



Commonwealth
of Australia

Gazette

No. GN 24, Wednesday, 19 June 1996

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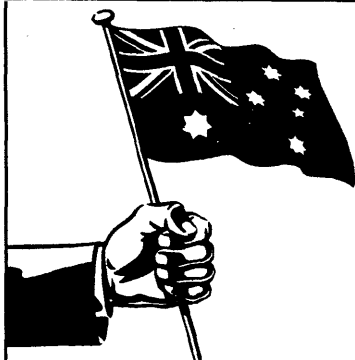
GOVERNMENT NOTICES

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The date of publication of this Gazette is 19 June 1996

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that has its finger firmly on
Canberra’s pulse.”**



Clayton Utz has been acting for Government departments and agencies for many years. Many of our partners have previously held senior positions with Government.

Our thorough knowledge of the workings, policies and needs of Government enables us to grasp key issues, complete matters swiftly and provide a cost-effective service.

Peter Crowley, the Government Liaison Partner in our Canberra office will be happy to discuss your department's legal requirements.

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

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Please direct all inquiries to (06) 295 4661.

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The Commonwealth of Australia Gazettes are now available for Commercial advertising. For information, rates and bookings please contact Rod Tremain or Jonathon Tremain, National Advertising Services telephone (02) 9955 3545, fax (02) 9955 3646.

General Information

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GAZETTE INQUIRIES

Lodgment inquiries	(06) 295 4661
Gazettal Forms	(06) 295 4613
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Subscriptions	132 447

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.

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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.
Subscriptions fax number (06) 295 4888.

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 Government Info Shops at:

Adelaide:	60 Waymouth Street, tel. (08) 231 0144
Brisbane:	City Plaza, cnr Adelaide and George Streets, tel. (07) 3229 6958
Canberra:	10 Mort Street, tel. (06) 247 7211
Hobart:	31 Criterion St, tel. (002) 34 1403
Melbourne:	190 Queen Street, tel. (03) 9663 3010
Parramatta:	Shop 24, Horwood Place (off Macquarie Street), tel. (02) 893 8466
Perth:	469 Wellington Street, tel. (09) 322 4737
Sydney:	32 York Street, tel. (02) 299 6737
Townsville:	277 Flinders Mall, tel. (077) 21 5212

Agents:

Albury:	DAS Regional Office, 512 Swift Street, tel. (060) 41 3788
Geelong:	DAS Regional Office, 57 Brougham Street, tel. (052) 22 5107
Darwin:	Northern Territory Government Publications, 13 Smith Street, 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.

Products and services advertised in this publication are not necessarily endorsed by AGPS, or the Government. AGPS reserves the right to reject any advertising material it considers unsuitable for government publication. Material supplied must be suitable for same size camera-ready reproduction. AGPS takes no responsibility for the quality of reproduction.

ISSUE OF PERIODIC GAZETTES

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

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

<i>Gazette number</i>	<i>Date of Publication</i>	<i>Subject</i>
P1	5.1.96	Money or property unclaimed by dissenting shareholders
P2	19.1.96	Instruments made under Part VII of the <i>National Health Act 1953</i>
P3	21.1.96	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.10.95 to 31.12.95 and not previously gazetted. Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.4.95 to 30.9.95 and not previously gazetted. Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.1.95 to 31.1.95.
P4	4.3.96	Notice by the Australian Securities Commission of intention to deregister defunct companies
P5	15.3.96	<i>Radiocommunications Act 1992</i> Notice of issue of licences by price based allocation system under the Radiocommunications (Allocation of Multipoint Distribution Station Licences) Determination No. 1 of 1994
P6	4.4.96	National Food Authority Amendment No. 29 to the Food Standards Code
P7	24.4.96	Notice by the Australian Securities Commission of Intention to Deregister Defunct Companies
P8	24.4.96	Instuments made under Part VII of the <i>National Health Act 1953</i>
P9	10.5.96	Money or property unclaimed by dissenting shareholders
P10	28.5.96	<i>Australian Heritage Commission Act 1975</i> . Notices 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.
*P11	6.6.96	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.1.96 to 31.3.96 and not previously gazetted.
*P12	13.6.96	Notice by the Australian Securities Commission of Intention to Deregister Defunct Companies

*First time notified

N.N.—9601628

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 11 June 1996 to the undermentioned Acts passed by the Senate and the House of Representatives in Parliament assembled, viz:

No. 6 of 1996 - An Act to amend the *Therapeutic Goods Act 1989*, and for related purposes [*Therapeutic Goods Amendment Act 1996*].

No. 7 of 1996 - An Act to amend the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*, and for related purposes [*Hazardous Waste (Regulation of Exports and Imports) Amendment Act 1996*].

HARRY EVANS
Clerk of the Senate

9601629

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 6 June 1996 to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 3 of 1996—An Act to amend the *Dairy Produce Act 1986*, and for related purposes.
(*Dairy Produce Amendment Act 1996*).

No. 4 of 1996—An Act to amend the *Dairy Produce Levy (No. 1) Act 1986*. (*Dairy Produce Levy (No. 1) Amendment Act 1996*).

No. 5 of 1996—An Act to amend the *Excise Tariff Act 1921*. (*Excise Tariff Amendment Act 1996*).

L M BARLIN
Clerk of the House of Representatives

9601630

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, **DAVID FRANCIS JULL**, 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 Tourism and Territories notified in the Commonwealth of Australia Gazette No. S 76 dated 2 March 1989 in so far as that declaration relates to the areas of land described in the Schedule hereto.

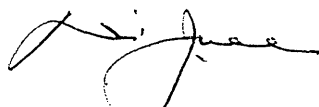
SCHEDULE

Division/District	Section	Block	Map/Plan Reference
Majura		503	DP 5710

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

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

Dated: 30 May 1996



DAVID JULL
Minister for Administrative
Services

COMMONWEALTH OF AUSTRALIA

Australian Capital Territory (Planning and Land Management) Act 1988

NOTIFICATION OF DECLARATION OF NATIONAL LAND

I, **DAVID FRANCIS JULL**, Minister of State for Administrative Services, hereby declare, pursuant to subsection 27(1) of the *Australian Capital Territory (Planning and Land Management) Act 1988*, all those areas of land described in the schedule hereto to be National Land, all those areas of land so described being used, or being intended to be used, by or on behalf of the Commonwealth.

SCHEDULE

Division/District	Section	Block	Map/Plan Reference
Pialligo	22	2	DP 8181

Explanation of map references - maps and plans referred to are held with the ACT Plan Room of the **Environment and Land Bureau, Department of Urban Services**, 220 Northbourne Avenue, Braddon ACT.

ACS - Actual Cadastral Series
CS E or D - Computation Sheet
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SCHEDULE

Division/District	Section	Block	Map/Plan Reference
Phillip	Part 8		Map 12
Barton	9	3	ACS B2100-6000
Bruce	5	Part 7	Map 6

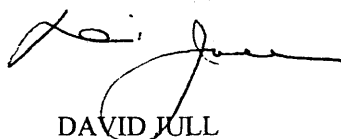
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SCHEDULE

Division/District	Section	Block	Map/Plan Reference
Phillip	8	46-66	DP 8838/1
Phillip	168	1	DP 8838/1
Phillip	169	1	DP 8838/1
Phillip	170	1	DP 8838/1
Barton	9	12	DP 7829
Bruce	5	8	DP 7828
Bruce	15	1	CS E 2076-6078
Bruce	75	1,2,3&4	DP 7828

Explanation of map references - maps and plans referred to are held with the ACT Plan Room of the **Environment and Land Bureau, Department of Urban Services**, 220 Northbourne Avenue, Braddon ACT.

ACS - Actual Cadastral Series

CS E or D - Computation Sheet

DP - Deposited Plan



DAVID JULL
Minister for Administrative
Services

Dated: 30 May 1996

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.

H J GRAY
Electoral Commissioner

THE SCHEDULE

New South Wales as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
BANKS	79419	-0.59
BARTON	81268	1.71
BENNELONG	82092	2.74
BEROMRA	83002	3.88
BLAXLAND	79717	-0.22
BRADFIELD	80252	0.44
CALARE	78218	-2.10
CHARLTON	83070	3.97
CHIFLEY	82148	2.81
COOK	80312	0.51
COMPER	77935	-2.45
CUNNINGHAM	76454	-4.30
DOBELL	79202	-0.86
EDEN-MONARO	77982	-2.39
FARRER	76977	-3.65
FOWLER	85527	7.04
GILMORE	76466	-4.29
GRAYNDLER	84245	5.44
GREENWAY	81354	1.82
GWYDIR	74609	-6.61
HUGHES	83462	4.46
HUME	76344	-4.44
HUNTER	76865	-3.79
KINGSFORD-SMITH	80214	0.39
LINDSAY	80884	1.23
LOWE	80290	0.49
LYNE	80052	0.19
MACARTHUR	83482	4.48
MACKELLAR	81103	1.50
MACQUARIE	79521	-0.47
MITCHELL	77276	-3.28
NEWCASTLE	77345	-3.19
NEW ENGLAND	74919	-6.23
NORTH SYDNEY	86476	8.23
PAGE	81113	1.52
PARKES	80388	0.61
PARRAMATTA	78753	-1.43
PATERSON	79193	-0.88
PROSPECT	77474	-3.03
REID	80259	0.45
RICHMOND	82930	3.79
RIVERINA	80064	0.20
ROBERTSON	77416	-3.10
SHORTLAND	76779	-3.90
SYDNEY	85317	6.78
THROSBY	76338	-4.45
HARRINGAH	79462	-0.54
WATSON	79205	-0.86
WENTWORTH	83530	4.54
HERRIMA	78173	-2.15
Totals	3994876 (Average: 79897)	

Victoria as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
ASTON	81087	-0.90
BALLARAT	81382	-0.54
BATMAN	87523	6.95
BENDIGO	82679	1.03
BRUCE	85397	4.35
BURKE	77390	-5.42
CALWELL	80589	-1.51
CASEY	77560	-5.21
CHISHOLM	85068	3.95
CORANGAMITE	78195	-4.44
CORIO	82713	1.07
DEAKIN	82748	1.12
DUNKLEY	80907	-1.12
FLINDERS	79921	-2.33
GELLIBRAND	84026	2.68
GIPPSLAND	81409	-0.51
GOLDSTEIN	87210	6.57
HIGGINS	84365	3.09
HOLT	77382	-5.43
HOTHAM	87660	7.12
INDI	81501	-0.40
ISAACS	76433	-6.59
JAGAJAGA	84990	3.86
KOORYONG	83263	1.74
LALOR	76720	-6.24
LA TROBE	75371	-7.89
MCEWEN	79328	-3.05
MCMILLAN	81820	-0.01
MALLEE	81107	-0.88
MARIBYRNONG	81616	-0.26
MELBOURNE	86619	5.85
MELBOURNE PORTS	82224	0.48
MENZIES	80302	-1.86
MURRAY	83475	2.00
SCULLIN	78221	-4.41
WANNON	82694	1.05
WILLS	86857	6.14
Totals	3027752 (Average: 81831)	

Queensland as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
BOWMAN	76984	-5.29
BRISBANE	86761	6.73
CAPRICORNIA	84234	3.62
DAWSON	86269	6.13
DICKSON	83010	2.12
FADDEN	77634	-4.49
FAIRFAX	79901	-1.70
FISHER	75795	-6.75
FORDE	76944	-5.33
GRIFFITH	82930	2.02
GROOM	83254	2.42
HERBERT	83383	2.58
HINKLER	84584	4.05
KENNEDY	83278	2.45
LEICHHARDT	84404	3.83
LILLEY	84721	4.22
LONGMAN	77911	-4.14
MCPHERSON	77349	-4.84
MARANOA	82673	1.70
MONCRIEFF	74594	-8.23
MORETON	85642	5.36
OXLEY	76594	-5.76
PETRIE	81502	0.26
RANKIN	79675	-1.97
RYAN	83822	3.12
WIDE BAY	79557	-2.12
Totals	2113405 (Average: 81284)	

Western Australia as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
BRAND	93307	18.37
CANNING	76851	-2.50
COWAN	82694	4.90
CURTIN	74378	-5.64
FORREST	81972	3.99
FREMANTLE	78775	-0.06
KALGOORLIE	74445	-5.55
MOORE	91113	15.58
O'CONNOR	75729	-3.92
PEARCE	77014	-2.29
PERTH	75624	-4.06
STIRLING	74472	-5.52
SWAN	73195	-7.14
TANGNEY	73988	-6.13
Totals	1103557 (Average: 78825)	

South Australia as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
ADELAIDE	82833	-1.84
BARKER	85091	0.83
BONYTHON	78156	-7.38
BOOTHBY	82565	-2.16
GREY	84569	0.21
HINDMARSH	84951	0.66
KINGSTON	86872	2.94
MAKIN	88567	4.95
MAYO	89018	5.48
PORT ADELAIDE	85555	-0.98
STURT	79045	-6.33
WAKEFIELD	87439	3.61
Totals	1012661 (Average: 84388)	

Tasmania as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
BASS	66275	-0.02
BRADDON	63565	-4.11
DENISON	67560	1.91
FRANKLIN	65469	-1.23
LYONS	68587	3.46
Totals	331456 (Average: 66291)	

Australian Capital Territory as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
CANBERRA	72527	6.19
FRASER	64931	-4.92
NAMADGI	67432	-1.26
Totals	204890 (Average: 68296)	

Northern Territory as at 31 May, 1996

Division	Enrolment	% Deviation from average divisional enrolment
NORTHERN TERRITORY	102766	0.00
Totals	102766 (Average: 102766)	

TOTAL FOR AUSTRALIA 11 891 363

Attorney-General



AUSTRALIAN
TRANSACTION REPORTS
AND ANALYSIS CENTRE



12 June 1996

DECLARATION UNDER SECTION 8A OF THE FINANCIAL TRANSACTION REPORTS ACT 1988

I, NEIL JAMES JENSEN, Delegate of the Director of the Australian Transaction Reports and Analysis Centre (AUSTRAC), for the purposes of Section 8A of the Financial Transaction Reports Act 1988, hereby declare that the cash dealer named below has an 'Identifying Cash Dealer' status.

THE REEF HOTEL CASINO

Neil J. Jensen PSM
Deputy Director
Australian Transaction Reports and Analysis Centre



AUSTRALIAN
TRANSACTION REPORTS
AND ANALYSIS CENTRE



12 June 1996

**DECLARATION UNDER SECTION 8A
OF THE FINANCIAL TRANSACTION REPORTS ACT 1988**

I, NEIL JAMES JENSEN, Delegate of the Director of the Australian Transaction Reports and Analysis Centre (AUSTRAC), for the purposes of Section 8A of the Financial Transaction Reports Act 1988, hereby revoke the 'Identifying Cash Dealer' status for the cash dealer named below.

COLES MYER DEPOSIT SERVICES LIMITED

Neil J. Jensen PSM
Deputy Director
Australian Transaction Reports and Analysis Centre

9601633

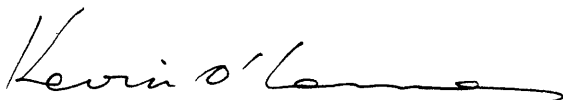
DETERMINATION 1996 NO 1

PRIVACY ACT 1988, s.11B(1)(b)(v)(B)
concerning classes of credit providers.

Under s.11B(1)(b)(v)(B) of the Privacy Act 1988, I DETERMINE that:

1. All corporations belonging to the following classes are to be regarded as credit providers for the purposes of the Act:
 - . a corporation where, in relation to a transaction, it is considering providing or has provided a loan in respect of the provision of goods or services on terms which allow the deferral of payment, in full or in part, for at least 7 days; or
 - . a corporation engaged in the hiring, leasing or renting of goods, where, in relation to a transaction, no amount, or an amount less than the value of the goods, is paid as deposit for return of the goods, and the relevant arrangement is one of at least 7 days' duration.
2. This determination affects those businesses which are not already credit providers by virtue of paragraphs (a) or (b)(i) to (iv) of s.11B(1) of the Act.
3. This determination represents a continuation of Determination No.1 of 1993 which expired on 25 August 1996. Determination No.1 of 1993 was itself a continuation of Determination 1991 No 1.
4. This determination shall take effect on 26 August 1996 and shall lapse, unless continued by a further determination of the Privacy Commissioner, on 25 August 2001.

