Determination in calculating the cost in respect of supply of a quantity of an ingredient of an extemporaneously prepared pharmaceutical benefit, that cost shall not exceed the cost of a greater quantity of that ingredient.

38. Extemporaneously prepared pharmaceutical benefits which are not included in the Standard Formulae List, as defined by the Minister in the Determination made under paragraph 98C(1)(b) of the Act, shall be classified for pricing purposes according to the type of preparation in accordance with the Third Schedule to the Determination made by the Minister under paragraph 98C(1)(b) of the Act. Except in the case of 'exceptional prescriptions', as defined by the Minister in the Determination made under section 98C of the Act, or where the approved pharmacist has made an election in accordance

with paragraph 39 hereof, the price payable for such a pharmaceutical benefit shall be calculated as follows:

(a) On the sixteenth day of the month or as near as practicable thereto the total number of grams or millilitres, as the case may be, priced during the previous four weeks or period as near as practicable thereto, for each type of preparation in the Standard Formulae List will be ascertained, together with the total amount (exclusive of container costs and dispensing fees) paid for each total quantity.

(b) The total amount paid (exclusive of container costs and dispensing fees) ascertained in accordance with (a) above for each type of preparation, shall be divided by a number equal to one tenth of the number of grams or millilitres, as the case may be, for that type of preparation ascertained in accordance with (a) above.

(c) the amount payable shall be the average ten grams or ten millilitres rate ascertained in accordance with (b) above calculated at about the sixteenth day of the month prior to the month of supply for the particular type of preparation, multiplied by one tenth of the number of grams or millilitres, plus the container cost and a dispensing fee of $5.89 and an administration fee of $0.21.

(d) On the sixteenth day of each month or as near as practicable thereto, if no prescriptions have been priced during the previous four weeks or period as near as practicable thereto for any of the formulae listed for a type of preparation, the amount payable will be ascertained by taking the average ten grams or ten millilitres rate (exclusive of container costs and dispensing fees) of all the formulae listed multiplied by one tenth of the number of grams or millilitres, plus the container cost, a dispensing fee of $5.89 and the administration fee of $0.21.

(e) The amount payable for a benefit ascertained in accordance with (c) or (d) above shall in each case be taken to the nearest cent, one half cent being counted as one cent.

39. An approved pharmacist may elect to calculate prices of extemporaneously prepared pharmaceutical benefits which are not included in the Standard Formulae List in accordance with the provisions of paragraph 20 hereof instead of receiving payment in accordance with paragraph 38.

40. Notwithstanding the provisions of paragraph 38 hereof an approved pharmacist who has not elected to calculate prices in accordance with paragraph 39 hereof may calculate the amount payable for an 'exceptional prescription' in accordance with the provisions of paragraph 20, and shall, subject to conformity with the procedure for preparation of claims set out in the Determination made by the Minister under section 99AAA of the Act, be entitled to receive the amount so calculated.

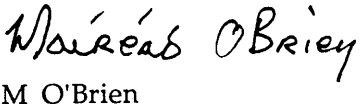
Dated this the twenty second day of June one thousand nine hundred and ninety-five.



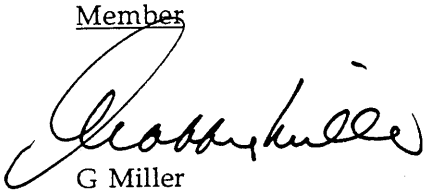
L Drake
Chairperson



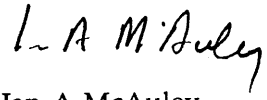
J Richardson
Member



M O'Brien
Member



G Miller
Member



Ian A McAuley
Member

APPENDIX A

CLASSIFICATION AND MARK-UP TABLES

TABLE 1 Benefits not more than $180.00

A. Classification No.	1.	2.	3.	4.	5.
B. Wholesale Basic Price	100	100	100	100	100
C. 10 per cent mark-up on B	10	10	10	10	10
D. Wastage Factor on B.	0	10	20	30	40
E. Total of B, C and D	110	120	130	140	150
F. % Mark-up on B.	10	20	30	40	50

TABLE 2 Benefits more than $180.00, but less than $360.00

A. Classification No.	1.	2.	3.	4.	5.
B. Wholesale Basic Price	100	100	100	100	100
C. Mark up on B	$18.	$18.	$18.	$18.	$18.
D. Wastage Factor on B.	0	10	20	30	40
E. Total of B, C and D	100 +$18.	110 +$18	120 +$18	130 +$18	140 +$18

TABLE 3 Benefits $360.00 or greater

A. Classification No.	1.	2.	3.	4.	5.
B. Wholesale Basic Price	100	100	100	100	100
C. 5 per cent mark-up on B	5	5	5	5	5
D. Wastage Factor on B.	0	10	20	30	40
E. Total of B, C and D	105	115	125	135	145
F. % Mark-up on B.	5	15	25	35	45

APPENDIX B

BASIC PRICING UNITS

QUANTITIES	BASIC PRICING UNIT TO BE USED
Up to 50 mg or 50 microlitres (minimum price)	100mg or 100 microlitres price x 0.5
Over 50mg or 50 microlitres and up to and including 700mg or 700 microlitres	100mg or 100 microlitres price
Over 700mg or 700 microlitres and up to and including 1g or 1mL	Price as 1g or 1mL
Over 1g or 1mL and up to and including 7g or 7mL	1g or 1mL price
Over 7g or 7mL and up to and including 10g or 10mL	Price as 10g or 10mL
Over 10g or 10mL and up to and including 80g or 80mL	10g or 10mL price
Over 80g or 80mL and up to and including 90g or 90mL	Price as 80g or 80mL
Over 90g or 90mL	100g or 100mL price

QUANTITY FACTORS

To ascertain the 100g or 100mL price, divide the 500g or 500mL price by 5 or divide the 1kg or 1 litre price by 10.

To ascertain the 10g or 10mL price, divide the 100g or 100mL price plus $12\frac{1}{2}$ % by 10.

To ascertain the 1g or 1mL price, divide the 10g or 10mL price plus 25% by 10.

To ascertain the 100mg or 100 microlitres price, divide the 1g or 1mL price plus 25% by 10.

In this Appendix:

'mg'	means milligram
'g'	means gram
'kg'	means kilogram
'mL'	means millilitre

9501740

Industry, Science and Technology

CUSTOMS ACT 1901

CUSTOMS TARIFF ACT 1987

PART I OF SCHEDULE 4

BY-LAW NO. 9540003

I, IAN CHRISTOPHER McDONALD, delegate of the Comptroller-General of Customs for the purposes of section 271 of the *Customs Act 1901*, hereby make the by-law set out in the Schedule hereto.

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

Unless the context otherwise requires, any word or phrase used in a reference in the by-law set out in the Schedule hereto 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

BY-LAW NO. 9540003

Item 1D
Part I of Schedule 4

1. This by-law may be cited as Customs By-law No. 9540003.

2. This by-law shall take effect on and from 9 December 1994.

3. Item 1D in Part I of Schedule 4 to the *Customs Tariff Act 1987* applies to scientific instruments or apparatus to which Annex D of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) Agreement on the Importation of Educational, Scientific and Cultural Materials or Annex D of the Protocol to the Agreement adopted by UNESCO at its 19th session in Nairobi in 1976 apply, which are consigned to an Organisation listed in Column 1, and entered for home consumption on or after the date specified in Column 2 opposite that Organisation:

Column 1	Column 2
Antarctic Division of the Department of the Environment, Sport and Territories	9 December 1994
Australian Geological Survey Organisation	9 December 1994
Australian Institute of Marine Science	9 December 1994
Australian Radiation Laboratories	9 December 1994

Baker Medical Research Institute	9 December 1994
Bureau of Meteorology Research Centre	9 December 1994
Centenary Institute of Cancer Medicine and Cell Biology	9 December 1994
The Children's Medical Research Foundation	9 December 1994
The Garvan Institute of Medical Research	9 December 1994
The Heart Research Institute	9 December 1994
Howard Florey Institute	9 December 1994
Ludwig Institute for Cancer Research	12 April 1995
MacFarlane Burnett Centre for Medical Research	9 December 1994
The Mental Health Research Institute of Victoria	9 December 1994
The Menzies School of Health Research	9 December 1994
Prince Henry's Institute of Medical Research	9 December 1994
Queensland Institute of Medical Research	9 December 1994
Sir Albert Sakzewski Virus Research Centre	9 December 1994
St Vincent's Institute of Medical Research, Melbourne	5 July 1995
Walter and Eliza Hall Institute of Medical Research	9 December 1994.

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.

Dated this 29th day of June 1995

IAN CHRISTOPHER McDONALD
Delegate of the Comptroller-General of Customs

NOTICE OF REVOCATION OF CUSTOMS BY-LAW

I, IAN CHRISTOPHER McDONALD, delegate of the Comptroller-General of Customs, pursuant to subsection 33(3) of the *Acts Interpretation Act 1901*, hereby revoke Customs By-law No. 9440041 published in the Commonwealth of Australia Gazette No. GN 48 of 7 December 1994, to take effect on and from 5 July 1995.

Dated this 29th day of June 1995

IAN CHRISTOPHER McDONALD
Delegate of the Comptroller-General of Customs

9501741

COMMONWEALTH OF AUSTRALIA
CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, JOHN BURKE, 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	21/06/95	22/06/95	23/06/95	24/06/95	25/06/95	26/06/95	27/06/95
Austria	Schillings	7.0774	7.0577	7.0675	7.0675	7.0675	7.0254	7.0159
Belgium/Lux	Francs	20.6600	20.6100	20.6500	20.6500	20.6500	20.5100	20.5000
Brazil	Reals	.6637	.6660	.6611	.6611	.6611	.6621	.6590
Canada	Dollars	.9973	1.0017	.9893	.9893	.9893	.9903	.9865
China	Yuan	5.9942	6.0122	5.9656	5.9656	5.9656	5.9745	5.9553
Denmark	Kroner	3.9292	3.9222	3.9259	3.9259	3.9259	3.9021	3.8953
EC	ECU	.5450	.5448	.5445	.5445	.5445	.5415	.5417
Fiji	Dollar	.9992	1.0001	.9972	.9972	.9972	.9977	.9953
Finland	Markka	3.0880	3.0918	3.0902	3.0902	3.0902	3.0729	3.0609
France	Francs	3.5285	3.5172	3.5211	3.5211	3.5211	3.5086	3.5017
Germany	Deutschmark	1.0058	1.0040	1.0051	1.0051	1.0051	.9989	.9978
Greece	Drachmae	162.6900	162.4900	162.7100	162.7100	162.7100	161.7300	161.6900
Hong Kong	Dollars	5.5954	5.6111	5.5677	5.5677	5.5677	5.5765	5.5586
India	Rupees	22.7090	22.7656	22.5798	22.5798	22.5798	22.6134	22.5419
Indonesia	Rupiah	1620.4000	1625.1000	1612.4000	1612.4000	1612.4000	1615.5000	1610.4000
Ireland	Pounds	.4413	.4414	.4428	.4428	.4428	.4396	.4404
Israel	Shekel	2.1455	2.1507	2.1332	2.1332	2.1332	2.1339	2.1299
Italy	Lire	1186.3800	1183.4100	1175.9100	1175.9100	1175.9100	1165.1400	1167.8900
Japan	Yen	60.9800	60.9100	60.7800	60.7800	60.7800	60.6900	60.5100
Korea	Won	551.3400	552.9400	548.6000	548.6000	548.6000	549.4300	545.8800
Malaysia	Dollar	1.7629	1.7669	1.7547	1.7547	1.7547	1.7571	1.7512
Netherlands	Guilder	1.1275	1.1236	1.1254	1.1254	1.1254	1.1185	1.1179
New Zealand	Dollar	1.0746	1.0780	1.0746	1.0746	1.0746	1.0711	1.0687
Norway	Kroner	4.4809	4.4734	4.4786	4.4786	4.4786	4.4513	4.4487
Pakistan	Rupee	22.1800	22.2400	22.0700	22.0700	22.0700	22.1000	22.0300
Papua NG	Kina	.9355	.9386	.9312	.9312	.9312	.9362	.9345
Philippines	Peso	18.5200	18.5700	18.3500	18.3500	18.3500	18.3500	18.2700
Portugal	Escudo	105.9000	105.7900	106.0200	106.0200	106.0200	105.1300	105.3800
Singapore	Dollar	1.0105	1.0145	1.0064	1.0064	1.0064	1.0064	1.0041
Solomon Is.	Dollar	2.4431	2.4527	2.4334	2.4334	2.4334	2.4371	2.4294
South Africa	Rand	2.6440	2.6499	2.6219	2.6219	2.6219	2.6270	2.6103
Spain	Peseta	87.4800	87.3900	87.3400	87.3400	87.3400	86.9100	86.8100
Sri Lanka	Rupee	35.1600	35.3000	34.9900	34.9900	34.9900	35.1400	35.0200
Sweden	Krona	5.2531	5.2558	5.2234	5.2234	5.2234	5.2092	5.2115
Switzerland	Franc	.8335	.8299	.8324	.8324	.8324	.8265	.8256
Taiwan	Dollar	18.7300	18.7700	18.5900	18.5900	18.5900	18.5700	18.5600
Thailand	Baht	17.8200	17.8700	17.7400	17.7400	17.7400	17.7700	17.7100
UK	Pounds	.4509	.4505	.4507	.4507	.4507	.4496	.4530
USA	Dollar	.7234	.7255	.7198	.7198	.7198	.7209	.7186

JOHN BURKE
Delegate of the
Comptroller-General of Customs
CANBERRA A.C.T.
28/06/95

9501742

Customs Act 1901
Notice Under Section 17(b)
Notice Number : VIC AIR 95/11

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

appoint as a place for the examination of goods on landing the premises known as Specific Freight Services, located at 18 Tarmac Drive,Tullamarine Vic,3043, and described on plan at folio 3,V95/1858 held by Chief Inspector, Air Cargo, Customs House, Melbourne Airport, VIC, 3045.

