



**Commonwealth
of Australia**

Gazette

No. GN 1, Wednesday, 8 January 1997

Published by the Australian Government Publishing Service, Canberra

GOVERNMENT NOTICES

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The date of publication of this Gazette is 8 January 1997

79997 ISBN 0644 471158

ISSN 0819-7105

Print Post approved PP:349157/00407



9 780644 471152

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Please direct all inquiries to (06) 295 4661.

Variation of closing times

AUSTRALIA DAY EARLY CLOSING

Commonwealth of Australia Gazette

Government Notices

Monday, 27 January 1997 is a public holiday in the Australian Capital Territory thus affecting closing time for the following *Government Notices Gazette*.

Issue of 29 January 1997.

Thursday, 23 January 1997 at 10.00 a.m.

Commercial advertising

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.

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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

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

Copy will be returned unpublished if not submitted in accordance with these requirements.

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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.

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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) 9670 4224
Parramatta: Shop 24, Horwood Place (off Macquarie Street), tel. (02) 9893 8466
Perth: 469 Wellington Street, tel. (09) 322 4737
Sydney: 32 York Street, tel. (02) 9299 6737
Townsville: 277 Flinders Mall, tel. (077) 21 5212

Agent:

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.

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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 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
P13	19.6.96	This is an amendment to Periodic Gazette No 10, Tuesday, 28 May 1996. The Australian Heritage Commission published a Notice of Entry in the Register of the National Estate, within which a number of places had been listed under incorrect Local Government Areas. The following notice corrects that earlier notice where relevant. <i>Australian Heritage Commission Act 1975</i> . Notices of Entry in the Register of the National Estate.
P14	27.6.96	Amendment No. 30 to the Food Standards Code.
P15	3.7.96	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.4.96 to 30.4.96 and not previously gazetted. Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.1.96 to 31.3.96 and not previously gazetted. Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.1.95 to 31.1.95.

<i>Gazette number</i>	<i>Date of Publication</i>	<i>Subject</i>
P16	26.7.96	Notice by the Australian Securities Commission of Intention to Deregister Defunct Companies
P17	26.7.96	Pharmaceutical Benefits 96/07705 Declaration Under Subsection 85 (2) 94/31411 Declaration under Subsection 85 (2AA) 95/27724 Determinations under Sections 85, 85A and 88 95/19053 Determination under Paragraph 98C (1) (B) 94/16883 Determination under Subsection 85B (1) 91/01521 Determination under Subsection 84C (7)
P18	2.8.96	Australian Customs Service—Tariff Quotas—Cheese Quota Allocations—Tariff Quota Holders—1 July 1996 to 30 June 1997
P19	9.8.96	Money or property unclaimed by dissenting shareholders
P20	22.8.96	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.5.96 to 31.5.96 and not previously gazetted. Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.1.95 to 31.3.96 and not previously gazetted. Particulars of some permissions granted, suspended, reinstated, revoked or reconsidered for the period 1.7.96 to 31.7.96.
P21	6.9.96	General Recurrent Grant to Non-Government Non Systemic Schools
P22	18.9.96	Notice by the Australian Securities Commission of Intention to Deregister Defunct Companies
P23	20.9.96	Road Vehicle (National Standards) Determination No. 1 of 1996
P24	27.9.96	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.6.96 to 31.7.96 and not previously gazetted.
P25	3.10.96	<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
P26	11.10.96	<i>Aged or Disabled Persons Care Act 1954</i> . Aged or Disabled Persons Care (Standards Review Panels) Order No. 1 of 1996
P27	23.10.96	Instruments made under Part VII of the <i>National Health Act 1953</i>
P28	8.11.96	Notice by the Australian Securities Commission of Intention to Deregister Defunct Companies
P29	8.11.96	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.8.96 to 31.8.96 and not previously gazetted. Particulars of some permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.9.96 to 31.9.96.
P30	29.11.96	Road Vehicle (National Standards) Determination No. 2 of 1996
P31	17.12.96	<i>Australian Heritage Commission Act 1975</i> . Notices of Intention to Enter Places in the Register of the National Estate.
P32	16.12.96	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.9.96 to 30.9.96 and not previously gazetted. Particulars of some permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.8.96 to 31.8.96 and not previously gazetted.
*P33	20.12.96	Australia New Zealand Food Authority Amendment No. 32 to the Food Standards Code

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

Assented to on 19 December 1996

No. 77, 1996 - An Act to amend the *Workplace Relations Act 1996*, and for other purposes [*Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*].

Assented to on 23 December 1996

No. 83, 1996 - An Act to amend the law relating to social security, and for related purposes [*Social Security Legislation Amendment (Further Budget and Other Measures) Act 1996*].

HARRY EVANS
Clerk of the Senate

9603796

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

Assented to on 17 December 1996:

No. 75 of 1996—An Act to amend the *Health Insurance Act 1973*, and for related purposes. (*Health Insurance Amendment Act (No. 2) 1996*).

Assented to on 18 December 1996:

No. 76 of 1996—An Act to amend the law relating to taxation. (*Taxation Laws Amendment Act (No. 2) 1996*).

Assented to on 19 December 1996:

No. 78 of 1996—An Act to amend the law relating to taxation. (*Taxation Laws Amendment Act (No. 3) 1996*).

No. 79 of 1996—An Act to amend the *National Health Act 1953*. (*National Health (Budget Measures) Amendment Act 1996*).

No. 80 of 1996—An Act to amend the *Child Care Act 1972* and the *Childcare Rebate Act 1993*, and for related purposes. (*Child Care Legislation Amendment Act 1996*).

No. 81 of 1996—An Act relating to the dilution of the public ownership of Telstra, and for other purposes. (*Telstra (Dilution of Public Ownership) Act 1996*).

No. 82 of 1996—An Act to amend the *Industry Research and Development Act 1986* and the *Income Tax Assessment Act 1936*, and for related purposes. (*Industry Research and Development Amendment Act 1996*).

Assented to on 23 December 1996:

No. 84 of 1996—An Act to amend the law relating to social security, and for related purposes. (*Social Security Legislation Amendment (Budget and Other Measures) Act 1996*).

L M BARLIN

Clerk of the House of Representatives

9603797

Government Departments

Administrative Services

Public Works Committee Act 1969

notice under sub-section 18(8a)

I, DAVID JULL, the Minister of State for Administrative Services, being satisfied that the work described in the Schedule is:

(a) substantially similar to other works that have been carried out, are being carried out or are likely to be carried out from time to time by or for the Commonwealth, or by or for an authority of the Commonwealth to which the *Public Works Committee Act 1969*, to be within sub-section 18(8A) of that Act;

hereby declare that work to be repetitive work for the purposes of sub-section 18(8) of that Act.

SCHEDULED

CONSTRUCTION OF INTERNATIONAL TERMINAL ROAD AND CAR PARK IMPROVEMENTS AT SYDNEY AIRPORT

Dated this *ELFVENTH* day of *DECEMBER* 1996



David Jull
Minister of State for Administrative Services

9603799

Attorney-General

**BANKRUPTCY ACT 1966 and BANKRUPTCY REGULATIONS
FORMS TO BE USED ON AND AFTER 16 DECEMBER 1996**

The following Forms are valid for use on and after 16 December 1996.

Forms prescribed in the Bankruptcy Regulations, gazetted 11 December 1996.

- . Form 1 Bankruptcy Notice
- . Form 2 Trustee's Account of Receipts and Payments

Gazetted Forms approved by the acting Inspector-General in Bankruptcy

- . Form 3 Statement of Affairs
- . Form 4 Statement of Affairs (for Estates of Deceased Persons in Bankruptcy)

Forms 3 and 4 were approved by the acting Inspector-General in Bankruptcy on 5 December 1996 and, under sections 6A and 6B of the *Bankruptcy Act 1966*, gazetted on 11 December 1996 in Government Notices Gazette No. GN 49.

Other Forms approved by the acting Inspector-General in Bankruptcy

- . Form 5 Declaration of Intention to Present a Debtor's Petition
- . Form 6 Debtor's Petition
- . Form 7 Proxy for a Meeting of Creditors
- . Form 8 Proof of Debt
- . Form 9 Notice of Demand
- . Form 10 Application for Registration as a Trustee
- . Form 11 Application for Change of Conditions on Practising as a Registered Trustee
- . Form 12 Consent to Act as Trustee
- . Form 13 Controlling Trustee Authority
- . Form 14 Deed of Assignment

Forms 5 to 14 were approved by the acting Inspector-General in Bankruptcy on 9 December 1996.

Copies of Forms 1 to 14 are available from any office of the Insolvency and Trustee Service, Australia.



Peter T Lowe
Acting Inspector-General in Bankruptcy
19 December 1996

Communications and the Arts

AUSTRALIAN BROADCASTING AUTHORITY

NOTICE UNDER SECTION 35 OF THE *BROADCASTING SERVICES ACT 1992*

PREPARATION OF LICENCE AREA PLAN

DESIGNATION OF LICENCE AREA

VARIATION OF FREQUENCY ALLOTMENT PLAN

Pursuant to section 26(1) of the *Broadcasting Services Act 1992*, on 10 December 1996, the Australian Broadcasting Authority prepared licence area plans that determine the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Bourke and Tenterfield areas with the use of the broadcasting services bands.

Pursuant to section 29(1) of the *Broadcasting Services Act 1992*, on 10 December 1996, the Australian Broadcasting Authority designated the areas described in the above licence area plans to be the licence areas of the licences for the community radio broadcasting services that are to be available in Bourke and Tenterfield.

Pursuant to section 25(2) of the *Broadcasting Services Act 1992*, on 10 December 1996, the Australian Broadcasting Authority varied the frequency allotment plan for the FM radio band in so far as it relates to the Bourke area.

Copies of the licence area plans, the licence area designations, and variation to the frequency allotment plan are available free from:

The Planning Officer for Bourke and Tenterfield
Australian Broadcasting Authority
PO Box 34
BELCONNEN ACT 2616

or by telephoning Freecall 1800 810 241.

9603801



5 Queens Road
Melbourne
Victoria 3004
Tel: (03) 9828 7300
Fax: (03) 9820 3021
Free Call: 1800 335 526
TTY: (03) 9828 7490

TELECOMMUNICATIONS ACT 1991

SECTION 246

DETERMINATION OF A TECHNICAL STANDARD

NOTICE TN 1 OF 1997

Pursuant to section 246 (1) of the *Telecommunications Act 1991*,

(a) AUSTEL determines Technical Standard "*Radio Equipment and Systems Cordless Telecommunications — Personal Handy Phone System (PHS)*" number TS 034 - 1996 with effect from the date of Gazettal in the Commonwealth of Australia Government Notices Gazette.

(b) AUSTEL revokes the determination made on 20 November 1996, published as "Determination of a Technical Standard Notice TN 8 of 1996" in Gazette No. GN 49 of 11 December 1996.

Before determining the Technical Standard specified in this notice, AUSTEL has followed the procedure set forth in section 247 of the *Telecommunications Act 1991* including the publication of a notice under section 247 (1) of the *Telecommunications Act 1991* in Gazette No. GN 21 of 29 May 1996.

Dated 16 December 1996



Neil Tuckwell
Chairman

9603802

TELECOMMUNICATIONS ACT 1991

SECTION 247

PROPOSED DETERMINATION OF TECHNICAL STANDARDS

Pursuant to section 247 of the Telecommunications Act 1991, AUSTEL gives notice that it proposes to determine Technical Standard TS 002, the subject matter of which is specified in the Schedule below, in accordance with subsection (3) of section 247 of the Act.

Interested persons are invited to make representations to AUSTEL concerning the proposed standard. AUSTEL is particularly interested in comments about the content of the proposed standard and whether it should be determined as such, or with variations, or whether the proposed standard should not be determined.

Representations should be made between 18 December 1996 and 18 February 1997 to:

Mr R. E. Christensen
General Manager
Technical Branch
AUSTEL
5 Queens Road
MELBOURNE 3004

or PO Box 7443
St Kilda Road
MELBOURNE 3004

Telephone 03 - 9828 7313
Facsimile 03 - 9828 7438

SCHEDULE OF PROPOSED VARIATIONS

TS 002 Analogue Interworking and Non interference Requirements for
Customer Equipment Connected to the Public Switched Telephone
Network.

Copies of the Standards listed above may be purchased from Standards Australia at the following addresses:

NEW SOUTH WALES

National Sales Centre
1 The Crescent
HOMEBUSH 2140

Telephone 02 - 9746 4600
Facsimile 02 - 9746 3333

Newcastle Branch Office
51 King Street
NEWCASTLE 2300

Telephone 049 - 29 2477
Facsimile 049 - 29 3540

**AUSTRALIAN
TERRITORY**

Shop 5, Level 4
The Boulevard
CANNBERRA 2600

Telephone 06 - 249 8990
Facsimile 06 - 249 8989

WESTERN AUSTRALIA

1274 Hay Street
WEST PERTH 6005

Telephone 09 - 321 8797
Facsimile 09 - 321 2929

TASMANIA

66 Burnett Street
NORTH TASMANIA 7000

Telephone 03 - 6231 5885
Facsimile 03 - 6231 5886

VICTORIA

19-25 Raglan Street
SOUTH MELBOURNE 3205

Telephone 03 - 9693 3555
Facsimile 03 - 9696 1319

QUEENSLAND

67 St Pauls Terrace
SPRING HILL 4000

Telephone 07 - 3831 8605
Facsimile 07 - 3832 2140

NORTHERN AUSTRALIA**(Sales Agency)**

Territory Construction Association
191 Stuart Highway
PARAP 0820

Telephone 08 - 8981 9666
Facsimile 08 - 8941 0275

SOUTH AUSTRALIA

68 Greenhill Road
WAYVILLE 5034

Telephone 08 - 8373 4140
Facsimile 08 - 8373 4124

TELECOMMUNICATIONS ACT 1991

**NOTICE OF ASSESSMENT OF THE UNIVERSAL SERVICE
OBLIGATION FOR THE 1995-96 FINANCIAL YEAR,
UNDER SECTION 308**

AUSTEL has applied the principles required by sections 301, 305, 306 and 310 of the *Telecommunications Act 1991* (the 'Act') to arrive at its assessment of the Universal Service Obligation liabilities and entitlements under section 308 of the Act. The following table provides AUSTEL's assessment for the 1995-96 financial year.

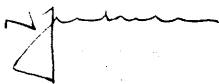
**ASSESSMENT OF LIABILITIES AND ENTITLEMENTS
FOR THE FINANCIAL YEAR 1995-96**

	Telstra	Optus	Vodafone	Section of Act *
Net Universal Service Cost	\$246,641,638	\$0	\$0	308(1)(2)(a)
Minutes of timed traffic	20,607,564,836	1,883,483,297	141,699,719	308(1)(2)(b)
Levy debit	\$224,572,093	\$20,525,365	\$1,544,180	308(1)(2)(c)
Levy debit (credit) balance	(\$22,069,545)	\$20,525,365	\$1,544,180	308(1)(2)(d)
Levy payable	\$0	\$20,525,365	\$1,544,180	308(1)(2)(e)
Levy receivable	\$22,069,545	\$0	\$0	308(1)(2)(f)

* *Telecommunications Act 1991*

Dated this 19th day of December 1996

Signed



Neil Tuckwell
Chairman

9603803

Commonwealth of Australia

CHANGE to APPARATUS LICENCES

Some radiocommunications licence conditions are imposed on holders of Aircraft, Aeronautical and Amateur licences through Technical Licence Specifications. This is in accordance with section 179 of the *Radiocommunications Act 1992*. Section 179 of the *Radiocommunications Act 1992*, however, is expected to be repealed in early 1997. At that time it is the intention of the Spectrum Management Agency to replace Technical Licence Specifications with Radiocommunications Licence Conditions Determinations.

The new Radiocommunications Licence Conditions Determinations will consist of one part that has the common conditions for each licence type (Aircraft, Aeronautical or Amateur) and additional separate parts for each category of station. Licensees will be notified of the parts relating to their licence at the time the licence is renewed or updated. Licensees with multiyear licences will be advised in advance of renewal of their licence.

The licence conditions imposed on licensees will not change apart from the clarification of some conditions. The main change will be that the legal instrument that imposes those licence conditions is a Radiocommunications Licence Conditions Determination rather than a Technical Licence Specification.

Should you require additional information on these changes or wish to comment on them, please contact:

Mark Loney
Business Directions Group
Spectrum Management Agency
PO Box 78
BELCONNEN ACT 2616

(06) 256-5257
MLoney@sma.gov.au

The closing date for comments is 31 January 1997. Copies of the specifications will be available from any Spectrum Management Agency office shortly after they are gazetted.

Commonwealth Of Australia

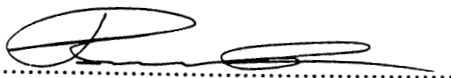
Spectrum Management Agency

Radiocommunications Act 1992

Appointment of Competent Body

I, Roger Neil Smith, Acting Spectrum Manager, acting on behalf of the Spectrum Management Agency, being satisfied that the person or body specified in paragraph 2 meets, or is capable of meeting, the requirements set out in Schedule 5 of the Radiocommunications (Compliance Labelling—Incidental Emissions) Notice ('the Notice'), make the following appointment under subclause 4 (1) of the Notice.

Dated 23 December 1996



Acting Spectrum Manager

Commencement and duration

1. This Appointment:
 - (a) commences on the day it is published in the *Commonwealth of Australia Gazette*; and
 - (b) continues in force for a period of three years.

Appointment

2. (1) EMC Assessors Pty. Ltd. (ACN 074-106-700), whose business address is 31 Bridge Street Pymble in the State of New South Wales, is appointed as a competent body in relation to the technologies to which the Radiocommunications Standards (Electromagnetic Compatibility) No.1 of 1996 applies.

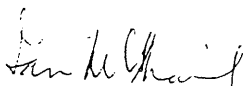
9603806

Environment, Sport and Territories

Commonwealth of Australia*Great Barrier Reef Marine Park Act 1975***NOTICE OF DESIGNATION OF FISHERIES EXPERIMENTAL AREAS, GREAT BARRIER REEF
MARINE PARK CAIRNS, CENTRAL AND MACKAY/CAPRICORN SECTIONS**

Pursuant to Clause 13.4 of the Great Barrier Reef Marine Park—Cairns Section Zoning Plan, Clause 14A.4 of the Great Barrier Reef Marine Park—Central Section Zoning Plan and Clause 15A.4 of the Great Barrier Reef Marine Park—Mackay/Capricorn Section Zoning Plan, the Great Barrier Reef Marine Park Authority hereby:

- a) designates the application of special management provisions to the Fisheries Experimental Areas described in Schedule 1;
- b) states that the special management provisions as specified in Schedule 2 apply to the Fisheries Experimental Areas in Schedule 1; and
- c) states that the special management provisions apply from and including 29 March 1997 to and including 28 March 1998.



Ian McPhail
Chairperson

SCHEDULE 1
(DESCRIPTION OF FISHERIES EXPERIMENTAL AREAS)**Great Barrier Reef Marine Park Cairns Section:**

- (a) the area enclosed by the 500 metre line encircling Rocky Islets Reef (reef 14-132a) located at, or about, Latitude 14°51.4' South, Longitude 145°28.8' East;

Great Barrier Reef Marine Park Central Section:

- (a) the area enclosed by the 500 metre line encircling Yankee Reef (reef 18-074) located at, or about, Latitude 18°34' South, Longitude 147°29.7' East;
- (b) the area enclosed by the 500 metre line encircling the unnamed reef (reef 20-136) located at, or about, Latitude 20°21.1' South, Longitude 150°04.1' East;

Great Barrier Reef Marine Park Mackay/Capricorn Section:

- (a) the area enclosed by the 500 metre line encircling the unnamed reef (reef 21-130) located at, or about, Latitude 21°20.7' South, Longitude 151°16.9' East;

SCHEDULE 2
**(PROVISIONS FOR THE USE OF AND ENTRY TO
THE FISHERIES EXPERIMENTAL AREAS)**

In addition to any other use or entry allowed under the zoning plans for the Great Barrier Reef Marine Park Cairns, Central and Mackay/Capricorn Sections, the Fisheries Experimental Areas described in Schedule 1 may be used or entered without a permit for the purposes of:

- (a) line fishing using no more than 6 hooks for each line; or
- (b) spearfishing.

Strict penalties apply for fishing in the areas described in Schedule 1 outside these dates.

DEPARTMENT OF THE ENVIRONMENT, SPORT AND TERRITORIES

Environment Protection (Impact of Proposals) Act 1974

**NOTICE OF DIRECTION REQUIRING AN ENVIRONMENTAL IMPACT
STATEMENT**

Pursuant to paragraph 3.4 of the Administrative Procedures under the *Environment Protection (Impact of Proposals) Act 1974*, notice is hereby given that the Minister for the Environment, Sport and Territories, on 13 December 1996, directed the preparation of an environmental impact statement in relation to a proposal by Heathgate Resources Pty Limited (formerly known as Heathgate Pty Limited) to develop a uranium mine at Beverley in South Australia and to process and export uranium oxide.

9603808

COMMONWEALTH OF AUSTRALIA

Wildlife Protection (Regulation of Exports and Imports) Act 1982

Declaration of an Approved Management Program

I, ROBERT MURRAY HILL, Minister for the Environment, having considered public comments as required by sub-section 9B. (3) of the *Wildlife Protection (Regulation of Exports and Imports) Act 1982* (the Act) and being satisfied on those matters set out in paragraphs 5. (1) (a) - (d) of the *Wildlife Protection (Regulation of Exports and Imports) Regulations 1984* in relation to a management program entitled 'Management Program for the Brushtail Possum *Trichosurus vulpecula* (Kerr) in Tasmania 1997 to 1999' which was submitted by the Tasmanian Parks and Wildlife Service, hereby declare in pursuance of sub-section 10. (1) of the Act that management program to be an approved management program for the purposes of the Act in relation to the species *Trichosurus vulpecula* until 31 December 1999.

Dated this 12 - day of December 1996

Robert Hill

Minister for the Environment

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

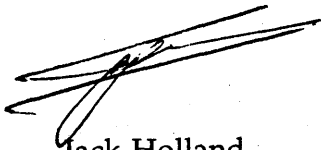
Director, Population Assessment Section
Environment Australia
Biodiversity Group
GPO Box 636
CANBERRA ACT 2601
Telephone: (06) 250 0200 Facsimile: (06) 250 0303

9603809

**NOTICE OF APPLICATION RECEIVED UNDER THE HAZARDOUS
WASTE (REGULATION OF EXPORTS AND IMPORTS) ACT 1989
(AMENDED 1996)**

Pursuant to Section 33 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*, notice is given that an application was received on 12 December 1996 from GNB Technologies Ltd, of Peachy Road, Elizabeth West, South Australia 5113 to export 17,000 tonnes of used lead-acid batteries whole or crushed from Sydney, Adelaide, Brisbane, Perth, or Melbourne to GNB Technologies Ltd (NZ), Gracefield, Wellington, New Zealand. The waste would be disposed of by recycling/reclamation of metals and metal compounds and organic substances.

The material would be packaged on pallets and placed in shipping containers and transported by road to be loaded onto a ship at either Sydney, Adelaide, Brisbane, Perth, or Melbourne to be offloaded at Wellington Port, New Zealand. From there it would be transported by road. The waste would not transit through any other country. The period of export is no more than 12 months ending on 11 December 1997.



Jack Holland
Acting Assistant Secretary
Chemicals and the Environment

13 December 1996

9603810

Finance

COMMONWEALTH OF AUSTRALIA

SUPERANNUATION ACT 1976

DETERMINATION

The CSS Board, pursuant to section 154A of the Superannuation Act 1976, and for the purposes of Division 2A of Part V, Part VIAA and section 156A of that Act, DETERMINES as follows:

Citation

1. This determination may be cited as the "Superannuation Act 1976 (Interest) Determination No. 26".

Commencement

2. This determination shall take effect from and including 11 December 1996.

Principal Determination

3. In this determination "the Principal Determination" means the determination, as amended, in force by virtue of paragraph 154A(4)(b) of the Superannuation Act 1976.

Amendments to the Principal Determination

4. Clause 6 of the Principal Determination is amended by deleting from subclauses (1) and (2) "6.2% (whenever occurring)" and inserting in its stead "6.4%".

Application

5. (1) The provisions of the Principal Determination, as amended by this determination, apply in relation to interest payable or notional interest calculable (as the case may be) in respect of an amount that is a prescribed amount in relation to a person:

- (a) if deferred benefits become payable in respect of the person - after the date of the commencement of this determination; or
- (b) if:
 - (i) deferred benefits cease to be applicable in respect of the person; or
 - (ii) in the case of a person to whom deferred benefits are not applicable - the person ceases to be an eligible employee;

on or after that date.

- (2) An expression used in subclause 5(1) that is defined in the Principal Determination has the same meaning for the purposes of that subclause as it has in that determination.

Signed on the fifth day of December 1996 by R.L. Brown (Chairperson), K.A. Searson, W. Hall, A.J. McKenzie, M J Hutchinson, J.A. Flitcroft, P.R. Smith (Members).

COMMONWEALTH OF AUSTRALIA

CFM Sale Act 1996

DECLARATION UNDER SUBSECTIONS 65(1) AND 71(1)

I, John Fahey, Minister of State for Finance, acting under subsections 65(1) and 71(1) of the *CFM Sale Act 1996*, declare that the assets and liabilities of Commonwealth Funds Management Limited (ACN 052 289 442) specified in the attached Schedule cease to be assets and liabilities of that company on 21 December 1996 and are to be taken to have become assets and liabilities of Total Risk Management Pty Limited (ACN 008 644 353) on that date.

Dated 19 DEC 1996




Minister of State for Finance

SCHEDULE**DECLARATION UNDER SUBSECTIONS 65(1) AND 71(1) OF THE CFM SALE ACT
1996:****SPECIFIED ASSETS AND LIABILITIES**

Fixed assets (1)	\$
Computers	58,510.68
Furniture	7,345.73
Leased computers	420.81
Motor vehicles	236,150.00
Office equipment	36,705.00
Other assets at valuation	48,650.00
Total fixed assets	<u>387,782.22</u>
Current assets	
Cash	44,438.96
Prepayments	32,072.82
Future tax benefit	233,563.04
Total current assets	<u>310,074.82</u>
Total assets	<u>697,857.04</u>
Liabilities	
Retention payments	179,551.90
Annual leave	223,344.64
Long service leave	289,549.82
Leave loading	5,410.68
Total liabilities	<u>697,857.04</u>
Net assets	<u>0.00</u>

(1) As described in Schedule 2 to the contract for the sale of Total Risk Management Pty Limited by the Commonwealth of Australia to Towers, Perrin, Forster & Crosby Inc (ARBN 002 551 019).



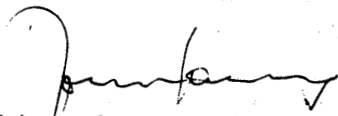
COMMONWEALTH OF AUSTRALIA

CFM Sale Act 1996

DECLARATION UNDER SUBSECTION 68(1)

I, John Fahey, Minister of State for Finance, acting under subsection 68(1) of the *CFM Sale Act 1996*, declare that the rights and obligations of Commonwealth Funds Management Limited (ACN 052 289 442) under the contracts specified in the attached Schedule cease to be rights and obligations of that company on 21 December 1996 and are to be taken to have become rights and obligations of Total Risk Management Pty Limited (ACN 008 644 353) on that date.

Dated 19 DEC 1996



Minister of State for Finance

SCHEDULE**DECLARATION UNDER SUBSECTION 68(1) OF THE CFM SALE ACT 1996:
SPECIFIED CONTRACTS**

Supplier/Contract	Product/Service
Intech Asset Consulting Pty Ltd, Sep 1996 - Jun 1997	Intech Investment Performance Survey of Large Funds - Cust
Delta Technology Pty Ltd, 31 Oct 1994 - 2 Aug 1999	Warranty on Tektronix printer 220e - serial no. JP 47413
McKibbin Software Group Pty Ltd	Subscription for MSG II Model, version 42I, plus forecasting add-on
Microsoft (CFM SELECT - 1694466)	Word (9 licences), Excel (9 licences), Powerpoint (2 licences), Windows (18 licences), NT Server (2 licences), NT Client (20 licences)
Microsoft	Project (1 licence) serial no. 10255-084-010-2236
Lotus (LDPS - 001976)	Notes Full (1 licence), Notes Desktop (16 licences), Notes Single Server (2 licences)
Centura (10808125)	SQLBase (1 licence)
Mathworks	MATLAB (1 licence), Statistics (1 licence), Optimisation (1 licence)
Hearne	E-Views (1 licence)
-	Statistica (1 licence)
Frank Russell	Performance
Micrografix	Designer (1 licence), Picture/Publisher (1 licence), ABC Flowcharter (1 licence)
Caere-Performance	Omni Page (1 licence)
Bloomberg	Bloomberg (1 licence)
International Finance Corporation	Emerging Markets DB (1 licence)
Exabyte	Arcada Backup Exec (1 licence)
Intel	Landesk Virus Protect (1 licence)
Insync	ModemShare (1 licence)

Health and Family Services

COMMONWEALTH OF AUSTRALIA

National Health Act 1953 (THE ACT)

NOTIFICATION OF DETERMINATION MADE UNDER PARAGRAPH 4B(b) OF THE ACT (HIS 1/1997)

The delegate of the Minister for Health and Family Services, has, with effect from 8 January 1997, made a Determination under Paragraph 4B(b) of the Act revoking an earlier determination made under paragraph 4B(b) on 28 November 1996, and determining, for the purposes of paragraph 4B(b) the provision of professional attention of the kind specified does not normally require hospital treatment.

Copies of the above Determination can be obtained from the office of the Commonwealth Department of Health and Family Services in the capital city of each State and Territory as follows:

New South Wales

Commonwealth Department of Health and Family Services, 333 Kent Street, Sydney NSW 2000

Victoria

Commonwealth Department of Health and Family Services, Level 3 Casselden Place, 2 - 4 Lonsdale Street, Melbourne VIC 3000

Queensland

Commonwealth Department of Health and Family Services, Commonwealth Government Offices, 340 Adelaide Street, Brisbane QLD 4000

Western Australia

Commonwealth Department of Health and Family Services, 12th Floor, 152-158 St George's Terrace, Perth WA 6000

South Australia

Commonwealth Department of Health and Family Services, 122 Pirie Street, Adelaide SA 5000

Tasmania

Commonwealth Department of Health and Family Services, 21 Kirksway Place, Battery Point TAS 7004

Northern Territory

Commonwealth Department of Health and Family Services, Cascom Centre, 13 Scaturchio St, Casuarina, Darwin NT 0810

Australian Capital Territory

Commonwealth Department of Health and Family Services, MLC Building, 8-10 Hobart Place, Canberra ACT 2601

National Drugs and Poisons Schedule Committee

Australian Health Ministers' Advisory Council

OUTCOME OF CONSIDERATION BY THE NATIONAL DRUGS AND POISONS SCHEDULE COMMITTEE AT ITS NOVEMBER 1996 MEETING OF PROPOSALS FOR ALTERATIONS TO THE STANDARD FOR THE UNIFORM SCHEDULING OF DRUGS AND POISONS

Preamble

The information set forth in the Schedule below is the outcome of the consideration by the National Drugs and Poisons Schedule Committee at its meeting on 19-21 November 1996 of the scheduling proposals notified in the Commonwealth of Australia Gazette of 9 October 1996 (Part A) as well as other scheduling proposals (Part B and Part C).

Interested parties are invited to comment and any comment on these decisions should be forwarded by close of business on 6 February 1997 to:

The Secretary
National Drugs and Poisons Schedule Committee
PO Box 100
WODEN ACT 2606

SCHEDULE

PART A - PROPOSALS NOTIFIED IN THE COMMONWEALTH OF AUSTRALIA GAZETTE OF 9 OCTOBER 1996.

1. PROPOSED CHANGES/ADDITIONS TO THE STANDARD FOR THE UNIFORM SCHEDULING OF DRUGS AND POISONS.

- (a) **CLOTRIMAZOLE** - Schedule 3 to Schedule 2 in preparations for vaginal use.

Outcome

The Committee did not support this proposal.

- (b) **CIMETIDINE** - Schedule 4 to Schedule 3 in liquid preparations for the relief of symptoms of gastro-oesophageal reflux

Outcome

Schedule 3 - Amendment

CIMETIDINE - amend entry to read:

CIMETIDINE as the only therapeutically active substance in preparations for oral use, for the relief of symptoms of gastro-oesophageal reflux, in packs containing not more than 14 days supply.

- (c) **KETOCONAZOLE** - Schedule 3 to Schedule 2 in topical preparations containing 2 per cent or less of ketoconazole.

Outcome

Schedule 2 - New entry

KETOCONAZOLE for human use in dermal preparations.

Schedule 3 - Amendment

KETOCONAZOLE - delete entry.

Schedule 4 - Amendment

KETOCONAZOLE - amend entry to read:

KETOCONAZOLE **except** when included in Schedule 2.

- (d) **AZELAIC ACID** - Schedule 4 to Schedule 3 in topical preparations.

Outcome

Schedule 2 - New entry

AZELAIC ACID in dermal preparations.

Schedule 4 - Amendment

AZELAIC ACID - amend entry to read:

AZELAIC ACID **except** when included in Schedule 2.

2. MATTERS REFERRED BY AUSTRALIAN DRUG EVALUATION COMMITTEE (ADEC)

- (a) **Ritonavir** - New drug - Schedule required
- (b) **Nilutamide** - New drug - Schedule required
- (c) **Desirudin** - New drug - Schedule required

Outcome

A Schedule 4 classification was allocated to all of the above.

PART B - PROPOSALS MADE IN GAZETAL NOTICES RELATING TO EARLIER MEETINGS

- (a) **ADAPALENE, ISOTRETINOIN AND TRETINOIN** - Implementation date for Appendix F, Part 3 warning statements for topical preparations.

Outcome (for pharmacy labelling)**SUSDP, Part 3, Paragraph 75(3) - Amendment**

Amend Sub-paragraph 75(3) to read:

- (3) acitretin, adapalene, etretinate, isotretinoin, thalidomide or tretinoin;
 - (i) for oral use unless it is clearly labelled with warning statements 7, 62 and 76 in Appendix F, Part 1;
 - (ii) for topical use unless it is clearly labelled with warning statements 62 and 77 in Appendix F, Part 1; or

Outcome (for manufacturer's packaging)

The Committee agreed that the inclusion of the warning statements for topical preparations in Appendix F, Part 3 be deferred until Amendment 4 of SUSDP 12 following responses to the post August meeting gazette notice. The anticipated implementation date for Amendment 4 of SUSDP 12 is 20 September 1998.

- (b) **FEXOFENADINE** - Schedule 4 classification (Schedule 3 subsequently requested)

Outcome

Following the consideration of further data the Committee considered a Schedule 3 classification for small pack sizes of fexofenadine was appropriate and that oral preparations containing fexofenadine need not carry a statement warning against drowsiness.

Schedule 4 - New entry

FEXOFENADINE except when included in Schedule 3.

Schedule 3 - New entry

FEXOFENADINE as the only therapeutically active substance in divided preparations for oral use.

Appendix F, Part 3 - Amendment

Amend antihistamine entry to read at (b)

- (b) oral preparations of astemizole, fexofenadine, loratadine or terfenadine; or

(c) **4-HYDROXYBUTANOIC ACID** - Schedule 9 classification

Outcome

Schedule 9 - Amendment

4-HYDROXYBUTANOIC ACID - amend entry to read:

4-HYDROXYBUTANOIC ACID and its salts.

The above amendment clarifies that it is not the intent of the Committee to include all derivatives of 4-hydroxybutanoic acid under the Schedule 9 entry. Derivatives are to be considered separately, and the following derivative was given a specific Schedule entry:

Schedule 9 - New entry

GAMMA BUTYROLACTONE.

(d) **DIETHANOLAMINE AND TRIETHANOLAMINE** - Review of scheduling status

Outcome

Schedule 6 - New Entry

DIETHANOLAMINE **except**:

- (a) when included in Schedule 5; or
- (b) in preparations containing 5 per cent or less of diethanolamine.

Schedule 5 - New Entries

DIETHANOLAMINE in preparations containing 20 per cent or less of diethanolamine **except** in preparations containing 5 per cent or less of diethanolamine.

TRIETHANOLAMINE **except** in preparations containing 5 per cent or less of triethanolamine.

Appendix E, Part 1 - New Entry

- (n) If in eyes wash out immediately with water.

Appendix E, Part 2 - New Entries

Diethanolamine when included in Schedule 5	a,c
Diethanolamine when included in Schedule 6	a,c,f,s
Triethanolamine	a,c,f,n

Appendix F, Part 3 - New Entries

Diethanolamine when included in Schedule 5

Warning Statement	5
Safety Directions	1,4

Diethanolamine when included in Schedule 6

Warning Statement	2,18,11
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Safety Directions 1,4,8

Triethanolamine

Warning Statement 5
Safety Directions 1,4

(e) HYDROCARBONS, LIQUID AROMATIC - Review of wording of Schedule 7 entry

Outcome

Schedule 7 - Amendment

HYDROCARBONS LIQUID AROMATIC - amend entry to read:

HYDROCARBONS LIQUID AROMATIC (including aromatic extract oils), any fraction of which boils above 350°C **except:**

- (a) when in solid polymers;
- (b) when containing 1 per cent or less of total polycyclic aromatic compounds as measured by IP 346; or
- (c) when having a Mutagenicity Index of zero as measured by ASTM E1687-95.

Schedule 5 - Amendment

HYDROCARBONS, LIQUID - amend entry to read:

HYDROCARBONS, LIQUID, including kerosene, diesel (distillate), mineral turpentine, white petroleum spirit, toluene, xylene and light mineral and paraffin oils (but excluding their derivatives), **except:**

- (a) toluene and xylene when included in Schedule 6;
- (b) benzene and liquid aromatic hydrocarbons when included in Schedule 7;
- (c) food grade and pharmaceutical grade white mineral oils;
- (d) in solid or semi-solid preparations;
- (e) in preparations containing 25 per cent or less of designated solvents;
- (f) in preparations packed in pressurised spray packs;
- (g) in adhesives packed in containers each containing 50 grams or less of adhesive; or
- (h) in writing correction fluids packed in containers having a capacity of 20 mL or less.