Dated 13 JUNE 1996



KEVIN PATRICK O'CONNOR
Privacy Commissioner

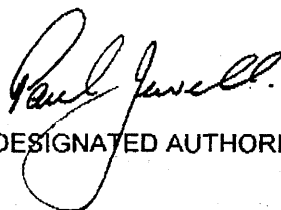
9601634

Environment, Sport and Territories

COMMONWEALTH OF AUSTRALIAWildlife 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 eleventh day of June 1996

**DESIGNATED AUTHORITY****SCHEDULE**

Column 1 Item	Column 2 Name and Country of Institution	Column 3 Approved class, or classes, of specimens
1.	Anne Woolacott 5 Bristol Street EAST ROSANNA VIC 3084 AUSTRALIA	<i>Melopsittacus undulatus</i>

9601635

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 thirteenth day of June 1996


DESIGNATED AUTHORITY

SCHEDULE

Column 1 Item	Column 2 Name and Country of Institution	Column 3 Approved class, or classes, of specimens
1.	Taronga Zoo Bradleys Head Road MOSMAN NSW 2088 AUSTRALIA	<i>Tragelaphus euryceros isaaci</i>

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 thirteenth day of June 1996.



DESIGNATED AUTHORITY

SCHEDULE

Column 1 Item	Column 2 Name and Country of Zoo	Column 3 Approved class, or classes, of specimens
1.	Taronga Zoo Bradley Head Road MOSMAN NSW 2088 AUSTRALIA	<i>Tragelaphus euryceros isaaci</i>

9601636

Health and Family Services

COMMONWEALTH OF AUSTRALIA THERAPEUTIC GOODS ACT 1989

SECTION 14 NOTICE

In April 1994, the delegate to the Secretary of the Department of Human Services and Health gave consent under s.14(1) of the Therapeutic Goods Act 1989 to the following organisations to supply for use in Australia the Therapeutic good(s) identified below. This notice exempts the therapeutic good(s) identified below from compliance with specific sections of the relevant Therapeutic Goods Order for therapeutic devices.

<u>COMPANY NAME</u>	<u>AUST L/R NUMBER</u>	<u>PRODUCT TYPE</u>	<u>PRODUCT NAME</u>	<u>TGO & SECTION EXEMPTED</u>	<u>SPECIAL CONDITIONS</u>
Pficonprod	28795	stent guide wire	Hannibal stent support PTCA guide wire	No.37, Cl. 2(c)(iv)	
VHA	17504	surgical instrument	Wizdom steerable guidewire	No.37, Cl. 4(2)(c)(iv)	Until 31.12.96
Device Technology	55117	stents	Microstent	No.37, Cl. 4 (2)(c)(iv)	

Unless otherwise indicated the exemptions detailed above will remain effective until cancelled by the Secretary (or his delegate) or until the relevant TGO is revoked.

9601637

NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL

Working Party of Tuberculosis

Towards Elimination of Tuberculosis II

AN INVITATION TO MAKE SUBMISSIONS

The National Health and Medical Research Council proposes to issue the draft guidelines set out below.

You are invited to make submissions to the Council about the draft guidelines.

How to make your submission

Please make your submission in writing or on audio tape, and include your name and address or phone number at which we can contact you.

Please send your submission to:

Secretary
Working Party of Tuberculosis
Department of Health and Family Services
MDP 15
GPO Box 9848
CANBERRA ACT 2601

Closing date

The closing date for submissions is 24 July 1996.

Further information

This Notice is given under subsection 12(3)(a) of the *National Health and Medical Research Act 1992*. It represents the second stage of consultation on the development of these guidelines.

The first stage of consultation took place during 22 June 1994 to 29 July 1994. An invitation to make further comment will be mailed directly to those who made submissions during the first stage.

If you would like your submission to be treated confidentially, please indicate this clearly (for example, by marking your written submission "confidential"). Submissions may be subject to release under the Freedom of Information Act 1982.

The guidelines include protocols for controlling tuberculosis in Australia. To obtain copies of the guidelines or for further information, please contact Leona Seib, telephone 06 289 8129 or facsimile 06 289 6963.

1. Executive summary

In 1993 the World Health Organization (WHO) declared tuberculosis to be a global emergency. The WHO took this unprecedented step because one third of the world's population, or 1,900 million people, were infected with the tuberculosis organism, and there were an estimated eight million new cases of tuberculosis and three million deaths from tuberculosis each year. More importantly, by the early 1990s the rate of decline of tuberculosis in many countries had either slowed or in some instances increased.

The global emergency exists for a variety of reasons. These include: the emergence of HIV/AIDS, both in-country and between-country migration; the rise of multidrug resistant tuberculosis; and the reduction in health services dealing with the control and treatment of tuberculosis.

Australia is fortunate in having one of the lowest rates of tuberculosis in the world. This has been brought about by the combination of the steady downward trend in tuberculosis incidence that has occurred in Australia throughout this century, and the success of the post-World War II National Tuberculosis Campaign. Australia's eventual aim is the elimination of tuberculosis (defined as fewer than one case of tuberculosis per one million population per annum). This is a long-term aim because of large scale migration, over recent decades, from countries with higher tuberculosis rates than Australia.

The Working Party on Tuberculosis identified the main threats to tuberculosis control in Australia to be inappropriate or inadequate approaches to tuberculosis control in overseas born persons, and an increase in the rate of multidrug resistant tuberculosis. HIV infection, while being an important cause of the global emergency, is not currently a major factor in Australia. For the above reasons, the Working Party has developed the following three Goals for tuberculosis control in Australia:

1. To achieve and sustain an annual decline of 10% in the incidence of active tuberculosis within each of the low, medium and high risk population groups (see Glossary for definitions of risk categories);
2. To ensure that children born in Australia to parents in the medium and high risk groups have the same incidence of active tuberculosis as children born in Australia to parents in the low risk group;
3. To ensure that there is no increase in the incidence of multidrug resistant tuberculosis (see Glossary for definition of multidrug resistant tuberculosis);

The key strategies for tuberculosis control in Australia are:

1. Timely surveillance by States and Territories, to an agreed protocol, collated and reported nationally;
2. Active screening among high risk groups to discover persons with tuberculosis infection who can be given preventive therapy, and persons with active tuberculosis for curative treatment;
3. Early and accurate diagnosis of persons who self-present with signs and symptom of tuberculosis;
4. Prompt and effective therapy in persons with active tuberculosis;

Performance Indicators, focussed on measurement and assessment of the three Goals, have been developed (See Chapter 5).

This document contains detailed protocols and guidelines about tuberculosis control in various settings and among various special groups. Among many other recommendations it recommends:

- improved surveillance of tuberculosis;
- evaluated introduction of new diagnostic techniques;
- development of appropriate infection control policies and protocols in hospitals, based on a risk

assessment of the local tuberculosis situation, regular tuberculin skin test screening of health care workers:

- more limited use of BCG vaccination;
- more widespread use of preventive therapy;
- short course chemotherapy regimens, with directly observed therapy as the method of choice for drug administration;
- continued screening of prospective migrants overseas, but no introduction of tuberculin skin testing overseas; repeat screening in Australia of migrants from high prevalence countries;
- monitoring of the new arrangements for Health Undertakings;
- tuberculosis control programs specifically targeted to Aboriginal and Torres Strait Islander people, in partnership with Aboriginal and Torres Strait Islander community controlled health services;
- attention to HIV infection as a risk factor for tuberculosis; and
- screening among the homeless, persons in prisons and in long-stay care facilities.

In addition it must be recognised that the goal of elimination of tuberculosis is not possible within the borders of one country. Fundamental to Australia's strategic framework for tuberculosis control is that we have a world vision and a commitment to reduce worldwide tuberculosis morbidity, mortality and transmission.

Australia must vigorously support Regional and global tuberculosis control programs and we must play our part in assisting countries in our Region, and globally, to conquer this ancient disease.

Recommendations summary

A summary of the key recommendations in this document is included here. More detailed recommendations can be found in individual Chapters.

International Situation and Australia's role

- Australia should participate in international research programs to promote tuberculosis control, and work with global tuberculosis control organisations such as International Union of Against Tuberculosis and Lung Disease (IUATLD) and WHO to achieve this aim.

Education

- State and Territory Health authorities should ensure that appropriate education programs about tuberculosis and its control are developed and implemented for the following groups.
 1. Persons with tuberculosis, their families and close contacts.
 2. Health care workers.
 3. Those at significant risk of tuberculosis, such as:
 - residents from countries with a high prevalence of tuberculosis, and their close contacts;
 - people from social groups with significant rates of tuberculosis infection (e.g. some Aboriginal and Torres Strait Islander communities, older people); and
 - people who are immuno-suppressed (particularly those HIV positive).

Surveillance

- The Working Party recommends that the Communicable Disease Network of Australia and New Zealand (CDNANZ), in close consultation with State and Territory Directors of Tuberculosis, the Australian Society of Microbiology (ASM), and the National Centre for HIV Epidemiology and Clinical Research urgently consider expansion of the current tuberculosis surveillance system as outlined in the relevant chapter.

Laboratory Diagnostic Services

- Laboratory testing (acid-fast microscopy and mycobacterial culture) of appropriate clinical samples

should be performed for every patient in whom tuberculosis is included in the differential diagnosis.

- Diagnostic mycobacteriology should be performed only in laboratories having significant workloads and carrying National Association of Testing Authority (NATA) certification of relevant proficiency. Direct acid-fast microscopy of 'spot' sputum samples, while insensitive and non-specific, should be provided by the majority of clinical microbiology laboratories.
- Reduction of specimen 'turnaround times' should be a prime goal of modern diagnostic laboratories. When practicable, time-efficient automated culture should support traditional methods, and probe-based systems should be used to provide rapid identification of isolates.
- Direct molecular diagnostic tests (e.g. nucleic acid amplification techniques) should be used only as adjuncts to conventional microscopy and culture until their clinical usefulness has been proven.
- All isolates of *Mycobacterium tuberculosis* complex from new patients must be subjected to drug susceptibility testing as soon as is practicable. Isolates from new patients must be forwarded, accompanied by all relevant details, including results of susceptibility testing, to a reference laboratory.
- The network of five reference laboratories in Australia must be maintained. These laboratories must foster close links with public health authorities and provide support for other clinical laboratories.

Tuberculin skin testing

- Methods of PPD storage and techniques of administration and interpretation of tuberculin skin testing should be standardised nationally after consensus from the States/Territories.
- Some form of quality assurance should be in place to ensure maintenance of standards.
- The date of testing and the actual diameter of induration must always be recorded, rather than descriptive reports such as "positive", "strongly positive".
- Interpretation of the tuberculin skin test - See chapter for detailed recommendations.
- In clinical situations and contact screening exercises, clear guidelines must be given to personnel reading the tests as to what cut-off limit requires referral for the attention of a physician experienced in tuberculosis medicine.
- If during contact screening or repetitive screening (e.g. health care workers), a non-significant result occurs with known past BCG or prior tuberculosis infection or disease, then the two-step test should be employed.

BCG

Given the low incidence of tuberculosis in Australia, BCG is not recommended to be used in the general population.

It is recommended for use in three groups:

- Aboriginal neonates in regions of high incidence (i.e. the NT, Far North Queensland and possibly SA).
- Neonates born to parents with leprosy or a family history of leprosy.
- Children under the age of 5 years who will be living in countries of high tuberculosis prevalence for more than 3 months.

BCG vaccination should be considered in:

- Children and adolescents aged less than 16 years who continue to be exposed to active tuberculosis patients and who are unable to be placed on preventive therapy or where the active case has multidrug resistant organisms.

Other groups for which the benefit of BCG is much less certain and therefore remains controversial are:

- neonates born in Australia who will be living with immigrants, (i.e. parents or extended family) or frequent visitors from high tuberculosis prevalence countries.
- those over age 5 years who will be staying in countries of high tuberculosis prevalence.
- health care workers with a high risk of exposure to tuberculosis, such as staff of chest clinics and tuberculosis wards, physiotherapists, radiographers, diagnostic laboratory staff, autopsy room staff, medical students and most medical and nursing staff of public hospitals.

Preventive therapy

Preventive therapy is recommended in the following situations:

- Recent exposure - this constitutes the highest risk for progression to active disease:
 - documented recent (usually described as within the previous two years) tuberculin converters, especially children and teenagers;
 - tuberculin skin test positive reactors, under 35 years of age, who are recent contacts of an infectious case of tuberculosis;
 - tuberculin skin test positive reactors, even over the age of 35 years, who are recent contacts of an infectious case of active tuberculosis and who also suffer from a medical condition, which increases their risk of progressing to active tuberculosis (e.g. silicosis, insulin-dependent diabetes, post-gastrectomy status, immune suppressive illness or treatment including transplantation);
 - tuberculin skin test negative reactors, after exposure to tuberculosis, where there is risk of progressing to active disease prior to further assessment, e.g. neonates and the immune suppressed, including HIV infection.
- Incidental finding of tuberculosis infection - usually documented as part of a screening process or as an incidental investigation (i.e. not in the context of known recent contact):
 - tuberculin skin test positive reactors, of any age, who are also HIV infected;
 - tuberculin skin test positive reactors, particularly the young, who belong to population subgroups, believed to have a higher risk of developing active tuberculosis than the general population, e.g. intravenous drug users, migrants and refugees from high risk countries, long-term residents of facilities such as prisons and nursing homes.
- Past tuberculosis, currently inactive, with inadequate or no previous therapy, where there are risk factors for reactivation:
 - those with HIV-TB coinfection;
 - those with extensive past tuberculosis and/or a medical or social condition, which increases their risk of reactivating tuberculosis (e.g. silicosis, insulin-dependent diabetes, post-gastrectomy status, immune suppressive illness, transplantation etc.)

There is no consensus about the use of preventive therapy in the adult tuberculin skin test positive reactor with no specific risk factors, and each case needs to be considered on an individual basis.

Children and adolescents and Persons living with HIV/AIDS - see Chapters 8.7, 9.4 and 9.5 for detailed recommendations

Chemotherapy

- In Australia the recommended chemotherapy protocol for general use is the "short course" or 6 month regimen.
- Directly observed therapy is the recommended method of drug administration in Australia.

Overseas Born

Pre-migration period

- Routine pre-migration tuberculin skin testing should not be introduced.
- The age for chest x-ray screening should be reduced to 15 years, to bring it in line with the age at which HIV testing is required.
- The requirement that, except in very extenuating circumstances, those with active tuberculosis must complete adequate treatment prior to entry to Australia, and agree to report for follow-up after arrival, should be continued.
- The Commonwealth, through its Departments of Immigration and Multicultural Affairs, and Health and Family Services, should keep screening performance in different countries under regular review to ensure that the highest possible standards are maintained.

At or shortly after arrival

- Screening of "boat people" should take place as soon as possible after arrival and include history, physical examination and tuberculin skin testing for all people.
- Chest x-ray should be routine for those aged 10 years and above, and for those below age 10 years

where clinically indicated.

Change of visa status applicants

- The medical examination of all persons in Australia who seek extension of their stay or make application for permanent residency status should routinely include full history, physical examination and tuberculin skin testing.
- Chest x-ray should be routine for those aged 15 years or over, and below age 15 years if clinically indicated.

Health Undertakings

- That the new arrangements for Health Undertakings be monitored and an evaluation of their effectiveness be performed within 2 years.

After settling into the community

- Routine post-arrival screening of immigrants from low-prevalence countries should not be undertaken as no additional benefit is gained when pre-migration screening has been carried out.
- State and Territory health authorities should develop screening programs for those migrants who are at greatest risk of tuberculosis infection and development of active disease.
- Screening should be by tuberculin skin testing; other tests should be carried out where indicated.
- Tuberculosis services should be provided free to all migrants regardless of their immigration status. Services should be accessible, culturally and linguistically appropriate, and provided in a welcoming and friendly environment.

Health care workers (HCW's) and others at occupational risk

- All medical, nursing, wardsmen, pathology, radiology, dental, mortuary and paramedical hospital staff should receive a tuberculin skin test on pre-placement (unless there is documentation of a positive tuberculin skin test) adequate treatment for disease or infection, or a negative tuberculin skin test within the previous three months.
- HCWs should not commence work in a high risk area without prior screening.
- Whether, and how often, screening is undertaken during employment depends on the estimated risk of infection. Tuberculin skin test negative HCWs should be screened as follows:
High risk category- Annual or biannual screening depending on a local assessment of risk. If tuberculin positive at any screen, the HCW should be referred for chest x-ray and medical assessment and follow-up.
Medium risk category - Periodic screening (every three to five years) depending on a local assessment of risk. If tuberculin positive at any screen, the HCW should be referred for chest x-ray and medical assessment and follow-up.
Low risk category No routine screening during employment.
- All HCWs should have an employment exit tuberculin skin test if they have not previously tested positive.
- All HCWs should be screened and followed up according to recommended contact tracing procedures if exposed to a patient with infectious tuberculosis.

Aboriginal and Torres Strait Islander people

State/Territory health authorities, in consultation with indigenous people and their community controlled health services in each State and Territory, should ensure that the following recommendations are implemented.