Dated this 16th day of June 1995

Senior Manager Airport Operations

9501743

Customs Act 1901
Notice Under Section 17(b)
Notice Number: Q95/21

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

appoint as a place for the examination of goods on landing the premises known as Smith Bros Trade & Transport Terminal Pty Ltd., Bingera Drive, Fisherman Islands. and described on plan contained within file Q93 / 4025 held by Senior Inspector Cargo Services, Brisbane.

Dated this 22nd day of June 1995.

Manager Sea Cargo

9501744

Primary Industries and Energy

AUSTRALIAN WINE AND BRANDY CORPORATION
GEOGRAPHICAL INDICATIONS COMMITTEE

555 The Parade, MAGILL, South Australia, 5072
Phone: (08) 364 2828 Fax: (08) 364 5151

NOTICE OF INTERIM DETERMINATION

The Presiding Member of the Geographical Indications Committee of the Australian Wine and Brandy Corporation wishes to advise that the following INTERIM DETERMINATIONS of Australian Geographical Indications have been made as set out in this notice.

This notice is issued in conformity with Section 40V of the Australian Wine and Brandy Corporation Act 1980.

Written submissions to the Committee in respect of the Interim Determinations of Australian Geographical Indications set out in this notice are invited, and are required to be lodged within a period of one (1) month from the date of publication of this notice.

Written submissions should be addressed to:

THE PRESIDING MEMBER
Geographical Indications Committee
AUSTRALIAN WINE AND BRANDY CORPORATION
P.O. Box 595
MAGILL SA 5072

GEOGRAPHICAL INDICATION: **#21**

GREAT NORTHERN

AREA BOUNDARIES

The area boundaries used to support the textual description of this geographical indication are represented on the following official maps:

(a) WESTERN AUSTRALIA 1: 3,000,000

a single map showing:
Pastoral Lease Boundaries
Local Authority Boundaries

COPYRIGHT 1991

Compiled and produced by:
Cartographic Services Branch
Department of Land Administration
Perth, Western Australia.

(b) THE SOUTH WEST OF WESTERN AUSTRALIA 1: 1,000,000

a single map showing:
Pastoral Lease Boundaries
Local Authority Boundaries (as at May 1987)

COPYRIGHT 1988

Compiled and produced by:
Cartographic Services Branch
Department of Land Administration
Perth, Western Australia.

TEXTUAL DESCRIPTION

The Geographical Indication "GREAT NORTHERN" is located within the State of Western Australia, Australia.

The beginning point of the boundary is located at the intersection of the southern boundary of the Shire of Coorow and the Indian Ocean and proceed thence along the coastline of Western Australia in a generally north and then north-east direction to its intersection with the Northern Territory border at or about Longtitude 129° and proceed thence in a generally south direction along the Western Australia / Northern Territory border to its intersection with the Western Australia / South Australia border, and proceeds thence in a generally south direction along the Western Australia / South Australia border to its intersection with the southern coast of Western Australia as formed by the Southern Ocean, and proceeds thence in a generally west direction along the southern coast of Western Australia to its intersection with the most southerly point of the southern boundary of the Shire of Dundas where it meets the Southern Ocean , and proceeds thence in a generally north, west, north, west, south, and thence west direction along the southern boundary of the Shire of Dundas to its intersection with the southern

boundary of the Shire of Kondinin, and proceed thence generally west along the southern boundary of the Shire of Kondinin to its intersection with the eastern boundary of the Shire of Lake Grace, and proceeds thence in a generally south east and thence south west direction along the eastern boundary of Shire of Lake Grace to its intersectrion with the eastern boundary of Shire of Kent, and proceeds thence in a generally south west and thence west direction along the southern boundary of the Shire of Kent to its south west corner, and proceeds thence in a generally northern direction along the western boundary of the Shire of Kent to its intersection with the southern boundary of the Shire of Dumbleyung, and proceeds thence generally west along the southern boundary of the Shire of Dumbleyung and thence generally north along the western boundary of the Shire of Dumbleyung to its intersection with the southern boundary of the Shire of Wickepin, and proceeds thence generally west along the southern boundary of the Shire of Wickepin to its intersection with the western boundary of the Shire of Wickepin, and proceeds thence generally north, north west, north, east and thence north along the western boundary of the Shire of Wickepin to its intersection with the southern boundary of the Shire of Corrigin, and thence in a generally north west direction along the western boundary of the Shire of Corrigin to its intersection with the southern boundary of the Shire of Quairading, and proceeds thence in a generally west direction along the southern boundary of the Shire of Quairading to its intersection with the western boundary of the Shire of Quairading, and proceeds thence in a generally north direction along the western boundary of the Shire of Quairading to its intersection with the southern boundary of the Shire of Cunderdin, and proceeds thence in a generally north west direction along the southern and thence western boundaries of the Shire of Cunderdin to its intersection with the southern boundary of the Shire of Goomalling, and proceeds thence generally west along the southern boundary of the Shire of Goomalling and thence generally north along the western boundary of the Shire of Goomalling to its intersection with the western boundary of the Shire of Wongan - Ballidu, and proceeds thence in a generally north direction along the western boundary of the Shire of Wongan - Ballidu to its intersection with the western boundary of the Shire of Dalwallinu, and proceeds thence in a generally north and thence generally north west direction along the western boundary of the Shire of Dalwallinu to its intersection with the southern boundary of the Shire of Coorow, and proceeds thence in a generally west direction along the southern boundary of the Shire of Coorow to its intersection with the Indian Ocean, the beginning point.

The area so enclosed includes all of the Shires of Wyndham-East Kimberley, Derby-West Kimberley, Broome, Halls Creek, Port Hedland, Roebourne, Exmouth, Ashburton, East Pilbara, Carnarvon, Upper Gasgoyne, Meekatharra, Wiluna, Shark Bay, Murchison, Cue, Northampton, Chapman Valley, Mullewa, Yalgoo, Mount Magnet, Greenough, Irwin, Mingenew, Three Springs, Morawa, Perenjori, Carnamah, Coorow, Dalwallinu, Mount Marshall, Wongan-Ballidu, Koorda, Mukinbudin, Goomalling, Dowerin, Wyalkatchem, Trayning, Nungarin, Cunderdin, Tammin, Kellerberrin, Merriden, Quairading, Bruce Rock, Narembeen, Corrigin, Kondinin, Wickepin, Kulin, Dumbleyung, Kent, Lake Grace, Sandstone, Leonora, Laverton, Menzies, Westonia, Yilgarn, Coolgardie, Boulder, Dundas, and all adjacent islands.

The area so enclosed also includes the City of Geraldton, and the Town of Kalgoorlie.

GEOGRAPHICAL INDICATION: #22

ESPERANCE

AREA BOUNDARIES

The area boundaries used to support the textual description of this geographical indication are represented on the following official maps:

(a) WESTERN AUSTRALIA 1: 3,000,000

a single map showing:
Pastoral Lease Boundaries
Local Authority Boundaries

COPYRIGHT 1991

Compiled and produced by:
Cartographic Services Branch
Department of Land Administration
Perth, Western Australia.

(b) THE SOUTH WEST OF WESTERN AUSTRALIA 1: 1,000,000

a single map showing:
Pastoral Lease Boundaries
Local Authority Boundaries (as at May 1987)

COPYRIGHT 1988

Compiled and produced by:
Cartographic Services Branch
Department of Land Administration
Perth, Western Australia.

TEXTUAL DESCRIPTION

The Geographical Indication "ESPERANCE" is located within the State of Western Australia, Australia.

The beginning point of the boundary is located at the point where the western boundary of the Shire of Jerramungup and the eastern boundary of the Shire of Albany intesect

the southern coast of Western Australia as formed by the Southern Ocean, and proceeds thence in generally north west direction along the south western boundary of the Shire of Jerramungup to its intersection with the southern boundary of the Shire of Gnowangerup to its intersection with the western boundary of the Shire of Gnowangerup, and proceeds thence in a generally north direction along the western boundary of the Shire of Gnowangerup to its intersection with the northern boundary of the Shire of Gnowangerup, and proceeds thence generally east along the northern boundary of the Shire of Gnowangerup to its intersection with the northern boundary of the Shire of Jerramungup, and proceeds thence in a generally north east direction along the northern boundary of the Shire of Jerramungup to its intersection with the western boundary of the Shire of Ravensthorpe, and proceeds thence in a generally north east, north and thence north west direction along the western boundary of the Shire of Ravensthorpe to its intersection with the northern boundary of the Shire of Ravensthorpe, and thence in a generally east and thence south direction along the northern boundary of the Shire of Ravensthorpe to its intersection with the northern boundary of the Shire of Esperance, and thence in a generally west direction along the northern boundary of the Shire of Esperance to its intersection with the eastern boundary of the Shire of Esperance, and thence generally south, east and thence south along the eastern boundary of the Shire of Esperance to its intersection with the southern boundary of Western Australia as formed by the Southern Ocean, and proceeds thence in a generally south west and thence west direction along the southern coastline of Western Australia to the beginning point.

The area so enclosed includes all of the Shires of Gnowangerup, Jerramungup, Ravensthorpe, Esperance and all adjoining islands.

GEOGRAPHICAL INDICATION: #23

SOUTH WEST AUSTRALIA

AREA BOUNDARIES

The area boundaries used to support the textual description of this geographical indication are represented on the following official map:

(a) THE SOUTH WEST OF WESTERN AUSTRALIA 1: 1,000,000

a single map showing:
Pastoral Lease Boundaries
Local Authority Boundaries (as at May 1987)

COPYRIGHT 1988

Compiled and produced by:
Cartographic Services Branch
Department of Land Administration
Perth, Western Australia.

TEXTUAL DESCRIPTION

The Geographical Indication "SOUTH WEST AUSTRALIA" is located within the State of Western Australia, Australia.

The beginning point of the boundary is located at the intersection of the northern boundary of the Shire of Harvey and the Indian Ocean and proceeds thence in a generally east direction along the northern boundary of the Shire of Harvey and thence in a generally south east and thence generally south direction along the eastern boundary of the Shire of Harvey to a point on this boundary approximately three (3) kilometres east of Mount Ross where the Shire of Harvey eastern boundary veers to the west, and from this point the boundary for this geographical indication departs the Shire of Harvey boundary and proceeds thence in a sraight line in a generally south direction passing through the Shire of Collie to the point at which the southern boundary of the Shire of Collie intersects the north west corner boundary of the Shire of Boyup Brook and proceeds thence in a generally south east direction along the northern boundary of the Shire of Boyup Brook and thence in a generally south direction along the eastern boundary of the Shire of Boyup Brook to its intersection with the northern boundary of the Shire of Cranbrook, and proceeds thence in a generally east direction along the northern boundary of the Shire of Cranbrook and thence generally south along the eastern boundary of Shire of Cranbrook to its intersection with the northern boundary of Shire of Plantagenet and proceeds thence in a generally east direction along the northern boundary of the Shire of Plantagenet to its intersection with the northern boundary of the Shire of Albany, and proceeds thence in a generally east and thence south east direction along the northern boundary of the Shire of Albany to the point where the Shire of Albany boundary intersects with the south coast of Western Australia as formed by the Southern Ocean, and proceeds thence in a generally west and then north direction along the coastline of Western Australia to the beginning point.

The area so enclosed includes all of the Shires of Harvey, Bunbury, Dardanup, Capel, Busselton, Donneybrook, Boyup Brook, Augusta-Margaret River, Nannup, Bridgetown-Greenbushes, Manjimup, Cranbrook, Demnark, Plantagenet, Albany and that part of the Shire of Collie lying to the west of the described boundary and all adjacent islands.

The area so described also includes the Town of Albany..

GEOGRAPHICAL INDICATION: **#24**

CENTRAL WESTERN AUSTRALIA

AREA BOUNDARIES

The area boundaries used to support the textual description of this geographical indication are represented on the following official maps:

(a) THE SOUTH WEST OF WESTERN AUSTRALIA 1: 1,000,000

a single map showing:
Pastoral Lease Boundaries
Local Authority Boundaries (as at May 1987)

COPYRIGHT 1988

Compiled and produced by:
Cartographic Services Branch
Department of Land Administration
Perth, Western Australia.

(b) PERTH METROPOLITAN REGION - NORTH SHEET 1: 100,000

a single map showing
Metropolitan Region Scheme Boundary
Local Authority Boundaries (as at March 1986)

COPYRIGHT 1982

Compiled and produced by:
Surveyor General's Division
Department of Lands and Surveys
Perth, Western Australia.

(c) PERTH METROPOLITAN REGION - SOUTH SHEET 1: 100,000

a single map showing
Metropolitan Region Scheme Boundary
Local Authority Boundaries (as at March 1986)

COPYRIGHT 1982

Compiled and produced by:
Surveyor General's Division
Department of Lands and Surveys
Perth, Western Australia.

TEXTUAL DESCRIPTION

The geographical indication "CENTRAL WESTERN AUSTRALIA" is located within the State of Western Australia, Australia.