(f) INSULIN - Review of scheduling

Outcome

The Committee considered Schedule 3 remained appropriate.

PART C - DECISIONS WITHOUT PRE-MEETING CONSULTATION, AND NOTICE OF REASONS.

(a) MATTERS REFERRED BY AUSTRALIAN DRUG EVALUATION COMMITTEE (ADEC)

Acarbose - New drug - Schedule 4 classification

Anastrozole - New drug - Schedule 4 classification

Dolasetron - New drug - Schedule 4 classification

Mycophenolate mofetil - New drug - Schedule 4 classification

Nefazodone - New drug - Schedule 4 classification

Tiludronate disodium - New drug - Schedule 4 classification

Topiramate - New drug - Schedule 4 classification

Reason

The above decisions were routine classifications of new drugs recommended for registration by ADEC.

(b) CLOTRIMAZOLE, ECONAZOLE, ISOCONAZOLE AND MICONAZOLE

Schedule 2 - Amendments

CLOTRIMAZOLE - amend entry to read:

CLOTRIMAZOLE for human use in dermal preparations.

ECONAZOLE - amend entry to read:

ECONAZOLE for human use in dermal preparations.

MICONAZOLE - amend entry to read:

MICONAZOLE for human use in dermal preparations.

Schedule 3 - Amendment

ISOCONAZOLE - amend entry to read:

ISOCONAZOLE for human use in dermal preparations.

Reason

Following from consideration of the ketoconazole proposal the Committee considered it was no longer necessary to state in the schedule entries for the above drugs those conditions for which they should be used and in what concentrations.

(c) IRON COMPOUNDS

Schedule 2 - Amendment

IRON COMPOUNDS - amend entry to read:

IRON COMPOUNDS for human internal use (excluding up to 10 mg of iron oxide per dosage unit when present as an excipient or in the casing or coating of divided preparations) except:

- (a) when included in Schedule 4;

- (b) in divided preparations containing 5 mg or less of iron per dosage unit;
or
- (c) in oral undivided preparations containing 0.1 per cent or less of iron.

Reason

The above minor amendment was made to clarify that it was the intent of the Committee to exempt up to 10 mg of iron oxide per dosage unit from the Schedule 2 entry when used as an excipient.

(d) FAMOTIDINE, NIZATIDINE AND RANITIDINE**Schedule 3 - Amendments**

FAMOTIDINE - amend entry to read:

FAMOTIDINE as the only therapeutically active substance in preparations for oral use, for the relief of symptoms of gastro-oesophageal reflux, in packs containing not more than 14 days supply.

NIZATIDINE - amend entry to read:

NIZATIDINE as the only therapeutically active substance in preparations for oral use, for the relief of symptoms of gastro-oesophageal reflux, in packs containing not more than 14 days supply.

RANITIDINE - amend entry to read:

RANITIDINE as the only therapeutically active substance in preparations for oral use, for the relief of symptoms of gastro-oesophageal reflux, in packs containing not more than 14 days supply.

Reason

Following consideration of the cimetidine proposal the Committee agreed that the Schedule 3 entries for the above drugs should be amended in a similar fashion (ie to delete reference to preparation strength).

(e) ALTRETAMINE**Schedule 4 - New entry**

ALTRETAMINE (hexamethylmelamine).

Schedule 4 - Amendment

HEXAMETHYLMELAMINE - delete entry.

Reason

The above decision reflects that altretamine is the Australian Approved Name for hexamethylmelamine.

(f) ANABOLIC STEROIDS**Schedule 4 - New entries**

ATAMESTANE.

BOLAZINE.

BOLENOL.

4-CHLOROMETHANDIENONE.

ENESTEBOL.

EPITIOSTANOL.

MEBOLAZINE.

MEPITIOSTANE.

METRIBOLONE.

NORCLOSTEBOL.

OVANDROTONE.

PROPETANDROL.

ROXIBOLONE.

Schedule 4 - Amendments

DROSTANOLONE - amend entry to read:

DROSTANOLONE.

ETHYLOESTRENOL - amend entry to read:

ETHYLOESTRENOL.

FLUOXYMESTERONE - amend entry to read:

FLUOXYMESTERONE.

MESTEROLONE - amend entry to read:

MESTEROLONE.

METHANDIENONE - amend entry to read:

METHANDIENONE.

METHANDRIOL - amend entry to read:

METHANDRIOL.

METHENOLONE - amend entry to read:

METHENOLONE.

METHYLTESTOSTERONE - amend entry to read:

METHYLTESTOSTERONE.

MIBOLERONE - amend entry to read:

MIBOLERONE.

NANDROLONE - amend entry to read:

NANDROLONE.

36 Government departments

NORETHANDROLONE - amend entry to read:

NORETHANDROLONE.

OXANDROLONE - amend entry to read:

OXANDROLONE.

OXYMESTERONE - amend entry to read:

OXYMESTERONE.

OXYMETHOLONE - amend entry to read:

OXYMETHOLONE.

STANOLONE - amend entry to read:

STANOLONE.

STANOZOLOL - amend entry to read:

STANOZOLOL.

Appendix D - Amendment

Paragraph 5 - amend by adding to the list of poisons:

FLUOXYMESTERONE.

MESTEROLONE.

METHYLTESTOSTERONE.

Reason

The above decision reflects the practice of the Committee to routinely identify anabolic steroids separately in Schedule 4 and that possession of these drugs without a legal prescription is illegal.

(g) PYRIDOXINE, PYRIDOXAL AND PYRIDOXAMINE

Schedule 4 - Amendment

PYRIDOXINE HYDROCHLORIDE - amend entry to read:

PYRIDOXINE, PYRIDOXAL or PYRIDOXAMINE in preparations for human use containing more than the equivalent of 50 mg of pyridoxine per recommended daily dose unless labelled with the warning statement:

WARNING - this medication may be dangerous when used in large amounts or for a long time;
or

WARNING - this product contains [insert pyridoxine, pyridoxal or pyridoxamine as applicable]
which may be dangerous when used in large amounts or for a long time.

Reason

The above decision clarifies that it is the intent of the Committee to classify the derivatives of pyridoxine, e.g. pyridoxal and pyridoxamine, in the same way as pyridoxine.

(h) ACORUS CALAMUS

Appendix C - New entry

ACORUS CALAMUS (calamus) for human therapeutic use.

Appendix C - Amendment

CALAMUS - delete entry.

Reason

The above decision reflects that acorus calamus is the Australian Approved Name for calamus.

(i) BENZIMIDAZOLES FOR VETERINARY USE

Schedule 6 - New entry

TRICLABENDAZOLE **except** in preparations containing 20 per cent or less of triclabendazole.

Reason

The above decision arose from a class review of benzimidazoles.

(j) DICHLOROPHEN

Schedule 6 - Amendment

DICHLOROPHEN - amend entry to read:

DICHLOROPHEN **except**:

- (a) when included in Schedule 5; or
- (b) in fabrics other than when:
 - (i) for human therapeutic use; or
 - (ii) as part of a registered pesticidal product.

Reason

The above decision clarifies that it is not the intent of the Committee to schedule dichlorophen when included in certain fabrics.

(k) FOOD

Appendix A - Amendment

FOOD - amend entry to read:

FOOD **except**:

- (a) food additives before incorporation into food; or
- (b) when used as a means of administering a poison for therapeutic use.

Reason

The above decision clarifies the Committee's position on the inclusion of drugs and poisons for

therapeutic use in food.

(I) AMMONIUM AND SODIUM BIFLUORIDE

Appendix E, Part 2 - Amendments

Ammonium bifluoride - amend entry to read:

Ammonium bifluoride - a,c,f,t,s

Sodium bifluoride - amend entry to read:

Sodium bifluoride - a,c,f,t,s

Reason

The above entries arose from a routine review of the Appendix E entries whereby it was decided that the above chemicals should carry the same first aid instructions as hydrofluoric acid.

9603838

NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL

ABORIGINAL AND TORRES STRAIT ISLANDER NUTRITION WORKING PARTY

AN INVITATION TO MAKE SUBMISSIONS

The National Health and Medical Research Council has established a working party to explore food and nutrition issues related to Aboriginal and Torres Strait Islander peoples. The Working Party has prepared a report focussing on:

the current nutritional status of Aboriginal and Torres Strait Islander peoples and its influence on health and well-being;
issues related to nutrition-related workforce planning and training of both indigenous and non-indigenous health workers
future directions and research

You are invited to make a submission to the Council about the draft report.

Please send your submission to:

Secretary
Aboriginal and Torres Strait Islander Nutrition Working Party
MDP 103
Department of Health and Family Services
GPO Box 9848
CANBERRA ACT 2601

Closing date

The closing date for submissions is 21 February 1997.

Further information

This notice is given under subsection 12(3) of the National Health and Medical Research Council Act 1992. It represents the second stage of consultation on the development of the report.

The first stage of consultation took place between December 1995 and February 1996. An invitation to make further comment will be mailed directly to those who made submissions during the first stage.

All submissions will be held in a public register of submissions that can be accessed by the public. If you would like your submission to be treated as confidentially, please indicate this clearly (for example, by marking your written submission "confidential"). However, submissions may be subject to release under the Freedom of Information Act 1982.

To obtain a copy of the report please contact Sue Jeffreson on phone (06)289 7712 or fax (06)289 8121.

AUSTRALIA NEW ZEALAND FOOD AUTHORITY**FOOD STANDARDS**

The Australia New Zealand Food Authority advises progress on the following applications and proposals for the development or variation of standards in the *Food Standards Code* (the Code). You can get further information on each of these matters in briefing papers which are available from:

The Information Officer
Australia New Zealand Food Authority
PO Box 7186
CANBERRA MAIL CENTRE ACT 2610
AUSTRALIA
Tel: (06) 271 2241
Fax: (06) 271 2278

or

The Information Officer
Australia New Zealand Food Authority
PO Box 10559
The Terrace WELLINGTON 6036
NEW ZEALAND
Tel: (04) 473 9942
Fax: (04) 473 9855

MATTERS AT FULL ASSESSMENT. The Authority has developed the following proposal and will now make a full assessment of it:

Revised Standard for Ice Cream (P149) A proposal to develop a revised standard for ice cream, as part of the Authority's its current review of food standards. It is expected the revised standard will form part of the Australia New Zealand Food Standards Code. The revised standard will include requirements for microbiological safety and composition and for mandatory labelling by weight, and will make provision for low fat and reduced fat ice cream.

You are invited to present written submissions to the Authority on matters relevant to the proposal by **8 April 1997**.

MATTERS AT INQUIRY. The Authority will conduct inquiries into the draft standards or variations to standards prepared at full assessment of the following applications:

Partially Hydrogenated Cottonseed Oil as a Base for Artificial Sweeteners (A312) An application from Searle, a division of Monsanto Australia Ltd, for the approval of a partially hydrogenated cottonseed oil as a base in Clause 3(b) of Standard A8-Artificial Sweetening Substances.

In respect to the following three applications the Authority has decided to omit to invite public submissions in relation to the applications prior to making full assessments. The Authority is satisfied that these applications raise issues of minor significance and complexity only, and that to omit to invite public submissions prior to making full assessments will not adversely affect the interests of any person or body. An application for a review of the Authority's decisions may be made to the Administrative Appeals Tribunal by a person whose interests are affected by the decisions to omit to invite public submissions in relation to these applications:

Testing For *Pseudomonas aeruginosa* (A305) An application from the Australasian Soft Drink Association in conjunction with the International Bottled Water Association (Australian Chapter) for the Code to refer to an updated Australian standard methodology of testing for *Pseudomonas aeruginosa* in mineral water, packaged water and packaged ice.

Extension of Use of Xylitol to Confectionery (A322) An application from Ferrero Australia Pty Ltd to extend the use of xylitol to regular confectionery.

Erythrosine in Preserved Cherries (A324) An application from Ardmona Foods Ltd, SPC Ltd and Golden Circle Ltd to allow the continued use of erythrosine in preserved cherries.

You are invited to provide written submissions to the Authority on matters relevant to these inquiries. Submissions for Applications A305 and A324 close on **5 February 1997** and for Applications A312 and A322 close on **19 February 1997**.

MATTERS BEFORE COUNCIL. The Authority has completed an inquiry into the variations to standards prepared at full assessment of the following application and has made a recommendation to the Australia New Zealand Food Standards Council that the variations be adopted into the *Food Standards Code*:

Xylanase in Baked Products including Bread (A304) An application from Novo Nordisk Bioindustrial Pty Ltd to permit approval for use of hemicellulase endo-1,4-beta-xylanase (EC 3.2.1.8) as a processing aid in baked goods, including bread.

9603814

THERAPEUTIC GOODS ACT 1989**RECOMMENDATIONS OF THE AUSTRALIAN DRUG EVALUATION
COMMITTEE**

The 186th (1996/6) Meeting of the Australian Drug Evaluation Committee (ADEC) (3-4 October 1996) resolved to advise the Parliamentary Secretary to the Minister for Health and Family Services, and the Secretary, Department of Health and Family Services, that the following drugs should be approved for registration, subject to resolution of all outstanding matters to the satisfaction of the Committee and the Therapeutic Goods Administration. These recommendations for approval may be subject to specific conditions.

VAQTA HEPATITIS A VACCINE (PURIFIED INACTIVATED) containing approximately 50 units of Hepatitis A antigen per mL adsorbed onto aluminium hydroxide, 0.5 mL and 1.0 mL single-use pre-filled syringes and vials.

Merck Sharp & Dohme (Australia) Pty Limited.

Indications: For active pre-exposure prophylaxis against disease caused by Hepatitis A virus in persons 2 years of age and older.

PLAQUENIL hydroxychloroquine (as sulfate) 155 mg tablets.

Sanofi Winthrop Pty Ltd.

Modification to the Product Information: Relating to the "Dosage and Administration", "Indications" and "Actions" section.

ETOPOPHOS etoposide (as phosphate) 100 mg, injection.

Bristol-Myers Squibb Pharmaceuticals Pty Ltd.

Indications: For use in the treatment of: small cell carcinoma of the lung; acute monocytic and myelomonocytic leukaemia; Hodgkin's disease; non-Hodgkin's lymphoma; and testicular tumours.

SERZONE nefazodone hydrochloride 50, 100, 150, 200, 250 and 300 mg tablets.

Bristol-Myers Squibb Pharmaceuticals.

Indications: For the treatment of major depression.

ANZEMET dolasetron mesylate 25 mg, 50 mg, 100 mg or 200 mg tablets.

ANZEMET dolasetron mesylate 20 mg/mL in 0.625 mL, 1.25 mL, 2.5 mL, 5.0 mL and 10.0 mL ampoules.

Hoechst Marion Roussel Australia Pty Limited.

Indications: For the prevention and treatment of nausea and vomiting in adults receiving initial and repeat courses of cancer chemotherapy (including high dose cisplatin) and the management in adults of post-operative nausea and vomiting.

TOPAMAX topiramate 25, 50, 100, 200, 300 and 400 mg tablets.

Janssen-Cilag Pty Ltd.

Indications: As add-on therapy in adult patients with partial onset epileptic seizures, with or without secondarily generalised seizures.

DICLOCIL dicloxacillin sodium equivalent to dicloxacillin 250 mg and 500 mg, capsules.

DICLOCIL dicloxacillin sodium equivalent to dicloxacillin 500 mg, 1 g and 2 g, powder for injection.

Bristol-Myers Squibb Pharmaceuticals Ltd.

Indications: For the treatment of confirmed or suspected staphylococcal and other gram positive coccal infections, including skin and skin structure and wound infections, infected burns, cellulitis, osteomyelitis and pneumonia. Bacteriological studies should be performed to determine the causative organisms and their susceptibility to dicloxacillin. Dicloxacillin should not be used in infections due to organisms susceptible to Penicillin G.

HELIDAC THERAPY, a composite pack containing sufficient of the following components for a two-week dose regimen:

- **Helidac De-Nol Chewable Tablets** bismuth subcitrate 120 mg (equivalent to 107.7 mg bismuth) tablets.
- **Helidac Metronidazole** containing metronidazole 200 mg tablets.
- **Helidac Tetracycline** containing tetracycline hydrochloride 250 mg capsules.

Procter & Gamble Pharmaceuticals Australia Pty Ltd.

Indication: The eradication of *Helicobacter pylori* associated with peptic ulcer disease and the prevention of recurrent ulcer disease. Therapy is not indicated for the treatment of asymptomatic *H. pylori* infection or infection associated with non-ulcer dyspepsia.

ZOFRAN ondansetron hydrochloride dihydrate 4 mg/2 mL and 8 mg/4 mL injection.

Glaxo Wellcome Australia Ltd.

Extension of Indications: To include the prevention and treatment of post-operative nausea and vomiting in paediatric patients aged between 2-12 years.

SPORANOX itraconazole 100 mg capsules.

Janssen-Cilag Pty Ltd.

Extension of Indications: To include treatment of systemic mycoses:

- systemic aspergillosis, histoplasmosis, sporotrichosis;
- treatment and maintenance therapy in AIDS patients with disseminated or chronic pulmonary histoplasmosis infection; and
- treatment of oropharyngeal and/or oesophageal candidiasis and non-invasive candidiasis in non-neutropenic patients in whom fluconazole has failed or is not tolerated.

CYKLOKAPRON tranexamic acid 500 mg tablets.

Pharmacia & Upjohn Pty Ltd.

Extension of Indications: To include menorrhagia.

CELLCEPT mycophenolate mofetil 250 mg capsules.

CELLCEPT mycophenolate mofetil 500 mg tablets.

Roche Products Pty Limited.

Indications: For the prophylaxis of organ rejection in adults receiving allogeneic renal transplants.

SKELID tiludronate disodium 200 mg tablets.

Sanofi Winthrop Pty Ltd.

Indications: For use in the treatment of Paget's disease of bone.

VIDEX didanosine 25 mg or 100 mg chewable buffered tablets.

VIDEX PAEDIATRIC didanosine 2 g per 120 mL powder for oral solution

Bristol-Myers Squibb Pharmaceuticals Limited.

Extension of Indications: In children (aged 6 months and older) for the treatment of HIV infection, alone and in combination with other antiretroviral drugs.

ZYRTEC TABLETS cetirizine hydrochloride 10 mg tablets.

ZYRTEC cetirizine hydrochloride 5 mg/5 mL oral solution.

ZYRTEC cetirizine hydrochloride 2.5 mg/5 drops oral drops.

Hoechst Marion Roussel Australia Pty Ltd.

Extension of Indications: to include in the patient group, children aged 2 to 12 years.

LESCOL AND VASTIN fluvastatin 20 mg or 40 mg capsules.

Sandoz Australia Pty Ltd and Astra Pharmaceuticals Pty Ltd.

Indications: To increase the maximum approved dose from 40 mg once daily to 40 mg twice daily when indicated as an adjunct to diet in the treatment of hypercholesterolaemia.

ARIMIDEX anastrozole 1 mg tablets.

ICI Australia Operations Pty Ltd.

Indications: For the treatment of advanced breast cancer in postmenopausal women with disease progression following tamoxifen therapy. Patients with oestrogen-receptor negative disease and patients who have not responded to previous tamoxifen therapy rarely respond to Arimidex.

PYLORID ranitidine bismuth citrate 400 mg tablets.

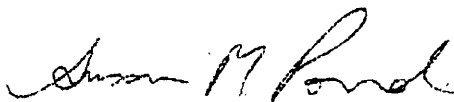
Glaxo Wellcome Australia Ltd.

Indication: Pylorid, in combination with *H. pylori* eradicating agents such as clarithromycin, is indicated for the treatment of active peptic ulceration associated with *H. pylori* infection. Pylorid should not be prescribed as monotherapy.

GLUCOBAY acarbose 50 mg or 100 mg tablets.

Bayer Australia Limited.

Indications: As an adjunct to prescribed diet and exercise for the management of blood glucose concentrations in non-insulin dependent diabetic patients who are inadequately controlled by diet alone or by diet and oral hypoglycaemic agents.



Susan M Pond

CHAIRMAN

AUSTRALIAN DRUG EVALUATION COMMITTEE

24.12.96

Date

DETERMINATION HS/5/1996
COMMONWEALTH OF AUSTRALIA
HEALTH INSURANCE ACT 1973
DETERMINATION UNDER SUBSECTION 3C(1)

I, MICHAEL RICHARD LEWIS WOOLDRIDGE, Minister for Health and Family Services, pursuant to subsection 3C(1) of the Health Insurance Act 1973 ("the Act"), HEREBY DETERMINE:

- (1) that a health service specified in Column 2 of the Schedule to this determination, not being a service specified in the General Medical Services Table, as in force from time to time, shall be treated, for the purposes of:

(a) section 4 of the National Health Act 1953;

(b) subsections 3(1) and 19(6) and sections 9, 10, 14, 17, 18, 20, 20A, 20B and 20BA of the Act; and

(c) regulations 13, 27, 28, 29, 30 and 31 of the Health Insurance Regulations, as amended;

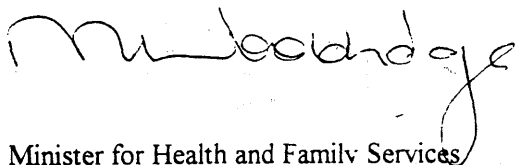
as if that health service were both a professional and a medical service and there were an item prescribed in the General Medical Services Table:

(i) that related to that health service;

(ii) specified, in respect of that health service, the fee specified in Column 3 opposite to that health service;

- (2) that this determination shall come into effect on and from 1 January 1997.

Dated this *Eleventh* day of *December* 1996


Minister for Health and Family Services

SCHEDULE

Column 1	Column 2	Column 3
Item No.	Health Service	Fee \$

PROFESSIONAL ATTENDANCES

319	Professional attendance by a consultant physician in the practice of his or her specialty of psychiatry, where the patient is referred to him or her by a medical practitioner, of more than 45 minutes duration at consulting rooms, where that attendance and any other attendance to which items 300 to 308 or 319 apply exceed 50 but not more than 160 attendances in a 12 month period and where the patient has: (i) a history of severe sexual or physical abuse which has led to a psychiatric illness, or has been diagnosed as suffering from borderline personality disorder or anorexia nervosa or bulimia nervosa; and (ii) been rated with a level of functional impairment within the range of 1 to 50 according to the Global Assessment of Functioning Scale; and (iii) a history of failed related psychiatric treatment.	128.50
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9603816

COMMONWEALTH OF AUSTRALIA

National Health Act 1953

NOTIFICATION pursuant to subsection 73(7) of the *National Health Act 1953* of registration as a registered health benefits organisation.

- a. Name of Organisation: SGIO HEALTH PTY LTD
- b. Date on which Registration granted: 17 December 1996 Effective 1 January 1997
- c. This Registration is subject to Conditions set out in PART VI of the *National Health Act 1953*
- d. This Registration is also subject to other Conditions as determined pursuant to paragraph 73BA(1) of the *National Health Act 1953* as follows:
 - (i) the organization will not enter into a refund agreement as defined as Part VII of the National Health Act or become an agent of a party to a refund agreement for the purposes of the refund agreement;
 - (ii) the organization will keep a record, in a form approved by the Secretary, of the names and addresses, being addresses last known by the organization of all members of the organization who were and have continued to be parties to refund agreements with registered organizations;
 - (iii) the organization will ensure that members can readily ascertain all details of their entitlements to benefits and that new members are automatically provided with such information;
 - (iv) the organization will not, without prior approval of the Secretary, enter into an agency or re-insurance arrangement with a person or a body conducting health insurance business but not registered under the National Health Act;
 - (v) the organization will not, in determining, in relation to any contributor included in a class or kind of contributors -
 - (a) whether or not benefits are payable in accordance with any table not being part of an applicable benefits arrangement;
 - (b) if benefits are payable in accordance with such a table of the organization - the amount of benefits so payable;
 - (c) the amount of benefits payable in respect of such a table of the organization,have regard to any of the following matters:
 - (e) the suffering by the contributor, or a dependent of the contributor, from a chronic disease, illness or medical condition of a particular kind;

- (f) the age of the contributor or of a dependent of the contributor;
- (g) the frequency of the rendering of professional services to the contributor or to a dependent of the contributor;
- (h) the amount, or extent, of the benefits to which the contributor becomes, or has become, entitled during a period.
- (vi) the organization will permit any contributor to contribute for benefits in accordance with any table or product, subject to any other requirements contained in its rules or the National Health Act
- (vii) the organization will include on a State by State basis details of all tables of benefits or products in a brochure. The brochure will also advise the existence of and contact details for the Private Health Insurance Complaints Commissioner. Such a brochure shall be freely available and on display at any of its offices or outlets to any contributor or to any member of the public who is eligible to become a contributor.
- (viii) the organization's rules relating to the payment of an ancillary health benefit, in respect of services of the kind referred to in the definition of "relevant health services" in subsection 67(4) of the National Health Act 1953, will not require a contributor or a dependant of a contributor to obtain a referral from a medical practitioner, or for a medical practitioner to order such services.
- (ix) for each table the organization will:
 - (a) charge all memberships consisting of the contributor, and two or more other persons, where two or more of the persons covered by the policy are not dependent children, the same premium.
 - (b) charge all memberships consisting of the contributor and one or more dependent children, the same premium.
 - (c) charge all memberships consisting solely of the contributor, the same premium.
 - (d) charge all memberships consisting of the contributor and one other person who is not a dependent child of the contributor, the same premium.

"Dependent child" in relation to this condition means a person:

- (a) who is covered by the policy; and
- (b) whom the health fund that issued the policy accepts as a dependent child for the purposes of the policy;

but does not include:

- (c) a person who is the spouse or partner of another person; or
- (d) a person (other than a full-time student) who is 18 years of age or older; or
- (e) a full-time student who is 25 years of age or older.

- (x) whenever the organization amends its rules such that a detrimental material change is made to the scope, level or amount of benefits payable to members, or such that the premiums payable by members are increased, the fund will advise the affected contributors in writing and will send a copy of such advice to the Secretary.

9603817

DEPARTMENT OF HEALTH AND FAMILY SERVICES

National Health Act 1953 Part VI

REGISTRATION OF ORGANISATIONS

NOTIFICATION in accordance with Section 81 of the National Health Act 1953 showing particulars of all subsisting registrations of organisations under Section 73 of the Act.

REGISTERED HEALTH BENEFITS ORGANISATIONS

NAME

- * A.C.A. Health Benefits Fund
- * A.M.A. Health Fund Limited
- * Army Health Benefits Society
- Australian Health Management Pty Ltd
- Australian Unity Friendly Society
- C.D.H. Benefits Fund
- * Commonwealth Bank Health Society (Friendly Society)
- C.P.S. Health Benefits Society
- C.U.A. Members' Benefits Friendly Society
- F.A.I. Health Benefits Ltd
- Geelong Medical and Hospital Benefits Association Ltd
- Goldfields Medical Fund (Inc)
- * Government Employees Health Fund Ltd
- Grand United Friendly Society
- * Health Care Insurance Ltd
- Healthguard Health Benefits Fund Ltd
- Health Insurance Commission
- Health Insurance Fund of W.A.
- Health-Partners Inc

- Hospital Benefits Fund of Western Australia (Inc)
- The Hospital Contribution Fund of Australia Ltd
- The Independent Order of Oddfellows of Victoria
- I.O.R. Australia Pty Ltd
- Latrobe Health Services Inc
- * Lysaght Hospital and Medical Club
- Manchester Unity Friendly Society in NSW
- Medical Benefits Fund of Australia Ltd
- Mildura District Hospital Fund
- * M.I.M. Employees Health Society
- National Mutual Health Insurance Pty Ltd
- * Naval Health Benefits Society
- * New South Wales Teachers' Federation Health Society
- N.I.B. Health Funds Ltd
- * Phoenix Welfare Association Ltd
- * Queensland Teachers' Union Health Society
- Queenstown Medical Union Health Benefits Fund
- * Railway & Transport Employees' Friendly Society Health Fund
- * Reserve Bank Health Fund Friendly Society
- S.G.I.C. Health Pty Ltd
- S.G.I.O. Health Pty Ltd
- * South Australian Police Employees' Health Fund Inc
- St Luke's Medical & Hospital Benefits Association
- * "The Sydney Morning Herald" Hospital Fund
- * Transport Friendly Society
- * Transition Benefits Health Fund

United Ancient Order of Druids, Victoria

United Ancient Order of Druids New South Wales

Registered Friendly Society Grand Lodge of New South Wales,
The

Western District Health Fund Ltd

Yallourn Medical and Hospital Society

* Restricted membership organisations which restrict eligibility for membership by reference to employment, a particular profession, professional association or union, or membership of the Defence Forces.

A.S. Podger
Secretary

9603818

ATTACHMENT A

**COMMONWEALTH OF AUSTRALIA
Child Care Act 1972
DETERMINATION OF RATES UNDER SUBSECTION 11 (7)**

I, Judith Eleanor Moylan, Minister for Family Services, in pursuance of my powers under subsection 11(7) of the Child Care Act 1972 (the Act), hereby determine that from 1 April 1997 to 30 June 1997:

- (a) the rate for each approved place for a child under the age of 3 years at a child care centre operated by an eligible organisation shall be, for the purposes of paragraph 11(7)(a) of the Act, \$23.10 per week; and
- (b) the rate for each approved place for a child at or above the age of 3 years at a child care centre operated by an eligible organisation shall be, for the purposes of paragraph 11(7)(b) of the Act, \$15.45 per week.

Dated *14th December* 1996.



**JUDI MOYLAN
MINISTER FOR FAMILY SERVICES**

9603819

Immigration and Multicultural Affairs**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?
ANGGEREK Parotta	25/12/72		178 Park Road AUBURN NSW 2144	CHARGES
BURGELL Diana Marie	3/11/49		11 Baker Street EAST MALVERN VIC 3145	CHARGES
CHEN Xiao Yan	6/11/62	Aussie Sino Angel Pty Limited	3/128-130 Meradith Street BANKSTOWN NSW 2200	CHARGES
CHIANG Lily	3/01/66	Barry & Nilsson	Level 6 Central Plaza On 345 Queen Street BRISBANE QLD 4001	CHARGES
CROUT Jodi Louise	1/05/71	Corser & Corser Solicitors	1st Floor 256 Adelaide Terrace PERTH WA 6000	CHARGES
DAVIES Timothy Peter	31/12/58	Oakley Thomson & Co	Level 17 500 Collins Street MELBOURNE VIC 3000	CHARGES
DAVIS Gerald Peter	11/02/43	Wilder Moses Bengasino	9 Irymple Avenue EAST KEW VIC 3102	CHARGES
DINNING Phillip Reid	9/09/49	Baker & Armstrong	155 Queen Street MELBOURNE VIC 3000	CHARGES
FISHER Terence William	3/08/52	Terry Fisher & Co	84 Vulture Street WEST END QLD 4101	CHARGES
GETHIN Patrick Joseph	19/06/36	Patrick Gethin & Co	42 Victoria Street MIDLAND WA 6056	CHARGES
HONG Min-Yong Edwin	30/03/63	Sunsco Pty Limited	Suite N Level 20 133 Castlereagh Street SYDNEY NSW 2000	CHARGES
INNOCENTI Daniel Flavio	7/10/64	Immigration Advice & Rights Centre	Level 5 347 Riley Street SURRY HILLS NSW 2010	FREE SERVICE
LAU Chlong Dai	3/03/59	Australia International Business Consultants	Suite 3 Level 2 23 Hunter Street SYDNEY NSW 2000	CHARGES
LO Sunly Kwong	4/12/56		10 Sandalwood Street SINNAMON PARK QLD 4073	CHARGES
MASON William Francis	20/05/56	Mason Solicitors	Level 10 5 Elizabeth Street SYDNEY NSW 2000	CHARGES
NG Foong Wan	1/08/65	Ernst & Young	54 Marcus Clarke Street CANBERRA ACT 2601	CHARGES
PALOMO Edna	21/05/56		13/10 Maxim Street WEST RYDE NSW 2114	CHARGES

PROVIDES -
FREE SERVICE
OR CHARGES
FEES?

NAME	DATE OF BIRTH	BUSINESS NAME	BUSINESS ADDRESS	
PAPAS Theo	17/07/54	Theo Papas	Suite 307 27 Park Street SYDNEY NSW 2000	CHARGES
PARK Yun Og	17/01/59		43 Mount Street WENTWORTHVILLE NSW 2145	CHARGES
PATRADOON Somsak Somerset	28/11/52	Thai Commercial Services	20 Christine Street NORTHMEAD NSW 2152	CHARGES
ROWSON William John	12/09/44	Rowson Edday Solicitors	Suite 3 71 Robinson Street DANDENONG VIC 3175	CHARGES
SAINT CLAIR Nadia	11/12/48	Saint Clair Migration Agent & Immig.Consultanc	30/101 Macleay Street POTTS POINT NSW 2011	CHARGES
SIMONS Adrian Charles	27/11/51	Koenig & Simons	8th Floor 372 Albert Street EAST MELBOURNE VIC 3002	CHARGES
SWIRSKY Edward Neville	17/06/34	Ivan Chait & Associates Pty Ltd	Suite 802 80 Alfred Street MILSONS POINT NSW 2061	CHARGES


107 SECRETARY
Wednesday, 8 January 1997

9603820

Industrial Relations**AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION****Industrial Relations Act 1988****NOTICE UNDER SUB-SECTION 142(4) IN RELATION TO VARIATION OF
A COMMON RULE**

IN the matter of

COMMUNITY AND AGED CARE SERVICES (A.C.T.) AWARD, 1995

C No. 90388 of 1996

Dated 15 December 1995

AND in the matter of the variation of the above award

Notice is hereby given

- (a) That on 16 December 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 15 April 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

C0196 V003 Print No. N7000.

Clause	Subject	Substance
1B	Arrangement	Insert new Clause
9B	Traineeships	New provisions

Dated this 20th day of December 1996

Christine Hayward
Deputy Industrial Registrar

FORM R14

Regulation 21

Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF APPLICATION FOR COMMON RULE DECLARATION

IN the matter of:

JOURNALISTS (AUSTRALIAN CAPITAL TERRITORY GOVERNMENT
DEPARTMENTS AND INSTRUMENTALITIES AWARD 1996

C No. 24132 of 1996

Notice is hereby given that Media, Entertainment and Arts Alliance has made application for a declaration that the terms hereinafter mentioned be a common rule in the Australian Capital Territory for the Commonwealth employment.

A copy of the award may be inspected at the Australian Industrial Registry, free of charge.

The application will be heard at 8.30am, on the 29th day of January 1997, at CML Building, University Avenue, Canberra, before Deputy President Duncan.

If you desire to be heard on the hearing of the application, notice to that effect should be given to the Commission.

Persons and organisations not so appearing or represented will be bound by any declaration made by the Commission in the matter which is applicable to them.

Dated 16 December 1996



9603821

Form R16
Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF VARIATION OF COMMON RULE AWARD

IN the matter of:

Professional Engineers (Consulting Engineers) Agreement 1988

(C no 33805 of 1996)

DATED 27 June 1988

AND in the matter of the variation of the award

Notice is hereby given:

- (a) That on 30 September 1996, the Commission varied the term (or terms) of the abovementioned award referred to in the Schedule below;
- (b) that the variation will be a common rule of the Northern Territory with effect from 2 August 1996;
- and
- (c) that any organisation or person interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the Award may be inspected at the Australian Industrial Registry, NT House, Level 10, 22 Mitchell Street, Darwin free of charge.

SCHEDULE
TERMS TO BE VARIED
P0165CRN V014 V Print N4542

CLAUSE NO	SUBJECT	SUBSTANCE OF VARIATION
2	Arrangement	Insert new clause-Anti Discrimination
8	Rates of Pay	3rd Arbitrated Safety Net Adjustment
25	Anti-Discrimination	Insert new clause
Schedule A	Respondent Employers	Responsency

31 December, 1996

NEIL MCHATTIE
DEPUTY INDUSTRIAL REGISTRAR

Regulation 22

Form R16
Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF VARIATION OF COMMON RULE AWARD

IN the matter of:

Transport Workers Award 1983
(C no 33204 of 1993)

DATED 17 June 1983

AND in the matter of the variation of the award

Notice is hereby given:

- (a) That on 14 November 1996, the Commission varied the term (or terms) of the abovementioned award referred to in the Schedule below;
- (b) that the variation will be a common rule of the Northern Territory with effect from 11 November 1996;
- and
- (c) that any organisation or person interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the Award may be inspected at the Australian Industrial Registry, NT House, Level 10, 22 Mitchell Street, Darwin free of charge.

SCHEDULE
TERMS TO BE VARIED
T0140CRN V154 S Print N6451

CLAUSE NO	SUBJECT	SUBSTANCE OF VARIATION
		Transport Workers (Roping-in No. 12) Award 1996
		Respondency

31 December, 1996

NEIL MCHATTIE
DEPUTY INDUSTRIAL REGISTRAR

Regulation 22**Form R16
Workplace Relations Act 1996****AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION****NOTICE OF VARIATION OF COMMON RULE AWARD**

IN the matter of:

**Retail, Wholesale and Distributive Employees (Northern Territory) Award 1980
(C no 80168 of 1996)**

DATED 1 August 1985

AND in the matter of the variation of the award

Notice is hereby given:

- (a) That on 9 December 1996, the Commission varied the term (or terms) of the abovementioned award referred to in the Schedule below;
- (b) that the variation will be a common rule of the Northern Territory with effect from 28 November 1996;
- and
- (c) that any organisation or person interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the Award may be inspected at the Australian Industrial Registry, NT House, Level 10, 22 Mitchell Street, Darwin free of charge.

**SCHEDULE
TERMS TO BE VARIED
R0018CRN V065 A Print N7097**

CLAUSE NO	SUBJECT	SUBSTANCE OF VARIATION
2	Arrangement	Insert Schedule A
Schedule A	Bunnings Building Supplies P/L	Calculation of Entitlements on Sunday

31 December, 1996

**NEIL MCHATTIE
DEPUTY INDUSTRIAL REGISTRAR**

Regulation 22

Form R16
Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF VARIATION OF COMMON RULE AWARD

IN the matter of:

Transport Workers Award 1983
(C no 32846 of 1996)

DATED 17 June 1983

AND in the matter of the variation of the award

Notice is hereby given:

- (a) That on 21 November 1996, the Commission varied the term (or terms) of the abovementioned award referred to in the Schedule below;
- (b) that the variation will be a common rule of the Northern Territory with effect from 16 October 1996;
- and
- (c) that any organisation or person interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the Award may be inspected at the Australian Industrial Registry, NT House, Level 10, 22 Mitchell Street, Darwin free of charge.