- Increase community awareness about tuberculosis.
- Promote integration of State/Territory Tuberculosis Control Unit Programs with the local Aboriginal/Islander Health Services.
- Provide education for Aboriginal/Islander Health Care providers.
- Formulate standard tuberculosis treatment regimens from accepted regimens which satisfy the specific needs of Aboriginal/Islander communities.
- Emphasise directly supervised and recorded tuberculosis treatment such that compliance and cure rates can be monitored.
- Promote prompt contact screening for all cases and "extended contact screening" when two or more cases are identified from one community in one year.

- Provide routine screening of identified at-risk groups.
- Provide BCG immunisation for all Aboriginal/Islander neonates in high incidence regions.
- Promote appropriate use of preventive therapy.
- Promote tuberculin skin test screening of 10 year olds.

People living with HIV/AIDS

- Education and awareness of tuberculosis in the HIV infected community and their carers, both medical and non-medical, should be undertaken by health professionals involved in care and by State and Territory health authorities.
- A two step tuberculin skin test should be used in HIV infected persons: a "positive" test reaction is 5mm or greater.
- Preventive therapy with 12 months isoniazid is recommended in HIV infected persons with tuberculin skin test reactions (past or present) >5mm: with historic or clinical evidence of old and untreated or inadequately treated disease: and in immune suppressed close contacts of persons with infectious tuberculosis.
- Preventive therapy should only be initiated once active tuberculosis has been excluded.
- Short term prophylaxis for HIV positive travellers to high tuberculosis incidence countries is not recommended.
- Treatment of active tuberculosis in persons coinfectd with HIV entails use of standard multidrug regimens, with extension from 6 to 12 months.
- Immune suppressed persons are at high risk of tuberculosis and rigorous infection control measures must be implemented, especially with procedures such as induced sputum collection, inhaled pentamidine and bronchoscopy.

Homeless people

- Screening of homeless shelter residents, with tuberculosis disease, should be undertaken by annual chest x-ray screening in shelters.
- In the event of a smear positive test result, close contacts should be screened within 14 days of notification of the index case.
- Initial contact screening should be by chest x-ray.
- Permanent staff of homeless shelters should be screened for tuberculosis infection on commencement of employment and intermittently thereafter, depending on a local assessment of risk.
- All chemotherapy (including preventive therapy) in homeless people must be fully supervised using "DOT".
- Preventive therapy is recommended only when the risk of developing disease is especially high and when it can be fully supervised.
- It is advisable for confirmatory diagnosis and initial therapy of suspected tuberculosis in a homeless person to be undertaken as an in-patient.

Prevention and control in Australian prisons

State/Territory health authorities, in consultation with their respective correctional services department, should ensure that the following recommendations are implemented.

- Minimise the risk of tuberculosis transmission.
- Improve surveillance of tuberculosis.
- Promote the use of preventive therapy.
- Promote case finding and standardised management of tuberculosis cases.
- Promote standardised contact investigation procedures.

NATIONAL FOOD AUTHORITY

FOOD STANDARDS

The following notices are made pursuant to the *National Food Authority Act 1991* (the Act). All correspondence, including requests for further information on the matters detailed below, should be forwarded to the following:

Standards Liaison Officer

National Food Authority

Box 7186

CANBERRA MAIL CENTRE ACT 2610 Tel: 06-271 2219

NOTICES PURSUANT TO SECTION 14

The Authority has made preliminary assessments, accepted the following applications to amend the Australian Food Standards Code and will now make full assessments. To assist in this process, the Authority invites written submissions on matters relevant to the applications by 31 July 1996:

Residues in Food (A307) An application (A307) received on 9 April 1996 from the National Registration Authority for Agricultural and Veterinary Chemicals (NRA) to include Maximum Residue Limits (MRLs) for a number of new chemicals and to change MRLs for a number of other chemicals.

Partially Hydrogenated Cottonseed Oil as a Base for Artificial Sweeteners (A312) An application (A312) received on 17 May 1996 from Searle Pty Ltd. to permit the use of partially hydrogenated cottonseed oil as a base as allowed for in clause 3(b) of Standard A8 - Artificial Sweetening Substances.

NOTICES PURSUANT TO SECTION 16

The Authority has completed full assessments of the following applications, prepared draft variations to certain Standards in the Australian Food Standards Code, and will now conduct inquiries to consider the draft variations. To assist in this process, the Authority invites written submissions on matters relevant to the purpose of the inquiries by 17 July 1996:

Use of Artificial Sweetening Substances in Reduced Energy Cordials, Syrups and Toppings (A251) An application (A251) received on 12 May 1995 from Cadbury Schweppes to extend the use of six artificial sweetening substances in reduced energy cordials, syrups and toppings. The Authority has decided not to approve the extension of use for two substances (cyclamate and saccharin) and to progress the application for the remaining four substances (aspartame, acesulphame K, alitame and sucralose).

Use of Acesulphame K in Electrolyte Drinks & Electrolyte Drink Bases, Soft Drinks & Soft Drink Bases and Spoon For Spoon Products (A254, A255 & A256) Three applications received on 19 May 1995 from Hoechst Australia Limited requesting that acesulphame K be permitted for use in electrolyte drinks & electrolyte drink bases (A254), soft drinks & soft drink bases (A255) and spoon for spoon products (A256).

NOTICE PURSUANT TO SECTION 17**Use of Cyclamate and Saccharin in Reduced Energy Soft Drinks and Fruit Drinks (A250)**

The Authority received an application (A250) on 12 May 1995 from Cadbury Schweppes to allow the addition of cyclamate and saccharin in reduced energy soft drinks and fruit drinks. Pursuant to section 15 of Act the Authority has made a full assessment and has decided to reject the application pending a future review of Standard A8 - Artificial Sweetening Substances, for the following reasons:

- there are public health and safety concerns associated with extension of use of saccharin and cyclamate to reduced energy soft drinks and fruit drinks in the manner proposed. In particular, dietary modelling suggests high level consumers are already at risk of consuming the two substances in levels in excess of their respective acceptable daily intake (ADI). Furthermore, this can occur through the high consumption of a single food containing saccharin or cyclamate. The addition of the substances to single foods or drinks which can be consumed daily in large quantities, suggests the dietary modelling concern is not just theoretical but represents a tangible risk to such consumers;
- rejection of this application is consistent with relevant legislation in various overseas countries where these sweeteners are either banned or cautionary labelling schemes exist;
- rejection of this application is consistent with the position established under the former food standards setting system to encourage the use of the newer more recently developed intense sweeteners in the Australian market rather than extend the use of cyclamate and saccharin; and
- in the pending review of Standard A8 all current permissions for approved intense sweeteners will be assessed. In the case of cyclamate and saccharin, a reduction in level of sweetener permissions in some categories currently included in the standard, may allow an extension of use to new categories in the future.

**TRANSITIONAL ARRANGEMENTS FOR THE
AUSTRALIA NEW ZEALAND FOOD STANDARDS SYSTEM**

The Authority has developed a proposal (P137) under section 21 to implement the transitional arrangements contained in the Agreement between Australia and New Zealand establishing a system for the development of joint food standards. The Agreement was signed in Wellington on 5 December 1995.

The transitional arrangements mean that foods imported from New Zealand which comply with the *New Zealand Food Regulations 1984* can be sold in Australia, provided they meet Australian requirements relating to residues of agricultural and veterinary chemicals and with Australian requirements relating to maximum levels of the metal cadmium. These arrangements are intended to enter into force from 1 July 1996.

The Authority has decided, under section 37 of the Act, to make a recommendation to the National Food Standards Council as a matter of urgency, in relation to this proposal in order to avoid compromising the objectives set out in section 10, and in particular the promotion of fair trade in food and the promotion of trade and commerce in the food industry.

The Authority has made a full assessment of the proposal and has prepared a draft standard (Standard T1 - Transitional Arrangements for the Australia New Zealand Food Standards System) to implement the transitional arrangements. The draft Standard also contains some temporary provisions (subject to review no later than 31 December 1996) intended to ensure Australian industry is not disadvantaged by the transitional arrangements pending the development of an Australia New Zealand Food Standards Code.

Under section 37 of the Act, if the Council adopts the draft Standard, then as soon as practicable after the adoption, the Authority must hold an inquiry under section 24 of the Act into the draft Standard as if that Standard as so adopted had been the subject of a full assessment under section 23 and were a draft Standard prepared under that section.

Further information about the recommendation to the Council, and the reasons for it, can be obtained by writing to the Authority.

9601639

Immigration and Multicultural Affairs

COMMONWEALTH OF AUSTRALIA

Migration Act 1958

Migration Regulations

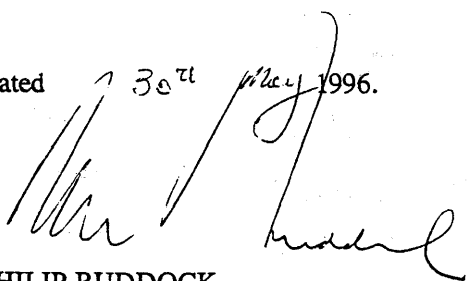
SPECIFICATION OF BODIES FOR PURPOSES OF PARAGRAPH 5.19(4)(e)

I, Philip RUDDOCK, Minister for Immigration and Multicultural Affairs, acting under regulation 1.17 and paragraph 5.19(4)(e) of the Migration Regulations, specify the following bodies for the purposes of paragraph 5.19(4)(e):

- (i) the Greater Green Triangle Region Association Inc;
- (ii) the Riverina Regional Development Board;
- (iii) the Orana Regional Development Organisation;
- (iv) the South Australia Economic Development Authority;
- (v) Tasmania Development and Resources;
- (vi) the Department of Asian Relations, Trade and Industry of the Northern Territory Government; and
- (vii) the South West Development Commission.
- (viii) the Goldfields Esperance Development Commission

This notice has effect on and from the date of publication.

Dated 30th May 1996.


PHILIP RUDDOCK
Minister for Immigration and Multicultural Affairs

9601640

Department of Immigration and Multicultural 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 Multicultural 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?
CHIAO Katherine Schou-Yun	24/1/1951		39 Kookuna Avenue DONCASTER VIC 3108	CHARGES
DANAHER Phillip Edward	26/1/1955		33 Marks Parade MARKS POINT NSW 2250	CHARGES
GAN Albert Kok Boon	23/8/1958	Albert Gan & Associates	25 Green Croft Gardens LEEMING WA 6149	CHARGES
HENNESSY Michael Robert	18/10/1952		9 Wentworth Street SHELLHARBOUR NSW 2528	FREE SERVICE
LIM Jim Jit Huel	12/11/1957		12 Simmonds Parade WINTHROP WA 6150	CHARGES
MCCALLUM Ross John	27/3/1955	Mazza McCallum & Robinson	2nd Floor, Irwin Chamber 16 Irwin Street PERTH WA 6000	CHARGES
OGGE Terence Bernard	19/6/1942		6 Terrace Court MERRIMAC QLD 4226	CHARGES
OWEN Keith Thomas	19/11/1942	Keith Owen	4/140 High Street NORTH SYDNEY NSW 2060	CHARGES
SEPHTON Leslie Ernest	1/10/1947		16 Curedale Mews BULL CREEK WA 6149	CHARGES
SHIPWAY Carol Lesley	30/12/1951	Myles Thompson & Co Lawyers	330 Sheridan Street NORTH CAIRNS QLD 4870	CHARGES
WONG Rita	20/9/1957	Rita Wong	35 Barnett Close PHILLIP ACT 2606	CHARGES
YEUNG Aaron Wai Kwong	18/4/1980		PO Box 36903 WINNGLUE NT 0821	CHARGES


for SECRETARY
19 June 1996

9601641

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 21 of 1996	Benefit on Retirement	1/5/96
No 22 of 1996	Benefit on Retirement	28/2/96
No 25 of 1996	Benefit on Retirement	12/3/96
No 26 of 1996	Benefit on Retirement	19/3/96
No 27 of 1996	Benefit on Retirement	2/4/96
No 28 of 1996	Benefit on Retirement	15/4/96
No 29 of 1996	Benefit on Retirement	15/4/96
No 30 of 1996	Benefit on Retirement	16/4/96
No 32 of 1996	Benefit on Retirement	14/5/96
No 33 of 1996	Benefit on Retirement	28/5/96
No 35 of 1996	Benefit on Retirement	20/5/96
No 36 of 1996	Benefit on Retirement	24/5/96
No 65 of 1996	Amendment to Determination 1994/162 - Overseas living allowances Schedule 7	26/4/96
No 68 of 1996	Amendment to Determination 1994/162 - Overseas equipment allowances	9/5/96
No 69 of 1996	Amendment to Determination 1994/162 - Difficult post conditions Indonesia, Cook Islands and Tuvalu	9/5/96
No 70 of 1996	Amendment to Determination 1994/162 - Overseas living allowances	24/5/96
No 105 of 1996	Disability allowance ACS Melbourne Airport	1/4/96
No LES 9 of 1996	Sri Lanka salaries	9/5/96
No LES 10 of 1996	Vanuatu Medical expenses	9/5/96
No LES 11 of 1996	New Zealand retirement benefits	10/5/96

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

METAL TRADES (AUSTRALIAN CAPITAL TERRITORY) AWARD 1982

C No. 21197 of 1996

Reprint of the award dated 30 May 1986

AND in the matter of the variation of the above award

Notice is hereby given

- (a) That on 5 June 1996, 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 13 May 1996
- (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 above-mentioned 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

M0111 V050

Print No. N2351.

Clause No.	Subject	Substance of variation
4	Wage Rates	Third Safety Net Adjustment and s.150A Review
5	Minimum Wage - Adults	As above
7	Unapprenticed Juniors	As Above
8	Apprentices	As above
9	Leading Hands	As above
10	Tunnel Work	As above
12	Extra Rates	As above
17	Overtime and Sunday Work	As above
19	Height Money	As above
26	Fares & Travelling	As above
27	Travelling Expenses	As above
28	Travelling Time & Expenses	As above
29	Construction Allowances	As above
31	Supplementary Payment - Construction	As above
34	Tool Allowance - Tradesmen & Apprentices	As above
Appendix II Clause 5	Asbestos Eradication - Rate of Pay	As above
4B	Anti-Discrimination	New provision
2	Arrangement	Insert new clause 4B

Dated this 14th June 1996

Christine Hayward
Deputy Industrial Registrar

9601643

Industry, Science and Tourism

COMMONWEALTH OF AUSTRALIA
CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, John Burke, delegate of the Chief Executive Officer 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	05/06/96	06/06/96	07/06/96	08/06/96	09/06/96	10/06/96	11/06/96

Austria	Schillings	8.5572	8.5146	8.4593	8.4593	8.4593	8.4593	8.5669
Belgium/Lux	Francs	24.9900	24.8700	24.7300	24.7300	24.7300	24.7300	25.0400
Brazil	Reals	.7937	.7892	.7855	.7855	.7855	.7855	.7928
Canada	Dollars	1.0885	1.0802	1.0740	1.0740	1.0740	1.0740	1.0821
China	Yuan	6.6106	6.5724	6.5412	6.5412	6.5412	6.5412	6.5944
Denmark	Kroner	4.6961	4.6715	4.6433	4.6433	4.6433	4.6433	4.6984
EC	ECU	.6430	.6394	.6360	.6360	.6360	.6360	.6438
Fiji	Dollar	1.1144	1.1121	1.1118	1.1118	1.1118	1.1118	1.1167
Finland	Markka	3.7233	3.7106	3.6954	3.6954	3.6954	3.6954	3.7337
France	Francs	4.1178	4.1005	4.0755	4.0755	4.0755	4.0755	4.1241
Germany	Deutschmark	1.2164	1.2099	1.2026	1.2026	1.2026	1.2026	1.2174
Greece	Drachmae	191.7200	190.8300	189.7500	189.7500	189.7500	189.7500	192.2500
Hong Kong	Dollars	6.1535	6.1190	6.0911	6.0911	6.0911	6.0911	6.1417
India	Rupees	27.7217	27.5688	27.4201	27.4201	27.4201	27.4201	27.6960
Indonesia	Rupiah	1853.8000	1844.9000	1835.8000	1835.8000	1835.8000	1835.8000	1851.5000
Ireland	Pounds	.5015	.4988	.4970	.4970	.4970	.4970	.5038
Israel	Shekel	2.6048	2.5912	2.5746	2.5746	2.5746	2.5746	2.5928
Italy	Lire	1226.0400	1222.3900	1217.1000	1217.1000	1217.1000	1217.1000	1229.8200
Japan	Yen	86.4700	86.3200	85.7000	85.7000	85.7000	85.7000	86.4800
Korea	Won	625.6900	622.4000	619.5300	619.5300	619.5300	619.5300	627.9500
Malaysia	Ringgit	1.9892	1.9757	1.9657	1.9657	1.9657	1.9657	1.9814
Netherlands	Guilder	1.3615	1.3541	1.3460	1.3460	1.3460	1.3460	1.3628
New Zealand	Dollar	1.1729	1.1778	1.1740	1.1740	1.1740	1.1740	1.1804
Norway	Kroner	5.1953	5.1700	5.1427	5.1427	5.1427	5.1427	5.2049
Pakistan	Rupee	27.3600	27.2100	27.2000	27.2000	27.2000	27.2000	27.4200
Papua NG	Kina	1.0205	1.0146	1.0047	1.0047	1.0047	1.0047	1.0124
Philippines	Peso	20.8200	20.7100	20.6100	20.6100	20.6100	20.6100	20.7800
Portugal	Escudo	125.4300	124.8800	124.3000	124.3000	124.3000	124.3000	125.6300
Singapore	Dollar	1.1205	1.1146	1.1087	1.1087	1.1087	1.1087	1.1177
Solomon Is.	Dollar	2.8106	2.7947	2.7846	2.7846	2.7846	2.7846	2.8072
South Africa	Rand	3.4792	3.4536	3.4237	3.4237	3.4237	3.4237	3.4515
Spain	Peseta	102.6200	102.5600	101.7600	101.7600	101.7600	101.7600	102.8000
Sri Lanka	Rupee	41.9100	41.6700	42.0200	42.0200	42.0200	42.0200	42.3600
Sweden	Krona	5.3173	5.3176	5.2933	5.2933	5.2933	5.2933	5.3542
Switzerland	Franc	.9991	.9935	.9892	.9892	.9892	.9892	1.0042
Taiwan	Dollar	22.0900	21.9600	21.7900	21.7900	21.7900	21.7900	22.0000
Thailand	Baht	20.1400	20.0400	19.9400	19.9400	19.9400	19.9400	20.1100
UK	Pounds	.5128	.5107	.5096	.5096	.5096	.5096	.5172
USA	Dollar	.7954	.7909	.7872	.7872	.7872	.7872	.7936

John Burke
Delegate of the
Chief Executive Officer of Customs
CANBERRA A.C.T.
12/06/96

9601644



AUSTRALIAN CUSTOMS SERVICE

COMMONWEALTH OF AUSTRALIA

CUSTOMS ACT 1901

APPOINTMENT UNDER SECTION 17 (b) APPOINTMENT NOTICE NUMBER VA/9604

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

appoint as a place for the examination of goods on landing the premises known as **ADT Freight Services Pty Ltd, 39 Catalina Drive, Tullamarine, Vic. 3043** and described on plan number **VA /9604** held by the Senior Inspector, Air Cargo, Customs House, Melbourne Airport.