The beginning point of the boundary is located at the intersection of the northern and western boundaries of the Shire of Moora and proceeds thence in a generally east direction along the northern boundary of Shire of Moora and thence generally south along the eastern boundary of the Shire of Moora to its intersection with the eastern boundary of the Shire of Victoria Plains, and proceeds thence in a generally south east and thence south direction along the eastern boundary of the Shire of Victoria Plains to its intersection with the eastern boundary of the Shire of Toodyay, and proceeds thence in a generally south direction along the eastern boundary of the Shire of Toodyay to its intersection with the northern boundary of the Shire of Northam, and proceeds thence in a generally east direction along the northern boundary of the Shire of Northam and thence generally south east along the eastern boundary of the Shire of Northam to its intersection with the eastern boundary of the Shire of York, and proceeds thence in a generally south east and thence south direction along the eastern boundary of the Shire of York to its intersection with the north eastern boundary of the Shire of Beverley, and proceeds thence in a generally south east and thence south direction along the north eastern and thence eastern boundaries of the Shire of Beverley to its intersection with northern boundary of the Shire of Brookton, and proceeds thence in a generally east direction along the northern boundary of the Shire of Brookton and thence generally south along the eastern boundary of the Shire of Brookton to its intersection with the eastern boundary of the Shire of Pingelly, and proceeds thence in a generally south east and thence south direction along the eastern boundary of the Shire of Pingelly and thence generally west along the southern boundary of the Shire of Pingelly to its intersection with the eastern boundary of the Shire of Cuballing, and proceeds thence in a generally south direction along the eastern boundary of the Shire of Cuballing to its intersection with the northern boundary of the Shire of Narrogin, and proceeds thence in a generally east direction along the northern boundary of the Shire of Narrogin and thence in a generally south direction along the eastern boundary of the Shire of Narrogin to its intersection with the northern boundary of the Shire of Wagin, and proceeds thence in a generally east direction along the northern boundary of the Shire of Wagin and thence in a generally south direction along the eastern boundary of the Shire of Wagin to its intersection with the north eastern boundary of the Shire of Woodanilling, and proceeds thence in a generally south east direction along the north east boundary of the Shire of Woodanilling to its intersection with the northern boundary of the Shire of Katanning, and proceeds thence in a generally east direction along the northern boundary of the Shire of Katanning and thence generally south along the eastern boundary of the Shire of Katanning and thence generally west along the southern boundary of the Shire of Katanning to its intersection with the eastern boundary of the Shire of Broomehill, and proceeds thence in a generally south direction along the eastern boundary of the Shire of Broomehill to its intersection with eastern boundary of the

Shire of Tambellup, and proceeds thence in a generally south east and thence south direction along the eastern boundary of the Shire of Tambellup and thence in a generally west direction along the southern boundary of the Shire of Tambellup to its intersection with the southern boundary of the Shire of Kojonup, and proceeds thence in a generally west direction along the southern boundary of the Shire of Kojonup and thence in a generally north direction along the western boundary of the Shire of Kojonup to its intersection with southern boundary of the Shire of West Arthur, and proceeds thence in a generally west and thence north west direction along the southern boundary of the Shire of West Arthur to its intersection with the southern boundary of the Shire of Collie, and proceeds thence in a generally north west direction along the southern boundary of the Shire of Collie to the point where the eastern boundary of the Shire of Donneybrook and the western boundary of the Shire of Boyup Brook intersect the southern boundary of the Shire of Collie, and proceeds thence in a straight line in a generally north direction from this point to a point located on the north western boundary of the Shire of Collie approximately three (3) kilometers east of Mount Ross where the north western boundary of the Shire of Collie veers to the north, and proceeds thence in a generally north direction along the north western boundary of the Shire of Collie to its intersection with the eastern boundary of the Shire of Boddington, and proceeds thence in a generally north direction along the western boundary of the Shire of Boddington to its intersection with the western boundary of the Shire of Wandering, and proceeds thence in a generally north direction along the western boundary of the Shire of Wandering and thence in a generally east direction along the northern boundary of the Shire of Wandering to its intersection with the western boundary of the Shire of Beverley, and proceeds thence in a generally north west direction along the western boundary of the Shire of Beverley to its intersection with the western boundary of the Shire of York, and proceeds thence in a generally north, east and thence north direction along the western boundary of the Shire of York to its intersection with the southern boundary of the Shire of Northam, and proceeds thence in a generally west direction along the southern boundary of the Shire of Northam and thence in a generally north direction along the western boundary of the Shire of Northam to its intersection with the southern boundary of the Shire of Toodyay, and proceeds thence in a generally west direction along the southern boundary of the Shire of Toodyay and thence in a generally north, west, north and thence west direction along the southern boundary of the Shire of Toodyay and thence in a generally north, east and thence north direction along the western boundary of the Shire of Toodyay to its intersection with the southern boundary of the Shire of Victoria Plains, and proceeds thence in a generally north and thence north west direction along the southern boundary of the Shire of Victoria Plains and thence in a generally north direction along the western boundary of the Shire of Victoria Plains to its intersection with the western boundary of the Shire of Moora, and proceeds thence in a generally north direction along the western boundary of the Shire of Moora to the beginning point.

The area so enclosed includes all of the Shires of Moora, Toodyay, Northam, York, Beverley, Brookton, Pingelly, Cuballing, Narrogin, Wagin, Woodanilling, Katanning, Broomehill, Tambellup, Kojonup, West Arthur, Williams, Victoria Plains, Boddington, Wandering, and that portion of the Shire of Collie lying to the east of the described boundary.

The areas so described also includes the towns of Northam and Narrogin.

GEOGRAPHICAL INDICATION: #25

WEST COAST

AREA BOUNDARIES

The area boundaries used to support the textual description of this geographical indication are represented on the following official maps:

(a) THE SOUTH WEST OF WESTERN AUSTRALIA 1: 1,000,000

a single map showing:
Pastoral Lease Boundaries
Local Authority Boundaries (as at May 1987)

COPYRIGHT 1988

Compiled and produced by:
Cartographic Services Branch
Department of Land Administration
Perth, Western Australia.

(b) PERTH METROPOLITAN REGION - NORTH SHEET 1: 100,000

a single map showing
Metropolitan Region Scheme Boundary
Local Authority Boundaries (as at March 1986)

COPYRIGHT 1982

Compiled and produced by:
Surveyor General's Division
Department of Lands and Surveys
Perth, Western Australia.

(c) PERTH METROPOLITAN REGION - SOUTH SHEET 1: 100,000

a single map showing
Metropolitan Region Scheme Boundary

Local Authority Boundaries (as at March 1986)

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Compiled and produced by:
Surveyor General's Division
Department of Lands and Surveys
Perth, Western Australia.

TEXTUAL DESCRIPTION

The geographical indication "WEST COAST" is located within the State of Western Australia, Australia.

The beginning point of the boundary is located at the intersection of northern boundary of the Shire of Dandaragan and the Indian Ocean and proceeds thence in a generally east direction along the northern boundary of the Shire of Dandaragan and thence in a generally south direction along the eastern boundary of the Shire of Dandaragan to its intersection with the northern boundary of the Shire of Gingin, and proceeds thence in a generally south east direction along the northern boundary of the Shire of Gingin to its intersection with the northern boundary of the Shire of Chittering, and proceeds thence in a generally east direction along the northern boundary of the Shire of Chittering and thence in a generally south direction along the eastern boundary of the Shire of Chittering to its intersection with the northern boundary of the Shire of Swan, and proceeds thence in a generally east direction along the northern boundary of the Shire of Swan and thence in a generally south, east and thence south direction along the eastern boundary of the Shire of Swan to its intersection with the northern boundary of the Shire of Mundaring, and proceeds thence in a generally east direction along the northern boundary of the Shire of Mundaring and thence in a generally south, east, south, west and thence south direction along the eastern boundary of the Shire of Mundarring and thence in a generally west direction along the southern boundary of the Shire of Mundarring to its intersersection with the eastern boundary of the Shire of Kalamunda, and proceeds thence in a generally south direction along the eastern boundary of the Shire of Kalamunda to its intersection with the eastern boundary of the Shire of Armidale-Kelmscott, and proceeds thence in a generally south direction along the eastern boundary of the Shire of Armidale-Kelmscott and thence in a generally west and thence south west direction along the southern boundary of the Shire of Armidale-Kelmscott to its intersection with eastern boundary of the Shire of Serpentine-Jarrahdale, and proceeds thence in a generally south east and thence south direction along the eastern boundary of the Shire of Serpentine-Jarrahdale to its intersection with the eastern boundary of the Shire of Murray, and proceeds thence in a generally south direction along the eastern boundary of the Shire of Murray to its intersection with the eastern boundary of the Shire of Waroona, and proceeds thence in a generally south direction along the eastern boundary of the Shire of Waroona and thence in a generally west direction along the southern boundary of the Shire of Waroona to its intersection with the coastline of Western Australia as formed by the Indian Ocean, and proceeds thence in a generally north direction following the coastline to the beginning point.

The area so described includes all of the Shires of Dandaragan, Gingin, Chittering, Wanneroo, Mundaring, Kalamunda, Serpentine-Jarrahdale, Mandurah, Murray, Waroona, Swan, Kalamunda, Rockingham, Peppermint Grove, Armidale-Kelmscott and all adjacent islands.

The area so enclosed includes all of the Cities of Bayswater, Belmont, Canning, Cockburn, Fremantle, Gosnells, Melville, Nedlands, Perth, South Perth, Sterling, Subiaco, Wanneroo.

The areas so enclosed includes all of the Towns of Bassendean, Claremont, Cottesloe, East Fremantle, Kwinana, Mosman Park.

© Australian Wine and Brandy Corporation, June 1995.

File: AVR/DTERMINS/IDNOTE05.doc

Transport

Civil Aviation Authority
AUSTRALIA

NOTIFICATION OF THE MAKING OF ORDERS UNDER THE CIVIL AVIATION REGULATIONS

Notice is hereby given that the following amendment to Civil Aviation Orders Part 105 will become effective on 12 July 1995.

AD/J41/13 - SEAT BELT SHACKLES

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

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

or by mail from:

Civil Aviation Authority
Publications Centre
PO Box 1986
CARLTON SOUTH VIC 3053

9501746

Treasurer

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS —

(A) Teddy Salim 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) Teddy Salim proposes to acquire such freehold property situated in the State of Queensland as specified in the notice received on 25 May 1995 furnished by Anthony William Hickey on behalf of Teddy Salim under section 26A of the Act;

NOW THEREFORE I, George Gear, Assistant Treasurer, acting for and on behalf of the Treasurer, being satisfied that:

(i) Teddy Salim 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 26 day of 6 1995

Assistant Treasurer

9501747

AUSTRALIAN TAXATION OFFICE

Income Tax Assessment Act 1936

LODGMENT OF INCOME TAX RETURNS AND LODGMENT OF FRANKING ACCOUNT RETURNS

LODGMENT 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 1995 (or period in lieu of 30 June 1995). I further require every person and relevant entity described in Tables A, C, E, F, G and I 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 1995 (or period in lieu of 30 June 1995).

In this notice (unless otherwise stated) a reference to a 'person' includes a partnership and trust estate, but 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, a pooled superannuation trust or a corporate limited partnership treated as a company by virtue of the provisions of Division 5A of the Act.

Every **person** required to lodge a return must do so by 31 October 1995, unless leave has been granted to adopt a substituted accounting period in lieu of the year of income ended 30 June 1995, in which case a return must be lodged with me no later than four months after the close of the accounting period adopted.

Relevant entities (with the exception of those covered in Tables A and I) 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 Tables A and I) is as above, except where the balance date is later than 30 September 1995 and an election has not been made under section 221AU. These entities must make their final tax payment by 15 June 1996. 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.

TABLE A

Every relevant entity required to pay by instalments under the provisions of Division 1C of the Act 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, and

(C) in the case of a relevant entity with a ***likely tax*** of more than $300,000 for the 1995/96 year of income that balances in December 1995 in lieu of June 1996, a return must be lodged by the 1st day of the 18th 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 1995, or period adopted in lieu,

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. received income subject to the provisions of sections 23AF or 23AG of the Act and received $1 or more of other income, or

11. had Provisional Tax raised for the year of income ended 30 June 1995 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 1995 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 1995, and, who had not commenced another such course of education by 30 June 1995 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, allowance or payment covered below and whose taxable income for the year of income ended 30 June 1995 was less than the thresholds listed below.