SCHEDULE
TERMS TO BE VARIED
T0140CRN V155 M Print N6743

CLAUSE NO	SUBJECT	SUBSTANCE OF VARIATION
	Transport Workers (roping in No. 13) Award 1996.	
	Responsency	

31 December, 1996

NEIL MCHATTIE
DEPUTY INDUSTRIAL REGISTRAR

Regulation 22

Form R16
Workplace Relations Act 1996

AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

NOTICE OF VARIATION OF COMMON RULE AWARD

IN the matter of:

Transport Workers' (Refuse) Award 1988
(C no 31085 of 1996)

DATED 6 March 1989

AND in the matter of the variation of the award

Notice is hereby given:

- (a) That on 22 October 1996, the Commission varied the term (or terms) of the abovementioned award referred to in the Schedule below;
- (b) that the variation will be a common rule of the Northern Territory with effect from 20 September 1996;
- and
- (c) that any organisation or person interested and having an objection to the variation binding that person or organisation and wanting to be heard in relation to the abovementioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the Award may be inspected at the Australian Industrial Registry, NT House, Level 10, 22 Mitchell Street, Darwin free of charge.

SCHEDULE
TERMS TO BE VARIED
T0107CRN V053 S Print N5661

CLAUSE NO	SUBJECT	SUBSTANCE OF VARIATION
Transport Workers' (Refuse) (Roping-in No. 2) Award 1996.		
Responsency		

31 December, 1996

NEIL MCHATTIE
DEPUTY INDUSTRIAL REGISTRAR

9603822

Industry, Science and Tourism

COMMONWEALTH OF AUSTRALIA CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, Michael Politi, 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	11/12/96	12/12/96	13/12/96	14/12/96	15/12/96	16/12/96	17/12/96
Austria	Schillings	8.6537	8.5623	8.6153	8.6153	8.6153	8.6188	8.6259
Belgium/Lux	Francs	25.3900	25.0900	25.2300	25.2300	25.2300	25.3400	25.2300
Brazil	Reals	.7949	.7998	.8006	.8006	.8006	.7998	.8006
Canada	Dollars	1.0807	1.0774	1.0770	1.0770	1.0770	1.0795	1.0836
China	Yuan	6.5861	6.5611	6.5680	6.5680	6.5680	6.5610	6.5673
Denmark	Kroner	4.7177	4.6608	4.6859	4.6859	4.6859	4.7126	4.6857
EC	ECU	.6395	.6321	.6345	.6345	.6345	.6369	.6348
Fiji	Dollar	1.0994	1.1005	1.0993	1.0993	1.0993	1.0982	1.0982
Finland	Markka	3.6867	3.6467	3.6611	3.6611	3.6611	3.6765	3.6578
France	Francs	4.1682	4.1134	4.1360	4.1360	4.1360	4.1532	4.1339
Germany	Deutschmark	1.2319	1.2174	1.2236	1.2236	1.2236	1.2315	1.2247
Greece	Drachmae	194.0500	192.1900	193.3800	193.3800	193.3800	194.7700	193.3300
Hong Kong	Dollars	6.1466	6.1246	6.1320	6.1320	6.1320	6.1276	6.1322
India	Rupees	28.4851	28.3797	28.4137	28.4137	28.4137	28.4029	28.3952
Indonesia	Rupiah	1867.2000	1860.7000	1863.1000	1863.1000	1863.1000	1861.7000	1863.6000
Ireland	Pounds	.4787	.4779	.4778	.4778	.4778	.4768	.4756
Israel	Shekel	2.6078	2.5966	2.5997	2.5997	2.5997	2.6046	2.5931
Italy	Lire	1216.6200	1205.1900	1210.3600	1210.3600	1210.3600	1209.4100	1209.2600
Japan	Yen	90.0200	89.2700	89.6800	89.6800	89.6800	90.1500	90.1300
Korea	Won	666.6600	666.3800	668.0900	668.0900	668.0900	668.6800	668.2300
Malaysia	Ringgit	2.0047	1.9962	2.0005	2.0005	2.0005	1.9993	2.0021
Netherlands	Guilder	1.3818	1.3657	1.3730	1.3730	1.3730	1.3800	1.3741
New Zealand	Dollar	1.1389	1.1341	1.1305	1.1305	1.1305	1.1298	1.1207
Norway	Kroner	5.1431	5.0927	5.1315	5.1315	5.1315	5.1475	5.1040
Pakistan	Rupee	31.8600	31.7400	31.7700	31.7700	31.7700	31.7400	31.7700
Papua NG	Kina	1.0575	1.0545	1.0583	1.0583	1.0583	1.0573	1.0564
Philippines	Peso	20.8900	20.8100	20.8300	20.8300	20.8300	20.8200	20.8300
Portugal	Escudo	124.5300	122.8900	123.4200	123.4200	123.4200	124.0900	123.4200
Singapore	Dollar	1.1125	1.1072	1.1084	1.1084	1.1084	1.1083	1.1095
Solomon Is.	Dollar	2.8655	2.8547	2.8576	2.8576	2.8576	2.8547	2.8576
South Africa	Rand	3.7190	3.6983	3.7683	3.7683	3.7683	3.7447	3.7443
Spain	Peseta	103.5900	102.4500	103.0900	103.0900	103.0900	103.6100	103.0200
Sri Lanka	Rupee	45.0500	44.8700	44.9500	44.9500	44.9500	44.9200	44.8200
Sweden	Krona	5.4211	5.3735	5.3978	5.3978	5.3978	5.4119	5.3945
Switzerland	Franc	1.0530	1.0366	1.0411	1.0411	1.0411	1.0492	1.0456
Taiwan	Dollar	21.8500	21.7700	21.7900	21.7900	21.7900	21.7600	21.7900
Thailand	Baht	20.3100	20.2100	20.2500	20.2500	20.2500	20.2400	20.2800
UK	Pounds	.4805	.4798	.4788	.4788	.4788	.4775	.4758
USA	Dollar	.7949	.7919	.7927	.7927	.7927	.7919	.7927

Michael Politi
Delegate of the
Chief Executive Officer of Customs
CANBERRA A.C.T.
18/12/96

Customs Act 1901
Notice Under Section 17(b)
Notice Number: NS 96/45

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

revoke the appointment of the premises for the examination of goods on landing known as **South Pacific Forwarders Pty. Ltd. at 3/154 O'Riordan Street, Mascot, NSW, 2020** that was contained in Notice No. NS 96/23 and which appeared in the Commonwealth of Australia Gazette No GN 29, of 24/07/1996.

Dated this **16th** Day of December 1996.



Senior Manager Cargo Management

9603824

CUSTOMS ACT 1901
NOTICE UNDER SECTION 15
NOTICE NO. NS 96/49

I, **Alan Leslie Walsh**, pursuant to a delegation under section 14 of the Customs Administration Act 1985 and under the power of appointment in section 15 of the Customs Act 1901 hereby:

- a) appoint as wharves all those premises known as **Dyke Berths Nos. 4, 5 & 6** at **Newcastle** and described on plan reference **86/314** and held by the District Manager Australian Customs Service, 432 Hunter Street, Newcastle.
- b) fix as the limits of the wharves the bounds thereof as shown on the said plan.

Dated this 19th Day of December 1996.



Senior Manager Cargo Management

9603825

Customs Act 1901
Notice Under Section 15
Notice Number: NS 96/48

I, **Alan Leslie Walsh**, pursuant to a delegation under section 14 of the Customs Administration Act 1985 and by the power to revoke in section 15 of the Customs Act 1901 hereby:

revoke the appointment of the wharves known as **Dyke Berths Nos. 4 and 5 at Newcastle** that was contained in Customs Proclamation No. 1343 and which appeared in the Australian Government Gazette No G 47 of 23 November 1976.

Dated this 19th Day of December 1996.


Senior Manager Cargo Management

9603826

Customs Act 1901
Notice Under Section 17(b)
Notice Number: NS 96/50

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

revoke the appointment of the premises for the examination of goods on landing known as **J.S.T. Transport Depot at 9 - 23 Perry Street, Matraville, NSW, 2019** that was contained in **Notice No. NS 94/6** and which appeared in the Commonwealth of Australia Gazette No GN 3, of 26 January, 1994.

Dated this 23rd Day of December 1996.



Senior Manager Cargo Management

9603827

CUSTOMS ACT 1901
NOTICE UNDER SECTION 17(b)
NOTICE NO. NS 96/47

I, **Alan Leslie Walsh**, pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and under the 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 **SEA - TRANS Depot Australia Pty. Ltd. at Cooks River Rail Terminal, Shed 1, 2 Canal Road, St. Peters, NSW, 2044.** and described on plan **N93/01755/123** held by Cargo Services, Link Road, Mascot.

Dated this **20th** Day of December 1996.



Senior Manager Cargo Management

9603828

CUSTOMS ACT 1901
NOTICE UNDER SECTION 17(b)
NOTICE NO. NS 96/46

I, **Alan Leslie Walsh**, pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and under the 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 **Intertraffic - T.F.I. Pty. Ltd. trading as I.S.S. Express Lines at Unit 3, 154 O'Riordan Street, Mascot, NSW, 2020.** and described on plan N96/02225/16 held by Cargo Services, Link Road, Mascot.

Dated this **16th** Day of December 1996.



Senior Manager Cargo Management

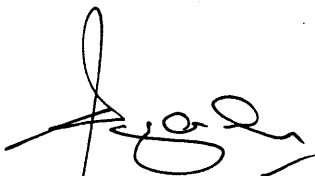
9603829

Customs Act 1901
Notice Under Section 17(b)
Revocation Notice Number: RS86

I, **KYM JAMES BRANSON** pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and by a power to revoke in section 17(b) of the Customs Act 1901 under section 33(3) of the Acts Interpretation Act 1901 hereby:

revoke the appointment of the premises for the examination of goods on landing known as **Flo International Cargo** at 4 Stuart Road, Richmond, South Australia that was contained in Notice No AS87 and which appeared in the Commonwealth of Australia Gazette No GN 31 of 7th August, 1996.

Dated this *Tenth* day of *December* 1996



Regional Manager
Border Management

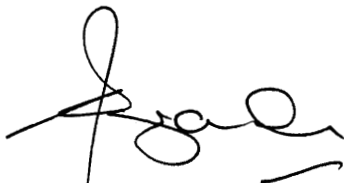
9603830

Customs Act 1901
Notice Under Section 17(b)
Revocation Notice Number: RS85

I, **KYM JAMES BRANSON** pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and by a power to revoke in section 17(b) of the Customs Act 1901 under section 33(3) of the Acts Interpretation Act 1901 hereby:

revoke the appointment of the premises for the examination of goods on landing known as **Wilson Australia Pty Ltd** at 25 Hythe Street, Ridleyton, South Australia that was contained in Notice No AS84 and which appeared in the Commonwealth of Australia Gazette No GN 20 of 22nd May, 1996.

Dated this *Tenth* day of *December* 1996



Regional Manager
Border Management

9603831

Customs Act 1901
Notice Under Section 17(b)
Revocation Notice Number: RS84

I, **KYM JAMES BRANSON** pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and by a power to revoke in section 17(b) of the Customs Act 1901 under section 33(3) of the Acts Interpretation Act 1901 hereby:

revoke the appointment of the premises for the examination of goods on landing known as **Flag Transport Systems Pty Ltd** at 224 Eastern Parade, Gillman, South Australia that was contained in Notice No AS59 and which appeared in the Commonwealth of Australia Gazette No GN 13 of 7th April, 1993.

Dated this *Tenth* day of *December* 1996



Regional Manager
Border Management

9603832

Customs Act 1901
Notice Under Section 17(b)
Notice Number: AS88

I, **KYM JAMES BRANSON**, 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 **Fritz-Fliway Pty Ltd of 4 Stuart Road, RICHMOND, South Australia, 5033** and described on plan **S85(a)** and **S85(b)** held by the **Inspector, Sea Cargo, Customs House, Port Adelaide, South Australia.**

Dated this *Tenth* day of *December* 1996



Regional Manager
Border Management

9603833

Customs Act 1901
Notice Under Section 17(b)
Notice Number: AS89

I, **KYM JAMES BRANSON** 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 **National Rail Corporation Ltd, Adelaide Freight Terminal, Pedder Crescent, Regency Park, South Australia, 5010**, and described on plan S86 held by the Inspector, Sea Cargo, Customs House, Port Adelaide, South Australia.

Dated this *Tenth* day of *December* 1996



Regional Manager
Border Management

9603834

Customs Act 1901
Notice Under Section 17(b)
Notice Number: NS 96/43

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

revoke the appointment of the premises for the examination of goods on landing known as **Container & General Forwarding Pty. Ltd.** at **10/2 Burrows Road South, St. Peters, NSW, 2044** that was contained in **Notice No. NM93/01** and which appeared in the Commonwealth of Australia Gazette No GN 2, of 20/10/1993.

Dated this **10th** Day of December 1996.



Senior Manager Cargo Management

9603835

CUSTOMS ACT 1901
NOTICE UNDER SECTION 17(b)
NOTICE NO. NS 96/44

I, **Alan Leslie Walsh**, pursuant to a delegation under section 4(2) of the Customs Administration Act 1985 and under the 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 **Mainfreight Distribution Pty. Ltd. at Cnr. Euston Road and Maddox Street, Alexandria, NSW, 2014.** and described on plan N96/01168/32 held by Cargo Services, Link Road, Mascot.

Dated this **16th** Day of December 1996.



Senior Manager Cargo Management

9603836



AUSTRALIAN CUSTOMS SERVICE

COMMONWEALTH OF AUSTRALIA

CUSTOMS ACT 1901

APPOINTMENT UNDER SECTION 17 (b) APPOINTMENT NOTICE NUMBER VS/9619

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 **Oswalds Depot, 37 - 39 Brady Street, South Melbourne Vic 3205** and described on plan No **VS/9619** held by the Senior Inspector, Border Management, Customs House, Melbourne.

Dated this Seventeenth day of December.....1996

Gary Hearn
Senior Manager
Sea Operations
Border Management
VICTORIA

Primary Industries and Energy

SUMMARY DETAILS OF RECENT AWARDS OF PRODUCTION SHARING CONTRACTS FOR AREA A OF THE TIMOR GAP ZONE OF COOPERATION

The Australia-Indonesia Joint Authority for the Timor Gap Zone of Cooperation is making this announcement to fulfil its obligation under the Petroleum Mining Code - Annex B of the Timor Gap Treaty.

Six new Production Sharing Contracts ("PSCs") for Area A of the Timor Gap Zone of Cooperation have now been executed between the Joint Authority and consortia of oil companies, having work commitments with details as follows:

PSC WORK COMMITMENTS

PSC & Contract Operator	Data Review US\$	Seismic Surveys kms	Wells No	Total Expenditure US\$
ZOCA 95-15, BHP Petroleum				
Contract Year 1	160,000	400-2D		960,000
Contract Year 2	160,000			160,000
Contract Year 3	160,000			160,000
Contract Year 4	160,000		1	6,000,000
Contract Year 5	160,000	300 ² -3D		2,360,000
Contract Year 6	160,000		1	6,000,000
ZOCA 96-16, Moondance Energy				
Contract Year 1	100,000			100,000
Contract Year 2	100,000			100,000
Contract Year 3		100 ² -3D		800,000
Contract Year 4	200,000			200,000
Contract Year 5			1	6,000,000
Contract Year 6	100,000			100,000
ZOCA 95-17, BHP Petroleum				
Contract Year 1	160,000	500-2D		780,000
Contract Year 2	160,000			160,000
Contract Year 3	160,000			160,000
Contract Year 4	160,000		1	5,600,000
Contract Year 5	160,000	150 ² -3D		1,400,000
Contract Year 6	160,000		1	5,400,000

ZOCA 95-18, Mobil E&PA

Contract Year 1	415,000		1	15,415,000
Contract Year 2	310,000	2100-2D		1,910,000
Contract Year 3	215,000	Seismic		455,000
		Reprocessing		
Contract Year 4	320,000		1	4,820,000
Contract Year 5	320,000	500 ² -3D		4,320,000
Contract Year 6	320,000		1	4,820,000

ZOCA 95-19, Shell Development

Contract Year 1	400,000	2000-2D	1	7,300,000
Contract Year 2	400,000		2	11,400,000
Contract Year 3	400,000		1	5,800,000
Contract Year 4	400,000	500 ² -3D		6,000,000
Contract Year 5	400,000		1	5,800,000
Contract Year 6	400,000			400,000

ZOCA 96-20, Shell Development

Contract Year 1	220,000	1300-2D		890,000
Contract Year 2	320,000			320,000
Contract Year 3	240,000			240,000
Contract Year 4	220,000	200-2D		440,000
Contract Year 5	220,000			220,000
Contract Year 6	370,000		1	11,560,000

NOTE: ZOCA 95-15, 95-17, 95-18, and 95-19 were awards resulting from late 1995 4th round bids, and ZOCA 96-16 and 96-20 were awards resulting from mid 1996 5th round bids.

9603839

Transport and Regional Development



AIRSERVICES AUSTRALIA
AVCHARGES CENTRE

PO Box 231
Civic Square ACT 2608
Telephone (008) 026147 or (06) 268 5714
Fax (06) 268 5693

NOTICE OF CREATION OF STATUTORY LIEN IN RESPECT OF CERTAIN AIRCRAFT
NOTICE is hereby given that pursuant to section 59(1) of the AIR SERVICES ACT 1995,
a statutory lien has been vested in Airservices in respect of each of the aircraft
described hereunder.

Lien No.	Date and time created (EST)	Registration and Description	Payable by
1260	17/12/1996 08:41	N1805 DC8 McDonnell Douglas	Rich International Airways
1261	17/12/1996 08:41	N772CA DC8 McDonnell Douglas	PO Box 522067 Miami, Florida 33152 USA
1262	17/12/1996 13:48	VH-URT C208 Cessna 208B	Uzu Air P/L
1263	17/12/1996 13:49	VH-URS C310 Cessna C310R	PO Box 1379
1264	17/12/1996 13:48	VH-BWC E110 Embraer Emb 110P1	Cairns QLD 4870
1265	17/12/1996 13:59	VH-URU D228 Dornier	
1266	19/12/1996 14:08	PK-CTA HS25 Britaero HS125-700	Transindo Air Charter
1267	19/12/1996 14:09	PK-CTC HS25 Britaero HS125-700	Arr. Hall Halim Perdanakusu
1268	19/12/1996 14:09	PK-CTP G3 Gulfstream III G3	MA A/Port Jakarta, Indonesia

Dated this 19th day of December 1996

Harry Carroll
Registrar of statutory liens

9603840



EXEMPTION NUMBER 200/FRS/212/1996

Civil Aviation Act 1988

Civil Aviation Regulations

I, STEPHEN PANTELIDIS, Manager, Technical Services, 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-SGQ 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-SGQ 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 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 Australian registered aircraft bearing the nationality and registration marks VH-SGQ 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-SGQ only in so far as set out in these directions.

These directions commence on 18 December 1996 and remain in force until the end of 15 January 1997.

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

STEPHEN PANTELIDIS
Manager
Technical Services
Bureau of Air Safety Investigation

17 December 1996



EXEMPTION NUMBER 201/FRS/213/1996

*Civil Aviation Act 1988***Civil Aviation Regulations**

I, STEPHEN PANTELIDIS, Manager, Technical Services, 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-AJV 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-AJV 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-AJV 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-AJV only in so far as set out in these directions.

These directions commence on 17 December 1996 and remain in force until the end of 9 January 1997.

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

STEPHEN PANTELIDIS
Manager
Technical Services
Bureau of Air Safety Investigation

17 December 1996

9603841



EXEMPTION NUMBER 198/FRS/210/1996

Civil Aviation Act 1988

Civil Aviation Regulations

I, STEPHEN PANTELIDIS, Manager, Technical Services, 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-OST 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-OST 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-OST 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-OST only in so far as set out in these directions.

These directions commence on 14 December 1996 and remain in force until the end of 19 December 1996.

STEPHEN PANTELIDIS
Manager
Technical Services
Bureau of Air Safety Investigation

13 December 1996



EXEMPTION NUMBER 199/FRS/211/1996

*Civil Aviation Act 1988***Civil Aviation Regulations**

I, STEPHEN PANTELIDIS, Manager, Technical Services, 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-PIL 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-PIL is flying in any other class of operations 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.
- (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-PIL 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-PIL only in so far as set out in these directions.

These directions commence on 13 December 1996 and remain in force until the end of 2 January 1997.

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

STEPHEN PANTELIDIS
Manager
Technical Services
Bureau of Air Safety Investigation

13 December 1996

9603842



EXEMPTION NUMBER 202/FRS/214/1996

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-OST 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-OST 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-OST 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-OST only in so far as set out in these directions.

These directions commence on 20 December, 1996 and remain in force until the end of 9 January 1997.

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

20 December, 1996



EXEMPTION NUMBER 203/FRS/215/1996

Civil Aviation Act 1988

Civil Aviation Regulations

I, STEPHEN PANTELIDIS, Manager, Technical Services, 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-OYB 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-OYB 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 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 Australian registered aircraft bearing the nationality and registration marks VH-OYB 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-OYB only in so far as set out in these directions.

These directions commence on 23 December 1996 and remain in force until the end of 24 December 1996.

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

STEPHEN PANTELIDIS
Manager
Technical Services
Bureau of Air Safety Investigation

23 December 1996



EXEMPTION NUMBER 204/FRS/216/1996

Civil Aviation Act 1988

Civil Aviation Regulations

I, STEPHEN PANTELIDIS, Manager, Technical Services, 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-NCP 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-NCP 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 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 Australian registered aircraft bearing the nationality and registration marks VH-NCP 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-NCP only in so far as set out in these directions.

These directions commence on 1 January 1997 and remain in force until the end of 1 April 1997.

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

STEPHEN PANTELIDIS
Manager, Technical Services
Bureau of Air Safety Investigation
24 December 1996

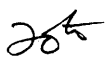
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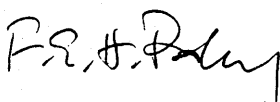
Treasurer

INSURANCE ACT 1973**NOTIFICATION OF GRANT OF AUTHORITY IN ACCORDANCE WITH
SECTION 28**

As provided by section 28 of the *Insurance Act 1973*, I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, give notice that today, in accordance with section 23 of the *Insurance Act 1973*, I granted an authority to carry on insurance business effective from and including 1 January 1997 to St Paul Fire and Marine Insurance Company, the chief office in Australia being situated at The Re Centre, Level 5, 2 Bridge Street, Sydney.

In accordance with section 122 of the *Insurance Act 1973*, the Register of Authorised Insurers can be inspected at my office.

DATED this  day of December 1996.



F G H Pooley
Commissioner

9603843

ATTACHMENT 'A'

INSURANCE ACT 1973
NOTIFICATION OF GRANT OF AUTHORITY IN ACCORDANCE WITH
SECTION 28

As provided by section 28 of the Insurance Act 1973, I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, give notice that I have this day granted an authority to carry on insurance business, under section 23 of the Insurance Act 1973, to First American Title Insurance Company of Australia Pty Limited (ACN 075 279 908), the registered office of which is situated at Level 31, 133 Castlereagh Street, Sydney, NSW.

In accordance with section 122 of the Insurance Act 1973, the Register of Authorised Insurers may be inspected at my Office.

Dated this^{28th} day of December 1996.

F. G. H. Pooley

F. G. H. Pooley
Commissioner

9603844

ATTACHMENT 'A'

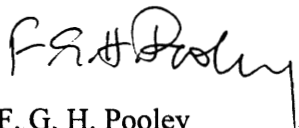
INSURANCE ACT 1973

**NOTIFICATION OF GRANT OF AUTHORITY IN ACCORDANCE WITH
SECTION 28**

In accordance with section 28 of the Insurance Act 1973, I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, give notice that pursuant to section 23 of the Insurance Act 1973, I have this day granted an authority to carry on insurance business to Advantage Lenders Mortgage Insurance Pty Limited (ACN 076 653 284), the registered office of which is situated at Level 23 AMP Centre, 50 Bridge Street, Sydney, NSW, 2000.

In accordance with section 122 of the Insurance Act 1973, the Register of Authorised Insurers can be inspected at my Office.

Dated this 18th day of December 1996



F. G. H. Pooley
Commissioner

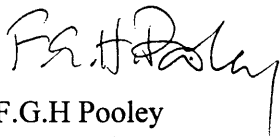
9603845

ATTACHMENT 'A'

INSURANCE ACT 1973
NOTICE OF REVOCATION OF AUTHORITY

Pursuant to sub-section 36(6) of the Insurance Act 1973, notice is given that I, Frederick George Herbert Pooley, Insurance and Superannuation Commissioner, have revoked the authority to carry on insurance business granted to Dowa Fire and Marine Insurance Company Limited.

DATED this13..... day of December, 1996



F.G.H Pooley
Commissioner

9603846

PRICES SURVEILLANCE ACT 1983**NOTICES PURSUANT TO SECTION 23(2)(b)**

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: AUSTRALIAN PETROLEUM PTY LTD			
PN96/235 04/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 5 September 1996. Automotive Distillate CPL 0.65	5606
PN96/237 05/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 11 September 1996. Motor Spirit (all grades) CPL 0.50	5607
PN96/244 10/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 11 September 1996. Motor Spirit (all grades) CPL 0.64	5608
PN96/254 20/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 21 September 1996. Automotive Distillate CPL 0.60	5627
PN96/256 23/09/96	Petroleum products. Increase in ACT Business Franchise Fee.	No objection to the proposed fees effective in price 24 September 1996. New Fees Motor Spirit (all grades) Automotive Distillate CPL 7.88 7.93	5628

PN96/259 24/09/96	Petroleum products. Increase in State Franchise Fee New South Wales.	No objection to the proposed rates effective in price 1 October 1996.	<div> <div>New Rate</div> <div>Motor Spirit</div> <div>Full Fee Area</div> <div>Zone 2</div> <div>Zone 3</div> <div>Zone 4</div> <div>Zone 5</div> </div> <div> <div>CPL</div> <div>7.88</div> <div>1.58</div> <div>3.15</div> <div>4.73</div> <div>6.30</div> </div>	<div>CPL</div> <div>Distillate</div> <div>7.93</div> <div>1.59</div> <div>3.17</div> <div>4.76</div> <div>6.34</div>	5629
PN96/265 02/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 3 October 1996.	Motor Spirit (all grades)	CPL 0.47	5630
PN96/270 08/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 9 October 1996.	Automotive Distillate	CPL 0.61	5631
PN96/273 11/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 12 October 1996.	Motor Spirit (all grades) Automotive Distillate	CPL 0.58 0.38	5647
PN96/278 16/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 17 October 1996.	Motor Spirit (all grades)	CPL 0.62	5648
PN96/285 24/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 25 October 1996.	Motor Spirit (all grades)	CPL 0.52	5659

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: BP AUSTRALIA LIMITED			
PN96/287 07/11/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 8 November 1996. Automotive Distillate CPL 0.46	5660
PN96/236 04/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 5 September 1996. Automotive Distillate CPL 0.65	5609
PN96/241 06/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 9 September 1996. Motor Spirit (all grades) CPL 0.62	5610
PN96/243 10/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 11 September 1996. Automotive Distillate CPL 0.64	5611
PN96/253 20/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 23 September 1996. Automotive Distillate CPL 0.60	5632
PN96/257 23/09/96	Petroleum products. Increase in ACT Business Franchise Fee.	No objection to the proposed fees effective in price 24 September 1996. New Fees Motor Spirit (all grades) Automotive Distillate CPL 7.88 7.93	5633

PN96/262 30/09/96	Petroleum products. Increase in State Franchise Fee New South Wales.	No objection to the proposed rates effective in price 1 October 1996.	5634
		<p>New Rate CPL</p> <p>Motor Spirit Distillate</p> <p>Full Fee Area 7.88 7.93</p> <p>Zone 2 1.58 1.59</p> <p>Zone 3 3.15 3.17</p> <p>Zone 4 4.73 4.76</p> <p>Zone 5 6.30 6.34</p>	
PN96/266 03/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 4 October 1996.	5635
		Motor Spirit (all grades) CPL 0.39	
PN96/269 08/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 9 October 1996.	5636
		Automotive Distillate CPL 0.61	
PN96/275 11/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 14 October 1996.	5649
		Motor Spirit (all grades) CPL 0.54	
PN96/277 15/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 16 October 1996.	5650
		Motor Spirit (all grades) CPL 0.50	
PN96/279 16/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 17 October 1996.	5651
		Motor Spirit (all grades) CPL 0.62	

PN96/286 24/10/96 Petroleum products. Notification under intervention price procedures. 5661

No objection to the proposed increases effective in price 25 October 1996.
CPL
0.52
Motor Spirit (all grades)

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: THE BROKEN HILL PROPRIETARY COMPANY LIMITED			
N96/231 03/09/95	Steel Mill Products. Price schedule re arrangement.	No objection to price schedule re arrangement.	5626
		Price list shown in register	

PN96/229 22/08/96 Aeronautical charges. Recovery of cost increases. 5684

The Federal Airports Corporation proposed a 13.8 percent increase for Aeronautical charges. The Commission objected to the proposed increase and issued a Section 22(2)(b)(iii) notice proposing a weighted average increase of 10.8 percent. The Corporation subsequently accepted the proposed weighted average increase. Details shown in register.

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: FEDERAL AIRPORTS CORPORATION			

PN96/223 13/08/96 Beer. New Product: Wild Boar 330ml bottles marketed in South Australia. 5612

No objection to the proposed prices. Price list shown in register.

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: LION NATHAN AUSTRALIA LIMITED			

PN96/232 10/08/96 Beer. New Product: Hahn Dark Ice 375ml stubbies and 49.5 L kegs marketed in Western Australia. 5613

No objection to the proposed prices. Price list shown in register.

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: LION NATHAN AUSTRALIA LIMITED			

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
PN96/233 29/08/96	Beer. New Product: 1875 Bitter 20L Dins marketed in Western Australia.	No objection to the proposed prices. Price list shown in register.	5614
PN96/242 06/09/96	Beer. New Product: Hahn Dark Ice 375ml stubbies marketed in Victoria.	No objection to the proposed prices. Price list shown in register.	5615
PN96/250 13/09/96	Beer. New Product: XXXX Qld Dark Din kegs marketed in Queensland.	No objection to the proposed prices. Price list shown in register.	5616
PN96/239 05/09/96	COMPANY: MOBIL OIL AUSTRALIA LIMITED Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 5 September 1996. Automotive Distillate CPL 0.61	5617
PN96/240 05/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 6 September 1996. Motor Spirit (all grades) CPL 0.50	5618
PN96/247 11/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 12 September 1996. Automotive Distillate CPL 0.50	5619
PN96/251 18/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 19 September 1996. Automotive Distillate CPL 0.35	5637
PN96/258 23/09/96	Petroleum products. Increase in ACT Business Franchise Fee.	No objection to the proposed rates effective in price 24 September 1996. New Rate Motor Spirit (all grades) Automotive Distillate CPL 7.88 7.93	5638

PN96/261 26/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 27 September 1996.	CPL 0.38	5639
		Motor Spirit (all grades)		
PN96/264 30/09/96	Petroleum products. Increase in State Franchise Fee New South Wales.	No objection to the proposed increases effective in price 1 October 1996.		5640
		New Rate	CPL	
		Motor Spirit	Distillate	
		Full Fee Area	7.88	7.93
		Zone 2	1.58	1.59
		Zone 3	3.15	3.17
		Zone 4	4.73	4.76
		Zone 5	6.30	6.34
PN96/267 03/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 9 October 1996.	CPL	5641
		Automotive Distillate	0.41	
PN96/271 09/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 10 October 1996.	CPL	5652
		Motor Spirit (all grades)	0.40	
		Automotive Distillate	0.59	
PN96/276 14/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 15 October 1996.	CPL	5653
		Motor Spirit (all grades)	0.49	

PN96/281
17/10/96

Petroleum products. Notification under
intervention price procedures.

No objection to the proposed increases effective
in price 18 October 1996.

5654

CPL

Motor Spirit (all grades)
Automotive Distillate

0.55
0.48

PN96/284
24/10/96

Petroleum products. Notification under
intervention price procedures.

No objection to the proposed increases effective
in price 25 October 1996.

5662

CPL

Motor Spirit (all grades)

0.37

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: PHILIP MORRIS LIMITED			
PN96/248 11/09/96	Cigarettes. Increases in State Licence Fee Queensland.	No objection to the proposed increases effective in price 11 September 1996. Price list shown in register	5620

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: THE SHELL COMPANY OF AUSTRALIA LIMITED			
PN96/234 04/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 5 September 1996. Automotive Distillate	5622

CPL

0.65

PN96/238
05/09/96

Petroleum products. Notification under
intervention price procedures.

No objection to the proposed increases effective
in price 6 September 1996.

5623

CPL

Motor Spirit (all grades)

0.50

PN96/245
10/09/96

Petroleum products. Notification under
intervention price procedures.

No objection to the proposed increase effective
in price 11 September 1996.

5624

CPL

Automotive Distillate

0.64

PN96/252 18/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 19 September 1996.	CPL 0.40	5642
		Automotive Distillate		
PN96/255 23/09/96	Petroleum products. Increase in ACT Business Franchise Fee.	No objection to the proposed rates effective in price 24 September 1996.	CPL 7.88 7.93	5643
		New Rates		
		Motor Spirit (all grades)		
		Automotive Distillate		
PN96/260 24/09/96	Petroleum products. Increase in State Franchise Fee New South Wales.	No objection to the proposed rates effective in price 1 October 1996.	CPL Distillate 7.93 1.59 3.17 4.76 6.34	5644
		New Rate		
		Motor Spirit		
		Full Fee Area		
		Zone 2		
		Zone 3		
		Zone 4		
		Zone 5		
PN96/263 30/09/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 1 October 1996.	CPL 0.41	5645
		Motor Spirit (all grades)		
PN96/268 04/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 5 October 1996.	CPL 0.52	5646
		Automotive Distillate		
PN96/272 10/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 11 October 1996.	CPL 0.53	5655
		Automotive Distillate		

PN96/274 11/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 12 October 1996.	CPL 0.64	5656
		Motor Spirit (all grades)		
PN96/280 16/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 17 October 1996.	CPL 0.62	5657
		Motor Spirit (all grades)		
PN96/282 18/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increase effective in price 19 October 1996.	CPL 0.47	5657
		Automotive Distillate		
PN96/283 24/10/96	Petroleum products. Notification under intervention price procedures.	No objection to the proposed increases effective in price 25 October 1996.	CPL 0.52	5663
		Motor Spirit (all grades)		

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: ROTHMANS OF PALL MALL (AUSTRALIA) LIMITED			
PN96/249 11/09/96	Cigarettes. Increases in State Licence Fee Queensland.	No objection to the proposed increases effective in price 11 September 1996. Price list shown in register	5621

File No./Date Rec'd	Purpose of Notification	Outcome of Consideration	Register Ref.
COMPANY: W.D. & H.O. WILLS (AUSTRALIA) LIMITED			
PN96/246 11/09/96	Cigarettes. Increase in State Licensing Fee Queensland.	No objection to the proposed increases effective in price 11 September 1996. Price list shown in register.	5625

**COMMONWEALTH OF AUSTRALIA****Banking Act 1959****AUTHORITY TO CARRY ON BANKING
BUSINESS IN AUSTRALIA**

WHEREAS, Royal Bank of Canada, incorporated in Canada (in this authority referred to as the 'foreign bank') in accordance with subsection 9(2) of the *Banking Act 1959*, has applied to the Treasurer for authority to carry on banking business in Australia:

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

- (a) the foreign bank shall, upon request made at any time by the Reserve Bank of Australia (in this authority referred to as the 'Reserve Bank'), consult with the Reserve Bank in relation to the making or variation of arrangements for the prudential supervision by the Reserve Bank of the banking business carried on in Australia by the foreign bank;
- (b) the foreign bank shall conform with such arrangements for the prudential supervision by the Reserve Bank of the banking business carried on in Australia by the foreign bank as are notified to the foreign bank by the Reserve Bank, whether following such consultation or otherwise;
- (c) the foreign bank may, in carrying on banking business in Australia, accept deposits and other funds in any amount from:
 - incorporated entities;
 - non-residents;
 - its own employees; but:

shall not accept initial deposits (and other funds) from other sources for amounts which are less than \$250,000.

This authority shall come into force at the time of its delivery to the foreign bank.

Dated **20 DEC 1996**

WILLIAM DEANE
Governor-General

By His Excellency's Command,

A handwritten signature in dark ink, appearing to be 'CML' followed by a flourish.

Assistant Treasurer

9603848

COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(4)

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

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

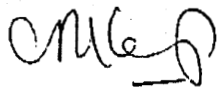
SCHEDULE

Metway Bank Limited

Dated 20 DEC 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command



Assistant Treasurer

COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(5A)

WHEREAS, in accordance with subsection 10(4) of the *Banks (Shareholdings) Act 1972*, an instrument has been published in the Gazette fixing a percentage of 100 as the percentage applicable to the corporation specified in the Schedule in respect of QIDC Limited;

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

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

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

SCHEDULE

Metway Bank Limited

Dated 20 DEC 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command


Assistant Treasurer

9603849

COMMONWEALTH OF AUSTRALIA

BANKING ACT 1959

**Revocation of Authority to Carry on
Banking Business in Australia**

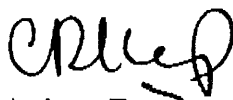
I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, am satisfied that Advance Leasing Limited (formerly known as Bank of South Australia Limited) is in possession of an authority under section 9 of the *Banking Act 1959* to conduct banking business in Australia and has by notice in writing to the Treasurer requested the revocation of the authority. As I am satisfied that the revocation would not prejudice the interests of the depositors of the bank and would not be likely to be contrary to the national interest, I hereby revoke under subsection 9(8A) of the *Banking Act 1959* the authority of Advance Leasing Limited to carry on banking business in Australia, with effect from the date of gazettal.