Dated this Sint day of June 1996

.....
Gary Hearn
SENIOR MANAGER
BORDER OPERATIONS
VICTORIA

9601645



**AUSTRALIAN
CUSTOMS SERVICE**

COMMONWEALTH OF AUSTRALIA

CUSTOMS ACT 1901

**APPOINTMENT UNDER SECTION 17 (b)
APPOINTMENT NOTICE NUMBER VA/9603**

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

appoint as a place for the examination of goods on landing the premises known as **Mega Freight Pty Ltd, 12-16 Catalina Drive, Tullamarine, Vic. 3043** and described on plan number **VA /9603** held by the Senior Inspector, Air Cargo, Customs House, Melbourne Airport.

Dated this ¹⁵th.....day of ^{June} 1996

Gary Hearn

.....
Gary Hearn
SENIOR MANAGER
BORDER OPERATIONS
VICTORIA

9601646

ANTI-DUMPING AUTHORITY

Notice of inquiry into **canned pears** from the People's Republic of China

The Anti-Dumping Authority has decided to hold an inquiry, under the provisions of section 8A of the *Anti-Dumping Authority Act 1988*, into whether it should recommend to the Minister that anti-dumping measures continue to apply on exports of canned pears from the People's Republic of China.

On 13 March 1996, the Authority announced that the anti-dumping measures imposed in 1991 in relation to canned pears are due to expire on 20 November 1996 and invited interested parties to apply for the continuation of anti-dumping measures.

The Authority has received an application from KPMG on behalf of the Canned Food Industry Council of Australia (CFICA) for the continuation of anti-dumping measures until the year 2001. CFICA represents two Australian manufacturers of canned pears, Ardmona Fruit Products Co-operative Co. Limited and SPC Limited.

During its inquiry, the Authority will address the claim made by the applicant that the termination of duties would cause price undercutting, loss of market share and would result in the recurrence of material injury by dumping.

Interested parties are invited to make a submission to the Authority as soon as possible, but certainly no later than 29 July 1996. Submissions should address the central issue before the Authority, which is: whether the continued application of the anti-dumping measures is necessary to prevent the continuation or recurrence of material injury caused by dumping.

The Authority will report to the Minister by 14 October 1996.

Any person proposing to lodge a submission with the Authority should first obtain a copy of the information sheet prepared for this inquiry. Copies of the information sheet can be obtained by contacting Ms Margaret McLeod, Information Officer, telephone (06) 276 1742, fax (06) 276 1747 or internet MMCLEOD@dist.gov.au.

The Authority's address for submissions is GPO Box 9839, Canberra, ACT 2601. Three copies of non-confidential and confidential submissions should be provided.

All non-confidential submissions will be placed on the public record for this inquiry together with a copy of all relevant correspondence between the Authority and other persons. The public record will be held at the office of the Authority. Arrangements can be made to inspect material held on the public record by contacting Ms McLeod.

For further information regarding this inquiry, please contact Mr Sabesh Shivasabesan at the Authority on telephone (06) 276 2012; fax (06) 276 1747; or internet SABESH@dist.gov.au.

Primary Industries and Energy

Notification of the making of Orders under the Export Control (Orders) Regulations.

NOTICE is hereby given that the undermentioned orders under the Export Control (Orders) Regulations have been made. Copies of the Orders can be obtained over the counter from the Department of Primary Industries and Energy, Shop Front, Edmund Barton Building, BARTON, ACT 2600 or by mail from:

Mail Order Sales, Australian Government Publishing Service, GPO Box 84,
CANBERRA CITY, ACT 2601.

Number of Orders

Description of Orders

Export Control Orders No. 3 of 1996

Export Meat Orders (Amendment)

9601648

Transport and Regional Development



EXEMPTION NUMBER 145/FRS/157/1996

Civil Aviation Act 1988

Civil Aviation Regulations

I, STEPHEN PANTELIDIS, Manager, Technical Services Section, Bureau of Air Safety Investigation, Department of Transport, a delegate of the Civil Aviation Safety Authority:

- (1) under subregulation 207 (2) of the Civil Regulations, direct that:
 - (a) if the Australian aircraft bearing the nationality and registration marks VH-AJK is conducting training or test flights, it must be fitted with instruments, and must be fitted with, or carry, equipment, in accordance with section 20.18 of the Civil Aviation Orders; and
 - (b) if the Australian aircraft bearing the nationality and registration marks VH-AJK is flying in any other class of operations:
 - (i) it must be fitted with instruments, and must be fitted with, or carry, equipment, in accordance with subsections 3,4,5,7,8,9 and 10 of section 20.18 of the Civil Aviation Orders; and
 - (ii) it must be fitted with a flight data recorder system that records the parameters and meets the requirements set out in section 103 of the Civil Aviation Orders; and
- (2) under subregulation 207 (3) of the Civil Aviation Regulations, direct that the instruments and equipment that must be fitted to, or carried in, the Australian registered aircraft bearing the nationality and registration marks VH-AJK must be fitted, carried or used in accordance with section 20.18 of the Civil Aviation Orders.

Section 20.18 of the Civil Aviation Orders has effect in relation to the Australian aircraft bearing the nationality and registration marks VH-AJK only in so far as set out in these directions.

These directions commence on 4 June 1996 and remain in force until the end of 19 June 1996.

A handwritten signature in black ink, appearing to read "Stephen Pantelidis", is written over a horizontal line.

STEPHEN PANTELIDIS
Manager
Technical Services Section
Bureau of Air Safety Investigation

4 June 1996



EXEMPTION NUMBER 144/FRS/156/1995

Civil Aviation Act 1988

Civil Aviation Regulations

I, STEPHEN PANTELIDIS, Manager, Technical Services Section, Bureau of Air Safety Investigation a delegate of the Civil Aviation Safety Authority:

- (1) under subregulation 207 (2) of the Civil Regulations, direct that
 - (a) if the Australian aircraft bearing the nationality and registration marks VH-IPC is flying in any class of operation:
 - (i) it must be fitted with instruments, and must be fitted with, or carry, equipment, in accordance with subsections 3,4,5,7,8,9 and 10 of section 20.18 of the Civil Aviation Orders; and
 - (ii) it must be fitted with a cockpit voice recorder system that records the parameters and meets the requirements set out in section 103.20 of the Civil Aviation Orders; and
 - (iii) it must be fitted with a flight data recorder that records parameters 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,19, 20 of appendix 1 and meets all other requirements of CAO 103.19; and
- (2) under subregulation 207 (3) of the Civil Aviation Regulations, direct that the instruments and equipment that must be fitted to, or carried in, the Australian registered aircraft bearing the nationality and registration marks VH-IPC must be fitted, carried or used in accordance with section 20.18 of the Civil Aviation Orders.

Section 20.18 of the Civil Aviation Orders has effect in relation to the Australian aircraft bearing the nationality and registration marks VH-IPC only in so far as set out in these directions.

These directions commence on 7 June 1996 and remain in force until the end of 7 June 1997.

A handwritten signature in dark ink, appearing to read "Stephen Pantelidis", is written over a horizontal line.

STEPHEN PANTELIDIS
Manager, Technical Services Section
Bureau of Air Safety Investigation

4 June 1996



EXEMPTION NUMBER 143/FRS/155/1995

Civil Aviation Act 1988

Civil Aviation Regulations

I, STEPHEN PANTELIDIS, Manager, Technical Services Section, Bureau of Air Safety Investigation, Department of Transport, a delegate of the Civil Aviation Safety Authority:

- (1) under subregulation 207 (2) of the Civil Regulations, direct that:
 - (a) if the exempted Australian aircraft bearing the nationality and registration marks is flying in any class of operations:
 - (i) it must be fitted with instruments, and must be fitted with, or carry, equipment, in accordance with subsections 3,4,5,7,8,9 and 10 of section 20.18 of the Civil Aviation Orders; and
 - (ii) it must be fitted with a cockpit voice recorder system that records the parameters and meets the requirements set out in section 103 of the Civil Aviation Orders; and
 - (2) under subregulation 207 (3) of the Civil Aviation Regulations, direct that the instruments and equipment that must be fitted to, or carried in, the exempted Australian registered aircraft bearing the nationality and registration marks must be fitted, carried or used in accordance with section 20.18 of the Civil Aviation Orders.

Section 20.18 of the Civil Aviation Orders has effect in relation to the exempted Australian aircraft bearing the nationality and registration marks only in so far as set out in these directions.

These directions commence on 8 June 1996 and remain in force until the end of 7 June 1997.

In these directions "exempted aircraft" means Australian aircraft carrying Australian nationality and registration marks subject to the requirements of CAO 20.18 and operated by Bristow Helicopters Australia.

A handwritten signature in dark ink, appearing to read "Stephen Pantelidis", is written over a horizontal line.

STEPHEN PANTELIDIS
Manager, Technical Services Section
Bureau of Air Safety Investigation

4 June 1996

9601649



CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA

NOTIFICATION OF THE MAKING OF ORDERS UNDER THE CIVIL AVIATION REGULATIONS

On 12 June 1996, amendments were made to the following Civil Aviation Orders:
Part 20, section 20.7.1B.

The commencement date for these amendments is 19 June 1996.

Copies of the orders are available for inspection at, and may be purchased over the counter from:

Airservices Publications Centre
715 Swanston Street
CARLTON VICTORIA

Copies of the orders may be purchased by mail from:

Airservices Publications Centre
GPO Box 1986
CARLTON SOUTH VIC 3053

CIVIL AVIATION REGULATIONS

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

On 15 May 1996, the Civil Aviation Safety Authority (CASA) issued a certificate of type approval under regulation 22A of the Civil Aviation Regulations for the Cessna 525 aircraft manufactured by Cessna Aircraft Company, Wichita, Kansas, U.S.A..

On 17 May 1996, CASA issued a certificate of type approval under regulation 22A of the Civil Aviation Regulations for the model SA227-AT aeroplane manufactured by Fairchild Aircraft Corporation, San Antonio, Texas, U.S.A..

Treasurer

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 22(1)

WHEREAS -

- (A) WU Ping Wen is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) WU Ping Wen proposes to acquire an interest in the Australian urban land specified in the notice furnished by him on 15 May 1996 under section 26A of the Act;

NOW THEREFORE I, Jim Short, Assistant Treasurer, for and on behalf of the Treasurer, pursuant to subsection 22(1) of the Act, for the purpose of enabling consideration to be given as to whether an order should be made under subsection 21A(2) of the Act, PROHIBIT the proposed acquisition for a period not exceeding ninety days after this order comes into operation.

Dated this

11th

day of

June

1996


Assistant Treasurer

9601651

COMMISSIONER OF TAXATION**NOTICE OF RULINGS**

The Commissioner of Taxation gives notice under Part IVAAA of the *Taxation Administration Act 1953* of public rulings and gives notice of other rulings. Notice is given of the following rulings, a copy of which can be obtained from any Branch of the Australian Taxation Office.

Ruling Number	Subject	Brief Description
STD 96/7	Classification of powerboards	Determines which powerboards are exempt from sales tax as adaptors.
TD 96/30	Income tax: capital gains: for the 1996/97 income year: (a) what is the indexation factor for section 160P (major capital improvements to pre-CGT assets) of the <i>Income Tax Assessment Act 1936</i> ; and (b) what is the associated indexed cost base threshold?	Determination gives the indexation factor for major capital improvements to pre-CGT assets and the indexed cost base threshold for the 1996/97 income year.
TD 96/31	Income tax: capital gains: for the 1996/97 income year: (a) what is the indexation factor for section 160ZZR (exemption of part of gain attributable to goodwill) of the <i>Income Tax Assessment Act 1936</i> ; and (b) what is the associated exemption threshold?	Determines the indexation factor for exemption of part of gain attributable to goodwill and the exemption threshold for the 1996/97 income year.
TD 96/32	Income tax: capital gains: can an index number for a quarter of a year of income be estimated in calculating the indexation factor under subsection 160ZJ(5) or (5A) of the <i>Income Tax Assessment Act 1936</i> ?	Determines that an estimated index number cannot be used to calculate the indexation factor.

9601652

AUSTRALIAN TAXATION OFFICE

Income Tax Assessment Act 1936

NOTICE UNDER SECTION 214A

Rate of interest payable on unpaid tax or where an assessment is amended increasing liability to tax

In accordance with section 214A of the *Income Tax Assessment Act 1936*, I hereby notify that the rate of interest for the months July 1996 to December 1996 is 11.5%.

That rate is the annual rate at which interest is calculated or computed under:-

- a) section 102AAB, 102AAM, 170AA, 207A, 555 or 592 of the *Income Tax Assessment Act 1936*; or
- b) section 93 of the *Fringe Benefits Tax Assessment Act 1986*; or
- c) section 65 of the *Petroleum Resource Rents Tax Assessment Act 1987*; or
- d) section 75 of the *Training Guarantee (Administration) Act 1990*; or
- e) section 8C, 8I, 10 or 12C of the *Taxation (Interest on Overpayments and Early Payments) Act 1983*;

for a period within those months in relation to an amount payable for the 1992-93 and subsequent years of income.