1. If you were married or had a defacto spouse during the year of income ended 30 June 1995 and:

(A) you received Job Search, Newstart, Sickness Allowance or Special Benefit, and

(i)	you were any age with dependent children and your spouse received Partner Allowance...	$8,850
(ii)	you were under 18, no dependent children and your spouse received Partner Allowance...	$5,945
(iii)	you were 18 to 20, no dependent children and your spouse received Partner Allowance...	$6,575
(iv)	you were 21 or over, no dependent children and your spouse received Partner Allowance...	$8,850
(v)	you were any age with dependent children and your spouse received AUSTUDY, ABSTUDY or a social security income support benefit other than Partner Allowance...	$7,255
(vi)	you were under 18, no dependent children and your spouse received AUSTUDY, ABSTUDY or a social security income support benefit other than Partner Allowance...	$5,945
(vii)	you were 18 to 20, no dependent children and your spouse received AUSTUDY, ABSTUDY or a social security income support benefit other than Partner Allowance...	$6,575

(viii)	you were 21 or over, no dependent children and your spouse received AUSTUDY, ABSTUDY or a social security income support benefit other than Partner Allowance...	$7,255
(ix)	you were any age with dependent children and your spouse was 21 or over and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$8,850
(x)	you were under 18, no dependent children and your spouse was 21 or over and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$5,945
(xi)	you were 18 to 20, no dependent children and your spouse was 21 or over and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$6,575
(xii)	you were 21 or over, no dependent children and your spouse was 21 or over and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$8,850
(xiii)	you were any age with dependent children and your spouse was under 21 and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$8,850
(xiv)	you were under 18, no dependent children and your spouse was under 21 and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$5,945
(xv)	you were 18 to 20, no dependent children and your spouse was under 21 and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$6,575
(xvi)	you were 21 or over, no dependent children and your spouse was under 21 and did not receive AUSTUDY, ABSTUDY or a social security income support benefit...	$7,255
(B)	you received Partner Allowance, and you were any age with dependent children, or 21 or over with no dependent children...	$5,665
(C)	you received Drought Relief Payment, and	
(i)	you were any age with dependent children...	$14,510
(ii)	you were 18 to 20, with no dependent children...	$13,830
(iii)	you were 21 or over, with no dependent children...	$14,510

(D)	you received AUSTUDY	
(i)	with Dependent Spouse Allowance and you were any age with dependent children...	$13,915
(ii)	without Dependent Spouse Allowance and you were under 18 with no dependent children...	$5,945
(iii)	without Dependent Spouse Allowance and you were 18 to 20 with no dependent children...	$6,575
(iv)	without Dependent Spouse Allowance and you were 21 or over with no dependent children...	$7,255
(E)	you received ABSTUDY	
(i)	with Dependent Spouse Allowance and you were under 21...	$13,915
(ii)	with Dependent Spouse Allowance and you were 21 or over...	$15,490
(iii)	without Dependent Spouse Allowance and you were under 18 with no dependent children...	$5,945
(iv)	without Dependent Spouse Allowance and you were 18 to 20 with no dependent children...	$6,575
(v)	without Dependent Spouse Allowance and you were 21 or over with no dependent children...	$7,255
(F)	you received one of the following allowances at a rate which recognised that you and your spouse were separated due to illness;	
(i)	Job Search, Newstart, Sickness Allowance or Special Benefit and you were any age with dependent children...	$10,610
(ii)	Job Search, Newstart, Sickness Allowance or Special Benefit and you were under 18 with no dependent children...	$5,945
(iii)	Job Search, Newstart, Sickness Allowance or Special Benefit and you were 18 to 20 with no dependent children...	$6,575
(iv)	Job Search, Newstart, Sickness Allowance or Special Benefit and you were 21 or over with no dependent children...	$10,610
(v)	Drought Relief Payment and you were any age with dependent children...	$17,400
(vi)	Drought Relief Payment and you were 18 to 20 with no dependent children...	$13,830

(vii) Drought Relief Payment and you were 21 or over with no dependent children... $17,400

(viii) Partner Allowance and you were any age with dependent children, or 21 or over with no dependent children... $6,790

(G) you received payments under the Assistance for Isolated Children or the Veterans' Children Education Schemes and you were 16 or over, and

(i) you were any age (16 or over) with dependent children... $13,915

(ii) you were under 18 with no dependent children... $5,945

(iii) you were 18 to 20 with no dependent children... $6,575

(iv) you were 21 or over with no dependent children... $7,255

2. If you were single and living away from home or living at home but living independently during the year of income ended 30 June 1995 and:

(a) you were 18 to 20 with no dependent children and received Youth Training Allowance ... $6,575

(b) you were under 18 with no dependent children and received ABSTUDY or other Allowances ... $5,945

(c) you were 18 to 20 with no dependent children and received ABSTUDY or other allowances ... $6,575

(d) you were 21 or over with no dependent children and received ABSTUDY ... $9,270

(e) you were 21 or over with no dependent children and received Allowances ... $8,045

(f) you were any age with a child and not eligible for the Sole Parent rebate and received ABSTUDY or other Allowances ... $8,700

3. If you were single and living at home during the year of income ended 30 June 1995 and:

(a) you were 21 or over with no dependent children and received Allowances ... $8,045

(b) you were any age with a child and not eligible for the Sole Parent rebate and received Allowances ... $8,700

4. During the year of income ended 30 June 1995:

(a) you were single, aged 60 to 64 and received Job Search Allowance for at least 6 months and you were not eligible for mature age allowance ... $8,700

(b) you received Textile Clothing and Footwear Special Allowance ... $8,045

5. If you received an Australian Sole Parent Pension, Age Pension, Service Pension, Wife or Carer Pension, Bereavement Allowance, Mature Age Allowance or Mature Age partner Allowance during the year of income ended 30 June 1995 and:

(a) you were single or widowed, separated or a sole parent ... $5,665

(b) you were married or defacto and your spouse did **not** receive any of the Australian Government pensions or allowances listed at '5' above, and, if you are a social security recipient, you started to receive your pension before 12 March 1992 and you have been receiving it continuously since ... $5,665

(c) you and your spouse, married or defacto, had to live apart due to illness, or you or your spouse were in a nursing home at any time during the year of income ended 30 June 1995 ... $17,400

(d) you and your spouse, married or defacto, both received a pension or allowance at any time during the year of income ended 30 June 1995 ... $7,255

6. 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' to '5' of this Table) and your taxable income for the year was **less** than the amounts shown below.

(a) 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) ... $10,720

(b) 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 ... $10,410

(c) If you and your spouse (married or de facto) both received a pension or allowance at any time during the year ... $9,020

(d) 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 ... $9,020

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 1995, 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 1995, 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 1995, or

* is a non-resident of Australia, and derived Australian source income during the year of income ended 30 June 1995.

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 1995, 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 1995, or, whose taxable contributions for the year ended 30 June 1995 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 1995 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.

TABLE I

Returns for persons, and relevant entities that are exempt from the classification and instalment payment requirements of Division 1C of the Act, that derive income from 'agents for non-resident re-insurers'; 'agents for non-resident insurers'; or 'control of a non-resident's money' must be lodged by the 1st day of the 18th month after the start of the year of income.

OTHER ENTITIES

In the rest of this notice a 'person' includes a relevant entity, 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 1995) 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 1995) 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 the first day of the eighteenth month following the start of the year of income) 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.

EXEMPTION FROM REQUIREMENT TO LODGE RETURNS

Nothing in this notice prevents me or an authorised officer of the Australian Taxation Office from granting an exemption from lodgment, whether conditional or not, for specific returns or classes of returns from time to time.

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 1995;

* 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 1995, 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 1995; and/or

* the total amount of interest paid or credited during the year of income ended 30 June 1995, or the accounting period adopted in lieu of the year of income ended 30 June 1995, 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).

LODGMENT OF STATEMENTS

Statements containing the above-mentioned information must be lodged:

(a) with the Manager, CIDC, Australian Taxation Office, PO Box 2090, Chermside Centre, Queensland, 4032;

(b) by the date on which the return of income of the company for the year of income ended 30 June 1995, or substituted accounting period adopted in lieu of the year of income ended 30 June 1995, 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 above mentioned information in an alternative form, or at an alternative time or place as directed by that notice.

LODGMENT 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 Class A or Class B franking account at the end of the 1994-95 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 LODGMENT 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 or relevant entity may, in relation to an income tax return, become liable to pay, as a penalty, additional tax at rates established in the Act,

* 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 Carmody

(M.J. Carmody)
Commissioner of Taxation
Dated this 16th day of June 1995.

9501748

Superannuation Industry (Supervision) Act 1993

DISQUALIFICATION ORDER

I, Ronald Henry Dean, a delegate of the Insurance and Superannuation Commissioner, under paragraph 131(1)(b) of the *Superannuation Industry (Supervision) Act 1993* (the "Act"), DISQUALIFY **Dennis Allan Gleeson, of 66 South Pine Road, ALDERLEY QLD 4051,** from being an approved auditor for the purposes of the Act, since he is not a fit and proper person to be an approved auditor for the purposes of the Act.

This order takes effect on 5/7/1995

Dated 28/6/1995

R H Dean

R H Dean
Delegate of the Insurance and Superannuation Commissioner

9501749

Veterans' Affairs

SPECIALIST MEDICAL REVIEW COUNCIL

Veterans' Entitlements Act 1986

Section 196ZB

NOTIFICATION OF INTENTION TO CARRY OUT A REVIEW

The Specialist Medical Review Council (the Council) has received requests under section 196Y of the *Veterans' Entitlements Act 1986* (the Act) for review of the contents of Statements of Principles No.95 of 1995 and No.96 of 1995 made by the Repatriation Medical Authority (the RMA). The Council, under section 196ZB of the Act, therefore notifies its intention to carry out a review of the information available to the RMA about **malignant neoplasm of the prostate** and **death from malignant neoplasm of the prostate.**

The following persons or organisations are invited to make written submissions to the Council:

- the Repatriation Commission;
- persons eligible to make a claim for a pension under Part II or IV of the Act; and
- organisations representing veterans, Australian mariners, members of the Forces, members of Peacekeeping Forces or their dependants.

Written submissions must be received by 31 August 1995.

The Council will hold is first meeting for the purposes of this review on 29 September 1995. The location and time of that meeting will be advised to the organisations that have asked for the review under section 196Y of the Act and to those persons or organisations that make written submissions.

Advice on the preparation of written submissions is available from the Specialist Medical Review Council Secretariat, PO Box 895, Woden, ACT 2606, telephone 06-289-6658 or fax: 06-289-4744. Submissions should be lodged with the Secretariat.

Alexander Kevin Cohen, AO
Convener

SPECIALIST MEDICAL REVIEW COUNCIL
Common Seal

9501750

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SPECIAL

FORM 154B

NOTICE OF APPLICATION RELATING TO

ARROWFIELD GROUP LIMITED

A.C.N. 000 813 936

ARROWFIELD GROUP LIMITED will apply to the Supreme Court of New South Wales at 9.30am on Monday, 3 July 1995 at Queen's Square, Sydney for an order pursuant to Section 195(5) of the Corporations Law confirming the reduction of the capital of Arrowfield Group Limited from $22,297,847.00 divided into 22,297,847 fully paid ordinary shares of one dollar ($1.00) each to $21,396,603.00 divided into 21,396,603 ordinary shares of one dollar ($1.00) each in accordance with a resolution to be submitted to a general Meeting on 28 June 1995.

Any person intending to appear at the hearing must file a Notice of Appearance in the prescribed form and serve that Notice on the Applicant at its address for service shown below not later than Thursday, 29 June 1995.

ESPLINS
SOLICITORS
LEVEL 6
261 GEORGE STREET
SYDNEY NSW 2000

TEL: (02) 251 3999
FAX: (02) 251 3090
REF: J W ROPER

06-06-95App

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Commonwealth of Australia Gazette

No. S 234, Friday, 23 June 1995

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SPECIAL

Form 14 (Rule 57)

NOTICE OF WINDING UP APPLICATION

GLOWTIDE PTY LTD

A.C.N.: 052 304 622

Supreme Court: Brisbane

Application No: 322 of 1995

An application for the winding up of Glowtide Pty Ltd was made by Simmonds & Bristow Pty Ltd (A.C.N. 010 242 418) on 12 May 1995 and will be heard in the Supreme Court of Queensland at 9.30 a.m. on 28 June 1995. On 22 June 1995 it was ordered that Laguna Quays Resort Pty Ltd (Receiver and Manager Appointed) be substituted for the original Applicant Simmonds & Bristow Pty Ltd. Copies of documents filed may be obtained from the applicant.

Any person intending to appear at the hearing must serve a notice in the prescribed form to reach the address below no later than 4.00 p.m. on 27 June 1995.

MINTER ELLISON
Leval 22, Waterfront Place
1 Eagle Street
BRISBANE QLD 4000

IRB WED003

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Commonwealth of Australia Gazette

No. S 235, Monday, 26 June 1995

SPECIAL

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COMMONWEALTH OF AUSTRALIA
National Health Act 1953 (THE ACT)
NOTIFICATION OF DETERMINATION MADE UNDER PARAGRAPH 4B(b) OF THE ACT (HHF 2/1995)

The delegate of the Minister for Human Services and Health has, with effect from 1 July 1995, made a Determination under Paragraph 4B(b) of the Act revoking an earlier Determination under paragraph 4B(b) made on 24 November 1994, and determining, for the purposes of paragraph 4B(b) the provision of professional attention of the kind specified does not normally require hospital treatment.

COMMONWEALTH OF AUSTRALIA
National Health Act 1953 (THE ACT)
NOTIFICATION OF DETERMINATION MADE UNDER PARAGRAPH 4D(1)(a) OF THE ACT (HHF 3/1995)

The delegate of the Minister for Human Services and Health has, with effect from 1 July 1995, made a Determination under Paragraph 4D(1)(a) of the Act revoking an earlier Determination made under paragraph 4D(1)(a) on 6 September 1994, and determining, for the purposes of paragraph (db) of the definition of 'Basic Private Table' or 'Basic Table' in sub-section 4(1) of the Act, the amounts payable in respect of hospital treatment provided in hospitals in a State or Territory to be those amounts set out in the Determination.

COMMONWEALTH OF AUSTRALIA
National Health Act 1953 (THE ACT)
NOTIFICATION OF DETERMINATION MADE UNDER PARAGRAPH 4D(1)(b) OF THE ACT (HHF 4/1995)

The delegate of the Minister for Human Services and Health has, with effect from 1 July 1995, made a Determination under Paragraph 4D(1)(b) of the Act revoking an earlier Determination made under paragraph 4D(1)(b) on 18 October 1994, and determining, for the purposes of paragraph (dc) of the definition of 'Basic Private Table' or 'Basic Table' in sub-section 4(1) of the Act, the amounts payable in respect of hospital treatment provided in day hospital facilities in a State or Territory to be those amounts set out in the Determination.