Dated 27 DEC 1996

WILLIAM DEANE

Governor-General

By His Excellency's Command



Assistant Treasurer

9603850

COMMONWEALTH OF AUSTRALIA

BANKING ACT 1959

INSTRUMENT UNDER SUBSECTION 38A(3)

Whereas the laws specified in the First Schedule have been passed, or made, for the purpose of making provision consequent upon or in relation to, the merger of the body corporate specified in column 1 in the Second Schedule with the body corporate specified opposite in column 2 in the Second Schedule, being bodies corporate that carry on the general business of banking.

NOW THEREFORE I, CHARLES RODERICK KEMP, Assistant Treasurer acting for and on behalf of the Treasurer, declare these laws to be laws to which subsection 38A(3) of the *Banking Act 1959* applies.

FIRST SCHEDULE

Bank Mergers (Application of Laws) Act 1996 of New South Wales

Bank of South Australia and Advance Bank Act 1996 of Victoria

Bank Merger (BankSA and Advance Bank) Act 1996 of Queensland

Bank Merger (BankSA and Advance Bank) Act 1996 of South Australia

Bank of South Australia (Merger with Advance Bank) Act 1996 of Western Australia

Bank of South Australia (Merger with Advance Bank) Act 1996 of the Northern Territory

SECOND SCHEDULE

Column 1

Advance Leasing Limited (formerly known as
Bank of South Australia Limited)

Column 2

Advance Bank Australia Limited

Dated

13/12/96


Assistant Treasurer



Commonwealth
of Australia

Gazette

No. S 487, Monday, 16 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

NOTIFICATION OF THE MAKING OF STATUTORY RULES

The following Statutory Rules has been made and copies may be purchased at the Commonwealth Government Bookshop, 10 Mort St, Canberra City, ACT.

Act under which the Statutory Rules were made	Description of the Statutory Rules	Year and number of the Statutory Rules
<i>Federal Court of Australia Act 1976</i>	Federal Court Rules (Amendment)	1996 No. 308

Produced by the Australian Government Publishing Service

Cat. No. 96 3401 0 ISBN 0644 470135

ISSN 1032-2345

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9 780644 470131



TOBACCO ADVERTISING PROHIBITION ACT 1992

SPECIFICATION UNDER SUBSECTION 18(2)

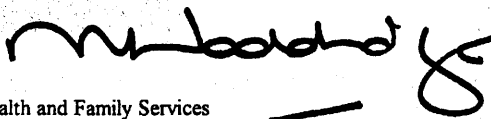
I, Michael Wooldridge, Minister for Health and Family Services, acting under subsection 18(2) of the *Tobacco Advertising Prohibition Act 1992* (the Act), having regard to the guidelines in force under subsection 18(5) of the Act and being satisfied that the event mentioned below is of international significance and that failure to specify the event would be likely to result in the event not being held in Australia:

- (a) specify the IndyCar Australia 1997 to be held in Surfers Paradise, Queensland on 3-6 April as a sporting event to be held in Australia, and
- (b) specify the following conditions as conditions to be complied with in relation to the publication of tobacco advertisements in connection with the event:
 - (i) the number of advertisements that may be published is limited to:
 - A. the advertisements required by, or otherwise pursuant to, international contracts or arrangements for the sponsorship of individual teams and drivers, being contracts or arrangements in force at the date of this instrument but excluding advertisements displayed on uniforms of promotional personnel and/or displays and restricting team merchandising to one merchandising outlet per team, located at the back of the pit;
 - B. two doublesided bridge signs (2.8 x 20m), seven billboard signs (18sqm each), two corporate suite ballustrade signs (8sqm each), track barrier signs (632 lineal metres), twenty-two brake marker signs (1m x 500mm), and six corporate flags; and
 - (ii) the content of the advertisements that may be published is limited to:
 - A. the content of the advertisement required by, or otherwise pursuant to, international contracts or arrangements for the sponsorship of individual teams and drivers, being contracts and arrangements in force at the date of this instrument; and
 - B. all signs referred to in paragraph (b)(i)(B) above must be accompanied by one of the two health warnings "SMOKING KILLS" or "SMOKING IS ADDICTIVE". Each health warning must comply with the format set out in regulation 9 of the Trade Practices (Consumer Product Information Standards) (Tobacco) Regulations, and must occupy at least 25% of the total area of each sign; and
 - (iii) the way in which the advertisements may be published is limited to the advertisements being confined to the venue of the event, namely the IndyCar circuit, Surfers Paradise, Queensland.



The specification comes into force on 24 March 1997 and stops being in force on 9 April 1997.

Dated 15 DEC 1996

A handwritten signature in black ink, appearing to be 'M. B. G.', written over a horizontal line.

Minister for Health and Family Services



Australian Fisheries Management Authority

FISHERIES MANAGEMENT REGULATIONS

LOGBOOK NOTICE NO. SENL 01

LOGBOOKS FOR THE SOUTH EAST NON-TRAWL FISHERY

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 13 December 1996.

Managing Director of the
Australian Fisheries Management Authority

Citation

1. This determination may be cited as Logbook Notice No. SENL 01.

Commencement

2. This determination commences on 1 January 1997.

Interpretation

3. In this determination:

"**Commonwealth boat**" means an Australian boat nominated on a fishing permit which is granted under section 32 of the *Fisheries Management Act 1991* and which allows fishing to be carried by methods other than trawling in the South East Non-trawl Fishery;

"**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;

"**GN01 Log**" means the form of logbook published by AFMA in December 1996, for which:

- (i) the title is "Australian Confidential General Daily Fishing Logbook"; and
- (ii) the distinguishing mark is "GN01";

"**SEF2A Catch Disposal Record**" means the form of logbook published by AFMA in January 1996, for which:

- (i) the title is "Catch Disposal Record for South East Fishery"; and
- (ii) the distinguishing mark is "SEF2A"; and

"**TG10 Log**" 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, for which:

- (i) the title is "General Fishing Logbook - Living Marine Resources Management Act 1995"; and



Logbook Notice No. SENL 01

2

- (ii) the distinguishing mark is "TG10".

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

Which logbooks must be used?

4. When:

- (a) any kind of fish is taken by methods other than dredging, trawling, seining, pelagic longlining, poling, troll, rod and reel or handlining using a Commonwealth boat in the South East Non-trawl Fishery the GN01 Log or the TG10 Log must be used to record information about the taking of the fish and the sale or disposal of the fish; and
- (b) any blue warehou is taken by methods other than dredging, trawling, seining, pelagic longlining, poling, troll, rod and reel or handlining using a Commonwealth boat in the South East Non-trawl Fishery the SEF2A Catch Disposal Record must be used to record information about the sale or disposal of the blue warehou.

When must the logbooks be used?

5. Subregulations 33(1), 33(2) and 33(3) of the *Fisheries Management Regulations* apply in respect of the GN01 Log, the TG10 Log and the SEF2A Catch Disposal Record during the period beginning on 1 January 1997 and ending at the end of 10 December 1999.

Where can copies of the logbooks be obtained?

6. Copies of:

- (a) the GN01 Log and the SEF2A Catch Disposal Record can be obtained during ordinary business hours from the Australian Fisheries Management Authority, Burns Centre, 28 National Circuit, FORREST, ACT, 2603; and
- (b) the TG10 Log can be obtained:
 - (i) during ordinary business hours from the Tasmanian Department of Primary Industry and Fisheries, Marine Resources Division, 1 Franklin Wharf, HOBART TASMANIA 7000; or
 - (ii) by return mail, by request to the Tasmanian Department of Primary Industry and Fisheries, Marine Resources Division, GPO Box 192B, HOBART TASMANIA 7001.



Australian Fisheries Management Authority

FISHERIES MANAGEMENT REGULATIONS

LOGBOOK NOTICE NO. SETL 01

LOGBOOKS FOR THE SOUTH EAST TRAWL FISHERY

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 13 December 1996.

Managing Director of the
Australian Fisheries Management Authority

Citation

1. This determination may be cited as Logbook Notice No. SETL 01.

Commencement

2. This determination commences on 1 January 1997.

Interpretation

3. In this determination:

"Commonwealth boat" means an Australian boat nominated on a fishing permit which is granted under section 32 of the *Fisheries Management Act 1991* and which allows fishing to be carried on by the method of trawling;

"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;

"exempt master" means in relation to a particular catch of fish masters of the following boats whenever the boats land that catch at Bermagui:

- (a) *Dee Jay II*;
- (b) *Melisa*;
- (c) *Shelly H*;
- (d) *Kendon B*;
- (e) *Shoalhaven*;
- (f) *Carmela T*; and
- (g) *Santa Maria Star*.

"SEF1A Daily Catch Log" means the form of logbook published by AFMA in January 1996, for which:

- (a) the title is "South East Fishery - Trawl Sector - Daily Catch Log"; and
- (b) the distinguishing mark is "SEF1A";

"SEF2A Catch Disposal Record" means the form of logbook published by AFMA in January 1996, for which:

Logbook Notice No. SETL 01

2

- (a) the title is "Catch Disposal Record for South East Fishery"; and
- (b) the distinguishing mark is "SEF2A";

"SEF3A Transit Form" means the form of logbook published by AFMA in January 1996, for which:

- (a) the title is "South East Fishery - Transit Form"; and
- (b) the distinguishing mark is "SEF3A".

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

Which logbooks must be used?

4. When any kind of fish is taken by trawling or seining (except purse-seining) using a Commonwealth boat in the South East Trawl Fishery:

- (a) the SEF1A Daily Catch Log must be used to record information about the taking of the fish;
- (b) except where the master of the Commonwealth boat used to take the fish is an exempt master, the SEF2A Catch Disposal Record must be used to record information about the sale or disposal of the fish; and
- (c) if more than one vehicle is used to carry the fish from the boat to the first person who receives them after they have been landed - the SEF3A Transit Form must be used to record information about the carrying of the fish.

When must the logbooks be used?

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

- (a) in respect of the SEF1A Daily Catch Log;
- (b) except where the master of the Commonwealth boat used to take the fish is an exempt master, in respect of the SEF2A Catch Disposal Record; and
- (c) in respect of the SEF3A Transit Form,

during the period beginning on 1 January 1997 and ending at the end of 10 December 1999.

Where can copies of the logbooks be obtained?

6. Copies of the SEF1A Daily Catch Log, the SEF2A Catch Disposal Record and the SEF3A Transit Form can be obtained during ordinary business hours from the Australian Fisheries Management Authority, Burns Centre, 28 National Circuit, FORREST, ACT, 2603.

Revocation of Logbook Notice No. SEFL 06

7. Logbook Notice No. SEFL 06, published in Gazette No. S 131 on 15 April 1996 is revoked.



Commonwealth
of Australia

Gazette

No. S 490, Tuesday, 17 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

Commonwealth of Australia

Currency Act 1965

Currency Determination No. 7 of 1996

I, CHARLES RODERICK KEMP, Assistant Treasurer, acting for the Treasurer, make the following Determination under subsection 13A (1) of the *Currency Act 1965*.

Dated 1996.

Assistant Treasurer

Citation

1. This Determination may be cited as Currency Determination No. 7 of 1996.

Commencement

2. This Determination commences on 1 January 1997.

Specifications of certain coins

3. (1) This Determination specifies, in relation to certain coins having the denominations and standard compositions specified in columns 1 and 2 of Part 1 of the Schedule, the standard weights, the allowable variations from those standard weights, the dimensions and the designs respectively set out in columns 3, 4 and 5 of that Part.

(2) A reference in the Schedule to the diameter of a coin is, in relation to a coin that is not circular, a reference to the distance between 2 parallel faces of the edge of the coin.

Application of Determination

4. This Determination does not affect any other determination of the specifications of a coin.



SCHEDULE

Clause 3

PART 1—SPECIFICATIONS OF COINS

Column 1 Denom- ination	Column 2 Standard composition	Column 3 Standard weight and allowable variation (g)	Column 4 Dimensions—		Column 5 Design—			
			(1) Diameter (mm)	(2) Thickness (mm)	(1) Shape	(2) Edge	(3) Obverse	(4) Reverse
\$1	Copper, alum- inium and nickel	9.00± 0.28	25.12	2.80	S1	E3	O2	R24
								R25
	Not less than 99.9% silver	11.49 ± 0.23	25.12	2.80	S1	E3	O2	R26
		31.635± 0.50	40.60	4.00	S1	E1	O2	R27
\$5	Austenitic stainless steel, copper, aluminium and nickel	10.60 ± 0.50	27.88	2.60	S2	E4	O2	R29
\$10	Not less than 99.9% silver	20.77 ± 0.50	34.10	2.90	S1	E4	O2	R30
								R31

PART 2—EXPLANATION OF SYMBOLS**1. Shape:**

S1 = circular.

S2 = regular 24-sided polygon.

2. Edge:

E1 = milled.

E3 = 14 segments, of which 7 are milled and 7 are plain.

E4 = plain.

[NOTE: E2 is referred to in Currency Determination No. 6 of 1996.]

SCHEDULE—continued

3. Obverse:

O2 = an effigy of the Queen, surrounded by the inscriptions:

- (a) "ELIZABETH II"; and
- (b) "AUSTRALIA"; and
- (c) "1997".

[NOTE: **O1** is referred to in Currency Determination No. 6 of 1996.]

4. Reverse:

R24 = an effigy of Sir Charles Kingsford Smith superimposed on a representation of an aeroplane bearing the inscriptions "USU" and "Southern Cross", which, in turn, is superimposed on a representation of a flight path, surrounded by:

- (a) the monogram "WP"; and
- (b) the inscriptions:
 - (i) "SIR CHARLES KINGSFORD SMITH"; and
 - (ii) "1897-1935"; and
 - (iii) "1 DOLLAR"; and
 - (iv) "C", "S", "M", "B" or "A".

R25 = an effigy of Sir Charles Kingsford Smith, surrounded by:

- (a) the inscriptions:
 - (i) "SIR CHARLES KINGSFORD SMITH"; and
 - (ii) "1897"; and
 - (iii) "1935"; and
 - (iv) "1 DOLLAR"; and
- (b) a representation of an aeroplane bearing the inscriptions "USU" and "Southern Cross".

R26 = an effigy of Sir Charles Kingsford Smith superimposed on a representation of an aeroplane bearing the inscriptions "USU" and "Southern Cross", which, in turn, is superimposed on a representation of a flight path, surrounded by:

- (a) the monogram "WP"; and
- (b) the inscriptions:
 - (i) "SIR CHARLES KINGSFORD SMITH"; and
 - (ii) "1897-1935"; and
 - (iii) "1 DOLLAR".

R27 = a representation of a kangaroo drinking from, and reflected in, a waterhole, surrounded by:

- (a) the inscriptions:
 - (i) "C"; and
 - (ii) "1 OUNCE FINE SILVER"; and
 - (iii) "ONE DOLLAR"; and

SCHEDULE—continued

(b) the monogram “HH”.

R28 = a circle of raised beads, immediately inside the rim, enclosing:

- (a) a representation of:
 - (i) Old Parliament House, Canberra; and
 - (ii) the reverse of a 1927 Australian Florin; and
- (b) the monogram “HH”; and
- (c) the inscriptions:
 - (i) “OLD PARLIAMENT HOUSE 1927-1997”; and
 - (ii) “1 DOLLAR”.

R29 = a representation of Sir Donald Bradman batting, and the monogram “G”, enclosed in a circle surrounded by the inscriptions:

- (a) “SIR DONALD BRADMAN”; and
- (b) “5 DOLLARS”.

R30 = a representation of the Sydney Harbour Bridge, and the monograms “HH” and “G”, enclosed in a circle surrounded by the inscriptions:

- (a) “SYDNEY HARBOUR BRIDGE”; and
- (b) “10 DOLLARS”.

R31 = a representation of Sydney Opera House, and the monogram “HH”, enclosed in a circle surrounded by the inscriptions:

- (a) “SYDNEY OPERA HOUSE”; and
- (b) “10 DOLLARS”.

[NOTE: **R1-R23** are referred to in Currency Determination No. 6 of 1996.]



Commonwealth
of Australia

Gazette

No. S 491, Tuesday, 17 December 1996

Published by the Australian Government Publishing Service, Canberra


SPECIAL

NOTICE UNDER SUBSECTION 9(9A) OF THE BANKING ACT 1959

Pursuant to Subsection 9(9A) of the *Banking Act 1959* (the Act), I, Charles Roderick Kemp, Assistant Treasurer acting for and on behalf of the Treasurer, give notice that I am satisfied that the Bank of South Australia Limited, a body corporate in possession of an authority under section 9 of the Act, has changed its name to Advance Leasing Limited.

Dated

13 / 12 / 1996


Assistant Treasurer





AUSTRALIAN
CUSTOMS SERVICE

Initiation Of An Investigation

**ALLEGED DUMPING
OF NONYL PHENOL ETHOXYLATES
FROM BRAZIL**

Notice Under s. 269TC(4) of the Customs Act 1901

I, Graham Edward Cruttenden, delegate of the Chief Executive Officer, have accepted an application for the publication of a dumping duty notice in respect of nonyl phenol ethoxylates exported from the Federative Republic of Brazil.

The application was lodged by ICI Australia Operations Pty Ltd, the Australian industry producing like goods.

The goods covered by this notice are classified to sub-heading 3402.13.00 (statistical code 52) in Schedule 3 to the *Customs Tariff Act 1995*.

Customs will commence its investigation today, and a preliminary finding as to whether there are sufficient grounds for the publication of a dumping duty notice will be made within 100 days, i.e. by 27 March 1997.

A positive preliminary finding - that there are sufficient grounds for the publication of a dumping duty notice - may result in the imposition of securities under s. 42 of the Customs Act. These securities are intended to cover any interim dumping duty that may be payable on goods imported during the period leading up to the Minister's final decision on the matter.

A positive preliminary finding must be referred to the Anti-Dumping Authority for inquiry and report to the Minister, within 120 days of the referral, as to whether dumping duties should be imposed.

Australian Customs Dumping Notice No. 96/071 outlines the investigation procedures and it is in the interests of parties concerned to obtain a copy. Copies are available from the Publications Section, Customs House, Canberra, phone (06) 275 5720; or from Customs Houses in each capital city.

Particulars of the reasons for the decision to initiate this investigation are detailed in a report held on the public file. The public file may be examined at Customs House, 5 Constitution Avenue, Canberra ACT. Appointments to view the public file can be made by contacting Dumping Office Management, phone (06) 275 6057. Copies from the public file can also be obtained. A small charge is made for providing this service.

.../2



- 2 - •

Interested parties are invited to lodge written submissions with John Potter, Customs House, 5 Constitution Avenue, Canberra ACT 2601, or using facsimile number (06) 275 6990, no later than 27 January 1997. For telephone inquiries the number is (06) 275 6055.



Graham Cruttenden
Delegate of the Chief Executive Officer

17 December 1996



**Commonwealth
of Australia**

Gazette

No. S 493, Tuesday, 17 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

FORM 546

Subregulation 5.6.65(1)

Corporations Law

NOTICE OF INTENTION TO DECLARE A DIVIDEND

RELIABLE ROAD TRANSPORT PTY LIMITED
ACN: 000 154 183

RELIABLE CARRYING SERVICE PTY LIMITED
ACN: 000 171 684

RELIABLE NOMINEES PTY LIMITED
ACN: 001 324 536

RELIABLE HOLDINGS PTY LIMITED
ACN: 008 447 265

A first and final dividend is to be declared on the 22nd January, 1997 for the companies.

Creditors whose debts or claims have not already been admitted are required on or before 21st January, 1997 formally to prove their debts or claims. If they do not, they will be excluded from the benefit of the dividend.

Dated this 13th day of *DECEMBER* 1996

JOHN VOURIS
Liquidator
Court & Co
Level 29, Australia Square
264 George Street
SYDNEY NSW 2000





COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS --

- (A) Jean Georges Leques, Evelyne Marguerite Lacheret, Jacky Alain Calvert and Jacqueline Marguerite Calvet-Leques are foreign persons for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) Jean Georges Leques, Evelyne Marguerite Lacheret, Jacky Alain Calvert and Jacqueline Marguerite Calvet-Leques propose to acquire an interest in Australian urban land as specified in the notice furnished on 2 December 1996 under section 26A of the Act;

NOW THEREFORE I, Rod Kemp, Assistant Treasurer, for and on behalf of the Treasurer, being satisfied that:

- (i) Jean Georges Leques, Evelyne Marguerite Lacheret, Jacky Alain Calvert and Jacqueline Marguerite Calvet-Leques propose to acquire an interest in Australian urban land; and
- (ii) the proposed acquisition would be contrary to the national interest;

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

Dated this

13th

day of December 1996

Assistant Treasurer



COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS —

- (A) Koichi Kubo is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) Koichi Kubo proposes to acquire an interest in the Australian urban land specified in the notice furnished on 13 November 1996 under section 26A of the Act;

NOW THEREFORE I, Rod Kemp, Assistant Treasurer, for and on behalf of the Treasurer, being satisfied that:

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

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

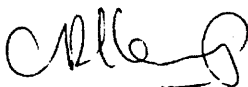
Dated this

13th

day of

December

1996.



Assistant Treasurer



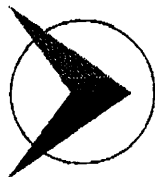
**Commonwealth
of Australia**

Gazette

No. S 495, Wednesday, 18 December 1996

Published by the Australian Government Publishing Service, Canberra

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 18 December 1996:

AD/B747/167 - SECTION 41 BONDED SKIN PANELS

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

Produced by the Australian Government Publishing Service

Cat. No. 96 3411 8 ISBN 0644 470216

ISSN 1032-2345

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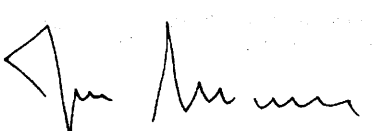
Commonwealth of Australia

Industry Research and Development Act 1986

R&D Start Program (additional function of the IR&D Board) Direction No. 1 of 1996

I, JOHN COLINTON MOORE, Minister for Industry, Science and Tourism of the Commonwealth of Australia, acting under subsection 19 (1) of the *Industry Research and Development Act 1986*, give the following direction to the Industry Research and Development Board.

Dated *twenty fifth* 1996.
day of November.


Minister for Industry, Science and Tourism

Citation

1. This direction may be cited as the R&D Start Program (additional function of the IR&D Board) Direction No. 1 of 1996.

Commencement

2. This direction commences on the day on which particulars of the direction are published in the *Gazette*.

[NOTE: For the publication of the particulars, see s. 19 (2) of the Act.]

Interpretation

3. In this direction, unless the contrary intention appears:
"R&D Start Program" means the Research and Development Start Program for the following financial assistance, namely:

- (a) Grants for Large Research and Development Projects in Small to Medium Sized Enterprises;
- (b) Grants for Small Research and Development Projects in Small to Medium Sized Enterprises;
- (c) Grants for Collaborative Research and Development Projects between Research Institutions and Australian Companies;
- (d) Grants for Graduate Based Research and Development Related Projects in Small to Medium Sized Enterprises;



2 *R&D Start Program (additional function of the IR&D Board)*
Direction No. 1 of 1996

- (e) Grants for Research and Development Projects based on unregistered Research and Development Syndicate Proposals;
- (f) Loans for the Commercialisation of Technological Innovation;

"the Act" means the *Industry Research and Development Act 1986*.

Additional function of the Board

4. For subsection 19 (1) of the Act, the following function is an additional function of the Board relating to the objects of the Act:

To administer the R&D Start Program subject to the Act and any relevant directions under section 20 of the Act, and in performing that function (without limiting its generality):

- (a) to consider applications and select applicants for financial assistance; and
 - (b) to enter into agreements, on behalf of the Commonwealth, for financial assistance; and
 - (c) to authorise payments by way of grant or loan made by the Commonwealth; and
 - (d) to monitor and evaluate projects for which financial assistance is being provided.
-

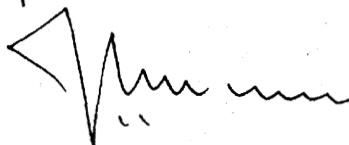
Commonwealth of Australia

Industry Research and Development Act 1986

**Directions in respect of Competitive Grants for
Research and Development (Variation No. 1 of 1996)**

I, JOHN COLINTON MOORE, Minister for Industry, Science and Tourism of the Commonwealth of Australia, acting under subsection 20 (1) of the *Industry Research and Development Act 1986*, make the following variation.

Dated  1996.



Minister for Industry, Science and Tourism

1. Variation

1.1 The direction entitled "Directions in respect of Competitive Grants for Research and Development":

(a) given under section 20 of the *Industry Research and Development Act 1986* on 6 July 1994; and

(b) published in the *Gazette* on 20 July 1994;

is varied as set out in this instrument of variation.

2. Commencement

2.1 This variation commences on the day on which particulars of the variation are published in the *Gazette*.

[NOTE: For the publication of the particulars, see s. 20 (3) of the *Industry Research and Development Act 1986*.]

3. New clause 5

3.1 After clause 4, insert:

Sunsetting of Competitive Grants Program

"5. The Board must not:

2 *Directions in respect of Competitive Grants for Research and
Development (Variation No. 1 of 1996)*

- 5.a. consider an application for a Competitive Grant for Research and Development made after 31 March 1997; or
 - 5.b. enter into an agreement after 31 December 1997 to provide a Competitive Grant for Research and Development other than for varying an agreement made before that date.”.
-

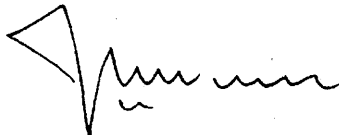
Commonwealth of Australia

Industry Research and Development Act 1986

**R&D Start Program (policies and practices of the
IR&D Board) Direction No. 1 of 1996**

I, JOHN COLINTON MOORE, Minister for Industry, Science and Tourism of the Commonwealth of Australia, acting under subsection 20 (1) of the *Industry Research and Development Act 1986*, give the following direction to the Industry Research and Development Board.

Dated *18th 12th* December 1996.



Minister for Industry, Science and Tourism

PART 1—PRELIMINARY

Citation

1. This direction may be cited as the R&D Start Program (policies and practices of the IR&D Board) Direction No. 1 of 1996.

Commencement

2. This direction commences on the day on which particulars of the direction are published in the *Gazette*.

[NOTE: For the publication of the particulars, see s. 20 (3) of the Act.]

Interpretation

3. (1) In this direction, unless the contrary intention appears: “advance approval opinion”, in respect of a proposed project, means an informal written opinion given by the Board, otherwise than in connection with a decision of the Board under the finance scheme guidelines, concerning:

- (a) whether the proposed project would comprise or include research and development activities; and

2 ***R&D Start Program (policies and practices of the IR&D Board) Direction No. 1 of 1996***

- (b) whether a proposed finance scheme in relation to those activities would not be taken to be an ineligible finance scheme for the purposes of Part IIIA of the Act;

"application" means an application for financial assistance under the R&D Start Program;

"competitive allocation round" means the process used by the Board for selecting applications for financial assistance under the R&D Start Program;

"core technology expenditure" has the same meaning as in section 73B of the *Income Tax Assessment Act 1936*;

"eligible expenditure", for a project, means the expenditure (other than core technology expenditure) determined by the Board to be eligible expenditure for the project and may, in the case of an application for a grant for a Research and Development Project based on an unregistered Research and Development Syndicate Proposal, include expenditure incurred for the project before the application was lodged;

"R&D Start Program" means the Research and Development Start Program for the following financial assistance, namely:

- (a) grants for Large Research and Development Projects in Small to Medium Sized Enterprises;
- (b) grants for Small Research and Development Projects in Small to Medium Sized Enterprises;
- (c) grants for Collaborative Research and Development Projects between Research Institutions and Australian Companies;
- (d) grants for Graduate Based Research and Development Related Projects in Small to Medium Sized Enterprises;
- (e) grants for Research and Development Projects based on unregistered Research and Development Syndicate Proposals;
- (f) loans for the Commercialisation of Technological Innovation;

"the Act" means the *Industry Research and Development Act 1986*.

(2) For this direction, the question whether 2 or more bodies corporate are related to each other must be determined in the same way as that question would be determined for the Corporations Law.

Purpose

4. (1) The purpose of this direction is to set out policies and practices to be followed by the Board in the performance of its functions under the R&D Start Program.

(2) These policies and practices are designed to provide a competitive basis for giving financial assistance for projects that:

- (a) aim to produce a clearly defined product, process or service; and
- (b) clearly demonstrate a high degree of commercial potential; and
- (c) link research and development activities with commercialisation and financial capability; and
- (d) provide national benefits; and
- (e) would not proceed satisfactorily without the financial assistance.

**R&D Start Program (policies and practices of the IR&D
Board) Direction No. 1 of 1996**

3

Board to have regard to certain policy objectives

5. The Board must have regard to the following policy objectives in the performance of its functions under the R&D Start Program:

- (a) to increase the number of projects of research and development activities having a high commercial potential that are undertaken by companies;
- (b) to increase the successful commercialisation of those projects;
- (c) to increase the finance sector funding of those projects and their commercialisation.

Publicise closing dates for competitive allocation rounds

6. (1) For the financial year commencing 1 July 1996 the Board must conduct 2 competitive allocation rounds and publicise the closing dates for applications for each round.

(2) For the financial year commencing 1 July 1997, and each subsequent financial year, the Board must conduct at least 3 competitive allocation rounds and publicise the closing dates for applications for each round.

When applications must be considered

7. (1) Subject to subclause (3), applications for grants of less than \$1,000,000 must be considered by the Board as soon as practicable.

(2) Applications for grants of at least \$1,000,000 must be considered by the Board in the competitive allocation round next after lodgment of the relevant application.

(3) Applications for grants for Research and Development Projects based on unregistered Research and Development Syndicate Proposals can only be considered by the Board if they are lodged before the publicised closing date for the second competitive allocation round in the financial year commencing 1 July 1996.

PART 2—ELIGIBILITY FOR FINANCIAL ASSISTANCE

Eligible applicants

8. An applicant is eligible for financial assistance if the Board is satisfied that the applicant, and the project for which the relevant application is made, meet the requirements of this Part.

Requirements concerning projects

9. (1) A project under application:

- (a) must be a project of research and development activities; and
- (b) may involve related product development and related market research.

4 ***R&D Start Program (policies and practices of the IR&D
Board) Direction No. 1 of 1996***

Graduate based projects

(2) In addition to (1), to qualify for a grant for Graduate Based Research and Development Related Projects in Small to Medium Sized Enterprises, a project must involve a graduate working on a specific company-based research and development related project that would result in the formation of new and appropriate linkages between a company and a tertiary or research institution.

Collaborative projects

(3) In addition to subclause (1), to qualify for a grant for Collaborative Research and Development Projects between Research Institutions and Australian Companies, a project must:

- (a) be conducted jointly by at least 1 incorporated Australian company and at least 1 body registered as an Australian research agency under section 39F of the Act; and
- (b) involve high technical risk; and
- (c) if successful, provide extensive national benefits.

Requirements concerning applicants

10. (1) Subject to subclause (2), an applicant:

- (a) must not be exempt from income tax; and
- (b) must be incorporated under a law of the Commonwealth or of a State or Territory.

Collaborative projects

(2) An applicant for a grant for a Collaborative Research and Development Project between Research Institutions and Australian Companies must:

- (a) satisfy paragraphs (1) (a) and (b); or
- (b) be registered as an Australian research agency under section 39F of the Act.

SME and graduate based applicants

(3) In addition to subclause (1), to qualify for:

- (a) grants for Large Research and Development Projects in Small to Medium Sized Enterprises; or
- (b) grants for Small Research and Development Projects in Small to Medium Sized Enterprises; or
- (c) grants for Graduate Based Research and Development Related Projects in Small to Medium Sized Enterprises;

an applicant, and any body corporate related to the applicant, must have had a combined annual turnover of less than \$50,000,000 for each of the 3 years of income immediately before the year of income in which the application is made.

*R&D Start Program (policies and practices of the IR&D
Board) Direction No. 1 of 1996* 5

Unregistered syndicate applicants

(4) In addition to subclause (1), for an applicant to qualify for a grant for a Research and Development Project based on an unregistered Research and Development Syndicate Proposal:

- (a) the Board must be satisfied that, according to the expressed intention of the Government under its policies announced in the joint statement issued by the Treasurer and the Minister for Industry, Science and Tourism on 23 July 1996, the applicant should not be entitled to registration under section 39P of the Act; and
- (b) the applicant must have been, on 23 July 1996, the researcher for a project:
 - (i) substantially the same as the project for which the application is made; and
 - (ii) for which:
 - (A) an application under subsection 39P (1) of the Act was pending on that day; or
 - (B) a request for an advance approval opinion concerning registration of the applicant under subsection 39P (1) of the Act was pending on that day.

PART 3—RELATIVE MERIT CRITERIA

Competitive basis for financial assistance

11. (1) The Board must not enter into an agreement with an applicant for financial assistance for a project under the R&D Start Program unless it is satisfied that:

- (a) the applicant is eligible for financial assistance under Part 2; and
- (b) the applicant and the project have a high order of merit according to the relative merit criteria; and
- (c) there are sufficient funds available to provide the financial assistance to the applicant.

(2) For paragraph (1) (c), the Board must make a competitive assessment having regard to:

- (a) the amount of funds it determines are available for the kind of financial assistance applied for; and
- (b) the relative merit of the applicants being considered for that kind of financial assistance; and
- (c) preference being given to applicants and projects with a higher degree of merit.

6 *R&D Start Program (policies and practices of the IR&D
Board) Direction No. 1 of 1996*

Relative merit criteria

12. For clause 11, the relative merit criteria are:
- (a) management capabilities (the level of management capability of the applicant); and
 - (b) commercial potential (the level of commercial potential of the project and the applicant's capacity to exploit that potential); and
 - (c) technical strength (the level of relevant technical capabilities and resources of the applicant and the technical soundness of the project); and
 - (d) national benefits (the degree to which the project would benefit Australia, including Australian industry and the wider community); and
 - (e) need for R&D Start funding (the degree to which the project would not proceed satisfactorily without financial assistance under the R&D Start Program).

PART 4—BASIS FOR AGREEMENTS

Basis for agreements

13. The Board must not enter into agreements with applicants under the R&D Start Program except in accordance with this Part.

Maximum financial assistance based on eligible expenditure

14. The financial assistance provided by the Board for a project under the R&D Start Program, other than grants for Research and Development Projects based on unregistered Research and Development Syndicate Proposals, must not exceed 50% of the eligible expenditure for the project.

Time limits on the provision of financial assistance

15. (1) Subject to subclause (2), the financial assistance provided by the Board for a project under the R&D Start Program must not be provided for a period exceeding 3 years.

(2) The Board may extend the period in which it provides financial assistance by not more than 2 years if it is satisfied that the objectives of the project would be advanced significantly by the extension.

Maximum financial assistance for projects and families of interlinked projects

16. (1) For a project, and family of interlinked projects, the total financial assistance:

- (a) under the R&D Start Program; and
- (b) by way of Competitive Grants for Research and Development; and

*R&D Start Program (policies and practices of the IR&D
Board) Direction No. 1 of 1996* 7

(c) by way of Concessional Loans for Commercialisation of Technological Innovation;
in respect of applications made after the commencement of this direction must not exceed \$15,000,000.

(2) For subclause (1), financial assistance by way of a loan must only be included in the total to the extent that the loan has not been repaid at the time the application is made for the project.

(3) In a financial year, the financial assistance that the Board agrees to provide for a project under the R&D Start Program must not exceed \$5,000,000 unless the Board has reasonable grounds for exceeding that limit.

Reduction of financial assistance if other finance becomes available

17. The Board must not agree to provide financial assistance to an applicant for a project under the R&D Start Program unless the Board is satisfied that the agreement, or a law of the Commonwealth, would enable the Board to reduce the amount of the assistance to such extent as it considers appropriate in a case where:

- (a) the applicant receives financial assistance otherwise than under the Act (whether or not from, or out of money provided by, the Commonwealth); and
- (b) it appears to the Board that the financial assistance would aid the applicant to carry out the project.

Graduate based projects

18. Financial assistance by way of a grant for a Graduate Based Research and Development Related Project in a Small to Medium Sized Enterprises must not exceed \$100,000 and must not be provided for more than 2 years.

Limits on the Board's expenditure for financial assistance

19. (1) The Board must not authorise payments for:

- (a) grants for Research and Development Projects based on unregistered Research and Development Syndicate Proposals; and
 - (b) other grants of at least \$1,000,000 under the R&D Start Program;
- totalling more than \$40,000,000 to be made in the financial year commencing 1 July 1996.

(2) The Board must not authorise payments under the R&D Start Program to be made in the financial year commencing 1 July 1997, or a subsequent financial year, until the Minister directs the Board to do so under section 20 of the Act.

8 *R&D Start Program (policies and practices of the IR&D
Board) Direction No. 1 of 1996*

Maximum financial assistance for collaborative projects

20. Total financial assistance for a project by way of grants for Collaborative Research and Development Projects between Research Institutions and Australian Companies must not exceed \$1,000,000.

Maximum financial assistance (based on eligible expenditure) for a project of an unregistered syndicate

21. Financial assistance for a project by way of a grant for Research and Development Projects based on unregistered Research and Development Syndicate Proposals must not:

- (a) if the eligible expenditure for the project is at least \$2,000,000—exceed 90% of the eligible expenditure; and
- (b) in any other case—exceed 100% of the eligible expenditure for the project.

Maximum financial assistance by way of grants to unregistered syndicates

22. Total financial assistance by way of grants for Research and Development Projects based on unregistered Research and Development Syndicate Proposals must not exceed \$100,000,000.

Repayment of certain parts of grants to unregistered syndicates

23. The Board must not agree to provide financial assistance to an applicant for a project by way of a grant for a Research and Development Project based on an unregistered Research and Development Syndicate Proposal unless the Board is satisfied that the agreement would require the applicant to repay (from any income generated from the results of the project) any part of the financial assistance that exceeds 50% of the eligible expenditure of the project.

Unregistered syndicates not to take action in relation to section 39P

24. The Board must not agree to provide financial assistance to an applicant for a project by way of grants for Research and Development Projects based on unregistered Research and Development Syndicate Proposals unless the Board is satisfied that:

- (a) the project is not the subject of any claim or action in respect of rights or benefits under section 39P of the Act; and
- (b) the applicant agrees not to take or pursue any claim or action in relation to those rights or benefits; and
- (c) the applicant agrees to indemnify the Board against any other claims or actions that may arise in relation to those rights or benefits.