Dated this 13th day of June 1996



Vince Mitchell
NATIONAL PROGRAM MANAGER
Small Business Individual Group



Superannuation Industry (Supervision) Act 1993

TEMPORARY MODIFICATION DECLARATION No 24

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

1. Section 10 of the Act is to have effect, in relation to eligible rollover funds, and their trustees, as if it were modified by inserting after the definition of "annuity":

“**“applied OSS Regulations”** has the same meaning as in the *Superannuation Industry (Supervision) (Transitional Provision) Regulations*;”

2. Section 50 of the Act is to have effect, in relation to superannuation funds, and their trustees, as if it were modified by inserting after subsection 50(4) the following:

“ **(4A)** For the purposes of subsection 41(3), paragraph 42(1)(a) and subsection 45(2), if:

- (a) a superannuation fund is wound up or terminated; and
- (b) the winding up or termination of the fund is completed on a particular day (the “**termination day**”); and
- (c) the termination day is before:
 - (i) 1 January 1995; or
 - (ii) such later date, not being later than 1 July 1995, as the Commissioner specifies in a written notice given to the trustee of the fund; and
- (d) the trustee tells the Commissioner in writing that it:
 - (i) does not intend to lodge an election under section 19 in respect of the fund; and
 - (ii) intends to take advantage of this subsection; as soon as practicable after the later of the following:
 - (iii) 21 October 1994;
 - (iv) the time when the trustee forms an intention to take advantage of this subsection; and

- (e) the trustee has complied with such requirements relating to notifying members and prospective members of the fund that:
 - (i) the fund will be wound up or terminated; and
 - (ii) the trustee intends to take advantage of this subsection:as are specified in regulations made for the purposes of this paragraph; and
- (f) as soon as practicable after the later of the following:
 - (i) 21 October 1994;
 - (ii) the termination day;the trustee tells the Commissioner in writing that the winding up or termination of the fund has been completed; and
- (g) under the regulations, the fund is treated as if it had satisfied the transitional superannuation fund conditions at all times during the period (the **“pre-termination period”**):
 - (i) beginning at the beginning of the fund's 1994-95 year of income; and
 - (ii) ending at the end of the termination day;

the fund is taken to be a regulated superannuation fund at all times during the pre-termination period. ”

3. The Superannuation Industry (Supervision) (Transitional Provisions) Regulations are to have effect, in relation to superannuation funds, and their trustees, as if they were modified:

a. By omitting the definitions of “lodgment day” and “pre-lodgment period” from subregulation 3(1) and inserting in their place the following:

“ **“pre-lodgment period”**, in relation to a fund, means:

- (a) if the trustee of the fund lodges an election under section 19 of the Act - the period mentioned in paragraph 50(1)(c) of the Act;
- (b) in any other case - the pre-termination period of the fund within the meaning of paragraph 50(4A)(g) of the Act;

[NOTE: Paragraph 50(1)(c) was inserted into the Act by temporary modification declaration number 22.] ”

b. By inserting after regulation 3A the following:

“ Notification to members and prospective members in relation to matters in paragraph 50(4A)(e) - obligations of trustee

3B. (1) For the purposes of paragraph 50(4A)(e) of the Act, the requirements relating to notifying members and prospective members of the fund that the fund will be wound up or terminated are as follows:

- (a) the trustee must give to each member all the information about the winding up or termination of the fund that the trustee reasonably believes a member would reasonably need for the purpose of:
 - (i) understanding why, how and when the fund will be wound up or terminated; and
 - (ii) making an informed judgment about the effect (generally and in respect of the member's current and future entitlements) of the winding up or termination;as soon as practicable after the later of the following:
 - (iii) 21 October 1994;
 - (iv) the time when it becomes reasonable for the trustee to expect that the fund will be wound up or terminated;(except that the information need not be given more than 3 months before the expected date of commencement of the winding up or termination);
 - (b) the trustee must give to each person who becomes a member of the fund after 21 October 1994 all the information that the trustee reasonably believes the person would reasonably need for the purpose of:
 - (i) understanding how and when the fund will be wound up or terminated; and
 - (ii) making an informed judgment about the effect (generally and in respect of the person's prospective entitlements as a member of the fund) of the winding up or termination;before the person becomes a member.
- (2) For the purposes of paragraph 50(4A)(e) of the Act, the requirements relating to notifying members and prospective members of the fund that the trustee intends to take advantage of subsection 50(4A) of the Act are as follows:
- (a) a notification in the Form set out in Schedule 4 must be given to:
 - (i) each member:
 - (A) by delivering it to the member in person before 1 January 1995; or
 - (B) by posting it by pre-paid post to the member at his or her last-known postal address in time for it to be delivered in due course of post no later than 31 December 1994; and
 - (ii) each person who becomes a member of the fund after 21 October 1994 before the person becomes a member;
 - (b) the notification must be written or printed on A4 size paper that has nothing else written or printed on it;
 - (c) if the notification is given with other material, it must be packaged or presented so that, on receipt, it is likely to be more prominent than the other material.
- (3) The requirements in subregulations (1) and (2) do not apply where the winding up or termination of the fund is completed before 21 October 1994.
- (4) Information given in accordance with subregulation (1) must:

- (a) be in writing; and
 - (b) be worded and presented in a clear and effective manner.
- (5) For the purposes of this regulation, a trustee is taken to have satisfied a requirement relating to notifying a member if:
- (a) the trustee has an address for the member, and:
 - (i) at least 2 consecutive reports to members of the fund, being reports containing information of a kind referred to in:
 - (A) paragraph 17(1)(e) of the unmodified Regulations; or
 - (B) regulation 18G;
 - or 2 consecutive written communications, have been returned unclaimed from the member's last known postal address; and
 - (ii) the trustee has taken reasonable steps to locate the member, but has been unable to do so; or
 - (b) the trustee:
 - (i) has been unable to obtain an address for the member; and
 - (ii) has taken reasonable steps to locate the member, but has been unable to do so.
- (6) Where the trustee has refrained, in reliance on subregulation (5), from notifying a member as required by this regulation, the trustee must, if the trustee later becomes aware of the member's address or location, proceed to notify the member of any matter of which the trustee is, at or after the time when the trustee becomes aware of the member's address or location, required to notify the member.
- (7) The requirements in this regulation are in addition to, not in substitution for, any other requirements relating to the giving of information to members and prospective members. "

c. By omitting the definitions of "lodgment day" and "pre-lodgment period" from Column 2 in Part 2 of Schedule 1 alongside the reference to "Subsection 3(1)" in Column 1, and inserting in their place the following:

" **"pre-lodgment period"**, in relation to a fund, means:

- (a) if the trustee of the fund lodges an election under section 19 of the *Superannuation Industry (Supervision) Act 1993* - the period mentioned in paragraph 50(1)(c) of that Act;
- (b) in any other case - the pre-termination period of the fund within the meaning of paragraph 50(4A)(g) of the *Superannuation Industry (Supervision) Act 1993*;

[NOTE: Paragraph 50(1)(c) was inserted into the *Superannuation Industry (Supervision) Act 1993* by temporary modification declaration number 22.] "

d. By omitting "Part II, except regulations 17, 18B, 18R and 18Y" from Part 1 of Schedule 2 and substituting "Part II, except regulations 11, 17, 18B, 18R and 18Y"

e. By inserting after the definition of "these Regulations" in Column 2 in Part 2 of Schedule 2, alongside the reference to "Subregulation 3(1)" in Column 1, the following:

" **'eligible rollover fund'** has the meaning given in section 242 of the *Superannuation Industry (Supervision) Act 1993*; "

f. By inserting in Part 2 of Schedule 2, after the item relating to regulation 11 (which was inserted by temporary modification declaration number 11) the following (in Columns 1 and 2, as indicated below):

"Column 1 Applied Provision	Column 2 Modification
"Regulation 11:	Insert "or ceases to be a member of the fund" after "where a person who was a member of a superannuation fund withdraws from the fund" in paragraph (1)(c)
Regulation 11:	Insert "or on so ceasing to be a member" after "on such withdrawal" in paragraph (1)(c)
Regulation 11:	Omit "subparagraph (a)(ii) or (iii)." from sub-subparagraph (1)(c)(ii)(C) and substitute "subparagraph (a)(ii) or (iii); or"
Regulation 11:	Add after subparagraph (1)(c)(ii): "(iii) rolled over to an eligible rollover fund in accordance with Part III."

g. By inserting in Part 2 of Schedule 2, after the item relating to regulation 18B, the following (in Columns 1 and 2, as indicated below):

“Column 1 Applied Provision	Column 2 Modification
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Part III: Omit the Part, substitute:

**“PART III - ROLLOVER OF BENEFITS TO ELIGIBLE
ROLLOVER FUNDS**

Commencement

19. This Part applies after 30 June 1995, but does not affect any action taken before 19 June 1996 under this Part as set out in temporary modification declaration number 6.

[NOTE: Temporary modification declaration number 6 has been revoked.]

Interpretation

20. In this Part:
- (a) **“lost member”** has the meaning given in regulation 1.03 of the *Superannuation Industry (Supervision) Regulations*;
 - (b) **“transferor fund”** means a superannuation fund that is not a regulated superannuation fund within the meaning of the *Superannuation Industry (Supervision) Act 1993*;
 - (c) **“withdrawal benefit”** has the meaning given in regulation 1.03 of the *Superannuation Industry (Supervision) Regulations*.

Rollover of benefits from superannuation fund

21. (1) The trustee of a transferor fund may apply to the trustee of an eligible rollover fund, on behalf of a beneficiary of the transferor fund (the “first person”), for the issue to the first person of a superannuation interest in the eligible rollover fund.
- (2) The application is to be made on the basis that:
- (a) the consideration for the issue is to be paid, on behalf of the first person, by the trustee of the transferor fund; and
 - (b) the amount of the consideration for the issue is equal to the amount of the first person’s withdrawal benefit in the transferor fund; and
 - (c) the trustee of the transferor fund is not entitled to recover the consideration from the first person (except as a result of the operation of subregulation (4)).

- (3) The first person is taken to have authorised the trustee of the transferor fund:
- (a) to make the application; and
 - (b) to pay the consideration.

This rule has effect despite any direction to the contrary by the first person.

- (4) If the superannuation interest is issued in accordance with the application:
- (a) the first person ceases to have rights against the transferor fund; and
 - (b) if:
 - (i) immediately before the interest was issued in accordance with the application, a second person had a contingent right against the transferor fund to a death or disability benefit; and
 - (ii) the contingent right was derived from the first person's capacity as a beneficiary of the transferor fund;the second person ceases to have the contingent right against the transferor fund.

To avoid doubt, a reference in paragraph (a) to a right against the transferor fund includes a reference to a contingent right to a death or disability benefit.

- (5) This regulation has effect despite anything in the governing rules of the transferor fund.

Notice to beneficiaries of circumstances in which benefits may be rolled over

22. (1) The trustee of a transferor fund must give to each member of the fund when he or she becomes a member a written notice:
- (a) setting out the circumstances in which the member's benefits may be paid to an eligible rollover fund; and
 - (b) specifying the name and address of the place of business of the eligible rollover fund to which any such benefits will be paid in those circumstances.
- (2) The trustee may by written notice to the member to whom the trustee gave a written notice under subregulation (1) change the eligible rollover fund to which it proposes to pay benefits under regulation 21.

- (3) The failure of a trustee to notify a member under subregulation (1) or (2) does not affect the rights of the trustee under regulation 21.

Tax file numbers

23. If the trustee of a transferor fund pays a benefit to an eligible rollover fund under regulation 21 in respect of a person, the trustee must not give the trustee of the eligible rollover fund the tax file number of the person unless the person has given his or her consent to the disclosure of his or her tax file number in such circumstances.

Trustee to give information regarding lost member to eligible rollover fund

24. If the trustee of a transferor fund pays a benefit to an eligible rollover fund under regulation 21 in respect of a lost member, the trustee must also give to the trustee of the eligible rollover fund:
- (a) a statement that the member is a lost member; and
 - (b) if the lost member has specifically asked the transferor fund not to disclose information of a specified kind - a statement to the effect that the member has asked the transferor fund not to disclose information of that kind; and
 - (c) all information in the possession of the trustee of the transferor fund that could reasonably help the trustee of the eligible rollover fund to locate or identify the lost member, other than information of a kind that the lost member has specifically asked the trustee of the transferor fund not to disclose."

Regulation 25: Omit the regulation, substitute:

"Circumstances in which amounts may be paid out of an employer-sponsored fund to an employer-sponsor

Application of this regulation

25. (1) This regulation:
- (a) applies after 30 June 1995;
 - (b) does not apply to a superannuation fund that has fewer than 5 members if, at all times after 29 November 1993 when the fund was in existence, the fund had fewer than 5 members.

Definitions

- (2) In this regulation:

- (a) **"associate"** has the meaning given by section 12 of the *Superannuation Industry (Supervision) Act 1993*;
- (b) **"controlling interest"** has the meaning given by subregulation 18E(1), except that a reference in that subregulation to a company must be taken to be a reference to a body corporate;
- (c) **"employer-sponsor"**, in relation to a superannuation fund, means an employer who:
 - (i) contributes to the fund; or
 - (ii) would, apart from a temporary cessation of contributions, contribute to the fund; for the benefit of:
 - (iii) a member of the fund who is an employee of:
 - (A) the employer; or
 - (B) an associate of the employer; or
 - (iv) the dependants of such a member in the event of the death of the member;
- (e) **"employer-sponsored fund"** means a superannuation fund that has at least one employer-sponsor;
- (f) **"independent trustee"** and **"independent director"** have the meanings given by section 10 of the *Superannuation Industry (Supervision) Act 1993*;
- (g) **"related"**, in relation to bodies corporate, has the meaning given by section 20 of the *Superannuation Industry (Supervision) Act 1993*;
- (h) **"relative"** has the meaning given by subregulation 18E(1);
- (i) a reference to an employer-sponsor, in relation to an employer-sponsored fund, includes:
 - (i) if an employer-sponsor is a body corporate - another body corporate that is related to the employer-sponsor; or
 - (ii) if an employer-sponsor is an individual - an associate of the employer-sponsor.

Subregulation 18E(5) to cease to apply

- (3) Subregulation 18E(5) does not apply after 20 October 1994.

Basic prohibition on payments

- (4) Except as provided by this regulation, the trustee of an employer-sponsored fund must not pay an amount, or permit an amount to be paid, out of the fund to an employer-sponsor.

Exception - management services

- (5) A reasonable amount may be paid out of any employer-sponsored fund to an employer-sponsor for services rendered in connection with the management or operation of the fund.

Exception - special procedures followed

- (6) An amount may be paid out of an employer-sponsored fund to an employer-sponsor if the following requirements are fulfilled:
- (a) apart from this regulation, the governing rules would require or permit the amount to be paid to the employer-sponsor;
 - (b) whichever of the following subparagraphs is applicable has been complied with:
 - (i) if the fund has a single corporate trustee:
 - (A) the directors of the trustee have, by resolution, declared their intention to pay the amount out of the fund to the employer-sponsor; and
 - (B) when that resolution was passed, the board of the corporate trustee consisted of equal numbers of employer representatives and member representatives;
 - (ii) if the fund has a group of 2 or more individual trustees:
 - (A) the trustees have, by resolution, declared their intention to pay the amount out of the fund to the employer-sponsor; and
 - (B) when that resolution was passed, the group of trustees consisted of equal numbers of employer representatives and member representatives;
 - (iii) in any other case - the trustee has declared his or her intention to pay the amount out of the fund to the employer-sponsor;
 - (c) before the resolution referred to in subparagraph (b)(i) or (ii) was passed or the declaration referred to in subparagraph (b)(iii) was made (as the case may be):
 - (i) an actuary had given a written certificate to the trustee stating that, if the amount were paid, the fund would remain in a satisfactory financial position; and
 - (ii) the trustee was satisfied that the payment of the amount and the making of the changes (if any) to the governing rules were reasonable having regard to the interests of the employer-sponsor and of the beneficiaries of the fund;
 - (d) the trustee gave notice in accordance with the governing rules to all members of the fund:
 - (i) stating the intention to pay the amount to the employer-sponsor; and

- (ii) stating that an actuary has given a certificate to the trustee as required by subparagraph (c)(i); and
 - (iii) setting out particulars of any changes to the governing rules that were proposed to be made if the amount were paid to the employer-sponsor;
- (e) at the end of 3 months after the notice mentioned in paragraph (d) was given to members, the provisions of whichever of the following subparagraphs is applicable were complied with:
- (i) if the fund has a single corporate trustee - the directors of the corporate trustee passed a resolution agreeing to pay the amount out of the fund to the employer-sponsor;
 - (ii) if the fund has a group of 2 or more individual trustees - the trustees passed a resolution agreeing to pay the amount out of the fund to the employer-sponsor;
 - (iii) in any other case - the trustee decided to make the payment.

Commissioner may waive requirements

- (7) The Commissioner may waive any or all of the requirements specified in subregulations (6) and (10) in relation to a particular fund.

This regulation does not apply to loans to, or investments in, an employer-sponsor

- (8) A reference in this regulation to the payment of an amount out of an employer-sponsored fund to an employer-sponsor does not include a reference to the payment of an amount by way of the making of a loan to, or an investment in, the employer-sponsor.

Additional independent trustee and additional independent director

- (9) For the purposes of the application of this regulation to a fund, a group of trustees, or the board of a corporate trustee, is taken to consist of equal numbers of employer representatives and member representatives if:
- (a) the group or board includes an additional independent trustee or an additional independent director, as the case may be; and
 - (b) the additional independent trustee or additional independent director, as the case may be, is appointed at the request of the employer representatives, or the member representatives, who are the members of the group or board; and
 - (c) provision is made in the governing rules for the appointment of the additional independent trustee or additional independent director, as the case may be; and

- (d) the governing rules do not allow the additional independent trustee or additional independent director, as the case may be, to exercise a casting vote in any proceedings of the group or board concerned.