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COMMONWEALTH OF AUSTRALIA
National Health Act 1953 (THE ACT)
NOTIFICATION OF DETERMINATION MADE UNDER PARAGRAPH 4B(a) OF THE ACT (HHF 5/1995)

The delegate of the Minister for Human Services and Health has, with effect from 1 July 1995, made a Determination under Paragraph 4B(a) of the Act revoking an earlier Determination made under paragraph 4B(a) on 29 July 1993, and determining, for the purposes of paragraph 4B(a) the provision of professional attention of the kind specified normally requires hospital treatment in a hospital but does not require such hospital treatment for a period that includes part of an overnight stay.

Copies of the above Determination can be obtained from the office of the Commonwealth Department of Human Services and Health in the capital city of each State and Territory as follows:

New South Wales
Commonwealth Department of Human Services and Health, 333 Kent Street, Sydney NSW 2000

Victoria
Commonwealth Department of Human Services and Health, Level 3 Casselden Place, 2 - 4 Lonsdale Street, Melbourne VIC 3000.

Queensland
Commonwealth Department of Human Services and Health, Commonwealth Government Offices, 340 Adelaide Street, Brisbane QLD 4000

Western Australia
Commonwealth Department of Human Services and Health, 12th Floor, 152-158 St George's Terrace, Perth WA 6000

South Australia
Commonwealth Department of Human Services and Health, 122 Pirie Street, Adelaide SA 5000

Tasmania
Commonwealth Department of Human Services and Health, 21 Kirksway Place, Battery Point TAS 7004

Northern Territory
Commonwealth Department of Human Services and Health, Cascom Centre, 13 Scaturchio St, Casuarina, Darwin NT 0810

Australian Capital Territory
Commonwealth Department of Human Services and Health, CML Building, University Avenue, Canberra ACT 2601

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Commonwealth of Australia Gazette

No. S 236, Tuesday, 27 June 1995

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SPECIAL

SPECTRUM MANAGEMENT AGENCY

RADIOCOMMUNICATIONS ACT 1992
RADIOCOMMUNICATIONS (TRANSMITTER LICENCE TAX) ACT 1983
RADIOCOMMUNICATIONS (RECEIVER LICENCE TAX) ACT 1983

MAKING OF DETERMINATIONS

Notice is given that on 26 June 1995 the Spectrum Manager, acting on behalf of the Spectrum Management Agency, made:

1) under section 293 of the *Radiocommunications Act* 1992, the Radiocommunications (Charges) Determination No. 2 of 1995;
2) under subsection 7(1) of the *Radiocommunications (Transmitter Licence Tax) Act* 1983, the Radiocommunications (Transmitter Licence Tax) Determination No. 2 of 1995 (Amendment No. 3); and
3) under subsection 7(1) of the *Radiocommunications (Receiver Licence Tax) Act* 1983, the Radiocommunications (Receiver Licence Tax) Determination No. 1 of 1995 (Amendment No. 1).

Copies of the Determinations are available from the Legal Services Team, Spectrum Management Agency, PO Box 78, Belconnen, ACT, 2616.

Telephone (06) 256 5204

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Commonwealth of Australia **Gazette**

No. S 237, Wednesday, 28 June 1995

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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
Civil Aviation Act 1988	Civil Aviation Regulations (Amendment)	1995 No. 147
Civil Aviation Act 1988	Civil Aviation Regulations (Amendment)	1995 No. 148
Civil Aviation Act 1988	Civil Aviation (Savings) Regulations	1995 No. 149
Interstate Road Transport Charge Act 1985	Interstate Road Transport Charge Regulations (Repeal)	1995 No. 150
Interstate Road Transport Act 1985	Interstate Road Transport Regulations (Amendment)	1995 No. 151

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Commonwealth of Australia Gazette

No. S 238, Wednesday, 28 June 1995

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SPECIAL

COMMONWEALTH OF AUSTRALIA

Migration Act 1958

Migration Regulations

SPECIFICATIONS OF AMOUNTS OF CURRENCY
FOR PURPOSES OF PARAGRAPH 5.36(1)(b)

I, Nick Bolkus, Minister for Immigration and Ethnic Affairs, acting under regulation 1.17 and paragraph 5.36(1)(b) of the Migration Regulations, specify for the purposes of paragraph 5.36(1)(b) the foreign currency amounts set out in Tables 1-4 of the attached schedule.

This Notice takes effect on 3 July 1995.

Dated this 22nd day of June 1995.

NICK BOLKUS
Minister for Immigration and Ethnic Affairs

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SCHEDULE

MIGRATION REGULATIONS - FEES IN FOREIGN CURRENCIES FROM 3 JULY 1995

TABLE 1

Australia $A	Austria Schilling	Belgium Franc	Brunei Dollar	Canada Dollar	China Yuan	Egypt Pound	Fiji Dollar	France Franc
35	280	800	38	36	222	93	37	140
65	500	1,500	70	68	412	173	68	260
75	580	1,700	80	78	476	200	79	300
110	860	2,500	118	114	697	293	115	420
140	1,080	3,200	150	144	887	372	147	540
145	1,120	3,300	155	150	919	386	152	560
550	4,220	12,300	587	564	3,484	1,461	575	2,100
2,430	18,620	54,300	2,591	2,492	15,392	6,454	2,538	9,280

TABLE 2

Australia $A	Germany Mark	Hong Kong Dollar	India Rupee	Indonesia Rupiah	Ireland Pound	Italy Lira	Japan Yen	Korea Won
35	40	210	803	57,900	20	44,000	3,000	21,000
65	75	390	1,491	107,500	35	82,000	5,000	39,000
75	85	450	1,720	124,000	40	95,000	5,000	45,000
110	120	650	2,523	181,800	55	139,000	8,000	66,000
140	155	830	3,211	231,400	70	176,000	10,000	84,000
145	160	860	3,325	239,700	70	182,000	10,000	87,000
550	600	3,240	12,611	909,000	265	691,000	36,000	328,000
2,430	2,650	14,310	55,718	4,016,100	1,155	3,050,000	158,000	1,447,000

TABLE 3

Australia $A	Malaysia Ringgit	Netherlands Guilder	New Zealand Dollar	Pakistan Rupee	Philippines Peso	Singapore Dollar	South Africa Rand	Sri Lanka Rupee
35	66	45	45	801	670	38	100	1,305
65	123	80	75	1,487	1,240	70	180	2,420
75	142	95	90	1,716	1,430	81	210	2,795
110	208	135	130	2,517	2,095	118	305	4,095
140	264	175	165	3,203	2,670	150	390	5,210
145	273	180	170	3,317	2,765	155	405	5,400
550	1,036	670	630	12,582	10,475	588	1,520	20,470
2,430	4,575	2,960	2,780	55,587	46,280	2,596	6,715	90,430

TABLE 4

Australia $A	Sweden Krona	Switzerland Franc	Syria Pound	Thailand Baht	U.K. Sterling	U.S.A. Dollar
35	200	40	730	660	18	27
65	380	60	1,350	1,220	32	50
75	420	70	1,555	1,410	37	58
110	620	100	2,280	2,060	54	85
140	780	130	2,905	2,630	69	108
145	820	140	3,005	2,720	71	112
550	3,060	500	11,395	10,300	269	422
2,430	13,500	2,210	50,340	45,500	1,186	1,861

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Commonwealth of Australia Gazette

No. S 239, Wednesday, 28 June 1995

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SPECIAL

Commonwealth of Australia

National Health Act 1953

Nursing Homes Financial Arrangements Principles (Amendment No 3 of 1995)

I, CARMEN MARY LAWRENCE, Minister for Human Services and Health, having regard to the matters referred to in subsection 40AA(7B) of the *National Health Act 1953*, formulate the following principles under subsection 40AA(7) of that Act.

Dated 27 June 1995

Minister for Human Service and Health

1. Amendment
1.1 The Nursing Homes Financial Arrangements Principles 1989 are amended as set out in these principles.

2. Commencement
2.1 These Principles commence on 1 July 1995.

3. Principle 18 (Workers' compensation insurance)
3.1 Subprinciple 18(2) (definition of 'the Cap'):

Omit the definition, substitute:

"**'the Cap'** means

(a) for the financial year 1993-94, a figure:

(i) determined by the Secretary, under subprinciple (3), that is calculated to achieve the result that, at the end of the financial year, 10% of all approved nursing homes in Australia are nursing homes in respect of which the nursing home percentage is greater than the State or Territory percentage of the State or Territory in which the nursing home is located by more that the first-mentioned figure; and

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(ii) expressed as a percentage of the actual expenditure incurred in respect of the salaries and wages of staff in approved nursing homes in the relevant State or Territory in that financial year;

(b) for the financial year 1994-95, a figure:

(i) determined by the Secretary, under subprinciple (3), that is calculated to achieve the result that, at the end of the financial year, 7% of all approved nursing homes in Australia are nursing homes in respect of which the nursing home percentage is greater than the State or Territory percentage of the State or Territory in which the nursing home is located by more that the first-mentioned figure; and

(ii) expressed as a percentage of the actual expenditure incurred in respect of the salaries and wages of staff in approved nursing homes in the relevant State or Territory in that financial year; and

(c) for all subsequent financial years, a figure:

(i) determined by the Secretary, under subprinciple (3), that is calculated to achieve the result that, at the end of a financial year, 5% of all approved nursing homes in Australia are nursing homes in respect of which the nursing home percentage is greater than the State or Territory percentage of the State or Territory in which the nursing home is located by more that the first-mentioned figure; and

(ii) expressed as a percentage of the actual expenditure incurred in respect of the salaries and wages of staff in approved nursing homes in the relevant State or Territory in that financial year."

3.2 Paragraph 18 (7)(b):

Omit the paragraph, substitute:

"(b) a reference to the Cap is a reference to the Cap for the financial year immediately preceding the financial year immediately preceding the accounting period.".

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No. S 240, Thursday, 29 June 1995

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SPECIAL

COMMONWEALTH OF AUSTRALIA

Lands Acquisition Act 1989

DECLARATION

I hereby declare, pursuant to the provisions of section 41 of the *Lands Acquisition Act 1989*, that an easement in the terms set out in Schedule 1 of the Appendix hereto together with the rights set out in Schedule 2 of the said Appendix is acquired by the Pipeline Authority by compulsory process for the following public purpose:

Construction of pipelines and associated equipment and structures for conveyance of ethane gas and other hydrocarbons from Moomba in South Australia to Botany in New South Wales and maintenance and operation of those pipelines and associated equipment and structures.

Dated this 26th day of June 1995

.....

Minister of State for Administrative Services

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APPENDIX

In this Appendix "Authority" means the Pipeline Authority or its subsidiaries. "Petroleum" and "pipeline" have respectively the same meaning as those expressions have in the Pipeline Authority Act 1973 (hereinafter called "the Act").

SCHEDULE 1

An easement in favour of the Authority over the land described in Schedules 3, 4 and 5 at all times and from time to time to construct, maintain and operate pipelines or parts thereof under the Act, together with the rights set out in Schedule 2 in, under, on, across, over and through the said land for the purpose of the construction, maintenance and operation of any such pipeline or part thereof and for any purpose incidental thereto.

SCHEDULE 2

The full and free right for the Authority by itself, its servants and agents and any person authorised by it at all times and form time to time:

(a) to enter, go, return, pass, repass and remain with or without tools, implements, machinery and vehicles;

(b) to clear and remove any obstruction, timber, trees, undergrowth, crops and fences;

(c) to dig, break up and restore the surface;

(d) to make surveys, take levels, sink bores, dig pits and examine the soil;

(e) to lay down pipes together with any associated equipment and structures;

(f) to construct, build and place any plant, machinery, equipment and goods;

(g) to take sand, clay, stone, earth, gravel, timber, wood and other materials and things;

(h) to make cuttings and excavations;

(j) to deposit sand, clay, stone,earth, gravel, timber, wood and other materials and things;

(j) to erect workshops, sheds and other buildings;

(k) to make roads;

(l) to manufacture and work materials of any kind;

(m) to demolish, destroy and remove any plant, machinery, equipment, goods,

(n) to inspect, patrol (including aerial patrol), alter, renew, reconstruct, replace, repair, cleanse, maintain and change the size of any pipeline or part thereof;

(o) to remove any pipeline or part thereof;

(p) to have the right of support of any pipeline or part thereof;

(q) to convey through any such pipeline petroleum belonging to the Authority or to other persons; and

(r) to do all things necessary or convenient to be done in connection with or incidental to the exercise of the aforesaid rights.

SCHEDULE 3

All that piece of land in the Local Government Areas of Liverpool and Campbelltown in the State of New South Wales being the land delineated "PIPELINE EASEMENT 1 WIDE, 2 WIDE, 4 WIDE, 5 WIDE, 6 WIDE AND VARIABLE WIDTH" in sheets 1 to 11 of a plan lodged for registration at the New South Wales Land Titles Office as Deposited Plan Number 499058 excepting thereout those parts of the easement delineated on the plan described above affecting the following land;

FIRSTLY: Part of Camden Valley Way commencing at a point to the west of Lot 1 in Deposited Plan 358788, thence around the northern boundaries of Lot 2A in Deposited Plan 365586 and Lot 1 in Deposited Plan 520965 to a point to the east of Lot 2 in Deposited Plan 520965 in the Local Government Area of Liverpool Parish of Minto County of Cumberland as shown on Sheet 2 of the abovementioned plan.

SECONDLY: Part of the Deeds of Partition Conveyance Numbers 937 and 938 in Book 2602 in the Local Government Area of Liverpool, Parish of Minto County of Cumberland shown as part Lot 2 on Deposited Plan 211524 as shown on Sheet 3 of the abovementioned plan.