*R&D Start Program (policies and practices of the IR&D
Board) Direction No. 1 of 1996* 9

**PART 5—LOANS FOR THE COMMERCIALISATION OF
TECHNOLOGICAL INNOVATION**

Loans applications to be considered under Concessional Loans direction

25. If the Board receives an application for financial assistance by way of a Loan for the Commercialisation of Technological Innovation:

- (a) the application is taken to be an application for a Concessional Loan for Commercialisation of Technological Innovation; and
- (b) the Board must consider the application in accordance with the direction entitled "Directions in Respect of Concessional Loans for the Commercialisation of Technological Innovation":
 - (i) given under section 20 of the Act on 6 July 1994; and
 - (ii) published in the *Gazette* on 20 July 1994.

PART 6—EVALUATING AND MONITORING PROJECTS

Evaluating and monitoring projects

26. The Board must:

- (a) cooperate with and facilitate any independent evaluations of the R&D Start Program in accordance with advice from the Minister; and
 - (b) ensure that projects under the R&D Start Program are monitored to obtain relevant information for the evaluations.
-



**DEPARTMENT OF EMPLOYMENT, EDUCATION, TRAINING
AND YOUTH AFFAIRS**

**NOTIFICATION OF THE MAKING OF DETERMINATIONS UNDER THE *HIGHER
EDUCATION FUNDING ACT 1988***

The following determinations have been made under the *Higher Education Funding Act 1988*. A copy can be obtained from the Director, Finance and Administration Section, Higher Education Division, Department of Employment, Education, Training and Youth Affairs, 16-18 Mort Street, Canberra City, ACT, 2601 or by telephoning (06) 240 9660.

Number/ Year	Section	Description	Date Made
T13/96	24	To provide cost supplementation for teaching hospitals for 1996.	16/12/96
T17/96	27A	To revise the level of approved expenditure in the 1996 year for previously approved capital projects, taking account of progress on individual projects and anticipated expenditure to the end of 1996.	16/12/96
T18/96	15	To revise the level of base operating grants for 1996 to make an adjustment for fee paying postgraduate courses.	16/12/96
T19/96	16	To revise the level of base operating grants for 1996 to make an adjustment for fee paying postgraduate courses.	16/12/96
T1/97	24	To determine the maximum amount of expenditure for teaching hospital grants available to institutions for 1997.	16/12/96
T2/97	15	To provide the initial allocation for the 1997 program year of grants to institutions for expenditure for base operating grants.	16/12/96



**DEPARTMENT OF EMPLOYMENT, EDUCATION, TRAINING
AND YOUTH AFFAIRS**

**NOTIFICATION OF THE MAKING OF DETERMINATIONS UNDER THE *HIGHER
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Number/ Year	Section	Description	Date Made
T3/97	16	To provide the initial allocation for the 1997 program year of grants to institutions for expenditure for base operating grants.	16/12/96
T4/97	15	To provide the allocation for the 1997 program year of grants to institutions for expenditure on administrative funding for differential HECS.	16/12/96
T5/97	16	To provide the allocation for the 1997 program year of grants to institutions for expenditure on administrative funding for differential HECS.	16/12/96



NOTIFICATION OF THE MAKING OF STATUTORY RULES

The following Statutory Rules have been made and copies may be purchased at the Commonwealth Government Bookshop, 10 Mort Street, Canberra City, ACT.

Act under which the Statutory Rules were made	Description of the Statutory Rules	Year and number of the Statutory Rules
<i>National Crime Authority Act 1984</i>	National Crime Authority Regulations (Amendment)	1996 No. 286
<i>Director of Public Prosecutions Act 1983</i>	Director of Public Prosecutions Regulations (Amendment)	1996 No. 287
<i>Occupational Health and Safety (Commonwealth Employment) Act 1991</i>	Occupational Health and Safety (Commonwealth Employment) (National Standards) Regulations (Amendment)	1996 No. 288
<i>Australian Horticultural Corporation Act 1987</i>	Australian Horticultural Corporation (Export Control) Regulations (Amendment)	1996 No. 289
<i>Superannuation Act 1990</i>	Superannuation (PSS) Membership Inclusion Declaration (Amendment)	1996 No. 296
<i>Superannuation Act 1976</i>	Superannuation (CSS) Continuing Contributions for Benefits Regulations (Amendment)	1996 No. 297
<i>Petroleum (Submerged Lands) Act 1967</i>	Petroleum (Submerged Lands) (Management of Safety On Offshore Facilities) Regulations	1996 No. 298
<i>National Residue Survey (Horse Slaughter) Levy Act 1992</i>	Primary Industries Levies and Charges Collection (National Residue Survey—Horse Slaughter) Regulations (Amendment)	1996 No. 299
<i>Cocos (Keeling) Islands Act 1955</i>	Cocos (Keeling) Islands (Courts) Regulations (Amendment)	1996 No. 300
<i>Christmas Island Act 1958</i>	Christmas Island (Courts) Regulations (Amendment)	1996 No. 301
<i>Insurance Act 1973</i>	Insurance Regulations (Amendment)	1996 No. 302
<i>Insurance (Agents and Brokers) Act 1984</i>	Insurance (Agents and Brokers) Regulations (Amendment)	1996 No. 303
<i>Insurance Contracts Act 1984</i>	Insurance Contracts Regulations (Amendment)	1996 No. 304
<i>Life Insurance Act 1995</i>	Life Insurance Regulations (Amendment)	1996 No. 305
<i>Superannuation (Resolution of Complaints) Act 1993</i>	Superannuation (Resolution of Complaints) Regulations (Amendment)	1996 No. 306
<i>Workplace Relations Act 1996</i>	Workplace Relations Regulations (Amendment)	1996 No. 307





NOTICE OF TOWER LIFE AUSTRALIA LIMITED'S INTENTION TO MAKE AN
APPLICATION FOR THE COURT'S CONFIRMATION OF A SCHEME FOR THE
TRANSFER OF THE LIFE INSURANCE BUSINESS OF
ADVANCE LIFE INSURANCE LIMITED (ACN 003 182 670) TO
TOWER LIFE AUSTRALIA LIMITED (ACN 050 109 450)

Notice is given that Tower Life Australia Limited ("Tower") intends to make an application to the Federal Court of Australia for confirmation of a scheme under Part 9 of the Life Insurance Act 1995 for the transfer to Tower of the remaining life insurance business carried on by Advance Life Insurance Limited ("Advance Life"). The application will be made on such day as the Court appoints.

If the Court approves the scheme the following will occur:

- (a) All of the policies issued by Advance Life under the names of "Advance Bond" (series 1, 2 and 3) and "Advance Rollover Annuity" which are then in effect will be transferred to Tower.
- (b) Concurrently with the transfer of these policies, assets sufficient in value to support policy liabilities will be transferred from Advance Life to Tower.
- (c) Tower will automatically assume all of Advance Life's liability referable to these policies.

A copy of the scheme will be open for inspection by policy owners affected by the scheme between 9.00 am and 5.00 pm each business day from 27 December 1996 to 21 January 1997 at the following offices of Tower:

- Ground Floor, 80 Alfred Street, Milsons Point, NSW, 2061;
- 17th Floor, 607 Bourke Street, Melbourne, Vic, 3000;

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- Level 4, 301 Coronation Drive, Milton, Qld, 4064;
- 140 Greenhill Road, Unley, SA, 5061; and
- 10 Stirling Highway, Nedlands, WA, 6009.

During this period any Advance Life policy owner and any Tower Life policy owner whose policy is held in Tower's numbers 2 or 3 statutory funds (being the funds to which Advance Life policies will be transferred) may obtain a copy of the scheme free of charge by applying to any of the above addresses.

Any person who, in the Court's opinion, is likely to be affected by the scheme is entitled to be heard by the Court on the application for the scheme's confirmation. Any person who wishes to appear before the Court is requested to advise Phillips Fox, Lawyers, of 255 Elizabeth Street, Sydney, 2000 (attention Mr W Peck) as soon as possible. Phillips Fox will also be able to advise as to the date set for Tower's application.



COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974 — sub-section 65E (1)

Consumer Protection Notice No. 2 of 1996

DECLARATION OF A CONSUMER PRODUCT SAFETY STANDARD

CHILD RESTRAINT SYSTEMS FOR USE IN MOTOR VEHICLES

I, GEOFFREY DANIEL PROSSER, Minister for Small Business and Consumer Affairs, under sub-section 65E (1) of the *Trade Practices Act 1974*:

- (a) revoke the Declaration of a Consumer Product Safety Standard under sub-section 65E (1) notified in the *Gazette* on 2 June 1993; and
- (b) declare that, in respect of goods of a kind specified in Division 1 of the Schedule, the standard specified in Division 2 of the Schedule, as varied by Division 3 of the Schedule, is a consumer product safety standard for the purposes of section 65C of the *Trade Practices Act 1974*.

SCHEDULE

Division 1: Specified Goods

The following goods, not being child restraints that are an integrated feature of a motor vehicle, are specified:

- (1) child restraints for use in motor vehicles, being devices to reduce the risk of bodily injury to a child passenger in the event of a motor vehicle impact.
- (2) components:
 - (a) to restrain a child in a child restraint;
 - (b) to anchor a child restraint to a motor vehicle;
 - (c) to restrain a vehicle seat.
- (3) chaises for use in motor vehicles, being devices for:
 - (a) raising a child's position in a motor vehicle; or
 - (b) adapting an adult seat belt for use as a child restraint;and
having a back above the seating plane.



- (4) cushions for use in motor vehicles, being devices for:
- (a) raising a child's position in a motor vehicle; or
 - (b) adapting an adult seat belt for use as a child restraint; and
- having no back above the seating plane.

Division 2: Specified Standard

Australian Standard 1754-1991, *Child restraint systems for use in motor vehicles*, approved by Standards Australia on 26 November 1991 as amended by Amendment No. 1 dated 12 October 1992 and Amendment No. 2 dated 15 February 1992.

Division 3: Variations

Australian Standard 1754-1991 is varied by:

- (1) omitting "passenger cars and their derivatives," and substituting "motor vehicles," in clause 1.1;
- (2) omitting the second sentence of clause 1.1;
- (3) omitting clauses 2.4 and 2.5.

Dated 13th day of December 1996



GEOFFREY DANIEL PROSSER
Minister for Small Business and Consumer Affairs



**Commonwealth
of Australia**

Gazette

No. S 501, Thursday, 19 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

**CORPORATIONS LAW
SECTION 427(1)**

NOTICE OF APPOINTMENT OF RECEIVER AND MANAGER

**Darwin Hardware Pty Ltd (Receivers And Managers Appointed)
ACN 009 653 141**

Mitre 10 (Northern) Ltd ACN 009 713 704 gives notice that on 11 December 1996 it appointed Philip Gregory Jefferson and Jay Arscott Stevenson of Jefferson Stevenson & Co of level 20, Jetset Centre, 288 Edward Street, Brisbane as receiver and manager of all the assets and undertaking of Darwin Hardware Pty Ltd whatsoever and wheresoever both present and future under mortgage debenture dated 6 April 1992 registered charge 338502.

Hunt & Hunt
Solicitors





Commonwealth of Australia

Income Tax Assessment Act 1936

DECLARATION OF ELIGIBLE FUND FOR GIFT DEDUCTION

I, PETER COSTELLO, the Treasurer:-

(a) am satisfied, under subsection 78(21) of the *Income Tax Assessment Act 1936*, that the **Medecins Sans Frontieres Australia Overseas Fund**:

(i) is established by an approved organisation for the purposes of subsection 78(19) of that Act: and

(ii) is exclusively for the relief of persons in a country which is a certified country, or in countries which are certified countries, under subsection 78(20) of that Act: and

(b) declare, under subsection 78(21) of that Act, that the **Medecins Sans Frontieres Overseas Aid Fund** is an eligible fund for the purposes of item 9.1.1 of table 9 in subsection 78(4) of that Act; and

(c) specify, under subsection 78(22) of that Act, that the date on which this notice is published in the Gazette is the date on which it has effect.

Dated

5th 1996
P Costello

December 1996

PETER COSTELLO
Treasurer





Commonwealth
of Australia

Gazette

No. S 503, Thursday, 19 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



Workplace Relations and Other Legislation Amendment Act 1996

PROCLAMATION

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (2) of the *Workplace Relations and Other Legislation Amendment Act 1996*, fix 31 December 1996 as the day on which Schedules 1, 2, 4, 6, 7, 8, 9 (other than item 1), 11, 13, 14, 15 and 20, and item 1 of Schedule 12, to that Act commence.

Signed and sealed with the
Great Seal of Australia
on 1996

Governor-General*

By His Excellency's Command,


Minister for Industrial Relations

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Produced by the Australian Government Publishing Service
Cat. No. 96 3424 X ISBN 0644 47033X
ISSN 1032-2345
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EXPLANATORY MEMORANDUM

Minute No. of 1996 - The Treasurer

Subject - *Workplace Relations and Other Legislation Amendment Act 1996*

Commencement of Schedule 17

Subsection 2(1) of the *Workplace Relations and Other Legislation Amendment Act 1996* (the Act) provides that, subject to that section, the Act commences on the day on which the Act receives Royal Assent. The Act received Royal Assent on 25 November 1996.

Subsection 2(2) of the Act (as amended by the *Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*) provides that, subject to subsection (3), the items of the Schedules, other than Schedule 5, item 1 of Schedule 9, items 2 and 3 of Schedule 12, item 90 of Schedule 16 and the items of Schedule 19, commence on a day or days to be fixed by Proclamation.

Subsection 2(3) of the Act provides that if an item referred to in subsection 2(2) does not commence within 6 months of the Act receiving Royal Assent, the items will commence on the first day after the end of that period.

It is proposed that the items of Schedule 17 be proclaimed and that 31 December 1996 be fixed as the day on which that Schedule comes into operation.

Schedule 17 substantially reinstates former sections 45D and 45E of the *Trade Practices Act 1974* (the boycott provisions), as they existed prior to 30 March 1994 and makes a number of consequential amendments, including the repeal of the current Division 7 of Part VI of the *Workplace Relations Act 1996* (which deals with secondary boycotts) and reinstatement of the pre-1994 provisions.

The Minute recommends that the Proclamation be made in the form proposed.

Authority: Subsection 2(2) of the
*Workplace Relations and Other
Legislation Amendment Act 1996*





Workplace Relations and Other Legislation Amendment Act 1996

PROCLAMATION

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (2) of the *Workplace Relations and Other Legislation Amendment Act 1996*, fix 31 December 1996 as the day on which Schedule 17 to that Act commences.

Signed and sealed with the
Great Seal of Australia
on 1996

Governor-General

By His Excellency's Command,

Minister for Industrial Relations
for the
Treasurer

EXPLANATORY MEMORANDUM

Minute No. 30 of 1996 - Minister for Industrial Relations

Subject - *Workplace Relations and Other Legislation Amendment Act 1996*

Commencement of Schedules 1, 2, 4, 6, 7, 8, 9 (other than item 1), 11, 13, 14, 15 and 20, and item 1 of Schedule 12

Subsection 2(1) of the *Workplace Relations and Other Legislation Amendment Act 1996* (the Act) provides that, subject to that section, the Act commences on the day on which the Act receives Royal Assent. The Act received Royal Assent on 25 November 1996.

Subsection 2(2) of the Act (as amended by the *Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*) provides that, subject to subsection (3), the items of the Schedules, other than Schedule 5, item 1 of Schedule 9, item 2 and 3 of Schedule 12, item 90 of Schedule 16 and the items of Schedule 19, commence on a day or days to be fixed by Proclamation.

Subsection 2(3) of the Act provides that if an item referred to in subsection 2(2) does not commence within 6 months of the Act receiving Royal Assent, the items will commence on the first day after the end of that period.

It is proposed that the items of Schedules 1, 2, 4, 6, 7, 8, 9 (other than item 1), 11, 13, 14, 15 and 20, and item 1 of Schedule 12 be proclaimed and that 31 December 1996 be fixed as the day on which those Schedules come into operation.

Schedule 1 introduces new objects for the *Workplace Relations Act 1996* (WR Act). Schedule 2 removes the obligation on the President of the Australian Industrial Relations Commission (the Commission) to establish industry panels and requires the President to consider, in directing the business of the Commission, the greater efficiencies that may be achieved by members of State industrial authorities (who hold secondary offices as members of the Commission) exercising the Commission's powers.

Schedule 4 amends the provisions dealing with the Commission's powers to make orders concerning the representation rights of organisations of employees. Schedule 6 amends the provisions of the WR Act relating to termination of employment and introduces a new unfair dismissal scheme based on the principle of a "fair go all round". Schedule 7 repeals Divisions 1 and 6 of Part VIA of the WR Act which make provision in relation to minimum entitlements in respect of wages and leave to care for immediate family.

Schedule 8 repeals and replaces Part VIB of the Act and introduces a new framework for the negotiation of certified agreements. Schedule 9 repeals Part VIB of Division 3 of the WR Act which made provision for Enterprise Flexibility Agreements (EFAs) and provides transitional arrangements to cover existing EFAs.

Schedule 11 amends the definition of award in the WR Act and makes consequential amendments to a number of Acts to reflect this amendment. Item 1 of Schedule 12 inserts Part VIE into the WR Act which establishes a "no disadvantage test" for employees covered by certified agreements or Australian Workplace Agreements.



Schedule 13 gives new powers to the Commission to stop or prevent industrial action and makes it unlawful for employers to pay strike pay, unions to seek strike pay or employees to accept strike pay.

Schedule 14 amends the provisions of the WR Act relating to registered organisations to facilitate the establishment of new unions, allow withdrawals from certain amalgamations and makes a number of changes to the financial reporting requirements. Schedule 15 provides for freedom of association and the choice to join or not to join industrial associations. It also prohibits preference clauses, compulsory unionism or discrimination based on union or non-union membership.

Schedule 20 makes a number of discrete amendments, including to definitions, primarily of a minor or technical nature and consequential on other amendments.

The Minute recommends that the Proclamation be made in the form proposed.

Authority: Subsection 2(2) of the
*Workplace Relations and Other
Legislation Amendment Act 1996*

A handwritten signature in black ink, appearing to be 'Red', located in the bottom right corner of the page.



Commonwealth of Australia

Aboriginal and Torres Strait Islander Commission Act 1989

**Notice under section 142S in relation to the Torres
Strait Regional Authority**

I, JOHN JOSEPH HERRON, Minister for Aboriginal and Torres Strait Islander Affairs, acting under section 142S of the *Aboriginal and Torres Strait Islander Commission Act 1989*:

- (a) declare that I am satisfied that the Torres Strait Regional Authority would best be able to represent the Torres Strait Islanders, and Aboriginal persons, living in the Torres Strait area if it consisted of, or included, persons elected to represent particular communities in that area under the *Community Services (Torres Strait) Act 1984* of Queensland as amended and in force from time to time; and
- (b) make provision in relation to the constitution of the Torres Strait Regional Authority by way of the Rules set out in the Schedule to this notice.

Dated 18th Dec 1996.

Minister for Aboriginal and Torres Strait Islander Affairs

SCHEDULE

TORRES STRAIT REGIONAL AUTHORITY RULES

Citation

1. These Rules may be cited as the Torres Strait Regional Authority Rules.

[NOTE: These Rules commence on gazetta]: see *Acts Interpretation Act 1901*, ss. 46A and 48.]



2 Notice under section 142S in relation to the Torres Strait
Regional Authority**Interpretation**

2. (1) In these Rules, unless the contrary intention appears:

“appointed chairperson”, in relation to an Island Council, means the person appointed chairperson of an Island Council in accordance with subregulation 7 (3) of the Queensland Regulations;

“Chairperson” means the Chairperson of the Torres Strait Regional Authority;

“Island Council” means an Island Council:

- (a) preserved and continued in being; or
- (b) established;

and incorporated under section 15 of the Queensland Act;

“the Act” means the Aboriginal and Torres Strait Islander Commission Act 1989;

“the Island Co-ordinating Council” means the body continued in existence and incorporated under section 44 of the Queensland Act;

“the Queensland Regulations” means the *Community Services (Torres Strait) Regulation 1985* made under the Queensland Act;

“the Queensland Act” has the same meaning as in section 142S of the Act;

“the Thursday Island (Port Kennedy) community” means the Torres Strait Islanders and Aboriginal persons who:

- (a) are resident on Thursday Island; and
- (b) are not entitled to vote at an election to appoint a person under paragraph 45 (1) (b) of the Queensland Act.

(2) In these Rules, unless the contrary intention appears, a word or phrase defined in the Torres Strait Regional Authority Election Rules has the same meaning as in those Rules.

Constitution of Torres Strait Regional Authority

3. (1) Subject to this rule, the Torres Strait Regional Authority consists of the following persons:

- (a) the persons who constitute the Island Co-ordinating Council, being:
 - (i) the appointed chairpersons of the Island Councils; and
 - (ii) the person appointed under paragraph 45 (1) (b) of the Queensland Act;
- (b) one Torres Strait Islander or Aboriginal person elected by the Torres Strait Islanders and Aboriginal persons who comprise the Thursday Island (Port Kennedy) community;
- (c) one Torres Strait Islander or Aboriginal person elected by the Torres Strait Islanders and Aboriginal persons resident on:
 - (i) Horn Island; and

*Notice under section 142S in relation to the Torres Strait
Regional Authority*

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(ii) Prince of Wales Island;
voting as one electorate.

(2) If:

- (a) there is no appointed chairperson of an Island Council; or
- (b) the appointed chairperson becomes permanently incapacitated; or
- (c) the appointed chairperson is taken to have resigned from the Torres Strait Regional Authority under section 143R of the Act; or
- (d) the appointed chairperson is removed from office as a member of the Torres Strait Regional Authority under section 143S or 143T of the Act;

subrule 3 applies.

(3) The Minister may, in the circumstances described in subrule (2):

- (a) request the Island Council to nominate a person to act as a member of the Torres Strait Regional Authority until a new person is appointed chairperson of the Island Council; and
- (b) if a request has been made under paragraph (a) and the Island Council does not nominate a person or appoint another chairperson within 30 days, appoint a member of the Island Council to act as a member of the Torres Strait Regional Authority until a person is appointed chairperson of the Island Council.

(4) If a person has been nominated under paragraph (3) (a) or appointed under paragraph (3) (b), the person is taken to be a member of the Torres Strait Regional Authority until a new person is appointed chairperson of the Island Council.

(5) If:

- (a) there is no person appointed to the Island Co-ordinating Council under paragraph 45 (1) (b) of the Queensland Act; or
- (b) a person appointed under that paragraph becomes permanently incapacitated; or
- (c) a person appointed under that paragraph is taken to have resigned from the Torres Strait Regional Authority under section 143R of the Act; or
- (d) a person appointed under that paragraph is removed from office as a member of the Torres Strait Regional Authority under section 143S or 143T of the Act;

subrule (6) applies.

(6) The Minister may, in the circumstances described in subrule (5):

- (a) appoint the person who, in the election in which the last person appointed to the Island Co-ordinating Council was elected, received the highest number of votes after the person elected; or
- (b) if 2 or more people received the equal highest number of votes after the person elected, appoint 1 of those people by drawing lots.

4 *Notice under section 142S in relation to the Torres Strait
Regional Authority*

(7) If a person is appointed under subrule (6), the person is taken to be a member of the Torres Strait Regional Authority until a new person is appointed to the Island Co-ordinating Council.

Election of members of the Torres Strait Regional Authority

4. (1) Subject to subrule (3), the members of the Torres Strait Regional Authority specified in paragraphs 3 (1) (b) and (c) are to be elected at each Torres Strait Regional Authority election held in accordance with section 142Y of the Act.

(2) The election of persons under subrule (1) is to be in accordance with the procedures specified in the Torres Strait Regional Authority Election Rules.

(3) Where a casual vacancy occurs in respect of the office of a member elected under subrule (1), a recount must be held in accordance with the procedures set out in this rule.

Term of office of members of the Torres Strait Regional Authority

5. (1) Subject to subrule 6 (1), the term of office of a member of the Torres Strait Regional Authority mentioned in paragraph 3 (1) (a) is the term of office of that person as a member of the Island Co-ordinating Council.

(2) A member of the Torres Strait Regional Authority specified in paragraph 3 (1) (b) or (c) holds office in accordance with section 142W of the Act.

If an Island Council is dissolved under section 20 of the Queensland Act

6. (1) If an Island Council is dissolved under section 20 of the Queensland Act, the former appointed chairperson of that Island Council continues to be a member of the Torres Strait Regional Authority for a period expiring at the end of 30 days after the dissolution.

(2) Before the expiration of the period specified in subrule (1) the Minister may, by notice in writing published in the *Gazette*, determine that the former appointed chairperson of the Island Council continue to be a member of the Torres Strait Regional Authority.

(3) If the Minister makes a determination under subrule (2):

- (a) the former appointed chairperson continues to be a member of the Torres Strait Regional Authority; and
- (b) his or her term of office as a member of the Torres Strait Regional Authority:

- (i) if an election is held under the Queensland Regulations for the Island Council which the former appointed chairperson represents—expires when a chairperson is appointed in accordance with subregulation 7 (3) of the Queensland Regulations at the first meeting of the Island Council after that election; or

*Notice under section 142S in relation to the Torres Strait
Regional Authority*

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- (ii) if no election is held under the Queensland Regulations for the Island Council which the former appointed chairperson represents—is the term he or she would have had as a member of the Island Council if the Island Council had not been dissolved.

(4) If the Minister does not make a determination under subrule (2), the former appointed chairperson ceases to be a member of the Torres Strait Regional Authority at the expiry of the period specified in subrule (1).

Minister may order election

7. (1) If an Island Council is dissolved and the Minister does not make a determination under subrule 6 (2), the Minister may order that an election be held to fill the vacancy on the Torres Strait Regional Authority.

(2) An election held under subrule (1) is to be conducted in a similar manner to an election for the members of the Torres Strait Regional Authority specified in paragraphs 3 (1) (b) and (c).

(3) If a casual vacancy occurs in an office of a member of the Torres Strait Regional Authority elected under subrule (1), a further election is to be held to fill the vacancy.

Nominee of a member of the Torres Strait Regional Authority

8. (1) Subject to subrule (2), where a member of the Torres Strait Regional Authority:

(a) is:

- (i) an appointed chairperson; or
- (ii) taken to be a member of the Torres Strait Regional Authority under subrule 3 (4); and

(b) is unable to attend a meeting of the Torres Strait Regional Authority; the member may appoint a person to attend in his or her stead.

(2) A person appointed under subrule (1) must be an elected member of the same Island Council as the person making the appointment.

(3) Where a person nominated under subrule (1) attends a meeting of the Torres Strait Regional Authority, that person is not eligible to stand for election as Chairperson, Deputy Chairperson or alternate Deputy Chairperson.

Operation of the Torres Strait Regional Authority

9. In relation to matters not prescribed in these Rules, the operations of the Torres Strait Regional Authority must conform with Part 3A of the Act.

Revocation

10. The Torres Strait Regional Council Rules are revoked.

6 *Notice under section 142S in relation to the Torres Strait
Regional Authority*

NOTE

Notified in the *Commonwealth of Australia Gazette* on

1996.

Commonwealth of Australia

Aboriginal and Torres Strait Islander Commission Act 1989

Torres Strait Regional Authority Election Rules

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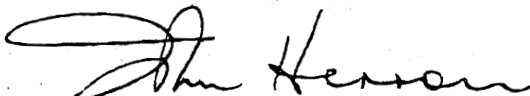
Commonwealth of Australia

Aboriginal and Torres Strait Islander Commission Act 1989

Torres Strait Regional Authority Election Rules

I, JOHN JOSEPH HERRON, Minister for Aboriginal and Torres Strait Islander Affairs, make the following Rules under section 143G of the *Aboriginal and Torres Strait Islander Commission Act 1989*.

Dated 18th Dec 1996.



Minister for Aboriginal and Torres Strait Islander Affairs

PART 1—PRELIMINARY

Citation

1. These Rules may be cited as the Torres Strait Regional Authority Election Rules.

[NOTE: These Rules commence on gazettal: see *Acts Interpretation Act 1901*, ss. 46A and 48.]

Interpretation

2. (1) In these Rules, unless the contrary intention appears:

“approved” means approved by the Electoral Commissioner by notice published in the *Gazette*;

“authorised witness” means an elector whose name appears on the Roll for:

- (a) a State; or
- (b) the Australian Capital Territory; or
- (c) the Northern Territory;

2 *Torres Strait Regional Authority Election Rules*

“Authority” means the Torres Strait Regional Authority established by section 142 of the Act;

“Chairperson” means the Chairperson of the Authority;

“compartment”, in relation to a polling booth, means a compartment constructed in the polling booth in accordance with rule 54;

“courier service” means a service approved by the Electoral Commissioner that provides for the collection, at the request of a person using the service, of an article from a place in Australia specified by or on behalf of the person and the conveyance (whether by aircraft or otherwise) and delivery of the article to another place in Australia that is so specified;

“day of nomination” has the meaning given by rule 13;

“Deputy Electoral Commissioner” means the Deputy Electoral Commissioner referred to in section 19 of the Electoral Act;

“Division” has the same meaning as in the Electoral Act;

“election” means an election for a member of the Authority for an electorate;

“elector” means a person who is entitled to vote in an election;

“Electoral Act” means the *Commonwealth Electoral Act 1918*;

“Electoral Commission” means the Australian Electoral Commission established by section 6 of the Electoral Act;

“Electoral Commissioner” means the Electoral Commissioner referred to in section 18 of the Electoral Act;

“electoral matter” means matter which is intended or likely to affect voting in an election;

“electorate” means:

- (a) the Thursday Island (Port Kennedy) community; or
- (b) Horn Island and Prince of Wales Island;

“hospital” includes a convalescent home or an institution similar to a hospital or to a convalescent home;

“hour of nomination” has the meaning given by rule 14;

“issuing point”, in relation to a polling booth, means a place within the polling booth at which ballot-papers are issued to persons voting at the booth;

“liaison officer” means an Aboriginal and Torres Strait Islander liaison officer appointed under rule 4;

“nomination period” means the period commencing on the fifteenth day after the publication in the *Gazette* of the notice by the Minister under subsection 142Y (2) of the Act and ending at the hour of nomination;

Torres Strait Regional Authority Election Rules

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“officer” includes the Electoral Commissioner, the Deputy Electoral Commissioner, a Returning Officer, a presiding officer, an assistant presiding officer, a substitute presiding officer, an electoral visitor, a mobile polling team leader, a mobile polling team member, a senior liaison officer, a liaison officer and a pre-poll voting officer;

“place of nomination” has the meaning given by rule 12;

“polling booth” means a polling booth provided under rule 51;

“polling place” means a place appointed as a polling place under section 142Z of the Act;

“postal vote” means a vote cast before polling day, by means of post;

“pre-poll vote” means a vote cast before the close of the poll, by the voter attending in person at the office of the Returning Officer or of a pre-poll voting officer;

“pre-poll voting officer” means a person appointed under rule 41;

“registered medical practitioner” means a person registered or licensed as a medical practitioner under a law of a State or Territory, being a law that provides for the registration or licensing of medical practitioners;

“Roll” means an Electoral Roll under the Electoral Act;

“senior liaison officer” means a senior Aboriginal and Torres Strait Islander liaison officer appointed under rule 4;

“special hospital” means a special hospital declared under rule 66;

“Subdivision” has the same meaning as in the Electoral Act;

“Territory” means the Australian Capital Territory or the Northern Territory;

“the Act” means the *Aboriginal and Torres Strait Islander Commission Act 1989*;

“voter card” means a voter card in the approved form.

(2) Without limiting the generality of the definition of “electoral matter” in subsection (1), matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:

- (a) the election; or
- (b) an issue submitted to, or otherwise before, the electors in connection with the election.

(3) For the purposes of these Rules a person is enrolled in respect of an electorate if, 32 days before the day of the poll:

- (a) the person’s name appears on the Roll at an address located in the electorate; or
- (b) the person’s name is entered on the Roll:

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Torres Strait Regional Authority Election Rules

- (i) under section 96 of the Electoral Act; and
- (ii) for a Subdivision where part of that Subdivision is in the electorate; or
- (c) where the person has made a request under section 104 of the Electoral Act—the person's address as shown on the request is in the electorate.

(4) A reference in these Rules to a senior liaison officer is a reference to the person appointed by the Returning Officer to be the senior liaison officer for that election.

(5) A reference to a voter or an elector, in a provision of these Rules that creates an offence, includes a reference to a person who is not entitled to vote but attempts to do so.

(6) A reference in these Rules to the Returning Officer is a reference to the person appointed by the Electoral Commissioner to be the Returning Officer for the Torres Strait area, and includes a reference to an Assistant Returning Officer appointed by the Electoral Commissioner for the Torres Strait area.

Electoral Commissioner may give directions

3. The Electoral Commissioner may give written directions to officers with respect to the performance of their functions, and the exercise of their powers, under these Rules.

Aboriginal and Torres Strait Islander liaison officers

4. (1) Before polling commences in an election, the Returning Officer in consultation with the Authority must appoint:

- (a) persons to be Aboriginal and Torres Strait Islander liaison officers; and
 - (b) a person (not being a liaison officer) to be the senior Aboriginal and Torres Strait Islander liaison officer.
- (2) A liaison officer or a senior liaison officer must:
- (a) be an Aboriginal person or a Torres Strait Islander; and
 - (b) be over the age of 18 years; and
 - (c) reside in the Torres Strait area; and
 - (d) not be:
 - (i) a candidate for election in the election for which he or she is a liaison officer or a senior liaison officer; or
 - (ii) a member of the staff of, or a consultant to, the Authority or the Commission.

Liaison officer to be present during polling

5. A liaison officer must be present at all times during polling at:

- (a) a polling booth; or
- (b) a special hospital; or

Torres Strait Regional Authority Election Rules

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- (c) a prison; or
- (d) a mobile polling station.

PART 2—NOMINATIONS

Qualifications of person nominated

6. (1) No person is capable of being elected as a member of the Authority unless duly nominated.

(2) To entitle a person to be nominated as a member of the Authority, he or she must have the qualifications specified in section 142V of the Act.

Manner of nomination

7. (1) A nomination must:

- (a) be in the approved form; and
- (b) set out the name, occupation, place of residence and postal address of the candidate; and
- (c) be signed by not less than 4 electors, other than the candidate, who are enrolled in respect of the electorate for which the candidate is nominated.

(2) For the purposes of this rule, the name of a candidate includes:

- (a) the surname, and at least one given name, under which the candidate is enrolled in respect of the electorate; and
- (b) if the candidate so wishes any other name, or nickname, by which the candidate is commonly known.

(3) A nomination must include a statement of the form in which the candidate's name is to be printed on the ballot-papers for the election.

(4) For the purposes of subrule (3), a commonly accepted variation of the candidate's enrolled given name may be used if approved by the Returning Officer.

To whom nominations made

8. A nomination of a person for election as the member of the Authority for an electorate must be made to the Returning Officer.

Requirements for nomination

9. A nomination is not valid unless:

- (a) the person nominated:
 - (i) consents to act if elected; and
 - (ii) declares:
 - (A) that he or she is qualified under section 142V of the Act to stand for election; and

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- (B) that he or she is not, and does not intend to be, a candidate in any other election to be held on the same day as the election to which the nomination relates; and
- (b) the nomination paper, or a copy received by facsimile transmission, is received by the Returning Officer within the nomination period.

Form of consent to act

10. The consent of the person nominated to act if elected and the declaration referred to in subparagraph 9 (a) (ii) is sufficient if he or she signs the form of consent and declaration at the foot of the nomination paper, but the Returning Officer receiving the nomination may accept any other form of consent and declaration, whether accompanying the nomination paper or not, that he or she deems satisfactory, and such acceptance is final.

Rejection of nomination

11. (1) Subject to subrule (2), a nomination must be rejected by the officer to whom it is made if, and only if, the provisions of rules 7, 8, 9 and 10 have not been complied with in relation to the nomination.

(2) No nomination is to be rejected by reason of any formal defect or error in the nomination if the officer to whom the nomination is made is satisfied that the provisions of rules 7, 8, 9 and 10 have been substantially complied with.

Place of nomination

12. The place of nomination is the office of the Returning Officer.

Day of nomination

13. The day of nomination is 31 days before the day fixed for the poll.

Hour of nomination

14. The hour of nomination is 5 p.m. on the day of nomination.

Declaration of nominations

15. The Returning Officer must, within 24 hours of the hour of nomination and as nearly as possible at the same time of day as the hour of nomination, attend at the place of nomination, and must there publicly produce all nomination papers received by him or her, and declare the names and residences of all candidates nominated.

Withdrawal of consent to nomination

16. A candidate may withdraw his or her consent to his or her nomination at any time before the hour of nomination by lodging with the Returning Officer a notice of withdrawal, and thereupon the nomination is cancelled.

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Where poll to be held

17. Where, under subsection 143A (2) of the Act, a poll is to be held, the proceedings in the election are, subject to the provisions of these Rules relating to voting before polling day, adjourned to polling day.

Death of candidate after nomination

18. If, after the nominations for an election have been declared and before polling day any candidate dies and only one candidate remains, that candidate must forthwith be declared to be elected.

Failure of election

19. An election is taken to have wholly failed if no candidate is nominated or returned as elected.

PART 3—CONDUCT OF THE ELECTION

Division 1—General

Persons not to vote more than once

20. An elector is not entitled to vote:
- (a) more than once at any election; or
 - (b) at more than one election held on the same day.

Photographs of candidates

21. (1) Where a candidate provides a photograph of himself or herself to the Returning Officer within 7 days after the day of nomination, the Returning Officer must:

- (a) arrange for copies to be made of the photograph; and
 - (b) arrange for copies of the photograph to be displayed during the time voting is in progress at all places where voting takes place.
- (2) The photograph provided under subrule (1) must:
- (a) be of a quality which will allow effective reproduction; and
 - (b) depict only the head and shoulders of the candidate.

Undertaking by officers and scrutineers

22. (1) Every officer and scrutineer performing functions under these rules must make an undertaking in the approved form.

(2) An omission by an officer or scrutineer to sign an undertaking under subrule (1) is not to be a ground for setting aside an election.

8 *Torres Strait Regional Authority Election Rules***Ballot-boxes to be securely fastened**

23. Each ballot-box must be capable of being securely fastened.

Official mark

24. The official mark for the authentication of ballot-papers is a water mark in the paper thereof consisting of a representation of a shield having therein the letters "CA" intertwined.