Notice of proposal to alter governing rules to allow payments

- (10) The trustee of an employer-sponsored fund must give to all members of the fund written notice of any proposal to alter the governing rules of the fund to increase the benefit payable to a member, if payment of that benefit would have the effect of making a payment from the fund to:

- (a) an employer-sponsor; or
- (b) a member who is a relative of an employer-sponsor who is an individual; or
- (c) a member who holds, or will hold when the governing rules are altered to increase the benefit payable to a member, a controlling interest in an employer-sponsor who is, or will be when the governing rules are altered, a body corporate; or
- (d) a relative of a member referred to in paragraph (c);

not less than 3 months before the day when the alteration would take effect. " "

h. By inserting after Schedule 3 the following:

" SCHEDULE 4

FORM OF NOTICE UNDER PARAGRAPH 50(4A)(e)

Superannuation Industry (Supervision) Act 1993

**NOTICE TO MEMBERS AND PROSPECTIVE MEMBERS UNDER PARAGRAPH
50(4A)(e) FROM THE TRUSTEE OF [insert name of fund]**

The purpose of this notice is to inform you that the trustee of [insert name of fund]:

- does not intend to lodge a notice with the Insurance and Superannuation Commissioner electing for the fund to become a regulated superannuation fund under the *Superannuation Industry (Supervision) Act 1993* (the "Act"), but intends to wind up or terminate the fund; and

- intends to take advantage of subsection 50(4A) of the Act, which will make it necessary for the trustee to ensure that the fund:
 - (1) is wound up or terminated by 1 January 1995 (or by such later date, not being later than 1 July 1995, as the Commissioner specifies in a written notice given to the trustee); and
 - (2) satisfies the transitional superannuation fund conditions that are set out in the *Superannuation Industry (Supervision) (Transitional Provisions) Regulations* during the period (the "**pre-termination period**") between the commencement of the fund's 1994-95 year of income and the date when it is wound up or terminated.

If conditions (1) and (2) are fulfilled, the fund will be entitled to tax concessions during the pre-termination period."

This declaration:

- i. is taken to have commenced to have effect on 1 July 1995;
- ii. has no effect after 30 June 1996.

Dated 6 June 1996

F G H Pooley
Commissioner

9601654



Superannuation Industry (Supervision) Act 1993

TEMPORARY MODIFICATION DECLARATION No 24

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

1. Section 10 of the Act is to have effect, in relation to eligible rollover funds, and their trustees, as if it were modified by inserting after the definition of "annuity":

“ **“applied OSS Regulations”** has the same meaning as in the *Superannuation Industry (Supervision) (Transitional Provision) Regulations*; ”

2. Section 50 of the Act is to have effect, in relation to superannuation funds, and their trustees, as if it were modified by inserting after subsection 50(4) the following:

“ **(4A)** For the purposes of subsection 41(3), paragraph 42(1)(a) and subsection 45(2), if:

- (a) a superannuation fund is wound up or terminated; and
- (b) the winding up or termination of the fund is completed on a particular day (the **“termination day”**); and
- (c) the termination day is before:
 - (i) 1 January 1995; or
 - (ii) such later date, not being later than 1 July 1995, as the Commissioner specifies in a written notice given to the trustee of the fund; and
- (d) the trustee tells the Commissioner in writing that it:
 - (i) does not intend to lodge an election under section 19 in respect of the fund; and
 - (ii) intends to take advantage of this subsection; as soon as practicable after the later of the following:
 - (iii) 21 October 1994;
 - (iv) the time when the trustee forms an intention to take advantage of this subsection; and

- (e) the trustee has complied with such requirements relating to notifying members and prospective members of the fund that:
 - (i) the fund will be wound up or terminated; and
 - (ii) the trustee intends to take advantage of this subsection;as are specified in regulations made for the purposes of this paragraph; and
- (f) as soon as practicable after the later of the following:
 - (i) 21 October 1994;
 - (ii) the termination day;the trustee tells the Commissioner in writing that the winding up or termination of the fund has been completed; and
- (g) under the regulations, the fund is treated as if it had satisfied the transitional superannuation fund conditions at all times during the period (the “**pre-termination period**”):
 - (i) beginning at the beginning of the fund's 1994-95 year of income; and
 - (ii) ending at the end of the termination day;

the fund is taken to be a regulated superannuation fund at all times during the pre-termination period.”

3. The Superannuation Industry (Supervision) (Transitional Provisions) Regulations are to have effect, in relation to superannuation funds, and their trustees, as if they were modified:

a. By omitting the definitions of “lodgment day” and “pre-lodgment period” from subregulation 3(1) and inserting in their place the following:

“ “**pre-lodgment period**”, in relation to a fund, means:

- (a) if the trustee of the fund lodges an election under section 19 of the Act - the period mentioned in paragraph 50(1)(c) of the Act;
- (b) in any other case - the pre-termination period of the fund within the meaning of paragraph 50(4A)(g) of the Act;

[NOTE: Paragraph 50(1)(c) was inserted into the Act by temporary modification declaration number 22.]”

b. By inserting after regulation 3A the following:

“ **Notification to members and prospective members in relation to matters in paragraph 50(4A)(e) - obligations of trustee**

- 3B. (1)** For the purposes of paragraph 50(4A)(e) of the Act, the requirements relating to notifying members and prospective members of the fund that the fund will be wound up or terminated are as follows:

- (a) the trustee must give to each member all the information about the winding up or termination of the fund that the trustee reasonably believes a member would reasonably need for the purpose of:
 - (i) understanding why, how and when the fund will be wound up or terminated; and
 - (ii) making an informed judgment about the effect (generally and in respect of the member's current and future entitlements) of the winding up or termination;as soon as practicable after the later of the following:
 - (iii) 21 October 1994;
 - (iv) the time when it becomes reasonable for the trustee to expect that the fund will be wound up or terminated;
(except that the information need not be given more than 3 months before the expected date of commencement of the winding up or termination);
 - (b) the trustee must give to each person who becomes a member of the fund after 21 October 1994 all the information that the trustee reasonably believes the person would reasonably need for the purpose of:
 - (i) understanding how and when the fund will be wound up or terminated; and
 - (ii) making an informed judgment about the effect (generally and in respect of the person's prospective entitlements as a member of the fund) of the winding up or termination;before the person becomes a member.
- (2) For the purposes of paragraph 50(4A)(e) of the Act, the requirements relating to notifying members and prospective members of the fund that the trustee intends to take advantage of subsection 50(4A) of the Act are as follows:
- (a) a notification in the Form set out in Schedule 4 must be given to:
 - (i) each member:
 - (A) by delivering it to the member in person before 1 January 1995; or
 - (B) by posting it by pre-paid post to the member at his or her last-known postal address in time for it to be delivered in due course of post no later than 31 December 1994; and
 - (ii) each person who becomes a member of the fund after 21 October 1994 before the person becomes a member;
 - (b) the notification must be written or printed on A4 size paper that has nothing else written or printed on it;
 - (c) if the notification is given with other material, it must be packaged or presented so that, on receipt, it is likely to be more prominent than the other material.
- (3) The requirements in subregulations (1) and (2) do not apply where the winding up or termination of the fund is completed before 21 October 1994.
- (4) Information given in accordance with subregulation (1) must:

- (a) be in writing; and
 - (b) be worded and presented in a clear and effective manner.
- (5) For the purposes of this regulation, a trustee is taken to have satisfied a requirement relating to notifying a member if:
- (a) the trustee has an address for the member, and:
 - (i) at least 2 consecutive reports to members of the fund, being reports containing information of a kind referred to in:
 - (A) paragraph 17(1)(e) of the unmodified Regulations; or
 - (B) regulation 18G;or 2 consecutive written communications, have been returned unclaimed from the member's last known postal address; and
 - (ii) the trustee has taken reasonable steps to locate the member, but has been unable to do so; or
 - (b) the trustee:
 - (i) has been unable to obtain an address for the member; and
 - (ii) has taken reasonable steps to locate the member, but has been unable to do so.
- (6) Where the trustee has refrained, in reliance on subregulation (5), from notifying a member as required by this regulation, the trustee must, if the trustee later becomes aware of the member's address or location, proceed to notify the member of any matter of which the trustee is, at or after the time when the trustee becomes aware of the member's address or location, required to notify the member.
- (7) The requirements in this regulation are in addition to, not in substitution for, any other requirements relating to the giving of information to members and prospective members. ”

C. By omitting the definitions of “lodgment day” and “pre-lodgment period” from Column 2 in Part 2 of Schedule 1 alongside the reference to “Subsection 3(1)” in Column 1, and inserting in their place the following:

“ **“pre-lodgment period”**, in relation to a fund, means:

- (a) if the trustee of the fund lodges an election under section 19 of the *Superannuation Industry (Supervision) Act 1993* - the period mentioned in paragraph 50(1)(c) of that Act;
- (b) in any other case - the pre-termination period of the fund within the meaning of paragraph 50(4A)(g) of the *Superannuation Industry (Supervision) Act 1993*;

[NOTE: Paragraph 50(1)(c) was inserted into the *Superannuation Industry (Supervision) Act 1993* by temporary modification declaration number 22.] ”

d. By omitting "Part II, except regulations 17, 18B, 18R and 18Y" from Part 1 of Schedule 2 and substituting "Part II, except regulations 11, 17, 18B, 18R and 18Y"

e. By inserting after the definition of "these Regulations" in Column 2 in Part 2 of Schedule 2, alongside the reference to "Subregulation 3(1)" in Column 1, the following:

" **'eligible rollover fund'** has the meaning given in section 242 of the *Superannuation Industry (Supervision) Act 1993*;"

f. By inserting in Part 2 of Schedule 2, after the item relating to regulation 11 (which was inserted by temporary modification declaration number 11) the following (in Columns 1 and 2, as indicated below):

"Column 1 Applied Provision	Column 2 Modification
"Regulation 11:	Insert "or ceases to be a member of the fund" after "where a person who was a member of a superannuation fund withdraws from the fund" in paragraph (1)(c)
Regulation 11:	Insert "or on so ceasing to be a member" after "on such withdrawal" in paragraph (1)(c)
Regulation 11:	Omit "subparagraph (a)(ii) or (iii)." from sub-subparagraph (1)(c)(ii)(C) and substitute "subparagraph (a)(ii) or (iii); or"
Regulation 11:	Add after subparagraph (1)(c)(ii): "(iii) rolled over to an eligible rollover fund in accordance with Part III." "

g. By inserting in Part 2 of Schedule 2, after the item relating to regulation 18B, the following (in Columns 1 and 2, as indicated below):

“Column 1 Applied Provision	Column 2 Modification
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Part III: Omit the Part, substitute:

**“PART III - ROLLOVER OF BENEFITS TO ELIGIBLE
ROLLOVER FUNDS**

Commencement

19. This Part applies after 30 June 1995, but does not affect any action taken before 12 June 1996 under this Part as set out in temporary modification declaration number 6.

[NOTE: Temporary modification declaration number 6 has been revoked.]

Interpretation

20. In this Part:
- (a) **“lost member”** has the meaning given in regulation 1.03 of the *Superannuation Industry (Supervision) Regulations*;
 - (b) **“transferor fund”** means a superannuation fund that is not a regulated superannuation fund within the meaning of the *Superannuation Industry (Supervision) Act 1993*;
 - (c) **“withdrawal benefit”** has the meaning given in regulation 1.03 of the *Superannuation Industry (Supervision) Regulations*.

Rollover of benefits from superannuation fund

21. (1) The trustee of a transferor fund may apply to the trustee of an eligible rollover fund, on behalf of a beneficiary of the transferor fund (the “first person”), for the issue to the first person of a superannuation interest in the eligible rollover fund.
- (2) The application is to be made on the basis that:
- (a) the consideration for the issue is to be paid, on behalf of the first person, by the trustee of the transferor fund; and
 - (b) the amount of the consideration for the issue is equal to the amount of the first person’s withdrawal benefit in the transferor fund; and
 - (c) the trustee of the transferor fund is not entitled to recover the consideration from the first person (except as a result of the operation of subregulation (4)).

- (3) The first person is taken to have authorised the trustee of the transferor fund:

- (a) to make the application; and
- (b) to pay the consideration.

This rule has effect despite any direction to the contrary by the first person.

- (4) If the superannuation interest is issued in accordance with the application:

- (a) the first person ceases to have rights against the transferor fund; and

- (b) if:

- (i) immediately before the interest was issued in accordance with the application, a second person had a contingent right against the transferor fund to a death or disability benefit; and
- (ii) the contingent right was derived from the first person's capacity as a beneficiary of the transferor fund;
the second person ceases to have the contingent right against the transferor fund.

To avoid doubt, a reference in paragraph (a) to a right against the transferor fund includes a reference to a contingent right to a death or disability benefit.

- (5) This regulation has effect despite anything in the governing rules of the transferor fund.

Notice to beneficiaries of circumstances in which benefits may be rolled over

22. (1) The trustee of a transferor fund must give to each member of the fund when he or she becomes a member a written notice:

- (a) setting out the circumstances in which the member's benefits may be paid to an eligible rollover fund; and
- (b) specifying the name and address of the place of business of the eligible rollover fund to which any such benefits will be paid in those circumstances.

- (2) The trustee may by written notice to the member to whom the trustee gave a written notice under subregulation (1) change the eligible rollover fund to which it proposes to pay benefits under regulation 21.

- (3) The failure of a trustee to notify a member under subregulation (1) or (2) does not affect the rights of the trustee under regulation 21.

Tax file numbers

23. If the trustee of a transferor fund pays a benefit to an eligible rollover fund under regulation 21 in respect of a person, the trustee must not give the trustee of the eligible rollover fund the tax file number of the person unless the person has given his or her consent to the disclosure of his or her tax file number in such circumstances.

Trustee to give information regarding lost member to eligible rollover fund

24. If the trustee of a transferor fund pays a benefit to an eligible rollover fund under regulation 21 in respect of a lost member, the trustee must also give to the trustee of the eligible rollover fund:
- (a) a statement that the member is a lost member; and
 - (b) if the lost member has specifically asked the transferor fund not to disclose information of a specified kind - a statement to the effect that the member has asked the transferor fund not to disclose information of that kind; and
 - (c) all information in the possession of the trustee of the transferor fund that could reasonably help the trustee of the eligible rollover fund to locate or identify the lost member, other than information of a kind that the lost member has specifically asked the trustee of the transferor fund not to disclose."

Regulation 25: Omit the regulation, substitute:

"Circumstances in which amounts may be paid out of an employer-sponsored fund to an employer-sponsor*Application of this regulation*

25. (1) This regulation:
- (a) applies after 30 June 1995;
 - (b) does not apply to a superannuation fund that has fewer than 5 members if, at all times after 29 November 1993 when the fund was in existence, the fund had fewer than 5 members.

Definitions

- (2) In this regulation:

- (a) **"associate"** has the meaning given by section 12 of the *Superannuation Industry (Supervision) Act 1993*;
- (b) **"controlling interest"** has the meaning given by subregulation 18E(1), except that a reference in that subregulation to a company must be taken to be a reference to a body corporate;
- (c) **"employer-sponsor"**, in relation to a superannuation fund, means an employer who:
 - (i) contributes to the fund; or
 - (ii) would, apart from a temporary cessation of contributions, contribute to the fund;for the benefit of:
 - (iii) a member of the fund who is an employee of:
 - (A) the employer; or
 - (B) an associate of the employer; or
 - (iv) the dependants of such a member in the event of the death of the member;
- (e) **"employer-sponsored fund"** means a superannuation fund that has at least one employer-sponsor;
- (f) **"independent trustee"** and **"independent director"** have the meanings given by section 10 of the *Superannuation Industry (Supervision) Act 1993*;
- (g) **"related"**, in relation to bodies corporate, has the meaning given by section 20 of the *Superannuation Industry (Supervision) Act 1993*;
- (h) **"relative"** has the meaning given by subregulation 18E(1);
- (i) a reference to an employer-sponsor, in relation to an employer-sponsored fund, includes:
 - (i) if an employer-sponsor is a body corporate - another body corporate that is related to the employer-sponsor; or
 - (ii) if an employer-sponsor is an individual - an associate of the employer-sponsor.

Subregulation 18E(5) to cease to apply

- (3) Subregulation 18E(5) does not apply after 20 October 1994.

Basic prohibition on payments

- (4) Except as provided by this regulation, the trustee of an employer-sponsored fund must not pay an amount, or permit an amount to be paid, out of the fund to an employer-sponsor.

Exception - management services

- (5) A reasonable amount may be paid out of any employer-sponsored fund to an employer-sponsor for services rendered in connection with the management or operation of the fund.