THIRDLY: Part of the lands described below in the Local Government Areas of Campbelltown (denoted by *) and of Liverpool (denoted by #)

	Folio Identifier/ Auto Consul	Lot No.	Deposited Plan	Sheet No. on DP499058
*	14018-92	9	833516	6
*	7/833516	7	833516	6
#	1/825745	1	825745	7
#	1/710012	1	710012	11

SCHEDULE 4

All that piece of land in the Local Government Areas of Bankstown, Hurstville, Canterbury and Rockdale in the State of New South Wales being the land delineated "PIPELINE EASEMENT 1 WIDE, 2 WIDE, 5 WIDE, 5.485 WIDE, 6 WIDE AND VARIABLE WIDTH" in Sheets 1 to 22 of a plan lodged for registration at the New South Wales Land Titles Office as Deposited Plan Number 499059 excepting thereout those parts of the easement delineated on the plan described above affecting the following land;

FIRSTLY: Part of Park Road commencing at a point on the boundary of Lot 1 in Deposited Plan 182425 to a point on the boundary of Lot 1 in Deposited Plan 185098 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland as shown on Sheet 2 of the abovementioned plan.

SECONDLY: Part of the lands described below all located in the Local Government Area of Bankstown.

Folio Identifier / Auto Consul	Volume	Folio	Lot No.	Section	Deposited Plan	Sheet No. on DP499059
13/4/11170	4157	227	13	4	11170	1
	5329	119	38	1	11170	2
	4638	50	1		185098	2 and 3
	15164	240	15		26889	3

THIRDLY: Part of Anderson Street between Edwards Reserve and Lot 15 in Deposited Plan 26889 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland as shown on Sheet 3 of the abovementioned plan.

FOURTHLY: Part of Marco Avenue commencing at a point on the northern boundary of the East Hills Railway (formerly known as Weston Street) to a point on the boundary of Part Lot 35 in Deposited Plan 2930 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland as shown on Sheet 4 of the abovementioned plan.

FIFTHLY: Part of Polo Street between part of East Hills Railway (formerly known as Polo Street) and Lot 24 in Deposited Plan 35611 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland as shown on Sheet 5 of the abovementioned plan.

SIXTHLY: Part of McGirr Street, Baddeley Street and Doyle Road commencing at a point on the boundary of Lot 1 in Deposited Plan 187691 to part of the East Hills Railway Reserve (formerly Doyle Road) in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland as shown on Sheet 6 of the abovementioned plan.

SEVENTHLY: Part of the East Hills Railway (formerly Doyle Road) between Doyle road and a point on the boundary of Lot 37 in Deposited Plan 3495 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland as shown on Sheet 6 and 7 of the abovementioned plan.

EIGHTHLY: Part of the lands described below all located in the Local Government Area of Bankstown.

Volume	Folio	Lot No.	Deposited Plan	Sheet No. on DP499059
5823	83	Pt 43 & 46	16023	8
5823	83	2	182324	8

NINTHLY: Part of the land acquired for railway purposes under Act No. 62 of 1924 NSW Government Gazette 27 September 1929 Railway Book No. MS7703 Sheet 6 Reference No. 457 in the Local Government Area of Bankstown Parish of Bankstown County of Cumberland as shown on Sheet 8 of the abovementioned plan.

TENTHLY: Part of Webb Street commencing at a point on the boundary of Lot 1 in Deposited Plan 807583 to a point on the boundary of Lot 1 in Deposited Plan 182992 in the Local Government Area of Hurstville Parish of St George County of Cumberland as shown on Sheets 8 and 9 of the abovementioned plan.

ELEVENTHLY: Part of Broadarrow Road between Lots 2 and 3 in Deposited Plan 4876 and a point at the intersection of Bryant Street in the Local Government Areas of Hurstville and Canterbury Parish of St George County of Cumberland as shown on Sheet 12 of the abovementioned plan.

TWELFTHLY: Part of Bryant Street commencing at a point at the intersection of Broadarrow Road to a part of the East Hills Railway (formerly known as Penshurst Street) in the Local Government Areas of Hurstville and Canterbury Parish of St George County of Cumberland as shown on Sheet 12 of the abovementioned plan.

THIRTEENTHLY: Part of the East Hills Railway (formerly Penshurst Street) between Bryant Street and the land Contained in Certificate of Title Volume 5246 Folio 110 in the Local Government Area of Hurstville Parish of St George County of Cumberland as shown on Sheet 12 of the abovementioned plan.

FOURTEENTHLY: Part of King Georges Road between Lots 2 and 3 of Section B in Deposited Plan 3658 and a point at the intersection with Morgan Street in the Local Government Area of Hurstville Parish of St George County of Cumberland as shown on Sheet 13 of the abovementioned plan.

FIFTHEENTHLY: Part of Morgan Street commencing at a point at the intersection with King Georges Road and thence along Morgan Street to a point on the southern boundary of the land contained within Certificate of Title Volume 4442 Folio 55 in the Local Government Area of Hurstville Parish of St George County of Cumberland as shown on Sheet 13 of the abovementioned plan.

SIXTEENTHLY: Part of the lands described below in the Local Government of Areas of Bankstown (denoted by *) and of Rockdale (denoted by #)

	Folio Identifier / Auto Consul	Volume	Folio	Section	Lot No.	Deposited Plan	Sheet No. on DP499059
*		4370	48		2	183126	12
#	1/181783	4262	62		1	181783	15
#		7566	202		Part Portion 142		17
#		7566	202	N	3	376	17

SEVENTEENTHLY: Part of Slade Road commencing at a point on the southern boundary of Lot 2 of Section N in Deposited Plan 376 to a point on the southern boundary of Lot 1 in Deposited Plan 123997 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheets 17 and 18 of the abovementioned plan.

EIGHTEENTHLY: Part of Wolli Creek to the north of Part Lots 5-9 in Section P of Deposited Plan 957273 Book 1635 Conveyance No. 741 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheet 18 of the abovementioned plan.

NINTEENTHLY: Part of the land resumed by Rockdale council vide NSW Government Gazette No. 96, 27 August 1943 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheet 18 of the abovementioned plan.

TWENTIETHLY: Part of Hartill-Law Avenue between Lot 2 in Deposited Plan 801518 and land resumed by Rockdale Council vide NSW Government Gazette No. 96. 27 August 1943 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheet 18 of the abovementioned plan.

TWENTY-FIRSTLY: Part of Wolli Creek between Lot 1 in Deposited Plan 184111 and Lot 1 in Deposited Plan 182930 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheet 19 of the abovementioned plan.

TWENTY-SECONDLY: Part of the lands described below in the Local Government Areas fo Rockdale (denoted by #) and of Canterbury (denoted by *)

	Folio Identifier / Auto Consul	Volume	Folio	Lot No.	Deposited Plan	Sheet No. on DP499059
#	1/182930	4387	229	1	182930	19
#	55/6670	2875	245	55	6670	19
#	54/6670	3170	216	54	6670	19
#	53/6670	2720	220	53	6670	19
#	52/6670	2389	147	52	6670	19
#	46/6670	3242	182	46	6670	19
#	3616-30	3616	30	47, 48	6670	19
*	1/430904	5347	216	1	430904	19 and 20
#	3/568141	12387	192	3	568141	20
#		13743	83	2	355667	20
#	2/568141	12387	191	2	568141	20
#	1/775302			1	775302	21

TWENTY-THIRDLY: Part of the East Hills Railway (formerly Rickard Street) between Lot 1 in Deposited Plan 182930 and Lot 55 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheet 19 of the abovementioned plan.

TWENTY-FOURTHLY: Part of Martin Street (unformed) between Lots 52 and 53 in Deposited Plan 6670 and Lots 46 and 47 in Deposited Plan 6670 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheet 19 of the abovementioned plan.

TWENTY-FIFTHLY: Part of Wolli Creek between Lot 48 in Deposited Plan 6670 and the southern boundary of Lot 1 in Deposited Plan 430904 and also part of Wolli Creek between the western boundary of Lot 1 in Deposited Plan 430904 and Lot 1 in Deposited Plan 568141 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheets 19 and 20 of the abovementioned plan.

TWENTY-SIXTHLY: Part of Henderson Street commencing at a point on the boundary of Lot 2 in Deposited Plan 355667 to a point on the northern boundary of Lot 1 in Deposited Plan 182506 in the Local Government Area of Rockdale Parish of St George County of Cumberland as shown on Sheet 20 of the abovementioned plan.

SCHEDULE 5

All that piece of land in the Local Government Areas of Rockdale and Botany in the State of New South Wales being the land delineated "PIPELINE EASEMENT 1 WIDE, 2 WIDE, 5 WIDE, 6 WIDE, 10 WIDE AND VARIABLE WIDTH" in sheets 1 to 10 of a plan lodged for registration of the New South Wales Land Titles Office as Deposited Plan Number 499060 excepting thereout those parts of the easement delineated on the plan described above affecting the following land;

FIRSTLY: Part of the lands described below in the local Government Areas of Rockdale and Botany (denoted by #) and of Botany (denoted by *).

	Folio Identifier /Auto Consul	Volume	Folio	Lot No.	Deposited Plan	Sheet No. on DP499060
#	1/787029			1	787029	3, 4, 5, 6 and 7
*	14/787029			14	787029	7
*	16/787029			16	787029	7
*	3/787029			3	787029	7
*				15	776213	7
*	2/836603			2	836603	8
*	2/788903			2	788903	9

SECONDLY: Part of Botany Road between Lot 14 in Deposited Plan 787029 and Lot 16 in Deposited Plan 787029 in the Local Government Area of Botany and Parish of Botany County of Cumberland as shown on Sheet 7 of the abovementioned plan.

THIRDLY: Part of the corner of Ellis Street and Banksia Street between Lot 1 in Deposited Plan 836603 and Lot 1 in Deposited Plan 173140 in the Local Government Area of Botany Parish of Botany County of Cumberland as shown on Sheet 9 of the abovementioned plan.

FOURTHLY: Part of the Sydenham/Botany Goods Railway (formerly Morgan Street) between Lots 22 and 23 of Section K in Deposited Plan 939785 and Lot 6 of Section J in Deposited Plan 939785 in the Local Government Area of Botany Parish of Botany County of Cumberland as shown on Sheet 9 of the abovementioned plan.

FIFTHLY: Part of Stephen Road, being an unformed road between Lot 2 in Deposited Plan 788903 and the land contained within Book 1386 and Conveyance Number 22 in the Local Government Area of Botany Parish of Botany County of Cumberland as shown on Sheet 9 of the abovementioned plan.

SIXTHLY: Part of the Sydenham/Botany Goods Railway (formerly Stephen Road) between Lot 2 in Deposited Plan 788903 and land contained in book 1386 Conveyance 22 in the Local Government Area of Botany Parish of Botany County of Cumberland as shown on Sheet 9 of the abovementioned plan.

SEVENTHLY: Part of Anderson Street beginning of a point on the boundary of Lot 1 in Deposited Plan 834662 to a point on the boundary of Lot 1 in Deposited Plan 608153 in the Local Government Area of Botany Parish of Botany County of Cumberland as shown on Sheets 9 and 10 of the abovementioned plan.

EIGHTHLY: Part of the lands described below all located in the Local Government Area of Botany.

Book	Conveyance	Lot No.	Section	Deposited Plan	Sheet No. on DP499060
1138	281	22, 23	K	939785	9
1258	790	5	J	939785	9
1348	220	2, 3, and 4	J	939785	9

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SPECIAL

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COMMONWEALTH OF AUSTRALIA

Banking Act 1959

AUTHORITY TO CARRY ON BANKING BUSINESS IN AUSTRALIA

WHEREAS, Bendigo Sandhurst Mutual Permanent Land and Building Society Limited, a body corporate that is a building society within the meaning of the *Financial Institutions (Victoria) Code* (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:

AND WHEREAS the body corporate has applied under Part 8 Division 1 of the *Financial Institutions (Victoria) Code* to be registered as a company, to be named Bendigo Bank Limited, under the *Corporations Law:*

AND WHEREAS section 323 of the *Financial Institutions (Victoria) Code* provides that on the day a building society is registered as a company under the *Corporations Law*, the society's personality merges with that of the company:

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 at the time of delivery to the body corporate, being a time after the body corporate has been incorporated as a company, by the name Bendigo Bank Limited, under the *Corporations Law.*

Dated [illegible]

Governor-General

By His Excellency's Command,

Assistant Treasurer

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SPECIAL

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Public Notice Pursuant to Regulation 13AD of The Great Barrier Reef Marine Park Regulations

PROPOSAL TO ADDITIONAL SEA PLANE FLIGHTS TO AND FROM GREEN ISLAND

Notice is hereby given that I, Euan Campbell, have applied to the Great Barrier Reef Marine Park Authority for permission to operate additional Sea Plane Flights at Green Island in the Cairns Section of the Great Barrier Reef Marine Park. The vicinity is Green Island National Park Zone and Buffer Zone. It is proposed that Australian Barrier Reef Airways be allowed to operate seven transfer flights into Green Island per day, two of these flight legs would be operated outside the main visiting hours by tourists to the Island (before 9.30 am and after 4.30 pm). It is also proposed that a maximum of 20 scenic flights be operated per day from Green Island between the hours of 9.30 am and 4.00 pm, these flights would have a duration of approximately 20 minutes and be operated by one aircraft only.

Further details of this Proposal are available from:

David Royle
PO Box 1403
Cairns Qld 4870

Interested persons, including those who believe that the proposal will restrict their reasonable use of part of the Marine Park are invited to lodge written comments on the proposal with Great Barrier Reef Marine Park Authority by the 7th August 1995.