*Division 2—Postal Voting***Grounds for applying for postal vote**

25. An elector may apply to the Returning Officer for a postal vote on a ground set out in the Schedule.

Application for postal vote

26. (1) An application must:
- (a) be in writing in the approved form; and
 - (b) contain a declaration by the applicant that he or she is entitled to apply for a postal vote; and
 - (c) be signed by the applicant in the presence of an authorised witness.

- (2) An application must not be made until after the publication in the *Gazette* of a notice under subsection 142Y (2) of the Act in relation to the election.

- (3) An elector must not make a false statement in:
- (a) an application; or
 - (b) a declaration relating to an application.

Penalty: 10 penalty units.

- (4) A person must not induce an elector to make a false statement in:
- (a) an application; or
 - (b) a declaration relating to an application.

Penalty: 10 penalty units.

Duty of an authorised witness

27. (1) A person must not sign as an authorised witness to the signature of an elector on an application for a postal vote unless the person:
- (a) is satisfied as to the identity of the elector; and
 - (b) has seen the elector sign the application; and
 - (c) is satisfied that the statements in the application are true:
 - (i) from personal knowledge; or

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- (ii) from questioning of the elector or by other means.

Penalty: 10 penalty units.

(2) A person who signs as an authorised witness must write on the application the date on which he or she has signed it.

Issue of certificate and ballot-papers

28. (1) Subject to subrule (2), on receiving an application for a postal vote that is properly made, signed and witnessed, the Returning Officer must:

- (a) allocate a number to the application; and
- (b) record the same number on the postal vote certificate issued to the applicant; and
- (c) post to the applicant:
 - (i) a postal vote certificate attached to an envelope addressed to the Returning Officer; and
 - (ii) a postal ballot-paper.

(2) If the Returning Officer receives an application after the last mail clearance at the nearest post office on the last Thursday before polling day, the Returning Officer must not post a postal vote certificate or ballot-paper to the applicant.

(3) Before posting a postal vote certificate and postal ballot-paper, the Returning Officer must initial, in writing, the back of the ballot-paper.

Inspection of applications

29. (1) If the Returning Officer issues a postal vote certificate and postal ballot-paper, the Returning Officer must write the date of issue on the application to which they relate.

(2) Subject to subrule (3), all applications for postal votes received by the Returning Officer must be open to public inspection at his or her office during ordinary office hours:

- (a) on and from the third day after polling day; and
- (b) until the time when the election can no longer be questioned.

(3) Before making applications available for public inspection, the Returning Officer must remove from the applications the address of any person whose address has been excluded from the Roll under section 104 of the Electoral Act.

Form of postal vote certificate

30. A postal vote certificate and postal ballot-paper must be in the approved form.

Postal voting

31. (1) Subject to subrule (8), the following requirements for postal voting must be substantially given effect:

- (a) the elector must show his or her unsigned postal vote certificate and unmarked postal ballot-paper to an authorised witness;
- (b) the elector must sign the postal vote certificate in the presence of the authorised witness;
- (c) the authorised witness must:
 - (i) sign the certificate as an authorised witness; and
 - (ii) write the date of the witnessing;
- (d) the elector must mark his or her vote on the ballot-paper in the presence of the authorised witness but so that the witness cannot see the vote, fold the ballot-paper, place it in the envelope addressed to the Returning Officer and seal the envelope;
- (e) the elector must have the postal vote certificate certified by:
 - (i) an Aboriginal person or a Torres Strait Islander who is an office-bearer of an Aboriginal or Torres Strait Islander Corporation; or
 - (ii) a member of the staff of the Authority or the Commission;to the effect that the elector is an Aboriginal person or a Torres Strait Islander;
- (f) subject to subrule (5), the elector must post or deliver the postal vote certificate and envelope to the Returning Officer.

(2) A person who is a candidate at an election must not certify a postal vote certificate under paragraph (1) (e).

(3) If the elector cannot read, or is so disabled that he or she is unable to vote without assistance, a person chosen by the elector may, according to the directions of the elector:

- (a) complete the postal vote certificate for him or her; and
- (b) do for the elector any act required by paragraph (1) (d), (e) or (f).

(4) Directions under subrule (3) may be given by reference to a how-to-vote card.

(5) In the case of a ballot-paper that:

- (a) if posted before the close of a poll—would be unlikely to reach the Returning Officer within 6 days after polling day; or
- (b) if delivered to the Returning Officer—would be unlikely to reach him or her before the close of the poll;

the elector may take the steps set out in subrule (6).

(6) For the purpose of subrule (5), the elector may, before the close of the poll, post or deliver the envelope and postal vote certificate to:

- (a) a pre-poll voting officer; or
- (b) a presiding officer.

(7) A pre-poll voting officer or a presiding officer to whom an envelope and postal vote certificate are posted, delivered or handed under subrules (5) and

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(6) must deal with the envelope, postal vote certificate and ballot-paper in accordance with rule 33.

(8) In subrule (1), “authorised witness”, in relation to a particular election, does not include a candidate in the election.

Unauthorised interference

32. Except at an elector’s request, a person must not:

- (a) interfere with the elector in relation to the marking of his or her postal ballot-paper; or
- (b) do anything that would enable the person or any other person to find out what is marked on the postal ballot-paper.

Penalty: 10 penalty units.

Procedure for dealing with postal vote certificates etc.

33. If a pre-poll voting officer or a presiding officer receives an envelope and a postal vote certificate, he or she must:

- (a) endorse on the envelope:
 - (i) “Received by me”; and
 - (ii) the date and time of receipt of the envelope; and
- (b) sign the endorsement and add the words “Pre-poll Voting Officer” or “Presiding Officer”, as the case may be; and
- (c) make a record of:
 - (i) the name of the voter; and
 - (ii) the name of the electorate to which the postal vote certificate appears to relate; and
- (d) until dealing with the envelope and certificate in accordance with paragraph (e), keep the envelope and certificate in a ballot-box; and
- (e) send:
 - (i) the envelope and certificate; and
 - (ii) the record;to the Returning Officer in accordance with his or her instructions.

Opening postal ballot-papers

34. An envelope that appears to contain a postal ballot-paper on which a vote has been recorded must not be opened by a person other than:

- (a) the Returning Officer; or
- (b) an officer acting on the direction of the Returning Officer.

Penalty: 10 penalty units.

Failure to post or deliver postal vote application or ballot-paper

35. If a person is entrusted by an elector, and undertakes, to post or deliver:

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- (a) an application for a postal vote; or
- (b) an envelope apparently containing a postal ballot-paper; or
- (c) a postal vote certificate;

the undertaking must be given effect as soon as is practicable.

Penalty: 10 penalty units.

Inducing elector to hand over marked ballot-paper

36. A person must not induce an elector to hand over to the person a postal ballot-paper on which the elector has marked his or her vote.

Penalty: 10 penalty units.

Preliminary scrutiny of postal votes

37. (1) After the close of a poll, the Returning Officer must conduct as many preliminary scrutinies as he or she considers appropriate until:

- (a) all applications for postal vote certificates and postal ballot-papers have been produced by him or her; and
- (b) all envelopes containing postal votes received by him or her up to the end of the sixth day after the close of the poll have been dealt with in accordance with this rule; and
- (c) any envelopes containing postal votes received before the close of the poll by any pre-poll voting officer or presiding officer have been dealt with in accordance with this rule.

(2) At the first preliminary scrutiny, the Returning Officer must produce:

- (a) all applications for postal vote certificates and postal ballot-papers; and
- (b) unopened—all envelopes containing postal votes; and
- (c) all postal vote certificates;

that he or she has received.

(3) At a subsequent preliminary scrutiny (if any), the Returning Officer must produce:

- (a) all applications for postal vote certificates and postal ballot-papers; and
- (b) unopened—all envelopes containing postal votes; and
- (c) all postal vote certificates;

that he or she has received and that have not previously undergone scrutiny.

(4) Subject to subrule (7), the Returning Officer must, in conducting a preliminary scrutiny:

- (a) compare the signature of the elector on each postal vote certificate with the signature of the elector on the application for the certificate, and allow the scrutineers to inspect both signatures; and
- (b) accept for further scrutiny the ballot-paper enclosed in the corresponding envelope if satisfied that:

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- (i) the elector is enrolled in respect of the electorate to which the vote relates; and
- (ii) the signature on the certificate is that of the elector who signed the application for the certificate; and
- (iii) the signature appears to have been witnessed by an authorised witness; and
- (iv) the vote contained in the envelope was recorded before the close of the poll; and
- (v) the certificate has been certified under paragraph 31 (1) (e); and
- (c) if not satisfied as to a matter specified in paragraph (b):
 - (i) disallow the ballot-paper without opening the envelope in which it is contained; and
 - (ii) place the envelope in a parcel with all the other envelopes containing ballot-papers which have been disallowed under this paragraph, seal the parcel and endorse on the parcel a description of the contents, the name of the electorate and the date; and
- (d) separate the postal vote certificate from each envelope accepted for further scrutiny, placing the envelopes in one parcel and postal vote certificates in another and then:
 - (i) seal the parcel of postal vote certificates and endorse on the parcel a description of contents, the name of the electorate to which the vote relates and the date; and
 - (ii) extract the ballot-paper from inside each envelope separated from the postal vote certificate, without further examining the envelope or permitting anyone else to do so; and
 - (iii) place the extracted ballot-papers by themselves in a ballot-box for further scrutiny; and
 - (iv) place all those envelopes from which ballot-papers have been extracted in another parcel, seal the parcel and endorse on the parcel a description of the contents, the name of the electorate and the date.

(5) For the purpose of subparagraph (4) (b) (i), an elector who appears not to be enrolled in respect of the electorate is taken to be so enrolled if the Returning Officer is satisfied, after making any necessary inquiries, that the elector was, at the time of voting, entitled to be enrolled in respect of the electorate and was not so enrolled because of an error or mistake by an officer.

(6) When the Returning Officer proposes to conduct a preliminary scrutiny, he or she must:

- (a) before 4.00 p.m. on the day before the day on which the scrutiny is to be conducted, prominently display at his or her office a notice setting out:
 - (i) the day on which; and
 - (ii) the time or times at which;the scrutiny is to be conducted; and
- (b) as far as is reasonably practicable—conduct the scrutiny accordingly.

(7) For the purpose of subparagraph (4) (b) (iv), an envelope that bears a postmark dated after polling day is taken to contain a vote that was not recorded before the close of the poll.

Mistakes

38. (1) A postal vote must not be rejected solely because only the surname, rather than the full name, of a candidate has been written on the ballot-paper, if no other candidate has the same surname.

(2) If a voter's intention is clear, the Returning Officer must not reject a vote solely because of a spelling mistake.

Correction of formal errors

39. An officer who receives:

- (a) an application for a postal vote; or
- (b) a postal vote certificate;

who is satisfied that the application or certificate contains a formal error, may amend the application or certificate, as the case may be, to correct the error.

Division 3—Pre-poll voting

Grounds for applying for pre-poll vote

40. An elector may apply for a pre-poll vote on a ground set out in the Schedule.

Pre-polling voting officers

41. The Returning Officer may appoint a person to be a pre-poll voting officer for the purposes of these Rules.

Applying for a pre-poll vote

42. (1) Application for a pre-poll vote may be made to:

- (a) the Returning officer; or
- (b) a pre-poll voting officer.

(2) An applicant must:

- (a) apply in person; and
- (b) tell the officer to whom he or she applies:
 - (i) the electorate for which the applicant is enrolled; and
 - (ii) any matters necessary for the officer to establish the applicant's entitlement to vote in relation to the electorate.

Place and time for applying

43. (1) An application to the Returning Officer may be made only at his or her office during:

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- (a) ordinary office hours; or
 - (b) the hours of polling on polling day.
- (2) An application to a pre-poll voting officer may be made only:
- (a) at a place declared by the Electoral Commissioner by notice published in the *Gazette*, to be a pre-poll voting office; and
 - (b) on a day, and during the hours, fixed by the Electoral Commissioner by notice published in the *Gazette*.

(3) Application cannot be made after the close of the poll in the electorate for which the elector is enrolled.

Pre-poll voting

44. (1) An officer to whom an elector properly applies for a pre-poll vote (in this rule called "**the issuing officer**") must issue to the elector:

- (a) a pre-poll vote certificate attached to an envelope; and
- (b) a ballot-paper.

(2) Before issuing the ballot-paper, the issuing officer must initial, in writing, the back of the ballot-paper.

(3) The following requirements for pre-poll voting must be substantially given effect:

- (a) the elector must sign the pre-poll vote certificate in the presence of the issuing officer;
- (b) the issuing officer must sign the pre-poll vote certificate as witness and write on the certificate the date of his or her signing it;
- (c) the elector must mark his or her vote on the ballot-paper in the presence of the issuing officer but so that the officer cannot see the vote, fold the ballot-paper and hand it to the officer;
- (d) the issuing officer must immediately:
 - (i) place the ballot-paper in the envelope attached to the pre-poll vote certificate; and
 - (ii) seal the envelope;
- (e) the elector must have the pre-poll vote certificate certified by:
 - (i) an Aboriginal person or a Torres Strait Islander who is an office-bearer of an Aboriginal or Torres Strait Islander Corporation; or
 - (ii) a member of the staff of the Authority or the Commission;to the effect that the elector is an Aboriginal person or a Torres Strait Islander;
- (f) the elector must give the envelope and certificate to the issuing officer who must:
 - (i) separate the certificate from the envelope containing the ballot-paper and place the envelope in a ballot-box; and
 - (ii) place the certificate in a folder provided for the purposes of retaining a record of pre-poll voters;
- (g) at the conclusion of polling, the issuing officer must:

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- (i) if the issuing officer is not the Returning Officer—forward the certificates and envelopes to the Returning Officer according to his or her directions; or
- (ii) if the issuing officer is the Returning Officer—deal with the certificates and envelopes in accordance with Part 4;
- (h) certificates received by the Returning Officer must be open to public inspection at his or her office during ordinary office hours on and from the third day after polling day until the time when the election can no longer be questioned;
- (i) before making a certificate available for inspection, the Returning Officer must remove from the certificate the address of any person whose address has been excluded from the Roll under section 104 of the Electoral Act.

(4) If the elector cannot read, or is so disabled that he or she is unable to vote without assistance, a person chosen by the elector may do any of the following acts for the purposes of subrule (3) in accordance with the elector's directions:

- (a) read the certificate to the voter;
- (b) fill in the pre-poll vote certificate with the necessary particulars;
- (c) mark the elector's vote on the ballot-paper;
- (d) fold the marked ballot-paper and return it to the issuing officer;
- (e) have the certificate certified in accordance with paragraph (3) (e).

(5) Directions under subrule (4) may be given by reference to a how-to-vote card.

(6) An elector to whom a pre-poll vote certificate and ballot- paper have been issued is not entitled:

- (a) to remove the certificate or ballot-paper from the office of the officer who issued it; or
- (b) to vote at a polling booth on polling day.

Form of pre-poll vote certificate

45. A pre-poll vote certificate must be in the approved form.

Record of issue of pre-poll voting papers

46. The issuing officer must:

- (a) record on the pre-poll vote certificate:
 - (i) the date of issue of the certificate and ballot-paper; and
 - (ii) the name and address of the applicant; and
 - (iii) the electorate for which the person claims to be enrolled; and
 - (iv) an identification number; and
- (b) record the same identification number on the envelope attached to that certificate.

Opening of pre-poll voting envelope

47. A person other than:

- (a) the Returning Officer; or

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(b) an officer acting on the direction of the Returning Officer; must not open an envelope containing a ballot-paper on which a pre-poll vote has been marked.

Penalty: 10 penalty units.

Obligations of persons present when pre-poll vote is cast

48. A person who is present when an elector signs a pre-poll vote certificate or marks a ballot-paper in the presence of an officer:

- (a) must obey all proper directions of the officer; and
- (b) except at the request of the elector, must not:
 - (i) communicate with the elector in relation to his or her vote; or
 - (ii) assist or interfere with the elector in relation to the elector's vote; and
- (c) must not do anything that would enable him or her to find out what is marked on the ballot-paper.

Penalty: 10 penalty units.

Mistakes

49. (1) A pre-poll vote must not be rejected solely because only the surname, rather than the full name, of a candidate has been written on the ballot-paper, if no other candidate has the same surname.

(2) If a voter's intention is clear, the Returning Officer must not reject a vote solely because of a spelling mistake.

Correction of formal errors

50. An officer who receives a pre-poll vote certificate and who is satisfied that the certificate contains a formal error, may amend the certificate to correct the error.

Division 4—The Poll

Arrangements for polling

51. (1) If the proceedings on the day of nomination stand adjourned to polling day, the Returning Officer must immediately make all necessary arrangements for taking the poll and in particular must:

- (a) provide and furnish proper polling booths and ballot-boxes; and
- (b) provide ballot-papers and all necessary forms, envelopes and materials.

(2) If the proceedings on the day of nomination stand adjourned to polling day, the Returning Officer must immediately appoint a presiding officer to preside at each polling place and all necessary assistant presiding officers.

(3) In any emergency on polling day due to the absence of any assistant presiding officer or liaison officer, or to any unforeseen and continued pressure at the polling which cannot be met by the duly appointed officers, the presiding officer may appoint any person to act as assistant presiding officer or liaison officer and the person so appointed or acting is to be deemed to have been duly appointed if the Returning Officer afterwards ratifies the appointment by appointing that person to be assistant presiding officer or liaison officer, as the case may be.

(4) No person under the age of 18 years may be appointed to be a presiding officer or assistant presiding officer.

(5) Any assistant presiding officer may, subject to the direction of the presiding officer, exercise all or any of the powers of the presiding officer, and is, in respect of the exercise of those powers, to be taken to be the presiding officer.

Substitute

52. Any presiding officer may appoint a substitute to perform his or her duties during his or her temporary absence, and such substitute may, while so acting, exercise all of the powers of the presiding officer under these Rules that are necessary to exercise during the absence and is, in the exercise of those powers, deemed to be the presiding officer.

Use of licensed premises as polling booth

53. Premises licensed for the sale of intoxicating liquor may be used as a polling booth only if the Electoral Commissioner declares, in writing, that he or she is satisfied that, during the hours of polling on polling day:

- (a) intoxicating liquor will not be available for sale or consumption on the part of the premises proposed for use for the purpose of a polling booth; and
- (b) the part of the premises proposed for use for the purposes of a polling booth will be segregated from the part of the premises where intoxicating liquor will be available for sale or consumption; and
- (c) access to the part of the premises proposed for use for the purpose of a polling booth will not involve passing through the part of the premises where intoxicating liquor will be available for sale or consumption.

Separate voting compartments

54. Polling booths must have separate voting compartments, constructed so as to screen the voters from observation while they are marking their ballot-papers, and each voting compartment must be furnished with a pencil for the use of voters.

Ballot-boxes

55. Each polling booth must be provided with the necessary ballot-boxes.

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Ballot-papers

56. (1) Ballot-papers are to be in a form approved.

(2) Ballot-papers must be printed on white paper and must use black type face of a kind ordinarily used in Commonwealth Government publications.

Printing of ballot-papers

57. In printing the ballot-papers to be used in an election:

- (a) the order of the names of the candidates on the ballot-paper is to be determined by the Returning Officer in accordance with rule 58; and
- (b) where similarity in the names of two or more candidates is likely to cause confusion, the names of those candidates may be arranged with such description or addition as will distinguish them from one another; and
- (c) a square must be printed opposite the name of each candidate.

Determination of order on ballot-papers

58. Where under rule 57 a person is required to determine in accordance with this rule the order of the names of candidates on ballot-papers to be used in an election:

- (a) the person must, immediately after the close of nominations for the election, at the place of nomination and before all persons present at that place:
 - (i) prepare a list of the names in such order as he or she considers appropriate; and
 - (ii) read out that list; and
 - (iii) place a number of balls equal to the number of candidates being balls of equal size and weight and each of which is marked with a different number, in a spherical container large enough to allow all the balls in it to move about freely when it is rotated; and
 - (iv) rotate the container and permit any other person present who wishes to do so to rotate the container; and
 - (v) cause a person who is blindfolded and has been blindfolded since before the rotation of the container in accordance with subparagraph (iv) to take the balls, or cause the balls to come, out of the container one by one and, as each ball is taken or comes out, to pass it to another person who must call out the number on each ball as it is passed to him or her; and
 - (vi) as each number is called out in accordance with subparagraph (v), write the number opposite to a name in the list prepared in accordance with subparagraph (i) so that the number called out first is opposite to the first name in the list and the subsequent order of the numbers in the list is the order in which they are called out; and
 - (vii) place all the balls back in the container; and
 - (viii) rotate the container and permit any other person present who wishes to do so to rotate the container; and

- (ix) cause a person who is blindfolded and has been blindfolded since before the rotation of the container in accordance with subparagraph (viii) to take the balls, or cause the balls to come, out of the container one by one and, as each ball is taken or comes out, to pass it to another person who must call out the number on each ball as it is passed to him or her; and
 - (x) prepare a list of the numbers called out in accordance with subparagraph (ix) set out in the order in which they were called out in accordance with subparagraph (ix); and
 - (xi) write on the list prepared in accordance with subparagraph (x) opposite to each number the name set out opposite to that number in the list prepared in accordance with subparagraph (i); and
- (b) the order in which the names are set out in the list prepared in accordance with subparagraph (a)(x) is the order of the names determined by the person under this rule.

Ballot-papers to be initialled

59. No ballot-paper is to be delivered to any voter without being first initialled on the back by the proper officer and an exact account is to be kept of all initialled ballot-papers.

Scrutineers at the polling

60. (1) Scrutineers may be appointed by candidates to represent them at polling places during the polling, but so that not more than one scrutineer is to be allowed to each candidate at each polling booth or issuing point at a polling booth.

(2) Appointments of scrutineers must be made by notice in writing addressed to the Returning Officer or presiding officer and such notice must be signed by the candidate and must give the name and address of the scrutineer.

Provisions relating to scrutineers

61. (1) A scrutineer must not:
- (a) interfere with or attempt to influence any voter within the polling booth; or
 - (b) communicate with any person in the polling booth except so far as is necessary in the discharge of his or her functions.

Penalty: 10 penalty units.

(2) A scrutineer must not be prevented from entering or leaving a polling booth during the polling and, during his or her absence, a relieving scrutineer may act in his or her place but so that only one scrutineer for each candidate is entitled to be present in the polling booth or at an issuing point at the polling booth at any one time.

(3) A scrutineer who commits any breach of this rule, or who misconducts himself or herself, or who fails to obey the lawful directions of the

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presiding officer, may be removed from the polling booth by any member of the Australian Federal Police or of the police force of a State or Territory or person authorised by the presiding officer to remove him or her.

Persons present at polling

62. No candidate is in any way to take part in the conduct of an election, and no person other than the presiding officer, assistant presiding officers, poll clerks, liaison officers and scrutineers, and the electors voting and about to vote, is to be permitted to enter or remain in the polling booth during the polling except by permission of the presiding officer.

Polling

63. (1) The polling must be conducted as follows:

- (a) before any vote is taken the presiding officer must exhibit the ballot-box empty, and must then securely fasten its cover;
- (b) the poll must open at 8.00 o'clock in the morning and must not close until all electors present in the polling booth at 6.00 o'clock in the afternoon and desiring to vote, have voted;
- (c) the doors of the polling booth must be closed at 6.00 o'clock in the afternoon and no person is to be admitted after that hour to the polling booth for the purpose of voting.

(2) Paragraphs (1)(b) and (c) do not apply in relation to a polling booth in relation to which the Electoral Commissioner has, by notice in writing, determined that the booth is to be open during the hours specified in the notice.

(3) Where the Electoral Commissioner has determined the hours during which a polling booth is to be open under subrule (2):

- (a) the polling booth must not close until all electors present in the polling booth at the hour specified in the notice for the close of that polling booth have voted; and
- (b) a person must not be admitted to that polling booth for the purpose of voting after the hour specified in the notice for the close of the booth.

(4) In relation to the notice under subrule (2), the Electoral Commissioner must:

- (a) cause the notice to be published in the *Gazette*; and
- (b) take such steps as he or she thinks fit to give public notice of the contents of the notice.

Where electors may vote

64. (1) On polling day an elector is entitled to vote at any polling place for the electorate in respect of which he or she is enrolled or to vote as an absent voter, on making a declaration in an approved form, at any other polling place at which a polling booth is open.

(2) Nothing in this rule authorises an elector to vote more than once at any election.

Interpretation

65. In rules 66 and 67, “**patient**”, in relation to a hospital, does not include a person attending the hospital as an out-patient.

Mobile booths—hospitals

66. (1) The Electoral Commissioner may, by notice published in the *Gazette*, declare the whole or a specified part of a hospital, to be a special hospital for the purposes of taking votes under this rule in a specified election.

(2) A Returning Officer may appoint electoral visitors and liaison officers for the purposes of this rule.

(3) An electoral visitor may make arrangements with an appropriate person, or appropriate persons, on the staff of a hospital (being a hospital the whole or part of which is a special hospital) for the votes of patients in the special hospital to be taken under this rule.

(4) Subject to rule subrule (6) and rule 67, where:

- (a) arrangements are in force under subrule (3) in relation to a special hospital; and
- (b) a patient in the special hospital is an elector; and
- (c) under the arrangements, the vote of the patient may be taken under this rule; and
- (d) the patient wishes so to vote;

an electoral visitor, accompanied by a liaison officer, a polling official and such scrutineers, if any, as wish to accompany him or her, must take to the patient a ballot-box, a ballot-paper and such other things as are necessary to enable the vote of the patient to be taken.

(5) These Rules apply in relation to the taking of the vote of the patient as if, during the time when, for the purpose of enabling the vote of the patient to be taken, the electoral visitor is in the same room, ward or other place as the patient, that room, ward or other place were a part of a polling booth at a polling place.

(6) A visit or visits to a special hospital in accordance with subrule (4) must be made at such time or times between 8.00 o'clock in the morning and 6.00 o'clock in the afternoon and on such day or days, being any of the 5 days preceding polling day, polling day, or a day to which the polling is adjourned, as are determined by the Returning Officer in relation to the special hospital.

(7) At any time when an electoral visitor is visiting a special hospital for the purposes of this rule, the special hospital is, for the purposes of, and in connection with, the taking of votes under this rule, deemed to be a polling booth at a polling place and the electoral visitor is, for those purposes, deemed to be the presiding officer at that booth.

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(8) Paragraph 63 (1) (a) does not apply to an electoral visitor after the first visit made by him or her for the purposes of this rule.

(9) At the end of the last visit made by an electoral visitor for the purposes of this rule, he or she must, in the presence of a polling official and any scrutineers who may be in attendance, publicly close, fasten, seal and take charge of each ballot-box used by him or her for the purposes of this rule and, as soon as practicable, forward it, together with the voter cards corresponding to the envelopes contained in those ballot-boxes, for the purposes of scrutiny to the Returning Officer.

Provisions related to rule 66

67. (1) Notwithstanding any arrangement in force under rule 66, a visit under that rule to a patient in a hospital must not be made if the presiding officer, electoral visitor or liaison officer, as the case may be, is informed by a registered medical practitioner or a member of the staff of the hospital that such a visit is forbidden, on medical grounds, by a registered medical practitioner.

(2) Literature relating to an election may be supplied to the general office of a hospital to which rule 66 applies, and any literature so supplied must be made available on request to patients entitled to vote under that rule.

(3) An electoral visitor who visits a hospital under rule 66 may, at the request of an elector who is a patient in the hospital, give the elector literature, including how-to-vote cards, made available by candidates in the election.

(4) So far as is practicable, a vote under rule 66 is to be taken as if it were taken under the other provisions of these Rules (including such of those provisions as relate to absent voting) and, in particular, in the application of these Rules for the purposes of subrule 66 (4), these Rules have effect as if:

- (a) a person who, with the approval of an appropriate person on the staff of the hospital, enters or remains in a room, ward or other place in the hospital at a time when, under that subrule, it is to be treated as if it were a part of a polling booth were, for the purposes of rule 62, doing so by permission of the presiding officer there present; and
- (b) paragraph 75 (a) were omitted and the following paragraph were substituted:

“(a) mark his or her vote on the ballot-paper in a manner that ensures the secrecy of his or her vote;”;
- (c) rule 78 were omitted.

(5) Subrule 135 (1) applies in relation to a special hospital within the meaning of rule 66 as if:

- (a) the reference in that subrule to polling day and to all days to which the polling is adjourned were a reference to the period commencing on the day of publication in the *Gazette* of the notice under subsection 142Y (2) of the Act and ending at the expiration of polling day or, if the polling is adjourned, the expiration of the last day to which the polling is adjourned; and
- (b) the references in that subrule to a polling booth were references to the special hospital.

(6) Where a voter has voted under rule 66 in an election, any postal ballot-paper received by the Returning Officer that is, or that purports to be, a postal ballot-paper of the voter must not be admitted in the scrutiny in relation to the election.

(7) Where an arrangement is in force under rule 66, the Returning Officer must, before 4.00 o'clock in the afternoon on the day before the day, or before the first day, on which votes are to be taken under that section, cause to be prominently exhibited at his or her office a notice setting out the hospital to which the arrangement relates and the day or days on which, and the time or times at which, votes are proposed to be taken under rule 66.

(8) As far as is reasonably practicable, votes taken under rule 66 must be taken on the day or days and at the time or times specified in the relevant notice under subrule (6), but any failure to take those votes in that manner does not invalidate the result of the election.

Mobile booths—prisons

68. (1) The Electoral Commissioner may make arrangements with the Controller-General of Prisons for a State or Territory for taking the votes of persons confined in prisons in the State or Territory.

(2) The Returning Officer may appoint electoral visitors and liaison officers for the purposes of this rule.

(3) If arrangements in force under subrule (1) are applicable to a prison, an electoral visitor must visit the prison for the purpose of taking the votes of persons confined in the prison.

(4) When visiting a prison, an electoral visitor must:

- (a) take to the prison a ballot-box, ballot-papers and anything else necessary for taking votes at the prison; and
- (b) subject to subrule (5), be accompanied by a liaison officer, a polling official and any scrutineers that wish to attend.

(5) A visit to a prison must be made:

- (a) on the day; and
- (b) at the time; and
- (c) in accordance with the conditions;

fixed by or under the arrangements applicable to the prison.

(6) In spite of arrangements in force under subrule (1), a visit to a prison may not be made if the electoral visitor is informed by the officer in charge of the prison or a member of the staff of the prison that the visit is forbidden by the officer in charge because of circumstances related to the security of the prison.

(7) At the end of a visit by an electoral visitor to a prison, the visitor must, in the presence of the polling official and any scrutineers who are in attendance at the prison, close, fasten, seal and take charge of each ballot-box used in the visit and, without delay, forward it, together with the voter cards

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corresponding to the envelopes contained in those ballot-boxes, to the Returning Officer.

(8) An electoral visitor who visits a prison may, at the request of an elector confined in the prison, give the elector literature including how-to-vote cards, made available by candidates in the election.

Mobile booths

69. (1) In this rule:

“leader” means a person appointed under this rule to be the leader of a team;

“station” means a place at which a visit is being made by a team under this rule;

“team” means a mobile polling team appointed under this rule.

(2) The Returning Officer may appoint persons to be members of mobile polling teams for the purposes of this rule and, in respect of each team, a person to be the leader.

(3) Each team must include a liaison officer.

(4) In relation to mobile polling, the provisions of this rule apply in addition to, and without derogation from, the application of any other provision of these Rules.

(5) The Returning Officer:

- (a) may, subject to subrule (6), determine the places, days and times of visits to be made by a team for the purposes of this rule; and
- (b) is to take such steps as he or she thinks fit to give public notice of those places, days and times.

(6) A day determined under subrule (5) is to be any of the 12 days preceding polling day, polling day, or a day to which the polling is adjourned.

(7) A team is to make a visit or visits as determined under subrule (5) but if, for reasonable cause, the team is unable, or the leader considers it inappropriate, to make such a visit, the leader may substitute another place, day or time for the visit and, if he or she does so, must:

- (a) take such steps as he or she thinks fit to give public notice of the substituted place, day or time; and
- (b) inform the Returning Officer.

(8) Any failure by a team to make a visit in accordance with this rule does not invalidate the result of the election.

(9) At any time when a team is at a station for the purposes of taking votes under this rule in an election:

(a) the team must have:

- (i) ballot-boxes, ballot-papers and such other things as are necessary for the votes of voters to be taken at the station; and
- (ii) the “how-to-vote” cards (if any) supplied to it by the candidates; and

- (b) every elector at the station is entitled to have his or her vote taken under this rule; and
- (c) for purposes of, and in connection with, the taking of votes under this rule:
 - (i) the station is to be taken to be a polling place; and
 - (ii) the building, structure, vehicle or enclosure used by the leader for the purposes of taking votes under this rule is to be taken to be a polling booth at that polling place; and
 - (iii) the leader is to be taken to be the presiding officer at that polling booth; and
- (d) so far as is practicable, a vote under this rule is to be taken as if it were taken under the other provisions (not being rule 66) of these Rules (including such of those other provisions as relate to absent voting); and
- (e) rule 135 applies as if the reference to polling day were a reference to the time of the visit.

(10) Paragraph 63 (1) (a) does not apply to a leader after the first visit made by him or her for the purposes of this rule.

(11) At the end of the last visit made by a leader for the purposes of this rule, he or she must, in the presence of a member of his or her team and any scrutineers who may be in attendance, publicly close, fasten, seal and take charge of each ballot-box used by him or her for the purposes of this rule and, with the least possible delay, forward it, together with the voter cards corresponding to the envelopes contained in those ballot-boxes, for the purposes of scrutiny to the Returning Officer.

(12) Where a voter has voted under this rule in an election, any postal ballot-paper received by the Returning Officer that is, or that purports to be, a postal ballot-paper of the voter must not be admitted in the scrutiny in relation to the election.

Forwarding of votes

70. (1) A presiding officer must:

- (a) place in a parcel all the envelopes which purport to contain the ballot-papers of those voters who recorded votes at the polling place and all the envelopes handed in by persons who have cast postal votes, seal up the parcel and forthwith deliver it, or cause it to be delivered, to the Returning Officer; and
- (b) forward to the Returning Officer advice in writing of the total number of envelopes enclosed in the parcel delivered or to be delivered to the Returning Officer.

(2) The Returning Officer must:

- (a) extract the voter cards of persons who have cast absent votes from the records forwarded to him or her under rule 74 and subrules 66 (9), 68 (7) and 69 (11) and retain a copy of all such voter cards; and

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- (b) extract the envelopes of persons who have cast absent votes or postal votes from the ballot-boxes forwarded to him or her under subrules 66 (9), 68 (7) and 69 (11); and
 - (c) extract the envelopes of persons who have cast absent votes or postal votes from the parcels forwarded to him or her under subrule (1); and
 - (d) until they are dealt with under other provisions of these Rules, keep the voter cards and envelopes in one or more securely fastened ballot-boxes.
- (3) The Returning Officer must:
- (a) maintain a locked and sealed ballot-box for each electorate labelled so as to identify it as a ballot-box containing absent votes, postal votes and pre-poll votes; and
 - (b) keep in those ballot-boxes, until the scrutiny, all envelopes purporting to contain a ballot-paper recording an absent vote, a postal vote or a pre-poll vote in relation to the electorates, being, in the case of envelopes purporting to contain postal ballot-papers, envelopes:
 - (i) delivered to the Returning Officer before the end of the period of 6 days after the close of the poll; or
 - (ii) received from a pre-poll voting officer or a presiding officer where the envelope bearing the certificate bears evidence that it was received by the pre-poll voting officer or presiding officer prior to the close of the poll.

(4) Before placing in the ballot-box maintained under subrule (3) an envelope purporting to contain a postal ballot-paper and delivered to the Returning Officer which is received after the close of the poll and which does not bear evidence sufficient to satisfy the Returning Officer that the vote contained in the envelope was recorded before the close of the poll, the Returning Officer must endorse on the envelope the date of its receipt and initial the endorsement.

Questions to ask voter

71. (1) The presiding officer must ask each person attending before him or her and claiming to vote in an election if they have voted before in the election.

(2) In addition to the question put under subrule (1) the presiding officer must ask each person claiming to vote as an absent voter in an election to identify the electorate in respect of which the person is enrolled.

- (3) A person's claim to vote must be rejected if:
- (a) the person refuses to answer fully any question put to him or her by the presiding officer; or
 - (b) the presiding officer establishes that the person has voted before in the election.

(4) If a person's claim to vote is not rejected, the presiding officer must then hand to the person a voter card.

Completion of voter card

72. (1) Upon receiving a voter card, each voter must:
- (a) insert his or her details on the voter card; and
 - (b) sign the voter card in the presence of the issuing officer; and
 - (c) give the voter card to the issuing officer for his or her signature.
- (2) The issuing officer must:
- (a) sign the voter card and write on it the date of his or her signing it; and
 - (b) separate the voter card from the voter card envelope; and
 - (c) hand to the voter the envelope and a ballot-paper for the electorate in respect of which the voter claims to be enrolled.

Objection by scrutineer

73. The presiding officer, at the request of a scrutineer, must note any objection by the scrutineer to the right of any person to vote and keep a record of the objection.

Voter record

74. (1) The particulars recorded on the voter cards completed at a polling place comprise the record of the name of each voter:

- (a) who casts a vote at the polling place; and
- (b) in the case of an absent voter—of the electorate in respect of which the voter declares under rule 64 that he or she is enrolled.

(2) The voter cards completed at a polling place must, at the close of the poll, be forwarded to the Returning Officer.

(3) The presiding officer at a polling place must make a record of the name of each elector who casts a vote at the polling place and, in the case of an absent voter, of the electorate in respect of which the elector declares under subrule 64 (1) that he or she is enrolled, and must, at the close of the poll, forward the record, duly certified by him or her, to the Returning Officer.

Voting procedure

75. Except as otherwise provided by these Rules, the voter upon receipt of the ballot-paper must without delay:

- (a) retire alone to some unoccupied compartment of the booth, and there, in private, mark his or her vote on the ballot-paper; and
- (b) fold the ballot-paper so as to conceal his or her vote; and
- (c) insert the ballot-paper into the voter card envelope; and
- (d) seal the voter card envelope; and
- (e) present the envelope to the liaison officer present in the booth.