Exception - special procedures followed

- (6) An amount may be paid out of an employer-sponsored fund to an employer-sponsor if the following requirements are fulfilled:
- (a) apart from this regulation, the governing rules would require or permit the amount to be paid to the employer-sponsor;
 - (b) whichever of the following subparagraphs is applicable has been complied with:
 - (i) if the fund has a single corporate trustee:
 - (A) the directors of the trustee have, by resolution, declared their intention to pay the amount out of the fund to the employer-sponsor; and
 - (B) when that resolution was passed, the board of the corporate trustee consisted of equal numbers of employer representatives and member representatives;
 - (ii) if the fund has a group of 2 or more individual trustees:
 - (A) the trustees have, by resolution, declared their intention to pay the amount out of the fund to the employer-sponsor; and
 - (B) when that resolution was passed, the group of trustees consisted of equal numbers of employer representatives and member representatives;
 - (iii) in any other case - the trustee has declared his or her intention to pay the amount out of the fund to the employer-sponsor;
 - (c) before the resolution referred to in subparagraph (b)(i) or (ii) was passed or the declaration referred to in subparagraph (b)(iii) was made (as the case may be):
 - (i) an actuary had given a written certificate to the trustee stating that, if the amount were paid, the fund would remain in a satisfactory financial position; and
 - (ii) the trustee was satisfied that the payment of the amount and the making of the changes (if any) to the governing rules were reasonable having regard to the interests of the employer-sponsor and of the beneficiaries of the fund;
 - (d) the trustee gave notice in accordance with the governing rules to all members of the fund:
 - (i) stating the intention to pay the amount to the employer-sponsor; and

- (ii) stating that an actuary has given a certificate to the trustee as required by subparagraph (c)(i); and
 - (iii) setting out particulars of any changes to the governing rules that were proposed to be made if the amount were paid to the employer-sponsor;
- (e) at the end of 3 months after the notice mentioned in paragraph (d) was given to members, the provisions of whichever of the following subparagraphs is applicable were complied with:
- (i) if the fund has a single corporate trustee - the directors of the corporate trustee passed a resolution agreeing to pay the amount out of the fund to the employer-sponsor;
 - (ii) if the fund has a group of 2 or more individual trustees - the trustees passed a resolution agreeing to pay the amount out of the fund to the employer-sponsor;
 - (iii) in any other case - the trustee decided to make the payment.

Commissioner may waive requirements

- (7) The Commissioner may waive any or all of the requirements specified in subregulations (6) and (10) in relation to a particular fund.

This regulation does not apply to loans to, or investments in, an employer-sponsor

- (8) A reference in this regulation to the payment of an amount out of an employer-sponsored fund to an employer-sponsor does not include a reference to the payment of an amount by way of the making of a loan to, or an investment in, the employer-sponsor.

Additional independent trustee and additional independent director

- (9) For the purposes of the application of this regulation to a fund, a group of trustees, or the board of a corporate trustee, is taken to consist of equal numbers of employer representatives and member representatives if:
- (a) the group or board includes an additional independent trustee or an additional independent director, as the case may be; and
 - (b) the additional independent trustee or additional independent director, as the case may be, is appointed at the request of the employer representatives, or the member representatives, who are the members of the group or board; and
 - (c) provision is made in the governing rules for the appointment of the additional independent trustee or additional independent director, as the case may be; and

- (d) the governing rules do not allow the additional independent trustee or additional independent director, as the case may be, to exercise a casting vote in any proceedings of the group or board concerned.

Notice of proposal to alter governing rules to allow payments

- (10) The trustee of an employer-sponsored fund must give to all members of the fund written notice of any proposal to alter the governing rules of the fund to increase the benefit payable to a member, if payment of that benefit would have the effect of making a payment from the fund to:

- (a) an employer-sponsor; or
- (b) a member who is a relative of an employer-sponsor who is an individual; or
- (c) a member who holds, or will hold when the governing rules are altered to increase the benefit payable to a member, a controlling interest in an employer-sponsor who is, or will be when the governing rules are altered, a body corporate; or
- (d) a relative of a member referred to in paragraph (c);

not less than 3 months before the day when the alteration would take effect. " "

h. By inserting after Schedule 3 the following:

" SCHEDULE 4

FORM OF NOTICE UNDER PARAGRAPH 50(4A)(e)

Superannuation Industry (Supervision) Act 1993

NOTICE TO MEMBERS AND PROSPECTIVE MEMBERS UNDER PARAGRAPH 50(4A)(e) FROM THE TRUSTEE OF [insert name of fund]

The purpose of this notice is to inform you that the trustee of [insert name of fund]:

- does not intend to lodge a notice with the Insurance and Superannuation Commissioner electing for the fund to become a regulated superannuation fund under the *Superannuation Industry (Supervision) Act 1993* (the "Act"), but intends to wind up or terminate the fund; and

- intends to take advantage of subsection 50(4A) of the Act, which will make it necessary for the trustee to ensure that the fund:
 - (1) is wound up or terminated by 1 January 1995 (or by such later date, not being later than 1 July 1995, as the Commissioner specifies in a written notice given to the trustee); and
 - (2) satisfies the transitional superannuation fund conditions that are set out in the *Superannuation Industry (Supervision) (Transitional Provisions) Regulations* during the period (the “**pre-termination period**”) between the commencement of the fund's 1994-95 year of income and the date when it is wound up or terminated.

If conditions (1) and (2) are fulfilled, the fund will be entitled to tax concessions during the pre-termination period.”

This declaration:

- i. is taken to have commenced to have effect on 1 July 1995;
- ii. has no effect after 30 June 1996.

Dated 6 June 1996

F G H Pooley
Commissioner



Superannuation Industry (Supervision) Act 1993

EXPLANATORY MEMORANDUM

ACCOMPANYING

TEMPORARY MODIFICATION DECLARATION No 24

PURPOSE OF THE DECLARATION

1. The purpose of temporary modification declaration ('TMD') number 24 is to preserve certain modifications made by TMD 6 (which is being revoked) by reinserting them into the *Superannuation Industry (Supervision) Act 1993* (the 'Act') and the *Superannuation Industry (Supervision) (Transitional Provisions) Regulations* (the 'SIS (TP) Regs'). In one case mentioned below (rollovers to eligible rollover funds ('ERFs')), however, a substantive change is made to one of the modifications that is reinserted.
2. TMD 24 does three things:
 - it reinserts the provisions of TMD 6 that removed the requirement for funds that are being wound up to elect to become regulated under the Act;
 - it allows unregulated superannuation funds in the period before they lodge an election to be regulated under the SIS Act ('section 50 funds') to pay members' benefits to ERFs in certain circumstances (which are less restrictive than those that were specified in TMD 6);
 - it reinserts those provisions of TMD 6 that prevented payments to employer-sponsors from being made out of section 50 funds (except in limited circumstances).

EXPLANATION AND EFFECT OF THE DECLARATION

3. **Part 1** of TMD 24 inserts the definition of 'applied OSS Regulations' in section 10 of the SIS Act.

Removal of requirement for funds that are being wound up to elect to become regulated under SIS

4. **Part 2** inserts subsection 50(4A) (which was previously inserted by TMD 6).
5. The operation of subsection 50(4A) is explained in paragraphs 11 to 14 of the explanatory memorandum accompanying TMD 6.
6. **Parts 3a, b and c** insert the modifications to the SIS(TP) Regs made by TMD 6 that are relevant to the operation of section 50(4A) of the Act.

Allowing section 50 funds to pay members' benefits to eligible rollover funds

7. **Part 3d** makes a technical change to the SIS(TP) Regs which enables regulation 11 of the applied OSS Regulations (which are set out in the SIS (TP) Regs) to be modified as set out in Part 3f of the declaration.
8. **Part 3e** has the effect of adding to subregulation 3(1) of the applied OSS Regulations a definition of 'eligible rollover fund'. (The definition provides that 'eligible rollover fund' has the same meaning as in section 242 of the Act.)
9. **Part 3f** has the effect of modifying regulation 11 of the applied OSS Regulations.
10. Regulation 11 requires a superannuation fund member's preserved benefits (as defined by regulations 9 and 10 of the applied OSS Regulations) to be preserved until either the benefits become payable in the circumstances listed in paragraph 11(1)(a) or the benefits are transferred in accordance with paragraph 11(1)(c). The declaration adds a new subparagraph 11(1)(c)(iii), which permits a member's preserved benefits to be transferred to an ERF.
11. **Part 3g** adds a new Part III to the applied OSS Regulations. The new Part III, which contains regulations 19 to 24, deals with the rollover of benefits from section 50 funds to ERFs. Basically, the new Part III permits certain section 50 funds to transfer members' benefits to ERFs in the same circumstances in which regulated superannuation funds are permitted to transfer members' benefits to ERFs as a result of the amendments to the SIS legislation which took effect on 1 July 1995.
12. Regulation 19 provides that the Part applies after 30 June 1995 but does not affect any action taken before the Gazettal of TMD 24. This is so as not to invalidate any action taken under the provisions of TMD 6 in the period between 1 July 1995 and the Gazettal of TMD 24.

13. Regulation 20 contains definitions of 'lost member', 'withdrawal benefit' (both of which have the same meaning as in regulation 1.03 of the SIS Regulations), and 'transferor fund' (which is a section 50 fund).
14. Regulation 21 permits the trustee of a transferor fund to transfer a member's benefit to an ERF in the circumstances described in subregulations 21(2) to 21(4). Regulation 21 overrides anything to the contrary in the fund's governing rules.
15. Regulation 22 requires the trustee of a transferor fund to notify new members of the circumstances in which their benefits may be rolled over to an ERF.
16. Regulation 23 states the circumstances in which the trustee of a transferor fund may tell the trustee of an ERF the transferred member's tax file number.
17. Regulation 24 requires the trustee of a section 50 fund to give the trustee of the ERF certain information if the transferred member is a lost member.

Payments to employer-sponsors by section 50 funds

18. **Part 3g** also reinserts regulation 25 of the applied OSS Regulations (which was originally inserted by TMD 6). The operation of regulation 25 is explained in paragraphs 32 to 39 of the explanatory memorandum accompanying TMD 6.
19. **Part 3h** reinserts Schedule 4 to the SIS(TP) Regs (which was originally inserted by TMD 6). That Schedule relates to the operation of subsection 50(4A) of the Act).

COMMENCEMENT AND DURATION OF DECLARATION

20. TMD 24 is taken to have commenced to have effect on 1 July 1995 (this is the date from which the revocation of TMD 6 takes effect).
21. By force of subsection 333(2) of the Act, TMD 24 ceases to have effect after 30 June 1996.

6 June 1996

(Published by authority of the Insurance and Superannuation Commissioner)



Superannuation Industry (Supervision) Act 1993

MODIFICATION DECLARATION No 14

I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, under section 332 of the *Superannuation Industry (Supervision) Act 1993* (the "Act"), DECLARE that:

1. The Act is to have effect, in relation to eligible rollover funds, and their trustees, as if it were modified:

a. By omitting subsection 248(1) and substituting:

"**248. (1)** This section applies to a benefit held by an eligible rollover fund, where the superannuation interest to which the benefit relates was issued pursuant to an application under:

(a) section 243; or

(b) regulation 21 of the applied OSS Regulations."

b. By inserting "or regulation 21 of the applied OSS Regulations" after "old Part 24" in subsection 251(1).

2. The *Superannuation Industry (Supervision) Regulations* are to have effect, in relation to eligible rollover funds, and their trustees, as if they were modified:

a. By inserting "or regulation 21 of the applied OSS Regulations" after "section 243 of the Act" in subregulation 2.11A(1).

b. By inserting after subregulation 2.11A(2):

"**(3)** In this regulation, "**transferor fund**" includes a transferor fund within the meaning of Part III of the applied OSS Regulations."

This declaration is taken to have commenced to have effect on 1 July 1995.

Dated 6 June 1996

F G H Pooley
Commissioner



Superannuation Industry (Supervision) Act 1993

EXPLANATORY MEMORANDUM

ACCOMPANYING

MODIFICATION DECLARATION No 14

PURPOSE OF THE DECLARATION

1. The purpose of modification declaration number 14 is to authorise eligible rollover funds ('ERFs') to accept payments made to them by unregulated superannuation funds under regulation 21 of the applied OSS Regulations (which are contained in the *Superannuation Industry (Supervision) (Transitional Provisions) Regulations* (the 'SIS(TP) Regs')).

EXPLANATION AND EFFECT OF THE DECLARATION

2. Regulation 21 has been added to the applied OSS Regulations by temporary modification declaration number 24. Regulation 21 permits unregulated superannuation funds to pay a member's benefits to an ERF in the circumstances set out in that regulation.
3. Modification declaration number 14 modifies sections 248 and 251 of the *Superannuation Industry (Supervision) Act 1993* so that they include a reference to payments made under regulation 21.
4. The declaration also modifies regulation 2.11A of the *Superannuation Industry (Supervision) Regulations* (the 'Regulations'). This has the effect of requiring the trustee of the ERF to which the benefits are transferred pursuant to regulation 21 to provide the information specified in subregulation 2.11A(2) of the Regulations to the trustee of the transferor fund.

COMMENCEMENT OF THE DECLARATION

5. The declaration is taken to have commenced to have effect on 1 July 1995.

6 June 1996

(Published by authority of the Insurance and Superannuation Commissioner)



Superannuation Industry (Supervision) Act 1993

**REVOCATION OF TEMPORARY MODIFICATION
DECLARATIONS Nos 6 AND 10**

I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, under section 335 of the *Superannuation Industry (Supervision) Act 1993*, REVOKE temporary modification declaration number 6 (which was made on 21 October 1994) and temporary modification declaration number 10 (which was made on 16 February 1995).

This revocation is deemed to have taken effect on 1 July 1995.

Dated 6 June 1996

F G H Pooley
Commissioner



Superannuation Industry (Supervision) Act 1993

EXPLANATORY MEMORANDUM

ACCOMPANYING

**REVOCATION OF TEMPORARY MODIFICATION
DECLARATIONS Nos 6 AND 10**

1. Temporary modification declaration number 6 ('TMD 6') is being revoked because many of the modifications made by it have been superseded by changes to the SIS legislation made by the *Superannuation Laws Amendment (Small Accounts and Other Measures) Act 1995* and various amending regulations.
2. Those modifications made by TMD 6 that are still relevant have been remade by temporary modification declaration number 24.
3. Temporary modification declaration number 10 modified TMD 6, and is no longer necessary.
4. The revocation is deemed to have taken effect on 1 July 1995 (which is the date on which the changes made by the amending legislation mentioned in paragraph 1 took effect).

6 June 1996

(Published by authority of the Insurance and Superannuation Commission)



Superannuation Industry (Supervision) Act 1993

**REVOCATION OF MODIFICATION DECLARATION
Nos 3 AND 6**

I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, under section 335 of the *Superannuation Industry (Supervision) Act 1993*, REVOKE modification declaration number 3 (which was made on 21 October 1994) and modification declaration number 6 (which was made on 9 January 1995).

This revocation is deemed to have taken effect on 1 July 1995.

Dated 6 June 1996

F G H Pooley
Commissioner



Superannuation Industry (Supervision) Act 1993

EXPLANATORY MEMORANDUM

ACCOMPANYING

**REVOCATION OF MODIFICATION DECLARATIONS Nos 3
AND 6**

1. Modification declaration number 3 ('MD 3') is being revoked as a consequence of the revocation of temporary modification declaration number 6 ('TMD 6').
2. MD 3 made a number of modifications relevant to the operation of TMD 6 that are no longer required after the revocation of TMD 6.
3. Modification declaration number 6 ('MD 6') is being revoked because amendments to the SIS legislation that came into effect on 1 July 1995 superseded all of the modifications made by MD 6.
4. The revocation is deemed to have taken effect on 1 July 1995.

6 June 1996

(Published by authority of the Insurance and Superannuation Commission)

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Commonwealth
of Australia

Gazette

No. S 201, Tuesday, 11 June 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

CALLINA NL (ACN 008 732 581)

APPLICATION TO CONFIRM REDUCTION OF CAPITAL

NOTICE IS HEREBY GIVEN that an application made to the Supreme Court of Western Australia on 5 June 1996 for confirmation of the reduction of the share capital of CALLINA NL (the "Company") from \$16,671,288 to \$1 by cancelling paid-up capital to the extent of \$16,671,287 is directed to be heard before a Master at the Supreme Court of Western Australia, Perth on Friday, the 14th day of June 1996 at 12.30 o'clock in the afternoon or so soon thereafter as Counsel may be heard. Any creditor or shareholder of the Company may, on giving two days notice to the solicitors for the Company of his intention so to do, appear at the hearing of the application if he has not consented to the proposed reduction of capital.

DATED the 10th day of June 1996

BLAKE DAWSON WALDRON

Address for Service:

.....
Solicitors for the Company:

Blake Dawson Waldron
Barristers & Solicitors
17th Floor, Forrest Centre
221 St George's Terrace
PERTH WA 6000
Ref: NCF:MRW:365755





Commonwealth
of Australia

Gazette

No. S 202, Wednesday, 12 June 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



I, THE HONOURABLE RICHARD ELGIN McGARVIE, do swear that I will
be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second,
Her heirs and successors according to law.

SO HELP ME GOD!