Comments should be forwarded to:

The Executive Officer
Great Barrier Reef Marine Park Authority
PO Box 1379
Townsville Qld 4810

and should refer to this notice.

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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
Income Tax Assessment Act 1936	Income Tax Regulations (Amendment)	1995 No. 152
Income Tax Assessment Act 1936	Income Tax Regulations (Amendment)	1995 No. 153
Health Insurance Act 1973	Health Insurance (1994-1995 Diagnostic Imaging Services Table) Regulations (Amendment)	1995 No. 154
Health Insurance Act 1973	Health Insurance (1994-1995 Pathology Services Table) Regulations (Amendment)	1995 No. 155
Superannuation Supervisory Levy Act 1991	Superannuation Supervisory Levy Regulations (Amendment)	1995 No. 156
Superannuation Industry (Supervision) Act 1993	Superannuation Industry (Supervision) (Transitional Provisions) Regulations (Amendment)	1995 No. 157
Superannuation Industry (Supervision) Act 1993	Superannuation Industry (Supervision) Regulations (Amendment)	1995 No. 158
Superannuation Industry (Supervision) Act 1993	Superannuation Industry (Supervision) Regulations (Amendment)	1995 No. 159

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SPECIAL

Civil Aviation Authority

Civil Aviation Act 1988

Determination of charge for 1995-1996 safety audit programs

I, Buckhurst Alan Brooksbank, delegate of the Board of the Civil Aviation Authority, make the following Determination under section 66 of the *Civil Aviation Act 1988*.

Dated 20th June 1995.

Acting Chief Executive Officer

Commencement

1. This determination takes effect on 30 June 1995.

Charges for carrying out safety audit programs

2. The charge payable by an operator named in the table below for the carrying out of a safety audit program in the financial year beginning on 1 July 1995 is the amount set out in the table beside the operator's name.

Operator	Charge
Qantas Airways Limited	$856,000
Ansett Transport Industries Limited	$170,359
Nordstress Australia Pty Ltd	$221,239

Payment by instalments

3. The charge is payable in four equal instalments, due on 1 August 1995, 1 November 1995, 1 February 1996 and 1 May 1996 respectively.

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SPECIAL

Civil Aviation Authority

Civil Aviation Act 1988

Determination of service charges 1995—1996

I, Buckhurst Alan Brooksbank, delegate of the Board of the Civil Aviation Authority, make the following determination under section 66 of the *Civil Aviation Act 1988*.

Dated 28th June 1995.

Acting Chief Executive Officer

Commencement

1. This determination commences on 30 June 1995.

Regulatory service charges

2. (1) The charge for a service referred to in the second column of the Schedule is:

(a) if an amount is set out in the third column of the Schedule beside the reference to the service—that amount; or

(b) if "HR" is set out in the third column of the Schedule beside the reference to the service—the amount worked out by multiplying the hourly rate by the number of hours spent by the service provider in providing the service.

(2) For the purposes of subregulation (1), the hourly rate is:

(a) for providing consultancy advice—the amount equal to the cost of providing the service for an hour; or

(b) for any other service—$75.00 per hour.

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Penalties for late payment

3. If an amount of charge is not paid by the due date, the person liable to pay the charge is also liable to pay, by way of penalty, an additional amount equal to 1.5% of the unpaid amount for each month or part of a month during which the amount remains unpaid.

SCHEDULE

Item	Service	Charge
	CERTIFICATES OF AIRWORTHINESS	
1.1	Assessment of an application for the issue or renewal of a certificate of airworthiness or an export certificate of airworthiness	HR
1.2	Processing an application for the validation of a foreign certificate of airworthiness or a foreign export certificate of airworthiness	HR
	APPROVALS	
2.1	Assessment of an application for the issue of a certificate of type approval	HR
2.2	Assessment of an application for the accreditation of a synthetic flight trainer	HR
2.3	Assessment of an application for the issue, renewal or variation of a certificate of approval	HR
2.4	Assessment of a training course conducted by an organisation under a certificate of approval	HR
	MANUFACTURE AND MAINTENANCE APPROVALS	
3.1	Assessment of an application for the approval of an aircraft component, or of the repair, or a design of a modification, of an aircraft or aircraft component	HR

Service charges 1995-96 3

3.2	Assessment of an application for the approval of a system of maintenance or a maintenance control manual, or the approval of a variation of a system of maintenance or maintenance control manual	HR
3.3	Assessment of an application for the approval or variation of a maintenance schedule for a aircraft	HR
3.4	Assessment of an application for the approval of a permissible unserviceability or a minimum equipment list	HR
3.5	Assessment of an application for the certification of maintenance for aircraft operations overseas	HR
3.6	The conduct of a metallurgical examination or an investigation of a defective component	HR
	AERODROME LICENCES	
4.1	Assessment of an application for the issue of an aerodrome licence	HR
4.2	The conduct of the annual obstacle survey at the request of the aerodrome licence holder	HR
	AIR OPERATOR'S CERTIFICATES	
5.1	Assessment of an application for the issue, renewal or variation of an AOC	HR
	AIRWORTHINESS AUTHORITIES	
6.1	Assessment of an application for the issue, renewal or variation of an airworthiness authority	HR
6.2	Assessment of an application for the issue, renewal or variation of an aircraft welding authority	HR
	AIRWORTHINESS EXAMS	
7.1	Examinations for the purpose of qualifying for the issue of an aircraft maintenance engineer licence:	
	(a) for core or specific group subjects—per subject	$110
	(b) for specific type subjects—per part	$175
	(c) for category technical competency examination—per category	$95

4 *Service charges 1995-96*

7.2	A written examination for the purpose of qualifying for the issue of an authority to conduct non-destructive testing	$190
7.3	An examination for the purpose of qualifying for the issue of a welding or weight control authority or to conduct non-destructive testing, except an examination referred to in item 7.2	HR
7.4	Provision of a critique for an essay format licensed aircraft maintenance engineer examination	HR
7.5	The re-mark of a licensed aircraft maintenance engineer examination:	
	(a) core subjects, per subject	$75
	(b) specific group—radio subjects, per subject	$190
	(c) specific group—other subjects, per subject	$75
	(d) specific type, per type	$190
	AME LICENCE	
8.1	Assessment of an application for the issue of an aircraft maintenance engineer licence	$205
8.2	Assessment of an application for the renewal or re-issue of an aircraft maintenance engineer licence	$60
8.3	Assessment of an application for the issue of category, group or type endorsement on an aircraft maintenance engineer licence	
	(a) first endorsement	$110
	(b) each additional endorsement	$20
	FLIGHT CREW EXAMS	
9.1	Examination for the purpose of qualifying for the issue of a private pilot licence	$45
9.2	Examination for the purpose of qualifying for the issue of a commercial pilot licence	$50
9.3	Examination for the purpose of qualifying for the issue of an air transport pilot licence	$100
9.4	Examination for the purpose of qualifying for the issue of a student flight engineer licence	$75

9.5	Examination for the purpose of qualifying for the endorsement of a command instrument rating, flight instructor rating or agricultural pilot rating	$65
9.6	Examination for the purpose of qualifying for appointment as a check flight engineer	HR
9.7	A flight crew licence examination conducted by means of a flight test	HR
9.8	The re-mark of a multi-choice format flight crew examination	$70

FLIGHT CREW LICENCE

10.1	Assessment of an application for the issue of a private pilot licence together with a flight radiotelephone operator licence	$25
10.2	Assessment of an application for the issue of a commercial pilot licence together with a flight radiotelephone operator licence	$45
10.3	Assessment of an application for the issue of an air transport pilot licence together with a flight radiotelephone operator licence	$60
10.4	Processing of an application for the issue of a flight engineer licence	$55
10.5	Processing of an application for the issue of a certificate of validation for :	
	(a) private operations	$55
	(b) commercial operations	$100
	(c) if the certificate includes a rating—for each rating (fee is additional to fee payable under (a) or (b))	$20
	(d) if the certificate includes an aircraft endorsement—for each endorsement (fee is additional to fee payable under (a) or (b))	$20
10.6	Processing an application for the issue of a special pilot licence	$50

6 *Service charges 1995-96*

10.7	Processing an application for the issue or renewal of a flight crew rating	$10
10.8	Assessment of an application for the issue of an aircraft endorsement on a flight crew licence per endorsement	$15
10.9	Assessment of an application for the issue of an aircraft endorsement on the basis of an overseas endorsement—per endorsement	$20
	FLIGHT MANUALS	
11.1	Preparing or approving a flight manual, part of a flight manual, or an alteration of a flight manual	HR
	CONSULTANCY ADVICE & OTHER SERVICES	
12.1	The provision of consultancy advice on request	HR
12.2	Assessment of a training program or training course for maintenance personnel	HR

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SPECIAL

CIVIL AVIATION AUTHORITY

DETERMINATION UNDER SECTION 66(2) OF THE CIVIL AVIATION ACT 1988

Pursuant to sub-section 66(2) of the Civil Aviation Act 1988, I, Buckhurst Alan Brooksbank, Acting Chief Executive Officer of the Civil Aviation Authority and delegate of the Board of the Civil Aviation Authority make the following determination:

(a) fixing charges and specifying the persons by whom, and the times when, the charges are payable; and

(b) fixing the penalty for the purposes of sub-section 66(8) of the Act,

which charges and penalties are to take effect and apply on and from 30 June 1995.

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DETERMINATION UNDER SECTION 66(2) OF THE CIVIL AVIATION ACT

A INTERPRETATION

Unless the contrary intention appears, words and expressions used in this Determination that are used in the Civil Aviation Act 1988 or the Civil Aviation Regulations have the same meaning as they have in that Act, or those Regulations, respectively.

"aircraft" means any machine or craft that can derive support in the atmosphere from the reactions of the air.

"approach", means a planned descent by an aircraft on to, or to the immediate vicinity of, a runway at an aerodrome, whether or not the aircraft lands on, or touches, the runway.

"Australian flight information region" means the region designated by the Authority pursuant to the Regulations and as described in the Designated Airspace Handbook.

"Australian operator" means an operator that is a person who is an Australian.

"authorised officer" means an officer authorised by the Authority in writing to act under the provision in which that expression occurs.

"avtur aircraft" means an aircraft powered by an engine or engines using aviation turbine kerosene.

"charge" means a charge payable in respect of a service or facility provided by the Authority.

"circuit training", means training involving separate approaches by an aircraft to a runway at an aerodrome.

"en-route charges" means a charge payable for the use by an aircraft of air route and airways facilities and services operated or provided in Australian Territory.

"international operation" means a flight that involves a departure from a point outside Australia to a point in Australian territory, or the arrival at a point outside Australia from a point in Australian territory.

"maximum take-off weight" means the weight set out in the certificate of airworthiness of, or the flight manual for, the aircraft as the maximum take-off weight.

"non-avtur aircraft" means an aircraft other than an avtur aircraft.

"registration mark" in relation to an aircraft means:

(a) in the case of an Australian aircraft - the mark assigned to the aircraft under the Regulations; or

(b) in the case of a foreign aircraft - the mark assigned to the aircraft under a law of the place where the aircraft is registered.

"the Act" means the Civil Aviation Act 1988.

"the Authority" means the Civil Aviation Authority.

"the Regulations" means the Civil Aviation Regulations.

"training flight" means a flight made solely for the training or testing of a person as a member of the flight crew of an aircraft.

"weight" means the maximum take-off weight.

A reference to a charge calculated at a rate per 1,000 kilograms specified in Column 3 of an item in Table 1 or Table 2 below shall, in the case where the weight applicable in relation to the charge includes any part of 1,000 kilograms, be read, in respect of that part, as a charge calculated at that rate on a pro-rata basis.

B DATE OF EFFECT

This Determination shall come into effect on 30 June 1995.

SECTION ONE

C CHARGES FOR FACILITIES AND SERVICES

Charges - Avtur Aircraft

1. The charge for services and facilities in respect of each landing of an avtur aircraft at an aerodrome referred to in Column 2 of Item 1 in Table 1 below is calculated by applying the rate specified in Column 3 of that Item to the weight of such aircraft.

2. The charge for services and facilities in respect of each landing of an avtur aircraft at a place, within a control zone, associated with an aerodrome referred to in Column 2 of Item 2 in Table 1 below, being a place other than an aerodrome at which an aerodrome control service is available at the time of landing, is calculated by applying the rate specified in Column 3 of that Item to the weight of such aircraft.

3. The charge for services and facilities in respect of each landing of an avtur aircraft with a weight of 2500 kilograms or greater at an aerodrome referred to in Column 2 of Item 3 in Table 1 below, is calculated by applying the rate specified in Column 3 of that Item to the weight of such aircraft.

TABLE 1

Column 1 Item No.	Column 2 Aerodrome/Facility	Column 3 Rate per 1,000 kilograms weight	Column 4 Minimum charge
1	Terminal navigation facilities and services, being such facilities and services relating to an aerodrome specified in Schedule 1.	$5.22	$5.87
2	Terminal navigation facilities and services, being such facilities and services relating to an aerodrome specified in Schedule 1.	$2.61	$2.94
3	Fire fighting and rescue service, being such a service relating to an aerodrome specified in Schedule 2.	$1.83	$4.58

4. Where a charge in respect of an avtur aircraft for services and facilities relating to an aerodrome referred to in Column 2 of an Item in Table 1, calculated in accordance with paragraphs 1, 2, or 3 above, amounts to less than the minimum charge specified in Column 4 of that Item, the charge payable is that minimum charge.