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Function of liaison officers

76. (1) The liaison officer must decide whether, on the balance of probability, the voter who has presented him or her with their voter card envelope under paragraph 75 (e) is an Aboriginal person or a Torres Strait Islander.

(2) For the purposes of subrule (1), the liaison officer may ask each person who has presented him or her with their voter card envelope such questions as the liaison officer considers necessary to establish that the person is an Aboriginal person or a Torres Strait Islander.

(3) Where a liaison officer decides that a person who has presented him or her with their voter card envelope is not an Aboriginal person or a Torres Strait Islander the liaison officer must record the details in the Record of Liaison Officer's Objections and sign the record.

(4) The liaison officer must then hand the envelope back to the voter who must deposit the envelope in the ballot box.

(5) Where the liaison officer records details under subrule (3), the liaison officer must advise the voter:

- (a) that the voter may seek a review of the liaison officer's decision by the senior liaison officer; and
- (b) of the procedures by which the review process can be instigated; and
- (c) that the voter's ballot-paper will not be admitted to the scrutiny unless the senior liaison officer decides that the voter is an Aboriginal person or a Torres Strait Islander.

Review by senior liaison officer

77. (1) If details have been recorded under subrule 76 (3), the voter affected may request a review of the decision by the senior liaison officer.

(2) A request under subrule (1) must:

- (a) be in writing and may be in the approved form; and
- (b) be given to the presiding officer before the person leaves the polling booth after casting his or her vote.

(3) If a presiding officer has assisted or has permitted a person to be assisted in voting under rule 79, the presiding officer must assist the person in complying with subrule (2).

(4) Where a person requests a review under subrule (1), the person may, within 7 days after the request is given under subrule (2), provide further information to the senior liaison officer to support his or her claim to be an Aboriginal person or a Torres Strait Islander.

(5) On receiving:

- (a) the request under subrule (1); and
- (b) the further information (if any) provided by a person under subrule (4);

the senior liaison officer must review the person's claim to be an Aboriginal person or a Torres Strait Islander and decide whether, on the balance of probabilities, the person is an Aboriginal person or a Torres Strait Islander.

(6) The senior liaison officer must, in writing, advise the person of his or her decision under subrule (5).

(7) Subject to subrule (8), the senior liaison officer must, as soon as practicable, advise the Returning Officer of his or her decision in relation to each request for review.

(8) The review by the senior liaison officer under subrule (5) must be completed not later than 8 days after the close of the poll.

Elector to quit booth

78. The elector must quit the booth immediately after:

- (a) the elector has placed his or her voter card envelope in the ballot-box; and
- (b) if the liaison officer has made a record under subrule 76 (3) in respect of the elector, and the elector wishes to request a review of the decision to which the record relates—the elector has completed his or her request for review under subrule 77 (1).

Assisting certain voters

79. (1) If any voter satisfies the presiding officer that his or her sight is so impaired or that he or she is so physically incapacitated or illiterate that he or she is unable to vote without assistance, the presiding officer must permit a person (other than a liaison officer) appointed by the voter to:

- (a) complete the voter card for the voter; and
- (b) mark the voter's vote on the ballot-paper; and
- (c) fold the ballot-paper so that the vote cannot be seen; and
- (d) place the ballot-paper in the voter card envelope; and
- (e) fasten the envelope.

(2) If necessary the person appointed by a voter under subrule (1) must accompany the voter and present the voter's voter card envelope to the liaison officer in accordance with paragraph 75 (e).

(3) If necessary the person appointed by a voter under subrule (1) must receive the voter's voter card envelope from the liaison officer and in company with the voter deposit the voter's voter card envelope in the ballot-box.

(4) If a voter to whom subrule (1) applies fails to appoint a person under subrule (1) or is claiming an absent vote, the presiding officer, in the presence of any scrutineers that are present, or, if there are no scrutineers present, then in the presence of:

- (a) an assistant presiding officer; or
- (b) if the voter so desires, in the presence of a person appointed by the voter, instead of an assistant presiding officer;

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must carry out the steps as required under subrules (1), (2) and (3).

(5) Without limiting the generality of subrule (4), a voter to whom subrule (4) applies may indicate to the presiding officer the manner in which the voter wishes the presiding officer to mark his or her ballot-paper for him or her by presenting to the presiding officer a statement in writing (which may be, or include, a how-to-vote card) that specifies the manner in which the ballot-paper is to be marked.

(6) Where subrule (1) applies in relation to an absent voter, the presiding officer must:

- (a) fill in the declaration referred to in subrule 64 (1) with the required particulars as requested by the voter; and
- (b) read the declaration to the voter; and
- (c) complete and attest the declaration; and
- (d) cause the declaration to be witnessed by a scrutineer or, if no scrutineer is present, by an assistant presiding officer.

Spoilt ballot-papers

80. (1) If a voter, before depositing his or her ballot-paper in a ballot-box:

- (a) satisfies a presiding officer that the voter has spoilt the ballot-paper by mistake or accident; and
- (b) asks the presiding officer for a new ballot-paper;

the presiding officer must give the voter a new ballot-paper and immediately cancel the spoilt ballot-paper.

(2) An officer who cancels a spoilt ballot-paper must:

- (a) write the word "spoilt" on the back of the ballot-paper; and
- (b) place the ballot-paper in an envelope, seal the envelope and indicate in writing on the envelope the type of ballot-paper enclosed and that the ballot-paper is spoilt; and
- (c) sign the envelope.

(3) The envelopes containing ballot-papers dealt with in accordance with subrule (2) must be sealed up in a parcel and delivered to the Returning Officer after the close of the poll.

Marking of votes

81. (1) Subject to subrule (2), a voter must mark his or her vote on the ballot-paper by placing the number 1 in the square opposite the name of the candidate for whom he or she votes as his or her first preference, and may place the numbers 2, 3, 4 (and so on, as the case requires) in the squares opposite the names of some or all of the remaining candidates so as to indicate the order of his or her preference for them.

(2) Where a candidate dies between the date of nomination and polling day, and more than 1 candidate remains, a ballot-paper is not informal only because:

- (a) the ballot-paper includes the name of the deceased candidate; or
- (b) a consecutive number is marked opposite that name; or
- (c) a number has not been placed opposite that name or of any resulting failure to indicate in consecutive order the voter's preferences.

Adjournment of polling

82. The presiding officer may adjourn the polling from day to day in any case where polling is interrupted by:

- (a) riot or open violence; or
- (b) storm, tempest, flood or an occurrence of a like kind.

Adjournment in other cases

83. If from any cause a polling booth at a polling place is not opened on polling day the presiding officer may adjourn the polling for a period not exceeding 21 days, and must as soon as practicable give public notice of adjournment.

Voting at adjourned polling

84. Where for any reason polling is adjourned to a later day than the day fixed for polling at a polling place, there must be no absent voting at the adjourned polling at that polling place.

When elections held in some electorates only

85. Where an election is held for an electorate, it is not necessary to open polling booths at the polling places for an electorate for which no election is being held.

PART 4 —THE SCRUTINY

Scrutiny

86. The result of the polling must be ascertained by scrutiny.

Scrutineers

87. (1) A candidate may appoint scrutineers to represent him or her at the scrutiny.

(2) A candidate is not entitled to be represented at the scrutiny at a particular counting centre by a number of scrutineers that is greater than the number of officers who are engaged in a scrutiny or counting of ballot-papers at that centre.

(3) An appointment of a scrutineer must be made:

- (a) in writing signed by the candidate; or

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(b) by facsimile transmission and signed by the candidate before transmission;
addressed to the Returning Officer and including the name and address of the scrutineer.

(4) In this rule, “counting centre” means premises at which a scrutiny or counting of ballot-papers is to be, or is being, conducted.

Conduct of scrutiny

88. The scrutiny must be conducted as follows:

- (a) it must commence as soon as practicable after the close of the poll;
- (b) such scrutineers as have been duly appointed under rule 87, and any persons approved by the officer conducting the scrutiny, may be present;
- (c) all the proceedings at the scrutiny must be open to the inspection of the scrutineers;
- (d) the scrutiny may be adjourned from time to time as may be necessary until the counting of the votes is complete.

Scrutiny of votes

89. (1) The scrutiny must, subject to:

- (a) rule 37; and
- (b) the provisions of these rules relating to:
 - (i) absent voting; and
 - (ii) postal voting; and
 - (iii) pre-poll voting;

be conducted in the manner set out in this Part.

(2) The scrutiny of votes must be conducted by:

- (a) the Returning Officer; or
- (b) if the Returning Officer directs an Assistant Returning Officer to conduct the scrutiny—the Assistant Returning Officer;

in the presence of any scrutineers that choose to attend and any other persons approved by the Returning Officer.

(3) The officer conducting the scrutiny in relation to an electorate must:

- (a) open all parcels or ballot-boxes in which voter cards and voter card envelopes for the electorate have been placed; and
- (b) place in one parcel the voter cards, together with the voter card envelopes to which they relate, that:
 - (i) do not bear the name of the voter; or
 - (ii) do not bear a properly completed certification by the voter, or a certification made on the voter’s behalf under rule 79, as the case may be, that he or she is an Aboriginal person or a Torres Strait Islander;

and seal the parcel and endorse on the parcel a description of the contents, the name of the electorate and the date; and

- (c) place in another parcel for further scrutiny the voter cards, together with the voter card envelopes to which they relate, to which no objection has been recorded by a liaison officer; and
- (d) place in another parcel the voter cards, together with the voter card envelopes to which they relate, to which an objection has been recorded by a liaison officer and in relation to which a request for review of the liaison officer's decision has been made to the senior liaison officer; and
- (e) place in another parcel the voter cards, together with the voter card envelopes to which they relate, to which an objection has been recorded by a liaison officer and in relation to which no request for review of the liaison officer's decision has been made and seal the parcel and endorse on the parcel a description of the contents, the name of the electorate and the date; and
- (f) place in another parcel the voter cards, together with the voter card envelopes to which they relate, that are not signed and dated by the issuing officer in accordance with subrule 72 (2).

(4) A voter card must not be rejected under subrule (3) solely because it has not been signed and dated by the issuing officer if, before the declaration of the poll, the Returning Officer certifies that the name of the elector appears on a record of voters made by a presiding officer under subrule 74 (3).

(5) On receiving advice from the senior liaison officer under subrule 77 (7) in relation to the eligibility of voters whose voter cards and voter card envelopes are held in the parcel referred to in paragraph (3) (d), the officer conducting the scrutiny must:

- (a) in relation to the voter card and voter card envelope of a voter whom the senior liaison officer is satisfied is an Aboriginal person or a Torres Strait Islander:
 - (i) take the liaison officer's objection to be cancelled; and
 - (ii) place the voter card and voter card envelope with the voter cards and voter card envelopes held for further scrutiny under paragraph (3) (c); and
- (b) in relation to the voter cards and voter card envelopes of those voters whom the senior liaison officer is not satisfied are Aboriginal persons or Torres Strait Islanders:
 - (i) place the voter cards and voter card envelopes in a parcel; and
 - (ii) seal the parcel and endorse on the parcel a description of the contents, the name of the electorate and the date.

(6) Subject to subrule (7), the officer conducting the scrutiny must deal with the voter cards and voter card envelopes in the parcels referred to in paragraphs (3) (c) and (5) (a) as follows:

- (a) the officer must select the voter cards and voter card envelopes of persons whom he or she is satisfied are enrolled in respect of the electorate, placing the voter cards in one parcel and the envelopes in another, and then:
 - (i) seal the parcel of voter cards and endorse on the parcel a description of the contents, the name of the electorate and the date; and

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- (ii) extract the ballot-paper from inside each envelope selected; and
 - (iii) without inspecting or unfolding the ballot-paper or allowing any other person to do so, immediately deposit the folded ballot-paper in a ballot-box for further scrutiny; and
 - (iv) seal the parcel of envelopes and endorse on the parcel a description of the contents, the name of the electorate and the date;
- (b) the officer must place in another parcel the voter cards and voter card envelopes of persons whom he or she is satisfied are not enrolled in respect of the electorate, seal the parcel and endorse on the parcel a description of the contents, the name of the electorate and the date.

(7) Where an officer conducting the scrutiny in relation to an electorate (in this subrule referred to as "the relevant electorate") who is dealing with a voter card under subrule (6):

- (a) is satisfied that the elector who signed the voter card is not enrolled in respect of the relevant electorate; and
- (b) is satisfied that, if the voter were enrolled in respect of the relevant electorate, the ballot-paper would be accepted under subrule (6) for further scrutiny; and
- (c) is satisfied after making such inquiry as may be necessary, that the voter was at the time of voting, entitled to be enrolled in respect of the relevant electorate and was not so enrolled by reason of an error or mistake by an officer;

the officer must accept the ballot-paper and scrutinise it in accordance with paragraph (6) (a).

(8) Subject to subrule (10), the further scrutiny referred to in subparagraph (6) (a) (iii) must not be conducted until all of the envelopes containing voters' ballot-papers for the electorate have been received.

(9) Subject to subrule (10), all ballot-papers for the electorate that are accepted for further scrutiny must be amalgamated before the further scrutiny is begun.

(10) The further scrutiny must begin no later than 13 days after polling day.

- (11) At the further scrutiny, the officer conducting the scrutiny must:
- (a) open the ballot-box referred to in subparagraph (6) (a) (iii) and examine the ballot-papers it contains; and
 - (b) reject all ballot-papers that are informal under subsection 143D (2) of the Act and place them in a parcel, seal the parcel and endorse on the parcel a description of the contents, the name of the electorate and the date; and
 - (c) arrange the formal ballot-papers under the names of the respective candidates by placing in one parcel under the name of each candidate all the ballot-papers marked in accordance with subrule 81 (1) on which a first preference is indicated for that candidate; and
 - (d) deal with the ballot-papers in accordance with Schedule 2A to the Act.

Scrutiny of postal and pre-poll ballot-papers

90. Subject to rule 37 the scrutiny of postal and pre-poll ballot-papers must be conducted as nearly as practicable in the manner provided in rule 89.

Action on objections to ballot-papers

91. (1) If a scrutineer objects to a ballot-paper as being informal, the officer conducting the scrutiny must mark the ballot-paper "Admitted" or "Rejected" according to his or her decision to admit or reject the ballot-paper.

(2) Nothing in this rule prevents the officer conducting the scrutiny from rejecting any ballot-paper as being informal although it is not objected to.

Officers not to mark ballot-papers so that voter can be identified

92. Except as authorised by these Rules, an officer must not place on any ballot-paper any mark or writing which would enable any person to identify the voter by whom it is used.

Penalty: 10 penalty units.

Counting of votes

93. (1) For the purposes of Schedule 2A to the Act, a candidate is taken to have an absolute majority of votes if:

- (a) the number of first preference votes given to the candidate is more than half of the total number of first preference votes given to all candidates in the count; or
- (b) after an exclusion, the number of votes given to that candidate is more than half of the total number of votes given to all unexcluded candidates.

(2) If 2 or more candidates have an equal number of votes, and 1 of those candidates is required to be identified for exclusion, the officer conducting the scrutiny must:

- (a) exclude the candidate who had the least number of votes at the last count at which those candidates did not have an equal number of votes; or
- (b) if there has been no such count—decide by lot which candidate is excluded.

(3) If 2 unexcluded candidates have an equal number of votes and there are no other unexcluded candidates, the officer conducting the scrutiny must decide by lot which candidate is elected.

Exhaustion of ballot paper

94. For the purposes of Schedule 2A to the Act, a ballot paper must be set aside as exhausted if, at any stage of the count, the ballot paper expresses no preference for an unexcluded candidate.

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Recount at elections

95. At any time before the declaration of the result of an election the Electoral Commissioner may, if he or she thinks fit, on the written request of any candidate setting forth the reasons for the request, or of his or her own motion, direct or conduct a recount of the ballot-papers contained in any parcel or in any other category determined by the Electoral Commissioner.

Recount

96. (1) Before proceeding to recount any ballot-papers, the Returning Officer must send to each candidate notice of the time and place fixed for the recount.

(2) The Returning Officer must, at the time and place fixed for the recount, in the presence of the scrutineer or scrutineers in attendance and of an officer of the Australian Public Service, open every sealed parcel of ballot-papers to be recounted, and must count the votes therein.

(3) Each parcel of ballot-papers to be recounted must be opened separately without destroying or rendering illegible any endorsement on the parcel and every care must be taken to prevent the ballot-papers in the parcel from being mixed with the ballot-papers in any other parcel.

(4) After a parcel has been opened and the votes therein counted, the Returning Officer must replace the ballot-papers in their original cover, which he or she must reseal, refasten, and then place in a new cover, which he or she must seal and fasten and make thereon an endorsement of the fact and date of the recount, and the Returning Officer and such persons authorised to be present at the recount as choose to add their signatures must sign the endorsement.

(5) When any ballot-papers are, at a recount, reserved for the decision of the Electoral Commissioner, the Returning Officer must, in the presence of the scrutineer or scrutineers in attendance, place the ballot-papers in a properly fastened and sealed parcel bearing his or her signature and the signature or signatures of the scrutineer or scrutineers, together with an endorsement stating the number of ballot-papers contained in it, the name of the electorate, and the date.

(6) The Returning Officer must then place the parcel in a fastened and sealed outer cover fully addressed to the Electoral Commissioner and at once transmit the parcel to the Electoral Commissioner by hand, registered post or courier service.

(7) On receipt of the parcel, the Electoral Commissioner must, in the presence of an officer of the Australian Public Service, and, if any candidate so desires, in the presence of a person appointed by such candidate, open the parcel and scrutinise the ballot-papers and must mark each ballot-paper "Admitted" or "Rejected", according to his or her decision to admit or reject such ballot-papers.

(8) When the Electoral Commissioner has given his or her decision on the ballot-papers, he or she must restore them to their original cover, refasten and reseal the cover and endorse on it:

- (a) the number of ballot-papers contained therein;

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- (b) a statement that the ballot-papers have been the subject of decision by him or her; and
- (c) his or her signature and the date;

and request the persons in whose presence he or she scrutinised the ballot-papers to add their signatures, and must then place the parcel in a new cover which he or she must fasten, seal and at once return by hand, registered post or courier service to the Returning Officer.

(9) The Electoral Commissioner must advise the Returning Officer, in writing, of the number of ballot-papers admitted or rejected by him or her, and the Electoral Commissioner's decision must be accepted by the Returning Officer in completing his or her recount of the ballot-papers.

(10) The receipt of every parcel of ballot-papers must be acknowledged in writing by the Electoral Commissioner and the Returning Officer respectively.

Powers of officer conducting recount

97. The officer conducting a recount has the same powers as if the recount were the scrutiny and may reverse any decision in relation to the scrutiny as to the allowance and admission or disallowance and rejection of any ballot-paper.

Reservation of disputed ballot-papers

98. (1) The officer conducting a recount may, and at the request of any scrutineer must, reserve any ballot-paper for the decision of the Electoral Commissioner.

(2) The Electoral Commissioner must decide whether any ballot-paper, reserved for his or her decision under this rule, is to be allowed and admitted or disallowed and rejected.

PART 5 —THE DECLARATION OF THE POLL**Declaration of Poll**

99. The Returning Officer must, as soon as practicable after the result of the election has been ascertained:

- (a) publicly declare the result of the election and the name of the candidate elected; and
- (b) advise the candidates of the result of the election and of the date, time and place of the public declaration;
- (c) make out a statement setting out the result of the election and the name of the candidate elected and transmit the statement to the Electoral Commissioner.

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Correction of errors

100. Any delay, error or omission in the printing, preparation, issue, transmission or return of any Roll or ballot-papers may be remedied, removed, rectified and supplied by notice in writing by the Electoral Commissioner published in the *Gazette* specifying the matter dealt with, and providing for the course to be followed, and that course is valid and sufficient.

Extension of time

101. (1) Subject to section 142Y of the Act and in spite of any other provision of these Rules, before or after the day appointed for any election the Minister may, by notice published in the *Gazette*, extend the time for holding the election, or for holding the election in a specified electorate or part of an electorate, or meeting any difficulty which might otherwise interfere with the due course of the election.

(2) If the Minister extends the time for an election under subrule (1), the Electoral Commissioner may, by notice in writing, fix a date or dates for polling.

(3) Public notice must be immediately given in the electorate for which the election is to be held of any extension of the time for holding the election.

PART 6—ELECTORAL OFFENCES

Interpretation

102. In this Part, “**relevant period**”, in relation to an election under these Rules, means the period commencing on the publication in the *Gazette* of the notice under subsection 142Y (2) of the Act and expiring at the latest time on polling day at which a voter could enter a polling booth for the purpose of casting his or her vote in the election.

Officers and scrutineers to observe secrecy

103. A person who is, or has been, an officer or a scrutineer must not, except for the purposes of Part 4, either directly or indirectly, divulge or communicate any information with respect to the vote of an elector acquired by him or her in the performance of his or her functions, or in the exercise of his or her powers, under these Rules in a manner that is likely to enable the identification of the elector.

Penalty: 10 penalty units.

Bribery

104. (1) A person must not ask for, receive or obtain, or offer or agree to ask for, or receive or obtain, any property or benefit of any kind for himself or herself or any other person, on an understanding that:

- (a) any vote of the first-mentioned person; or
- (b) any candidature of the first-mentioned person; or

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- (c) any support of, or opposition to, a candidate by the first-mentioned person; or
 - (d) the doing of any act or thing by the first-mentioned person the purpose of which is, or the effect of which is likely to be, to influence the preferences set out in the vote of an elector;
- will, in any manner, be influenced or affected.

Penalty: 10 penalty units.

- (2) A person must not, in order to influence or affect:
 - (a) any vote of another person; or
 - (b) any candidature of another person; or
 - (c) any support of, or opposition to, a candidate by another person; or
 - (d) the doing of any act or thing by another person the purpose of which is, or the effect of which is likely to be, to influence the preferences set out in the vote of an elector;
- give or confer, or promise or offer to give or confer, any property or benefit of any kind to that other person or to a third person.

Penalty: 10 penalty units.

- (3) This rule does not apply in relation to a declaration of public policy or a promise of public action.

Interference with political liberty

105. A person must not hinder or interfere with the free exercise or performance, by any other person, of any political right or duty that is relevant to an election under these Rules.

Penalty: 10 penalty units.

Officers not to contravene Rules etc.

106. An officer must not contravene:

- (a) a provision of these Rules for which no other penalty is provided; or
- (b) a direction given to him or her under these Rules.

Penalty 10 penalty units.

Officers not to influence vote

107. An officer must not do any act or thing for the purpose of influencing the vote of another person.

Penalty: 10 penalty units.

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Printing and publication of electoral advertisements, notices etc.

108. (1) A person must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, an electoral advertisement, handbill, pamphlet or notice unless:

- (a) the name and address (not being a post-office box) of the person who authorised the advertisement, handbill, pamphlet or notice appears at the end thereof; and
- (b) in the case of an electoral advertisement, handbill, pamphlet or notice that is printed otherwise than in a newspaper—the name and place of business of the printer appears at the end thereof.

Penalty: 10 penalty units.

(2) Subrule (1) does not apply in relation to a car sticker, T-shirt, lapel button, lapel badge, pen, pencil or balloon.

(3) In this rule, “**electoral advertisement, handbill, pamphlet or notice**” means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting.

Misleading or deceptive publications etc.

109. (1) A person must not, during the relevant period in relation to an election under these Rules, print, publish or distribute, or cause, permit or authorise to be printed, published or distributed, any matter or thing that is likely to mislead or deceive an elector in relation to the casting of his or her vote.

Penalty: 10 penalty units.

(2) A person must not, during the relevant period in relation to an election under these Rules, print, publish or distribute, or cause, permit or authorise to be printed, published or distributed, an advertisement, handbill, pamphlet or notice that contains a representation or purported representation of a ballot-paper for use in that election that is likely to induce an elector to mark his or her vote otherwise than in accordance with the directions on the ballot-paper.

Penalty: 10 penalty units.

(3) In a prosecution of a person for an offence against subrule (1), it is a defence if the person proves that he or she did not know, and could not reasonably be expected to have known that the matter or thing was likely to mislead an elector in relation to the casting of his or her vote.

(4) In this rule, “**publish**” includes publish by radio or television.

False statements in relation to enrolment

110. A person must not, on polling day, make a statement to a voter, either orally or in writing, with respect to the enrolment of the voter that, to the knowledge of the first-mentioned person, is false or misleading in a material respect.

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Penalty: 10 penalty units.

Heading to electoral advertisements

111. The proprietor of every newspaper must cause the word "advertisement" to be printed as a headline in letters not smaller than 10 point or long primer to each article or paragraph in his or her newspaper containing electoral matter, the insertion of which is or is to be paid for or for which any reward or compensation or promise of reward or compensation is or is to be made.

Penalty:

- (a) if the offender is a natural person—5 penalty units; or
- (b) if the offender is a body corporate—10 penalty units.

Authors of reports etc. to be identified

112. (1) A person must not, during the relevant period in relation to an election under these Rules, print, publish or distribute, or cause, permit or authorise to be printed, published or distributed, a newspaper, circular, pamphlet or dodger containing an article, report, letter or other matter containing electoral matter unless the author's name and address, or the authors' names and addresses, as the case may be, are set out at the end of the article, report, letter or other matter, or where part only of the article, report, letter or matter appears in any issue of a newspaper, circular, pamphlet or dodger, at the end of that part.

Penalty:

- (a) if the offender is a natural person—5 penalty units; or
 - (b) if the offender is a body corporate—10 penalty units.
- (2) This rule does not apply to the publication in newspaper of:
- (a) a leading article; or
 - (b) an article that consists solely of a report of a meeting and does not contain electoral matter, other than comment made by a speaker at the meeting.
- (3) In this rule, "address" does not include a post-office box.

Cards in polling booth

113. (1) A person must not, except for the purposes of rule 62, wilfully exhibit or leave in any polling booth any card or paper having thereon any direction or instruction as to how a voter should vote or as to the method of voting.

Penalty: 5 penalty units.

(2) This rule does not apply to any official instructions exhibited by proper authority at any polling booth.

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Signature to electoral paper

114. (1) Every electoral paper which under these Rules has to be signed by any person must be signed by that person with his or her personal signature.

(2) Where a person who is unable to sign his or her name in writing makes his or her mark as his or her signature to an electoral paper, the mark is to be deemed to be his or her personal signature, if it is identifiable as such, and is made in the presence of a witness who signs the electoral paper as such witness.

(3) Nothing in this rule authorises any person to sign any electoral paper by a mark or otherwise than in his or her own handwriting in cases where these Rules require him or her to sign the electoral paper in his or her own handwriting.

(4) A person must not make the signature of any other person on an electoral paper.

Penalty: 10 penalty units.

(5) Subrule (4) does not affect the liability of any person to be proceeded against for forgery, but so that he or she is not to be liable to be punished twice in respect of the same offence.

(6) In this rule, "electoral paper" includes an approved form.

Witnessing electoral papers

115. (1) A person must not:

- (a) sign his or her name as witness on any blank electoral paper; or
- (b) sign his or her name as witness on any electoral paper which has been wholly or partly filled up unless it has been signed by the person intended to sign it; or
- (c) sign his or her name as witness on any electoral paper unless he or she has seen the person, whose signature he or she purports to witness, sign it; or
- (d) write on any electoral paper as his or her own name:
 - (i) the name of another person; or
 - (ii) any name not being his or her own name.

Penalty: 10 penalty units.

(2) In this rule, "electoral paper" includes any approved form.

False certification

116. (1) A person must not certify that an elector is:

- (a) an Aboriginal person; or
- (b) a Torres Strait Islander;

when, to the knowledge of that person the certification is false.

Penalty: 10 penalty units.

(2) A person must not induce or attempt to induce another person to make a false certification that an elector is:

- (a) an Aboriginal person; or
- (b) a Torres Strait Islander.

Penalty: 10 penalty units.

Unlawfully marking ballot-papers

117. Except where expressly authorised by these Rules, a person (other than the voter to whom the ballot-paper has been lawfully issued) must not mark his or her vote or make any mark or writing on the ballot-paper of any voter.

Penalty: 10 penalty units.

Other offences relating to ballot-papers etc.

118. (1) A person must not:

- (a) personate any person for the purpose of securing a ballot-paper to which the personator is not entitled; or
- (b) personate any person for the purpose of voting; or
- (c) fraudulently destroy or deface any nomination paper or ballot-paper; or
- (d) fraudulently put any ballot-paper or other paper into the ballot-box; or
- (e) fraudulently take any ballot-paper out of any polling booth or counting centre; or
- (f) forge any nomination paper or ballot-paper or utter any nomination paper or ballot-paper knowing it to be forged; or
- (g) supply ballot-papers without authority; or
- (h) unlawfully destroy, take, open or otherwise interfere with ballot-boxes or ballot-papers; or
- (j) wilfully vote more than once at the same election; or
- (k) make a statement in any claim, application, voter card, return or declaration, or in an answer to a question, under these Rules that, to his or her knowledge, is false or misleading in a material respect.

Penalty: 10 penalty units.

(2) A person must not wilfully deface, mutilate, destroy or remove any notice, list or other document affixed by any Returning Officer or by his or her authority.

Penalty: 5 penalty units.

Prohibition of canvassing near polling booths

119. (1) A person must not do any of the following acts, on polling day, and on all days to which the polling is adjourned, at an entrance of or within a polling booth, or in any public or private place within 6 metres of an entrance of a polling booth, namely:

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- (a) canvassing for votes; or
- (b) soliciting the vote of any voter; or
- (c) inducing any voter not to vote for any particular candidate; or
- (d) inducing any voter not to vote at the election; or
- (e) exhibiting any notice or sign (other than an official notice) relating to the election.

Penalty: 5 penalty units.

- (2) For the purposes of subrule (1), where:
 - (a) a building used as a polling booth is situated in grounds within an enclosure; and
 - (b) the appropriate Returning Officer causes to be displayed throughout the hours of polling at each entrance to those grounds a notice signed by him or her stating that those grounds are, for the purposes of subrule (1), part of the polling booth;

those grounds are deemed to be part of the polling booth.

Badges or emblems in polling booths

120. An officer or scrutineer must not wear or display in a polling booth on polling day any badge or emblem of a candidate or political party.

Penalty: 10 penalty units.

Forging or uttering electoral papers

- 121.** (1) A person must not:
- (a) forge any electoral paper; or
 - (b) utter any forged electoral paper, knowing it to be forged.

Penalty: 10 penalty units.

- (2) In this rule the term "electoral paper" includes any approved form.

Protection of the official mark

122. (1) A person must not, without lawful authority, proof whereof lies upon him or her:

- (a) make any official mark on or in any paper; or
- (b) have in his or her possession any paper bearing any official mark; or
- (c) make use of or have in his or her possession any instrument capable of making on or in any paper an official mark.

Penalty: 10 penalty units.

(2) A person who, without lawful authority, proof whereof lies upon him or her, makes on or in any ballot-paper, or on or in any paper purporting to be a ballot-paper, an official mark, is to be deemed to have a forged ballot-paper, and is to be punishable accordingly.

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(3) All paper bearing an official mark, and all instruments capable of making on or in paper an official mark, made, used, or in the possession of any person without lawful authority (proof of which lies upon him or her) is to be forfeited to the Commonwealth, and may without warrant be seized by a member of the Australian Federal Police or a member of the police force of a State or Territory and destroyed or dealt with as determined by the Electoral Commissioner.

(4) In this rule, "official mark" means any approved mark placed or made on or in any electoral paper, and includes any mark so nearly resembling an official mark as to be likely to deceive.

Offender may be removed from polling booth

123. (1) A person must not in any polling booth on polling day misconduct himself or herself, or fail to obey the lawful directions of the presiding officer.

Penalty: 5 penalty units.

(2) A person who is believed to have committed an offence against subrule (1) may be removed from the polling booth by any member of the Australian Federal Police or of the police force of a State or Territory or by any person authorised by the presiding officer.

Unlawful re-entry of polling booth

124. A person who has been lawfully removed from a polling booth, under rule 123 or subrule 61 (3), must not re-enter the polling booth without the permission of the presiding officer.

Penalty 10 penalty units.

Defamation of candidate

125. (1) A person must not make or publish any false and defamatory statement in relation to the personal character or conduct of a candidate.

Penalty: 10 penalty units.

(2) It is a defence to a prosecution for an offence under subrule (1) if the defendant proves that he or she had reasonable ground for believing and did in fact believe the statement made or published by him or her to be true.

Publication of matter regarding candidates

126. A person must not, in any matter announced or published by the person, or caused by him or her to be announced or published, on behalf of any association, league, organisation or other body of persons, without the written authority of a candidate:

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- (a) claim or suggest that the candidate in an election is associated with, or supports the policy or activities of, that association, league, organisation or other body of persons; or
- (b) expressly or impliedly advocate or suggest that a voter should vote for the candidate.

Penalty: 10 penalty units.

PART 7—MISCELLANEOUS

Further elections

127. (1) Where an election for an electorate:

- (a) is taken under rule 19 to have wholly failed; or
- (b) is declared by the Court under section 140 of the Act and Schedule 4 to the Act to be absolutely void;

the Minister may determine that a further election for a member for the electorate is to be held.

(2) Where a further election is to be held, the Minister, by notice in writing, published in the *Gazette*, is to fix a day or days for the polling in relation to that election.

(3) Where the day or days for the polling in a further election are fixed under subrule (2), the Electoral Commissioner must, by notice in writing published in the *Gazette*, appoint by name such polling places as it considers necessary for each electorate in respect of which a further election is to be held.

(4) Where a further election is to be held, that election must be conducted in accordance with these Rules.

Advice to electors not entitled to vote in respect of an electorate

128. Where the Returning Officer decides that a person who has cast a vote in relation to an electorate is not an elector enrolled in respect of that electorate, the Returning Officer must notify the person in writing of his or her decision as soon as practicable.

Extension of time for acts by officers

129. Where:

- (a) an officer is required by a provision of the Act or these Rules to do an act at a particular time or within a particular period; and
- (b) the officer refuses or fails to do the act at the time, or within the period, required by that provision;

the Electoral Commissioner may determine that the act may be done within such further time, not exceeding 48 hours, as the Electoral Commissioner fixes.

Proof of posting

130. Where these Rules provide for electoral papers to be transmitted to a voter, evidence that the electoral papers were properly addressed to the voter and posted is taken, in the absence of proof to the contrary, as evidence that the papers were duly served on and received by the voter to whom they were addressed on the day when in the ordinary course of post they should have been received at his or her address.

Preservation of ballot-papers

131. (1) A ballot-paper counted in, or in connection with, an election under the Act must not be destroyed until:

- (a) the election can no longer be questioned under these Rules; and
- (b) destruction is authorised by the Electoral Commissioner.

(2) A voter card, postal vote certificate or pre-poll vote certificate used in, or in connection with, an election under the Act must not be destroyed until:

- (a) the election can no longer be questioned under these Rules; and
- (b) destruction is authorised by the Electoral Commissioner.

(3) All ballot-papers, voter cards and certificates must be preserved for a period of at least 6 months from the date of the declaration of the poll or while required for the purposes of research by the Electoral Commission.

Responsibility for preservation of documents

132. (1) After the scrutiny for an election is completed, the officer who conducted the scrutiny must parcel, in separate sealed parcels, the following classes of documents received in relation to the election:

- (a) ballot-papers;
- (b) voter cards and other documents for the electorate;
- (c) pre-poll vote certificates;
- (d) postal vote certificates.

(2) Subject to the directions of the Electoral Commissioner, the officer who conducted the scrutiny is responsible for the safe custody of the documents referred to in subrule (1).

Authorised official inquiry

133. (1) The Returning Officer may, if authorised by the Electoral Commissioner, open a parcel referred to in rule 132 and remove material from the parcel.

(2) Any material that has, under this rule, been taken out of a sealed parcel, may be retained by the Returning Officer or dealt with in the manner directed by the Electoral Commissioner.

(3) Where the purpose has been satisfied for which any material was, under this rule, taken out of a sealed parcel, the Returning Officer must:

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- (a) as soon as practicable, replace that material in the parcel from which it was taken and refasten and reseal that parcel; and
- (b) by endorsement on the parcel state that the parcel had been opened by him or her and the purpose for which it had been opened.

(4) A Returning Officer who opens a sealed parcel under this rule must not mark, alter or in any way deface or permit any other person to mark, alter or deface, any document taken out of the parcel and is responsible for every such document being replaced in the same condition as when it was taken out.

Collection of statistical information

134. All ballot-papers, voter cards, pre-poll voting certificates, postal vote certificates and other documents used at an election may, at any time after an election can no longer be questioned, be dealt with as necessary for the purposes of collecting statistical information required for the conduct of future elections.

Delegation

135. Where under these Rules a power or function is conferred on the Electoral Commissioner, the Electoral Commissioner may by notice in writing delegate that power or function to the Deputy Electoral Commissioner or a member of the staff of the Electoral Commission.

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*Torres Strait Regional Authority Election Rules***SCHEDULE**

Rules 25 and 40

**GROUND ON WHICH TO APPLY FOR POSTAL
OR PRE-POLL VOTE**

1. Throughout the hours of polling on polling day, the elector will not be in the electorate for which he or she is enrolled.
2. The elector, at any time during the hours of polling on polling day, will not be within 8 kilometres by the nearest practical route of any polling booth or station at which a mobile polling team is scheduled to visit (either before or on polling day) in the electorate for which he or she is enrolled.
3. Throughout the hours of polling on polling day, the elector will be travelling under conditions that will prevent him or her from voting at any polling booth in the electorate for which he or she is enrolled.
4. The elector will be unable to attend a polling booth on polling day because of:
 - (a) serious illness; or
 - (b) infirmity; or
 - (c) approaching childbirth. (In the case of an elector who will be a patient at a hospital on polling day, this paragraph applies regardless of the operation of rule 66).
5. On polling day, the elector will be unable to attend a polling booth because he or she will be at a place (other than a hospital) caring for a person who is:
 - (a) seriously ill; or
 - (b) infirm; or
 - (c) expected to give birth shortly.
6. Throughout the hours of polling on polling day, the elector will be a patient in a hospital (other than a special hospital) and unable to vote at the hospital.
7. Throughout the hours of polling on polling day, the elector will be a patient at a special hospital but will be unable to have his or her vote taken under rule 66.
8. Because of the elector's religious beliefs or membership of a religious order, the elector:
 - (a) is precluded from attending a polling booth; or
 - (b) for the greater part of the hours of polling on polling day, is precluded from attending a polling booth.
9. On polling day, the elector (except an elector able to vote under rule 68) will be:
 - (a) serving a sentence of imprisonment; or
 - (b) otherwise in lawful custody or detention.
10. Throughout the hours of polling on polling day, the elector will be engaged in his or her employment or occupation and:

Torres Strait Regional Authority Election Rules

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SCHEDULE—continued

- (a) if the elector is an employee—will not be allowed leave of absence to vote; or
- (b) in any other case—the absence of the elector for the purpose of attending a polling booth to vote would be likely to cause loss to the person in his or her occupation.