Governor

Sworn and subscribed by)
Richard Elgin McGarvie, at Melbourne)
in the State of Victoria)
in my presence on 6 June 1996)

Justice of the High Court of Australia






I, THE HONOURABLE RICHARD ELGIN McGARVIE, do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law, in the administration of the Government of the Commonwealth of Australia and will do right to all manner of people after the laws and usages of the Commonwealth of Australia, without fear or favour, affection or illwill.

SO HELP ME GOD!


Governor

Sworn and subscribed by)
Richard Elgin McGarvie, at Melbourne)
in the State of Victoria)
in my presence on 6 June 1996)


Justice of the High Court of Australia



**Commonwealth
of Australia**

Gazette

No. S 203, Saturday, 15 June 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

Government House,
Canberra ACT 2600
15 June 1996

QUEEN'S BIRTHDAY 1996 HONOURS

The Governor-General is pleased to announce that
Her Majesty The Queen has approved the following awards:

ROYAL VICTORIAN ORDER

Appointed a Member in the Royal Victorian Order (MVO)

Mrs WENDY DOROTHEA BUTTON
23 Booth Crescent, Cook ACT 2614

Miss MARIA CICUTTO
48 Melrose Mews, Chifley ACT 2606

Miss SANDRA EVELYN COCHRANE
9 Coglin Place, Kambah ACT 2902

Mr DANIEL NEIL GLASSER
2/58 Wunulla Road, Point Piper NSW 2027

By His Excellency's Command

Douglas Sturkey
Official Secretary to
the Governor-General



9 780644 361828



APPOINTMENT OF THE HONOURABLE GORDON SAMUELS, AC, AS DEPUTY OF THE GOVERNOR-GENERAL

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, appoint THE HONOURABLE GORDON SAMUELS, AC, GOVERNOR OF THE STATE OF NEW SOUTH WALES, to be my deputy within any part of the Commonwealth and in that capacity to exercise the following powers and functions of the Governor-General:

- (a) To make recommendations with respect to the appropriation of revenue or moneys by message to a House of the Parliament and to communicate other matters to a House of the Parliament;
- (b) When a proposed law passed by both Houses of the Parliament is presented for The Queen's Assent -
 - (i) to declare, according to your discretion, but subject to the Constitution, that you assent in The Queen's name, or that you withhold assent or that you reserve the law for The Queen's pleasure; or
 - (ii) except in the case of a proposed law to alter the Constitution, to return the proposed law to the House in which it originated and to transmit therewith any amendments which you may recommend;
- (c) To sign and issue any warrants under any Act or regulations for the purpose of authorising the expenditure of any public moneys that have been appropriated by the Parliament;
- (d) To make, sign or issue any proclamation, order, regulation, ordinance, appointment, instrument or other document in accordance with the advice of the Federal Executive Council;
- (e) To administer such oaths or affirmations as may be necessary to be taken or made by any person in respect of his or her having been chosen and summoned to be a member of the Federal Executive Council or appointed to administer a Department of State;
- (f) To grant to convicted offenders pardons or respites of execution of sentences, to remit fines, penalties (including sentences) and forfeitures and to grant pardons to accomplices;
- (g) In accordance with the Commonwealth Prisoners Act 1967, as in force from time to time, to direct, by order, that a person be released from prison on parole and to amend or revoke an order under that Act, as in force from time to time, directing that a prisoner be released from prison on parole;



- (h) In accordance with section 19A of the Crimes Act 1914, as in force from time to time, to grant to a person serving a term of imprisonment or being detained in prison a licence to be at large and to vary or revoke a licence granted to a person under that section;
- (i) In accordance with section 8A of the Removal of Prisoners (Territories) Act 1923, as in force from time to time, to grant to a person a licence to be at large and to vary or revoke a licence granted to a person under that section;
- (j) To deal with any urgent correspondence.

Dated 28 May 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command

JOHN HOWARD
Prime Minister



Australian Fisheries Management Authority

FISHERIES MANAGEMENT REGULATIONS

LOGBOOK NOTICE NO. BSSL 02

LOGBOOK FOR DREDGING OR TRAWLING

I, Richard Andrew Stevens, delegate of the Australian Fisheries Management Authority, make the following determination under subregulations 32 (1) and (3) of the Fisheries Management Regulations.

Dated 12 June 1996

Managing Director of the
Australian Fisheries Management Authority

Citation

1. This determination may be cited as Logbook Notice No. BSSL 02.

Commencement

2. This determination commences on 5 July 1996.

Interpretation

3. In this determination:

"BS02 Scallop Log" means the form of logbook published by the Tasmanian Department of Primary Industry and Fisheries, Marine Resources Division on behalf of itself and AFMA in June 1996 and for which:

- (a) the title is "Tasmanian & Central Bass Strait Zones Scallop Fishery Logbook - BS02" and
- (b) the distinguishing mark is "BS02";

"distinguishing mark" in relation to a form of logbook, means the marking by which the logbook can be distinguished from AFMA's other forms of logbook;

"Scallop Fishery Logbook" means the form of logbook published by The Tasmanian Department of Primary Industry and Fisheries, Division of Sea Fisheries on behalf of itself and AFMA, the full title of which is "Scallop Fishery Logbook For Use in the Tasmanian and Central Bass Strait Zones".

[Note: Terms defined in the *Fisheries Management Act 1991* have the same meanings in this determination.]

Which logbooks must be used?

4. When bivalve molluscs of the family *Pectinidae* are fished for or taken by the methods of dredging or trawling in the area of waters specified in the Schedule, the following forms of logbook must be used to record information about the taking of the molluscs:

- (a) from 5 July 1996 until the end of 28 July 1996 - either of the BS02 Scallop Log or the Scallop Fishery Logbook; and
- (b) from 29 July 1996 - the BS02 Scallop Log.

[Note: The BS02 Scallop Log replaces the Scallop Fishery Logbook. The period from 5 July 1996 until the end of 28 July 1996 is the changeover period when either form of each logbook can be used.]



Logbook Notice No. BSSL 02

2

When must the logbooks be used?

5. Subregulations 33(1), 33(2) and 33(3) of the Fisheries Management Regulations apply in respect of:

- (a) the BS02 Scallop Log and the Scallop Fishery Logbook during the period beginning on 5 July 1996 and ending at the end of 28 July 1996; and
- (b) the BS02 Scallop Log during the period beginning on 5 July 1996 and ending at the end of 11 June 1999.

Where can copies of the logbook be obtained?

6. Copies of the BS02 Scallop Log can be obtained:

- (a) during ordinary business hours from the Tasmanian Department of Primary Industry and Fisheries, Marine Resources Division, 1 Franklin Wharf, HOBART TASMANIA 7000; or
- (b) by return mail, by request to the Tasmanian Department of Primary Industry and Fisheries, Marine Resources Division, GPO Box 192B, HOBART TASMANIA 7001.

[Note: Copies of the Scallop Fishery Logbook are no longer available. To enable users of that form of logbook to comply with the Fisheries Management Regulations, a changeover period has been implemented. See the note to clause 4 for details.]

Revocation of Logbook Notice No. BSS 1

7. Logbook Notice No. BSS 1, published in Gazette No. GN 43 on 2 November 1994 is revoked.

THE SCHEDULE**AREA OF THE BASS STRAIT CENTRAL ZONE SCALLOP FISHERY**

That part of the Australian fishing zone bounded by a line:

- (a) beginning at the point of intersection of the parallel of Latitude 40°45' South and the meridian of Longitude 140°57.9' East;
- (b) then running from there east along the parallel of Latitude 40°45' South to its intersection with the meridian of Longitude 144°15' East;
- (c) then north along that meridian to its intersection with the parallel of Latitude 40°20' South;
- (d) then north-easterly along the geodesic to the point of Latitude 40°04' South, Longitude 144°47' East;
- (e) then easterly along the line, every point on which is 20 nautical miles seaward of the baseline from which the coastal waters of Tasmania are measured, to its intersection north of Tasmania with the meridian of Longitude 146°47' East;
- (f) then north-easterly along the geodesic to the point of Latitude 40°37' South, Longitude 146°59' East;
- (g) then north-easterly along the geodesic to the point of Latitude 40°30' South, Longitude 147°16' East;
- (h) then north-easterly along the geodesic to the point of Latitude 40°29' South, Longitude 147°25' East;
- (i) then northerly along the geodesic to the point of Latitude 40°18' South, Longitude 147°22' East;

Logbook Notice No. BSSL 02

3

- (j) then northerly along the geodesic to the point of Latitude 40°04' South, Longitude 147°19' East;
 - (k) then north along the meridian of Longitude 147°19' East to its intersection with the parallel of Latitude 39°53' South;
 - (l) then northerly along the geodesic to the point of Latitude 39°36' South, Longitude 147°32' East;
 - (m) then south-easterly along the geodesic running through the point of Latitude 39°36' South, Longitude 147°32' East and the point of Latitude 39°44' South, Longitude 147°51' East to its intersection with the outer limit of coastal waters adjacent to Flinders Island;
 - (n) then generally northerly and south-easterly along that outer limit to its intersection east of Flinders Island with the parallel of Latitude 39°56' South;
 - (o) then east along the parallel of Latitude 39°56' South to its intersection with the meridian of Longitude 150°25' East;
 - (p) then northerly along the meridian of Longitude 150°25' East to its intersection with the line, every point on which is 20 nautical miles from the baseline from which the coastal waters of Victoria are measured;
 - (q) then generally southerly and westerly along that line to its intersection with the parallel of Latitude 39° South;
 - (r) then west along the parallel of Latitude 39° South to its intersection with the inner limit of the Australian fishing zone;
 - (s) then along that inner limit to its intersection with the meridian of Longitude 146° East;
 - (t) then south along that meridian to its intersection with the line, every point on which is 20 nautical miles from the baseline from which the coastal waters of Victoria are measured;
 - (u) then generally westerly along that line to its intersection with the meridian of Longitude 140°57.9' East; and
 - (v) then south along that meridian to the point where the line begins.
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**Commonwealth
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SPECIAL

**CORPORATIONS ACT 1989
Subsection 32(1)**

NOTIFICATION OF ACCOUNTING STANDARD

AASB 1013 "ACCOUNTING FOR GOODWILL"

NOTICE is hereby given that the Australian Accounting Standards Board has made accounting standard AASB 1013 "Accounting for Goodwill" under section 32 of the *Corporations Act 1989*, for application to financial years that end on or after 30 June 1996.

When operative, AASB 1013 supersedes Accounting Standard AASB 1013 "Accounting for Goodwill", which was notified in Gazette No. S 110 on 18 April 1988.

Copies of the Standard may be purchased from the offices of the Australian Accounting Standards Board, 211 Hawthorn Road, Caulfield, Victoria 3162.





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SPECIAL



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

**NOTIFICATION OF THE MAKING OF ORDERS UNDER THE
CIVIL AVIATION REGULATIONS**

Notice is hereby given that the following amendments to Civil Aviation Orders Part 105 will become effective on 17 June 1996:

AD/ HU-369/89 - MAIN BLADE ROOT END

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

Airservices Australia
Publications Centre
715 Swanston Street
CARLTON SOUTH VIC 3053

or by mail from :

Airservices Australia
Publications Centre
PO Box 1986
CARLTON SOUTH VIC 3053



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SPECIAL



Government House
Canberra ACT 2600

17 June 1996

THE ORDER OF WEARING AUSTRALIAN HONOURS AND AWARDS

THE Governor-General directs that the positioning of the Australian Service Medal 1945-1975 and the Civilian Service Medal 1939-1945, within the order of precedence in which Australian Orders, Decorations and Medals should be worn, be notified for general information.

The Schedule incorporates the new positioning of these awards and supersedes that notified in Commonwealth of Australia Gazette No. S17 of 15 January 1993.

Honours and Awards listed in the Schedule in **BOLD** print are:

- those within the Australian System of Honours and Awards;
- those conferred by The Sovereign in exercise of the Royal Prerogative;
- those within the Order of St John, having been conferred by The Sovereign on the recommendation of the Governor-General; and
- foreign awards.

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THE ORDER OF WEARING AUSTRALIAN HONOURS AND AWARDS**THE SCHEDULE****VICTORIA CROSS**

George Cross

CROSS OF VALOUR**KNIGHT/LADY OF THE GARTER****KNIGHT/LADY OF THE THISTLE**

Knight/Dame Grand Cross of the Order of the Bath

ORDER OF MERIT**KNIGHT/DAME OF THE ORDER OF AUSTRALIA***

Knight/Dame Grand Cross of the Order of

St Michael and St George

KNIGHT/DAME GRAND CROSS OF THE ROYAL VICTORIAN ORDER

Knight/Dame Grand Cross of the Order of

the British Empire

COMPANION OF THE ORDER OF AUSTRALIA

Companion of Honour

Knight/Dame Commander of the Order of the Bath

Knight/Dame Commander of the Order of

St Michael and St George

KNIGHT/DAME COMMANDER OF THE ROYAL VICTORIAN ORDER

Knight/Dame Commander of the Order of

the British Empire

Knight Bachelor

OFFICER OF THE ORDER OF AUSTRALIA

Companion of the Order of the Bath

Companion of the Order of St Michael

and St George

COMMANDER OF THE ROYAL VICTORIAN ORDER

Commander of the Order of the British Empire

STAR OF GALLANTRY**STAR OF COURAGE**

Companion of the Distinguished Service Order

DISTINGUISHED SERVICE CROSS**MEMBER OF THE ORDER OF AUSTRALIA****LIEUTENANT OF THE ROYAL VICTORIAN ORDER**

Officer of the Order of the British Empire

Companion of the Imperial Service Order

MEMBER OF THE ROYAL VICTORIAN ORDER

Member of the Order of the British Empire

VC

GC

CV

KG/LG

KT/LT

GCB

OM

AK/AD

GCMG

GCVO

GBE

AC

CH

KCB/DCB

KCMG/DCMG

KCVO/DCVO

KBE/DBE

AO

CB

CMG

CVO

CBE

SG

SC

DSO

DSC

AM

LVO

OBE

ISO

MVO

MBE

CONSPICUOUS SERVICE CROSS

NURSING SERVICE CROSS

Royal Red Cross (1st Class)

Distinguished Service Cross

Military Cross

Distinguished Flying Cross

Air Force Cross

Royal Red Cross (2nd Class)

MEDAL FOR GALLANTRY

BRAVERY MEDAL

DISTINGUISHED SERVICE MEDAL

PUBLIC SERVICE MEDAL

AUSTRALIAN POLICE MEDAL

AUSTRALIAN FIRE SERVICE MEDAL

MEDAL OF THE ORDER OF AUSTRALIA

ORDER OF ST JOHN

Distinguished Conduct Medal

Conspicuous Gallantry Medal

George Medal

CONSPICUOUS SERVICE MEDAL

ANTARCTIC MEDAL

Queen's Police Medal for Gallantry

Queen's Fire Service Medal for Gallantry

Distinguished Service Medal

Military Medal

Distinguished Flying Medal

Air Force Medal

Queen's Gallantry Medal

ROYAL VICTORIAN MEDAL

British Empire Medal

Queen's Police Medal for Distinguished Service

Queen's Fire Service Medal for Distinguished Service

COMMENDATION FOR GALLANTRY

COMMENDATION FOR BRAVE CONDUCT

Queen's Commendation for Brave Conduct

COMMENDATION FOR DISTINGUISHED SERVICE

WAR MEDALS/AUSTRALIAN ACTIVE SERVICE MEDAL

(in order of date of qualifying service).

AUSTRALIAN SERVICE MEDAL 1945-1975/AUSTRALIAN

SERVICE MEDAL/RHODESIA MEDAL (in order of date of qualifying service).

CSC

NSC

RRC

DSC

MC

DFC

AFC

ARRC

MG

BM

DSM

PSM

APM

AFSM

OAM

DCM

CGM

GM

CSM

QPM

QFSM

DSM

MM

DFM

AFM

QGM

RVM

BEM

QPM

QFSM

#

POLICE OVERSEAS SERVICE MEDAL

CIVILIAN SERVICE MEDAL 1939-1945

Polar Medal

Imperial Service Medal

**CORONATION AND JUBILEE MEDALS (in order of
date of receipt)**

DEFENCE FORCE SERVICE MEDAL

RESERVE FORCE DECORATION

RESERVE FORCE MEDAL

NATIONAL MEDAL

CHAMPION SHOTS MEDAL

LONG SERVICE MEDALS

Independence and Anniversary Medals (in order
of date of receipt)

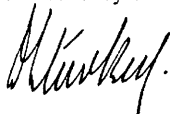
**FOREIGN AWARDS (in order of date of authorisation of
their acceptance and wearing)**

#

RFD

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By His Excellency's Command



DOUGLAS STURKEY

Official Secretary to the Governor-General

* Provision for further awards at this level within the Order of Australia was removed by The Queen on 3 March 1986 on the advice of the Prime Minister.

Denotes changes

Includes Imperial efficiency and long service awards.