5. Where, in the course of a training flight by an avtur aircraft, circuit training is conducted, the charge for services and facilities relating to an aerodrome referred to in Column 2 of an Item in Table 1, in relation to each approach of the aircraft to a runway at that aerodrome, is an amount that is equal to 25% of the amount of the charge applicable to a landing of that aircraft calculated by applying the rate specified in Column 3 of Table 1 to the weight of such aircraft.

Charges - Non-avtur Aircraft

6. The charge for services and facilities, in respect of each landing of a non-avtur aircraft at an aerodrome referred to in Column 2 of Item 1 in Table 2 below, is calculated by applying the rate specified in Column 3 of that Item to the weight of such aircraft.

7. The charge for services and facilities in respect of each landing of a non-avtur aircraft with a weight of 2500 kilograms or greater at an aerodrome referred to in Column 2 of Item 2 in Table 2 below, is calculated by applying the rate specified in Column 3 of that Item, to the weight of such aircraft.

TABLE 2

Column 1 Item No.	Column 2 Aerodrome/Facility	Column 3 Rate per 1000 kilograms weight	Column 4 Minimum charge
1	Terminal navigation facilities and services, being such facilities and services relating to an aerodrome specified in Schedule 3.	$5.22	$5.87
2	Fire fighting and rescue service, being such a service relating to an aerodrome specified in Schedule 2.	$1.83	$4.58

8. Where in the course of a training flight by a non-avtur aircraft, circuit training is conducted, the charge for services and facilities in relation to a landing or landings at an aerodrome specified in Schedule 3 is calculated by applying the rate specified in Column 3 of Item 1 of Table 2 above to the weight of such aircraft in relation to one landing of such aircraft at the aerodrome so specified.

9. Where in the course of a training flight by a non-avtur aircraft, circuit training is conducted, the charge for services and facilities in relation to a landing or landings at an aerodrome specified in Schedule 2 is calculated by applying the rate specified in Column 3 of Item 2 of Table 2 above to the weight of such aircraft in relation to one landing of the aircraft at the aerodrome so specified.

10. Where, a charge in respect of a non-avtur aircraft, in relation to services and facilities relating to an aerodrome referred to in Column 2 of an Item in Table 2 above, calculated in accordance with paragraphs 6, 7, 8 or 9 above, amounts to less than the minimum charge specified in Column 4 of that Item, the charge payable is that minimum charge.

Availability of Services and Facilities

11. A charge, referred to in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, or 10 above, is not payable unless, at the time of the landing of the aircraft, the facilities or services to which the charge relates are available for use by the aircraft.

En-route Charges

12. The charge payable for the use by an aircraft of air route and airways facilities and services operated or provided in Australian territory -

(a) in the case of a flight by an avtur aircraft with a weight of 20,000 kilograms or less between two aerodromes in Australian territory, or between a place outside Australian territory and a place in Australian territory, or between a place in Australian territory and a place outside Australian territory, in accordance with the following formula:

$$C = R_1 \times \frac{D}{100} \times W$$

(b) in the case of a flight by an avtur aircraft with a weight of more than 20,000 kilograms between two aerodromes in Australian territory, or between a place outside Australian territory and a place in Australian territory, or between a place in Australian territory and a place outside Australian territory, in accordance with the following formula:

$$C = R_2 \times \frac{D}{100} \times \sqrt{W}$$

(c) in the case of a flight by a non-avtur aircraft with a weight of 20,000 kilograms or less between a place outside Australian territory and a place in Australian territory, or between a place in Australian territory and a place outside Australian territory, in accordance with the following formula:

$$C = R_3 \times \frac{D}{100} \times W$$

(d) in the case of a flight by a non-avtur aircraft with a weight of more than 20,000 kilograms between a place outside Australian territory and a place in Australian territory, or between a place in Australian territory and a place outside Australian territory, in accordance with the following formula:

$$C = R4 \times \frac{D}{100} \times \sqrt{W}$$

where in relation to (a), (b), (c) and (d) above:-

C is the amount in dollars of the charge payable

R_1 is a rate of $1.21

R_2 is a rate of $5.41

R3 is a rate of $1.21

R4 is a rate of $5.41

D is the chargeable distance travelled by the aircraft expressed as the great circle distance in kilometres -

(i) between two aerodromes in Australian territory; or

(ii) between the first point of entry to an Australian flight information region and the first aerodrome of destination in Australian territory; or

(iii) between the last aerodrome of departure in Australian territory and the last point of departure from an Australian flight information region; or

(iv) between the first point of entry to an Australian flight information region and the first point of departure from an Australian flight information region.

W is the number of tonnes in the weight of the aircraft.

$\sqrt{W}$ is the square root of the number of tonnes in the weight of the aircraft.

13. In paragraph 12, a flight between two aerodromes shall include a flight involving a take-off and a landing at one aerodrome, other than an aerodrome at which an aerodrome control service is available for use at the time the flight terminated, with no intermediate landings.

14. The charge payable by an aircraft which enters an Australian flight information region but does not land at an aerodrome in Australian territory, is calculated by reference to the formulae in paragraph 12(a), 12(b), 12(c) or 12(d) above.

15. In the calculation of the chargeable distance travelled by an aircraft for the purposes of the factor "D" in paragraph 12 above -

    (a) the distance shall be calculated -

        (i) in the case of a flight between the first point of entry to an Australian flight information region and the first aerodrome of destination in Australian territory - to the nearest 10 kilometres; or

        (ii) in the case of a flight between an aerodrome of departure in Australian territory and the last point of departure from an Australian flight information region - to the nearest 10 kilometres; or

        (iii) in the case of a flight between two aerodromes in Australian territory - to the nearest kilometre; or

        (iv) in the case of a flight between the first point of entry to an Australian flight information region and the first point of departure from an Australian flight information region - to the nearest 10 kilometres.

    (b) a deduction of 55 kilometres shall be made in respect of each aerodrome at which an aerodrome control service is available and from which a flight commenced, and any aerodrome at which a flight terminates and at which an aerodrome control service is available for use by aircraft at the time that flight terminated.

16. Where the distance travelled by an aircraft, other than by virtue of the deduction referred to in paragraph 15(b) above, is less than 20 kilometres or where it is not possible to calculate the distance travelled, the distance shall be taken to be 20 kilometres.

17. Where, in respect of a flight by an avtur aircraft, a charge is incurred in accordance with paragraph 2 above, the en-route charge shall be zero or the amount resulting when the landing charge, calculated in accordance with paragraph 2 above, is deducted from the en-route charge, calculated in accordance with paragraphs 12, 13, 14 and 15, whichever is the greater.

D INCIDENCE OF CHARGES FOR FACILITIES AND SERVICES

Australian Aircraft

18. Charges for the use of facilities and services are payable in respect of Australian aircraft:

(a) by the holder of the Air Operator's Certificate; or

(b) by the holder of the Certificate of Registration of the aircraft; or

(c) by the owner of the aircraft; or

(d) by the person operating or controlling the aircraft; or

(e) by the person who has accepted liability pursuant to an assignment made in accordance with paragraphs 20, 21 and 22 below.

With reference to (a), (b), (c), (d) and (e) above, the parties referred to shall be jointly and severally liable to pay the charges for use of services and facilities in respect of Australian aircraft.

Foreign Aircraft

19. In respect of foreign aircraft, charges for the use of facilities and services are payable:

(a) by the holder of the Air Operator's Certificate; or

(b) by the holder of the Certificate of Registration of the aircraft; or

(c) by the owner of the aircraft; or

(d) by the person operating or controlling the aircraft; or

(e) by the person who has accepted liability pursuant to an assignment made in accordance with paragraphs 20, 21 and 22 below.

With reference to (a), (b), (c), (d) and (e) above, the parties referred to shall be jointly and severally liable to pay the charges for use of services and facilities in respect of foreign aircraft.

Assignment of Liability

20. A person by whom a charge is payable in relation to an aircraft under this Determination (in paragraph 22 called "the debtor") may, subject to paragraph 22, assign to another person his or her liability in respect of that charge.

21. An assignment approved pursuant to Regulation 24 of the Air Navigation (Charges) Regulations shall have the same application as an assignment made under this Determination.

22. An assignment:

(a) shall be made in writing and lodged with the Authority;

(b) shall state the period for which the assignment is specified to have effect;

(c) shall be signed by the debtor and the assignee; and

(d) shall contain the following particulars:

(i) the name of the holder of the Certificate of Registration, or Air Operators Certificate holder, as the case may be, in respect of the aircraft to which the assignment relates;

(ii) the full name of the assignee and his or her address for service in respect of accounts under the assignment; and

(iii) the registration mark of the aircraft.

(e) shall be lodged with the Authority within 7 days (or such further period of time as allowed by the Authority or an authorised officer of the Authority) after the day upon which the assignment is expressed to come into operation.

E RECOVERY OF CHARGES

23. For the purposes of paragraphs 1-22 above and 25-28 below, the Authority or an authorised officer may issue an invoice or statement, or make a demand, to a person for payment in relation to a liability in respect of a charge under this Determination.

24. Where an invoice or statement is duly issued, or a demand made, to a person pursuant to paragraph 23, the amount of the charge is due and payable commencing on the day of the making of the demand, or where an invoice or statement is issued, on the first day of the month after the month in which the liability is incurred.

F PENALTIES

25. Where the liability of a person to pay a charge under the Act is not discharged within 28 days after the day on which the charge became due and payable, that person is liable to pay to the Authority, by way of penalty, in addition to the amount of that charge, an amount calculated upon the amount of that charge or penalty remaining unpaid at the rate of 1.5% for each month or part of a month for which that amount is unpaid, to be computed from the day on which that charge became due and payable and to be compounded.

G SPECIAL ARRANGEMENTS FOR USE OF FACILITIES AND SERVICES

26. Where services or facilities to which charges under this Determination relate would not otherwise be made available for use by aircraft, an authorised officer may enter into an arrangement with a person for the purpose of making available those services or facilities for use by aircraft to which the arrangement relates.

27. The amount of the charge payable under an arrangement entered into in accordance with paragraph 26 is specified in Schedule 4 and is in addition to the charge payable under paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9 or 10 above.

28. A charge in relation to an arrangement in paragraph 27 is payable by -

    (a) in the case of an arrangement entered into by the pilot in command, owner or operator of an aircraft to which such charges are applicable - by the person liable in respect of such charges; or

    (b) in any other case - by the person entering into the arrangement with an authorised officer.

SCHEDULE 1

AERODROMES WHERE A CHARGE IS PAYABLE FOR THE USE OF TERMINAL NAVIGATION FACILITIES AND SERVICES

Adelaide
Albury
Alice Springs
Archerfield
Bankstown
Brisbane
Cairns
Camden
Canberra
Coffs Harbour
Coolangatta
Darwin
Essendon
Hobart
Jandakot
Launceston
Mackay
Maroochydore
Melbourne
Moorabbin
Parafield
Perth
Rockhampton
Sydney
Tamworth
Townsville
Wagga Wagga

SCHEDULE 2

AERODROMES WHERE A CHARGE IS PAYABLE FOR FIRE FIGHTING AND RESCUE SERVICE

Adelaide
Alice Springs
Brisbane
Cairns
Canberra
Coolangatta
Darwin
Hobart
Karratha
Launceston
Mackay
Melbourne
Perth
Port Hedland
Rockhampton
Sydney
Townsville

SCHEDULE 3

AERODROMES WHERE TERMINAL NAVIGATION CHARGES ARE PAYABLE IN RELATION TO AIRCRAFT OTHER THAN AVTUR AIRCRAFT

Adelaide
Hobart
Perth
Brisbane
Melbourne
Sydney

SCHEDULE 4

CHARGES FOR OUT-OF-HOURS OPERATION OF TERMINAL NAVIGATION AND RESCUE AND FIRE FIGHTING SERVICES

	CHARGE
TERMINAL NAVIGATION FACILITIES AND SERVICES	
All Locations	$70
RESCUE & FIRE FIGHTING SERVICE	
Townsville	$175
Karratha, Mackay, Port Hedland, Rockhampton	$215
Adelaide, Alice Springs, Canberra, Coolangatta, Darwin, Hobart, Launceston	$350

Dated: 28th June 1995

Buckhurst Alan Brooksbank
Acting Chief Executive Officer
Delegate of the Board of the Civil Aviation Authority

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SPECIAL

Commonwealth of Australia

Social Security Act 1991

Social Security (Loan Fringe Benefits Valuation) Determination No. 1

I, PETER JEREMY BALDWIN, Minister for Social Security, make the following Determination under subsection 1157R (1) of the *Social Security Act 1991*.

Dated 28 June 1995.

Minister for Social Security

Citation

1. This Determination may be cited as the Social Security (Loan Fringe Benefits Valuation) Determination No. 1.

[NOTE: This Determination starts to have effect on the day on which it is notified in the Gazette and ceases to have effect at the end of 6 months after that day if it has not been revoked before then: see *Social Security Act 1991*, subsection 1157R (3).]

Interpretation

3. (1) In this Determination:

"Act" means the *Social Security Act 1991*.

Application

4. This Determination applies in relation to payments made under the Act on and after 1 July 1995.

Value of loan fringe benefits

5. The value of a loan fringe benefit is to be worked out in accordance with section 1157Q of the Act as if:

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(a) subsection 1157Q (1) were amended by omitting from Step 2 in the Method statement "subsection (2) or (3)" and substituting "subsection (4)"; and

(b) subsection 1157Q (4) were amended by omitting "any subsequent tax year" and substituting "the tax year ending on 30 June 1996"; and

(c) paragraph 1157Q (4) (a) were amended by omitting "6.95%" and substituting "10.5%"; and

(d) paragraph 1157Q (4) (b) were amended by omitting "11.75%" and substituting "12.75%".

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