NOTE

Notified in the *Commonwealth of Australia Gazette* on

1996.



COMMONWEALTH OF AUSTRALIA

National Health Act 1953

PHARMACEUTICAL BENEFITS

DETERMINATION UNDER SUBSECTION 99L (1)

No. PB 21 of 1996

I, ROBERT LESLIE WOODS, Parliamentary Secretary to the Minister for Health and Family Services, for and on behalf of the Minister for Health and Family Services, pursuant to subsection 99L (1) of the *National Health Act 1953*, hereby make the following Determination:

Commencement

1. (a) This Determination shall come into operation on 1 January 1997.
- (b) Determination No. PB 18 of 1995 under subsection 99L (1) of the *National Health Act 1953* made on 14 December 1995 with effect from 1 January 1996, as amended by determination No. PB 17 of 1996 under subsection 99L (1) of the *National Health Act 1953* made on 14 October 1996 with effect from 23 October 1996, is hereby revoked.

Interpretation

2. In this Determination:

"accreditation body" means a body that accredits pharmacists as being competent to perform patient medication reviews and which has been accepted as such by the Secretary;

"accredited pharmacist" means a pharmacist in respect of whom an accreditation body has certified that the pharmacist has satisfied the conditions of accreditation set by the accreditation body and who is currently accredited by that body;

"approved number of beds", in relation to a nursing home, means the number of beds determined by the Minister under paragraph 40AA (6) (a) of the Act to be the approved number of beds in relation to that nursing home;

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

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

- (a) that the catchment area has a population of less than 3,000 for most of the year;
- (b) that the proportion of disadvantaged persons (aged persons and persons who are unemployed or receive pensions) is less than 10 per cent and can be reasonably serviced by other means;
- (c) that the catchment area does not have the equivalent of a full-time medical practitioner;



- (d) that the catchment area is being adequately serviced by other approved pharmacists;
- (e) that the total number of claimable PBS prescriptions and RPBS prescriptions claimed by approved pharmacists in respect of the catchment area in the last 12 months is less than 3,000;
- (f) that isolation from, or a poor public transport system to, general shopping does not hinder the bulk of the population;
- (g) that the population is mobile and contains a high proportion of commuting workers;
- (h) that the catchment area has no general shopping facilities;

“large shopping centre” means a shopping centre that:

- (a) is a contiguous site under a single management or developer; and
- (b) has a total gross leasable retail area of not less than 5,000 square metres; and
- (c) includes not less than 1 retail shop that occupies more than 1,000 square metres and not less than 30 other retail shops;

“medication review” means a professional service, undertaken by an accredited pharmacist, of reviewing the medicines taken by, or administered to, a resident of a nursing home;

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

“nursing home” means a nursing home, within the meaning of section 4 of the Act, which has been approved under section 40AA of the Act;

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

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

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

- (a) financial institutions, including banks, credit unions and societies, building societies and the like; or
- (b) medical or health service facilities, including consulting rooms for medical practitioners, pathologists, radiologists, dental practitioners, optometrists, physiotherapists and the like; or
- (c) areas used as offices of any type, including accountants, solicitors, planners, architects, analysts, designers and the like; or
- (d) service providers, including council offices, Government shopfronts or offices, store rooms or other storage; or

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

(f) automatic dispensing machines; or

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

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

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

"the Act" means the *National Health Act 1953*;

"the Authority" means the Australian Community Pharmacy Authority established under section 99J of the Act;

"the Minister" means the Minister for Health and Family Services;

"the Regulations" means the National Health (Pharmaceutical Benefits) Regulations made under the Act;

"the Secretary" means the Secretary to the Department of Health and Family Services.

Approval to Supply Pharmaceutical Benefits

3. For the purposes of paragraph 99K (1) (b) of the Act, the rules with which the Authority must comply in making a recommendation on an application by a pharmacist for approval under section 90 of the Act in respect of particular premises are set out in paragraphs 4 to 9.
4. Approval of a pharmacist under section 90 of the Act in respect of particular premises must not be recommended except as provided for in paragraphs 5 to 8.
5. Approval of a pharmacist ("the applicant") under section 90 of the Act in respect of particular premises must be recommended if the applicant has a legal right to occupy those premises and:
 - (a) (i) those premises are situated at least 2 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act; and
 - (ii) the Authority is satisfied that there is a definite community need for pharmaceutical services in the area in which those premises are situated; and

- (iii) in the case of an application for approval of a pharmacist received by the Secretary before 1 March 1997, there has not been a grant of financial assistance under section 99ZC or 99ZD of the Act paid after 28 February 1995 in respect of premises situated within 2 kilometres, measured door to door by the shortest lawful access route, from the premises in respect of which approval is sought; or
 - (b) the application for the approval of the applicant was received by the Secretary before 9 August 1990 (being the date on which the granting by the Secretary of approvals to pharmacists under section 90 of the Act was restricted pending the passage of legislation for pharmacy restructuring); or
 - (c) the application for the approval of the applicant was received by the Secretary before 1 February 1997 and the applicant entered into a financial commitment before 9 August 1990 (being the date on which the granting by the Secretary of approvals to pharmacists under section 90 of the Act was restricted pending the passage of legislation for pharmacy restructuring) in the expectation that an approval would be granted in respect of those premises, provided that the Authority is satisfied that there was such a commitment and the applicant produces to the Authority either:
 - (i) a bank statement, supported if necessary by an affidavit by the applicant's solicitor or accountant; or
 - (ii) details of any contractual arrangements together with an affidavit by the applicant's solicitor or accountant attesting to the correctness of the date on which the commitment was entered into.
6. Subject to paragraph 8, approval of a pharmacist ("the applicant") under section 90 of the Act in respect of particular premises must be recommended if the applicant has a legal right to occupy those premises, and either:
- (aaa) the applicant is already approved under section 90 of the Act in respect of other premises from which the applicant proposes to cease supplying pharmaceutical benefits immediately before the granting of the approval; or
 - (aa) another pharmacist ("the vendor") is already approved under section 90 of the Act in respect of other premises from which the vendor proposes to cease supplying pharmaceutical benefits immediately before the granting of the approval to the applicant, and the vendor has specified that it is in favour of the applicant that he or she proposes to cease supplying pharmaceutical benefits;
- and one of the following circumstances applies:
- (a) the premises in respect of which approval is sought are situated not more than 1 kilometre, measured door to door by the shortest lawful access route, from the premises from which pharmaceutical benefits are to cease being supplied; or
 - (b) the premises in respect of which approval is sought are situated not more than 2 kilometres, measured door to door by the shortest lawful access route, from the premises from which pharmaceutical benefits are to cease being supplied, and the Authority is satisfied that:

- (i) there are no other suitable commercial premises available which are situated not more than 1 kilometre, measured door to door by the shortest lawful access route, from the premises from which pharmaceutical benefits are to cease being supplied; and
 - (ii) the application for approval results from exceptional circumstances pertaining to the premises from which pharmaceutical benefits are to cease being supplied, including:
 - (A) damage caused by fire, water, storm or earthquake; or
 - (B) health condemnation; or
 - (C) changes to occupancy provisions; or
 - (D) redevelopment for public works; or
 - (c) the premises in respect of which approval is sought are situated not less than 2 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act, provided that:
 - (i) there are other premises in respect of which a pharmacist is approved under section 90 of the Act which are situated not more than 5 kilometres, measured door to door by the shortest lawful access route, from the premises from which pharmaceutical benefits are to cease being supplied; or
 - (ii) the Authority is satisfied that there will not be a definite community need for pharmaceutical services in the area of the premises from which pharmaceutical benefits are to cease being supplied; or
 - (d) the premises are premises at or from which the applicant has, since before 18 December 1990 (being the date on which legislation for pharmacy restructuring came into effect) been supplying pharmaceutical benefits in lieu of other premises in respect of which the applicant is approved under section 90 of the Act.
7. Subject to paragraph 8, approval of a pharmacist ("the applicant") under section 90 of the Act in respect of particular premises may be recommended if the applicant has a legal right to occupy those premises, and the Authority is satisfied that either:
- (aaa) the applicant is already approved under section 90 of the Act in respect of other premises from which the applicant proposes to cease supplying pharmaceutical benefits immediately before the granting of the approval; or
 - (aa) another pharmacist ("the vendor") is already approved under section 90 of the Act in respect of other premises from which the vendor proposes to cease supplying pharmaceutical benefits immediately before the granting of the approval to the applicant, and the vendor has specified that it is in favour of the applicant that he or she proposes to cease supplying pharmaceutical benefits;
- and either of the following circumstances applies:

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

- (i) if the shopping centre contains not more than 99 retail shops (including the premises in respect of which approval is sought), there are not already any premises in the shopping centre in respect of which an approval under section 90 of the Act is in force; or
- (ii) if the shopping centre contains not less than 100, and not more than 199, retail shops (including the premises in respect of which approval is sought), there are not already more than 1 premises in the shopping centre in respect of which an approval under section 90 of the Act is in force; or
- (iii) if the shopping centre contains not less than 200 retail shops (including the premises in respect of which approval is sought), there are not already more than 2 premises in the shopping centre in respect of which an approval under section 90 of the Act is in force;

and provided further that:

- (iv) there are other premises in respect of which a pharmacist is approved under section 90 of the Act which are situated not more than 5 kilometres, measured door to door by the shortest lawful access route, from the premises from which pharmaceutical benefits are to cease being supplied; or
 - (v) the Authority is satisfied that there will not be a definite community need for pharmaceutical services in the area of the premises from which pharmaceutical benefits are to cease being supplied; or
- (b) the premises are situated within premises that are a private hospital within the meaning of the *Health Insurance Act 1973*, provided that:
- (i) the private hospital has not less than 150 beds; and
 - (ii) there are no other premises within the premises of the private hospital in respect of which an approval under section 90 of the Act is in force; and
 - (iii) the governing body or proprietor of the private hospital is not approved under section 94 of the Act in respect of that hospital;

and provided further that:

- (iv) there are other premises in respect of which a pharmacist is approved under section 90 of the Act which are situated not more than 5 kilometres, measured door to door by the shortest lawful access route, from the premises from which pharmaceutical benefits are to cease being supplied; or
- (v) the Authority is satisfied that there will not be a definite community need for pharmaceutical services in the area of the premises from which pharmaceutical benefits are to cease being supplied.

8. A recommendation must not be made pursuant to paragraph 6 or 7 if the approval under section 90 of the Act currently held by the applicant or by a pharmacist previously approved in respect of the premises from which the applicant is seeking to relocate has been in force for less than 2 years and resulted from an application to which subsection 90 (3AA) of the Act applied or from a recommendation made pursuant to paragraph 5, 6 or 7, unless:
 - (a) the application is in respect of the same or substantially the same premises, following renovation or redevelopment of those premises, as those in respect of which the applicant was approved under section 90 of the Act immediately before the granting of the current approval of the applicant under section 90 of the Act; or
 - (b) the application is in respect of the same or substantially the same premises, following renovation or redevelopment of the premises in respect of which the previously approved pharmacist was approved under section 90 of the Act, and where the applicant acquired the premises from which he or she now seeks to relocate from the previously approved pharmacist as a result of an application to which subsection 90 (3AA) of the Act applied; or
 - (c) the applicant satisfies the Authority that the application arises from exceptional circumstances, not involving commercial interest, which could not reasonably have been foreseen at the time of the application for the current approval.
9. Where the Authority recommends the approval of a pharmacist under section 90 of the Act in respect of particular premises, it must also make a recommendation that the recommendation for approval will lapse (unless the Authority, on application by the pharmacist, has granted an extension of time), if the pharmacist has not been granted that approval within 6 months after the day on which the pharmacist is notified of the recommendation for approval.
- 9A. For the purposes of paragraphs 5 to 8, "premises in respect of which a pharmacist is approved under section 90 of the Act" includes premises in respect of which, while no pharmacist is approved under section 90 of the Act, the Authority has recommended the approval of a pharmacist under section 90 of the Act, unless that recommendation has, pursuant to paragraph 9, lapsed.

Isolated Pharmacy Allowance

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

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

- (a) the premises in respect of which the pharmacist is approved are situated not less than 10 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act; or
- (b) the Authority is satisfied that special circumstances exist which warrant the payment of the allowance in relation to the premises in respect of which the pharmacist is approved.

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

- (a) a new recommendation as to whether payment of an isolated pharmacy allowance should be approved; and
- (b) if it recommends approval of the payment of the allowance, a recommendation that the condition subject to which payment of the allowance may be made, as set out in this paragraph, applies;

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

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

- (a) subject to subparagraph (b), shall be made at a rate per PBS prescription and RPBS prescription equal to 20 per cent of the fee for dispensing a ready-prepared prescription, as specified in the determination under subsection 98B (1) of the Act which is in force on the date on which the prescription was supplied, rounded to the nearest cent, one half cent being taken to be one cent; and
- (b) shall be made in respect of a total of not more than 1,000 PBS prescriptions and RPBS prescriptions in any month; and
- (c) shall be made in respect of PBS prescriptions and RPBS prescriptions supplied on and after the day on which the pharmacist was approved under section 90 of the Act in respect of the premises, provided that payment shall not be made in respect of any prescriptions supplied more than 6 months before the payment of the isolated pharmacy allowance was approved.

Remote Pharmacy Allowance

15. For the purposes of paragraph 99K (1) (da) of the Act, the rules with which the Authority must comply in making a recommendation on an application by a pharmacist for approval of the payment of a remote pharmacy allowance under section 99ZAA of the Act are set out in paragraphs 16 to 20.
16. Approval of the payment of a remote pharmacy allowance under section 99ZAA of the Act must be recommended if the pharmacist is qualified for the payment of the allowance.
17. An approved pharmacist to whom an allowance is payable under section 99ZA of the Act in respect of particular premises is qualified for the payment of a remote pharmacy allowance in respect of a period of 12 months commencing on 1 July of 1995 or of a subsequent year if the premises in respect of which the pharmacist is approved are situated not less than 25 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act, or situated on an island not connected to the mainland by road and on which there are no other premises in respect of which a pharmacist is approved under section 90 of the Act, provided that:
 - (a) subject to paragraph 18, the total number of PBS prescriptions and RPBS prescriptions supplied at or from the premises during the year ended on 30 April of the same year is less than the median for all pharmacies in Australia; or
 - (b) the Authority is satisfied that special circumstances exist, in relation to the total number of PBS prescriptions and RPBS prescriptions supplied at or from the premises, which warrant the payment of the allowance in relation to the premises in respect of which the pharmacist is approved.
18. (a) Where a pharmacist is granted an approval under section 90 of the Act in respect of particular premises following a recommendation made pursuant to paragraph 6 or 7, PBS prescriptions and RPBS prescriptions supplied at or from the premises in respect of which the pharmacist was previously approved shall, for the purpose of subparagraph 17 (a), be deemed to have been supplied at or from the premises in respect of which the pharmacist is currently approved.
 - (b) Where a pharmacist is granted an approval under section 90 of the Act in respect of particular premises following a recommendation made pursuant to paragraph 5, and those premises are situated not less than 25 kilometres, measured door to door by the shortest lawful access route, from the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act, or are situated on an island not connected to the mainland by road and on which there are no other premises in respect of which a pharmacist is approved under section 90 of the Act, the pharmacist is qualified for payment of a remote pharmacy allowance until 30 June next following the first anniversary of the date of granting of the approval, irrespective of the number of PBS prescriptions and RPBS prescriptions which have been supplied at or from the premises.
19. Where the Authority recommends approval of the payment of a remote pharmacy allowance under section 99ZAA of the Act, it shall determine the distance between the premises in respect of which the application has been made and the nearest other premises in respect of which a pharmacist is approved under section 90 of the Act and must also recommend that payment of the allowance is subject to the condition that the Authority's determination of that distance is the distance that is to be used in the application of paragraph 21.

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

- (a) a new determination of distance under paragraph 19; and
- (b) a new recommendation as to whether payment of a remote pharmacy allowance should be approved; and
- (c) if it recommends approval of the payment of the allowance, a recommendation that the conditions subject to which payment of the allowance may be made, as set out in this paragraph and in paragraph 19, apply;

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

21. For the purposes of subsection 99ZAA (2) of the Act, the rate of payment of a remote pharmacy allowance will be an annual amount, paid in as nearly as practicable to equal monthly instalments, ascertained in accordance with the following table:

<u>Location of premises in relation to nearest other premises in respect of which a pharmacist is approved under section 90 of the Act</u>	<u>Annual amount</u>
Not less than 25 kilometres but less than 40 kilometres, measured door to door by the shortest lawful access route	\$1,054
Not less than 40 kilometres but less than 60 kilometres, measured door to door by the shortest lawful access route	\$1,791
Not less than 60 kilometres, measured door to door by the shortest lawful access route, or situated on an island not connected to the mainland by road and on which there are no other premises in respect of which a pharmacist is approved under section 90 of the Act	\$2,950

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

22. Payment of a remote pharmacy allowance shall be made as from with the first day of the month following the day on which the pharmacist was approved under section 90 of the Act in respect of the premises, provided that payment will not be made in respect of any period which is more than 6 months before the payment of the remote pharmacy allowance was approved.

Professional Allowance

23. For the purposes of paragraph 99K (1) (db) of the Act, the rules with which the Authority must comply in making a recommendation on an application by a pharmacist for approval of the payment of a professional allowance under section 99ZDA of the Act are set out in paragraphs 24 to 28.

24. Approval of the payment of a professional allowance under section 99ZDA of the Act must be recommended if the pharmacist is qualified for the payment of the allowance.

25. A pharmacist ("the applicant") is qualified for the payment of a professional allowance if:

(a) the Authority is satisfied that the applicant has an agreement to provide medication reviews for residents of a particular nursing home; and

(b) the applicant undertakes to allow only an accredited pharmacist to provide medication reviews; and

(c) the applicant undertakes to provide to the Authority, at intervals of not greater than 3 months, a report, relating to the provision of medication reviews to residents of the nursing home, which includes:

(i) the name and address of the applicant and details of the approval of the applicant under section 99ZDA of the Act; and

(ii) the name and address of the pharmacist who provided the medication review service and evidence that that pharmacist is accredited by an accreditation body; and

(iii) a certification, by:

(A) the applicant; and

(B) the accredited pharmacist (if the accredited pharmacist is not the applicant); and

(C) the proprietor of the nursing home, or the proprietor's nominee, being a person of at least the status of senior charge sister;

that medication review services have, during the period to which the report relates, been provided to residents of the nursing home.

26. For the purpose of subparagraph 25 (a), the applicant has an agreement to provide medication reviews for residents of a particular nursing home if the applicant and the proprietor of the nursing home have entered into an agreement, for a period of not less than 6 months, for the provision of such a service, provided that:

(a) the agreement specifies:

(i) the name and address of the proprietor of the nursing home; and

(ii) the name and address of the nursing home and the approval number of the nursing home; and

(iii) the approved number of beds in the nursing home; and

(iv) in a case where only part of the nursing home is the subject of the agreement, the approved number of beds in that part of the nursing home; and

(b) the agreement includes an undertaking by the proprietor of the nursing home to allow the applicant, or an accredited pharmacist employed by the applicant, access to the nursing home and its residents, to the relevant records of the residents and to any other records or information relating to the medicines being taken by, or administered to, the residents, for the purpose of conducting medication reviews.

27. Nothing in paragraphs 24 to 26 authorises the Authority to recommend the approval of more than one application for the payment of a professional allowance for medication reviews provided to a particular resident of a nursing home.

28. Where the Authority recommends approval of the payment of a professional allowance under section 99ZDA of the Act ("the original recommendation"), it must also recommend that the payment of the allowance is subject to the condition that if:

(a) the applicant ceases to be a pharmacist; or

(b) any approval of the applicant under section 90 of the Act is revoked or suspended by the Minister under section 95 or 133 of the Act; or

(c) the applicant ceases to have an agreement with the nursing home; or

(d) the applicant ceases to provide medication reviews to the residents of the nursing home; or

(e) the applicant allows medication reviews to be provided other than by an accredited pharmacist; or

(f) the applicant fails to provide the Authority with a report, at intervals of not more than 3 months, relating to the provision of medication reviews to residents of the nursing home;

the Authority shall reconsider the application on which the original recommendation was made, taking into account any additional information that has come to its notice, and make:

(g) a new recommendation as to whether payment of a professional allowance should be approved; and

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

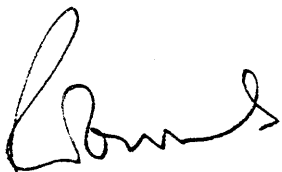
and that recommendation shall stand in the place of the original recommendation with effect from the date that the later recommendation was made.

29. For the purposes of paragraph 99ZDA (1) (a) of the Act, the rate of payment of professional allowance for the provision of medication reviews shall comprise:

- (a) an annual amount of \$54, paid in equal monthly instalments, in respect of each of the approved beds in respect of which medication reviews are being provided under an agreement of the type referred to in paragraph 26; and
- (b) in the case of an applicant to whom payment of a professional allowance under section 99ZDA of the Act, in respect of the provision of medication reviews under an agreement or agreements of the type referred to in paragraph 26, is approved before 1 July 1997:
 - (i) an amount of \$1,500 in respect of the first such agreement; and
 - (ii) an amount of \$1,000 in respect of each additional such agreement;

provided that not more than one payment under this subparagraph will be made to any applicant in respect of a particular nursing home.

Dated this eleventh day of December 1996.



Bob Woods
Parliamentary Secretary to the Minister for Health and Family Services

COMMONWEALTH OF AUSTRALIA

National Health Act 1953

PHARMACEUTICAL BENEFITS

DETERMINATION UNDER SUBSECTION 84C (7)

I, DAVID TREVOR GRAHAM, Assistant Secretary, Pharmaceutical Benefits Branch, Department of Health and Family Services and Delegate of the Minister for Health and Family Services, pursuant to subsection 84C (7) of the *National Health Act 1953*, hereby make the following Determination:

1. This Determination shall come into operation on 1 January 1997.
2. The Determination under subsection 84C (7) of the *National Health Act 1953* made on 28 June 1996 with effect from 1 July 1996, amended on 16 July 1996 with effect from 1 August 1996, is, in this Determination, referred to as the Principal Determination.
3. Subparagraphs 8 (a) and 10 (a) of the Principal Determination are amended by omitting "\$17.40" (wherever occurring) and substituting "\$20.00".
4. Subparagraphs 8 (b) and 10 (b) of the Principal Determination are amended by omitting "\$2.70" (wherever occurring) and substituting "\$3.20".

Dated this *sixteenth* day of *December* 1996.



D. GRAHAM
Assistant Secretary
Pharmaceutical Benefits Branch
Department of Health and Family Services
Delegate of the Minister for Health and Family Services

COMMONWEALTH OF AUSTRALIA

National Health Act 1953

PHARMACEUTICAL BENEFITS

DETERMINATION UNDER SUBSECTION 84HA (1)

I, DAVID TREVOR GRAHAM, Assistant Secretary, Pharmaceutical Benefits Branch, Department of Health and Family Services and Delegate of the Minister for Health and Family Services, pursuant to subsection 84HA (1) of the *National Health Act 1953*, hereby make the following Determination:

1. This Determination shall come into operation on the first day of January 1997.
2. The amount payable by the Commonwealth to an approved pharmacist, an approved medical practitioner or an approved hospital authority in respect of each safety net concession card, each pharmaceutical benefits entitlement card, and each additional or replacement card in relation to any of those cards, issued in accordance with the relevant provisions of the *National Health Act 1953* and the National Health (Pharmaceutical Benefits) Regulations by the pharmacist, medical practitioner or hospital authority during the period 1 January 1997 to 31 December 1997 shall be \$5.95.

Dated this *5, x twentieth* day of *December* 1996.



D. GRAHAM
Assistant Secretary
Pharmaceutical Benefits Branch
Department of Health and Family Services
Delegate of the Minister for Health and Family Services



**Commonwealth
of Australia**

Gazette

No. S 506, Thursday, 19 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

Australian Company Number: 001 196 096

FORM 533

Subregulation 5.6.39(3)

CORPORATIONS LAW

NOTICE TO SUBMIT PARTICULARS OF DEBT OR CLAIM

KAISER ENGINEERS AUSTRALIA PTY LTD (IN LIQUIDATION)

Take notice that creditors of the Company, whose debts or claims have not already been admitted, are required before 7 January 1997 to submit particulars of their debts or claims and of any security held by them to me and, if subsequently required by notice in writing from me, must formally prove their debts or claims and establish any title they may have to priority by statement in writing. If they do not comply with this notice, they will be excluded from:

- (a) the benefit of any distribution made before their debts or claims are proved or their priority is established; and
- (b) objecting to the distribution.

DATED this 10th day of December 1996.

G.F. Totterdell
Liquidator
c/- Price Waterhouse
8th Floor
256 St George's Terrace
PERTH WA 6000





COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS -

- (A) A & A International Pty Ltd is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) A & A International Pty Ltd proposes to acquire an interest in the Australian urban land specified in the notice furnished on 18 November 1996 under section 26A of the Act;

NOW THEREFORE I, Rod Kemp, Assistant Treasurer, for and on behalf of the Treasurer, being satisfied that:

- (i) A & A International Pty Ltd proposes to acquire an interest in Australian urban land; and
- (ii) the proposed acquisition would be contrary to the national interest;

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

Dated this

17th

day of December 1996.

Assistant Treasurer





NOTIFICATION OF THE MAKING OF STATUTORY RULES

The following Statutory Rules have been made and copies may be purchased at the Commonwealth Government Bookshop, 10 Mort St, Canberra City, ACT.

Act under which the Statutory Rules were made	Description of the Statutory Rules	Year and number of the Statutory Rules
<i>Radiocommunications Act 1992</i>	Radiocommunications Devices (Compliance Labelling) Notice	1996 No. 309
<i>Radiocommunications Act 1992</i>	Radiocommunications Standard (406 MHz Satellite Distress Beacons) No. 1 of 1996	1996 No. 310
<i>Radiocommunications Act 1992</i>	Radiocommunications Standard (Short Range Devices) No. 1 of 1996	1996 No. 311
<i>Radiocommunications Act 1992</i>	Radiocommunications Standard (HF CB and Handphone Radio Transmitters) No. 1 of 1996	1996 No. 312
<i>Radiocommunications Act 1992</i>	Radiocommunications Standard (Radiocommunications Devices Used in the Inshore Boating Radio Services Band) No. 1 of 1996	1996 No. 313
<i>Radiocommunications Act 1992</i>	Radiocommunications Standard (UHF CB Radio Transmitters) No. 1 of 1996	1996 No. 314
<i>Radiocommunications Act 1992</i>	Radiocommunications Standard (121.5 MHz and 243.0 MHz Emergency Position Indicating Radio Beacons) No. 1 of 1996	1996 No. 315
<i>Fisheries Management Act 1991 and Fishing Levy Act 1991</i>	Fishing Levy (All Fisheries) Regulations	1996 No. 316
<i>Fisheries Management Act 1991</i>	Fisheries Management Regulations (Amendment)	1996 No. 317
<i>Fisheries Management Act 1991</i>	Fisheries Management (Refund) Regulations (Amendment)	1996 No. 318
<i>Fisheries Levy Act 1984</i>	<i>Fisheries Levy Act 1984</i> Regulations (Repeal)	1996 No. 319
<i>Income Tax Assessment Act 1936</i>	Income Tax Regulations (Amendment)	1996 No. 320





Commonwealth
of Australia

Gazette

No. S 509, Friday, 20 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

COMMONWEALTH OF AUSTRALIA

Aboriginal and Torres Strait Islander Commission Act 1989

NOTICE OF POLLING DAY
FOR TORRES STRAIT REGIONAL AUTHORITY ELECTION

I, JOHN JOSEPH HERRON, Minister for Aboriginal and Torres Strait Islander Affairs, under subsection 142Y(2) of the *Aboriginal and Torres Strait Islander Commission Act 1989*, hereby fix 22 March 1997 as the day for polling in the Torres Strait Regional Authority elections.

Dated

19th Dec

1996

Minister for Aboriginal and Torres Strait Islander Affairs



COMMONWEALTH OF AUSTRALIA*Aboriginal and Torres Strait Islander Commission Act 1989*

(Paragraph 143(2)(b))

NOTICE OF PRESCRIBED MATTERS

In accordance with paragraph 143(2)(b) of the *Aboriginal and Torres Strait Islander Commission Act 1989*, the Minister for Aboriginal and Torres Strait Islander Affairs has made estimates of the number of persons in the Torres Strait area who will be entitled to vote in the forthcoming Torres Strait Regional Authority elections, and of the number of people living in the area who are Torres Strait Islanders or Aboriginal persons. The Minister's estimate is set out in the table below.

Table

Estimate of eligible voters	Estimate of population of Torres Strait Islanders and Aboriginal persons
3305	6293



**Commonwealth
of Australia**

Gazette

No. S 510, Friday, 20 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

COMMONWEALTH OF AUSTRALIA

SPECTRUM MANAGEMENT AGENCY

RADIOCOMMUNICATIONS ACT 1992

AUSTRALIAN RADIOFREQUENCY SPECTRUM PLAN

**RADIOCOMMUNICATIONS (DEFINITIONS) DETERMINATION NO.2 OF
1993 (AMENDMENT NO. 6)**

Notice is given that on 19 December, 1996 the Spectrum Manager, acting on behalf of the Spectrum Management Agency, prepared the Australian Radiofrequency Spectrum Plan under section 30 of the *Radiocommunications Act 1992* and made Amendment No. 6 to the *Radiocommunications (Definitions) Determination No. 2 of 1993*.

Copies of the Australian Radiofrequency Spectrum Plan are to be published and will be available for purchase from 16 January, 1997 from all Area Offices of the Spectrum Management Agency. Orders can be placed prior to that date.

Until that time, if required, copies can be obtained from:

Legal Services,
Spectrum Management Agency
PO Box 78, Belconnen, ACT, 2616.

Telephone (06) 256 5204.
Facsimile: (06)256 5200

Copies of Radiocommunications (Definitions) Determination No. 2 of 1993 (Amendment No. 6) can be obtained from

Legal Services,
Spectrum Management Agency
PO Box 78 Belconnen ACT 2616.

Telephone (06) 256 5204.
Facsimile: (06)256 5200

Produced by the Australian Government Publishing Service

Cat. No. 96 3430 4 ISBN 0644 470429

ISSN 1032-2345

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9 780644 470421



Commonwealth
of Australia

Gazette

No. S 511, Friday, 20 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



Workplace Relations and Other Legislation Amendment Act (No. 2) 1996

PROCLAMATION

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (2) of the *Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*, fix:

- (a) 31 December 1996 as the day on which item 2 of Schedule 1 to that Act commences; and
- (b) 1 January 1997 as the day on which items 3, 4 and 5 of Schedule 1 to that Act commence.

Signed and sealed with the
Great Seal of Australia
on 1996

Governor-General

By His Excellency's Command,

Minister for Industrial Relations

Produced by the Australian Government Publishing Service

Cat. No. 96 3431 2 ISBN 0644 470437

ISSN 1032-2345

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Commonwealth
of Australia

Gazette

No. S 512, Friday, 20 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



Government House
Canberra ACT 2600

20 December 1996

The Governor-General directs it to be notified, for general information, that Her Majesty The Queen has been pleased to approve that Mr Roger William Stanley Vale and Mr Tom Harris be granted the title "Honourable" for life.

By His Excellency's Command

Carol Summerhayes
Acting Official Secretary
to the Governor-General





COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

DOMICILIARY NURSING CARE BENEFIT

NOTICE OF DETERMINATION OF AMOUNT FOR THE PURPOSES OF
PARAGRAPH 58G(2) (b) AND PARAGRAPH 58GA(1) (a)

I, JUDITH MOYLAN, Minister for Family Services Determine that:

- the amount for the purposes of Paragraph 58G(2) (b) of the National Health Act 1953 shall be \$58.30 per fortnight, effective from 2 January 1997; and
- the amount for the purposes of Paragraph 58GA(1) (a) of the National Health Act 1953 shall be \$4.16 per day, effective from 2 January 1997.

Dated the *14th* day of *December* 1996

JUDITH MOYLAN
Minister for
Family Services

Determination No 1996-97/ACC3





Commonwealth
of Australia

Gazette

No. S 514, Monday, 23 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

NOTIFICATION OF THE MAKING OF STATUTORY RULES

The following Statutory Rules have been made and copies may be purchased at the Commonwealth Government Bookshop, 10 Mort St, Canberra City, ACT.

Act under which the Statutory Rules were made	Description of the Statutory Rules	Year and number of the Statutory Rules
<i>Federal Court of Australia Act 1976</i>	Federal Court of Australia Regulations (Amendment)	1996 No. 321
<i>Health Insurance Act 1973</i>	Health Insurance Commission Regulations (Amendment)	1996 No. 322
<i>Television Licence Fees Act 1964</i>	Television Licence Fees Regulations (Amendment)	1996 No. 323
<i>Customs Act 1901</i>	Customs (Prohibited Imports) Regulations (Amendment)	1996 No. 324

Produced by the Australian Government Publishing Service

Cat. No. 96 3746 X ISBN 0644 470461

ISSN 1032-2345

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Commonwealth
of Australia

Gazette

No. S 515, Monday, 23 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



CFM Sale Act 1996

PROCLAMATION

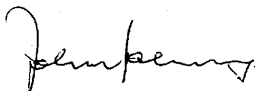
I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (3) of the *CFM Sale Act 1996*, fix 23 December 1996 as the day on which items 1, 2, 5, 6, 7, 8, 9 and 11 of Schedule 1 to that Act commence.

Signed and sealed with the
Great Seal of Australia
on 20 December 1996



WILLIAM DEANE
Governor-General

By His Excellency's Command,


Minister for Finance

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Produced by the Australian Government Publishing Service
Cat. No. 96 3747 8 ISBN 0644 47047X
ISSN 1032-2345
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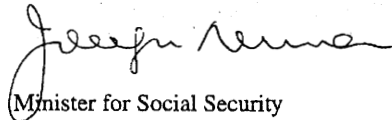
Commonwealth of Australia

Social Security Act 1991

Social Security (Threshold Rates) Determination No. 2

I, JOCELYN MARGARET NEWMAN, Minister for Social Security, make the following Determination under section 1082 of the *Social Security Act 1991*.

Dated 20th December 1996.


Minister for Social Security

Citation

1. This Determination may be cited as the Social Security (Threshold Rates) Determination No. 2.

Commencement

2. This Determination commences on 23 January 1997.

Interpretation

3. In this Determination:

“Act” means the *Social Security Act 1991*.

Revocation of Social Security (Threshold Rates) Determination No. 1

4. Social Security (Threshold Rates) Determination No. 1 is revoked.

Below Threshold Rate

5. For subsection 1082 (1) of the Act, the below threshold rate for Division 1B of Part 3.10 of the Act is 4%.

Above Threshold Rate

6. For subsection 1082 (2) of the Act, the above threshold rate for Division 1B of Part 3.10 of the Act is 6%.





Commonwealth of Australia

Gazette

No. S 517, Tuesday, 24 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(4)

WHEREAS, in accordance with subsection 10(4) of the *Banks (Shareholdings) Act 1972*, application has been made to the Treasurer by those corporations specified in the Schedule for an instrument in writing to be published in the Gazette fixing a percentage for the purposes of section 10 of that Act in its application to those corporations in respect of Lloyds Bank NZA Limited;

NOW THEREFORE I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and being satisfied that it is in the national interest to do so, under subsection 10(4) of the *Banks (Shareholdings) Act 1972*, hereby fix, for the purposes of section 10 of that Act in its application to those corporations in respect of the Lloyds Bank NZA Limited, a percentage of 100.

SCHEDULE

ABN AMRO Holding NV, being the corporation formed or incorporated under that name in the Netherlands

ABN AMRO Bank NV, being the corporation formed or incorporated under that name in the Netherlands

ABN AMRO Australia Limited

Dated 20 DEC 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command

Assistant Treasurer

Produced by the Australian Government Publishing Service

Cat. No. 96 3749 4 ISBN 0644 47050X

ISSN 1032-2345

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COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(5A)

WHEREAS, in accordance with subsection 10(4) of the *Banks (Shareholdings) Act 1972*, an instrument has been published in the Gazette fixing a percentage of 100 as the percentage applicable to those corporations specified in the Schedule in respect of Lloyds Bank NZA Limited;

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

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

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

SCHEDULE

ABN AMRO Holding NV, being the corporation formed or incorporated under that name in the Netherlands

ABN AMRO Bank NV, being the corporation formed or incorporated under that name in the Netherlands

ABN AMRO Australia Limited

Dated 28 DEC 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command


Assistant Treasurer



Commonwealth of Australia

Gazette

No. S 518, Tuesday, 24 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

NOTIFICATION OF THE MAKING OF STATUTORY RULES

The following Statutory Rules have been made and copies may be purchased at the Commonwealth Government Bookshop, 10 Mort Street, Canberra City, ACT.

Act under which the Statutory Rules were made	Description of the Statutory Rules	Year and number of the Statutory Rules
<i>Customs Act 1901</i>	Customs (Prohibited Imports) Regulations (Amendment)	1996 No. 325
<i>Customs Act 1901</i>	Customs Regulations (Amendment)	1996 No. 326
<i>Customs Act 1901</i>	Customs Regulations (Amendment)	1996 No. 327
<i>Workplace Relations Act 1996</i>	Workplace Relations Regulations (Amendment)	1996 No. 328
<i>Workplace Relations Act 1996</i>	Workplace Relations Regulations (Amendment)	1996 No. 329
<i>Australian Federal Police Act 1979</i>	Australian Federal Police Regulations (Amendment)	1996 No. 330
<i>Classification (Publication, Films and Computer Games) Act 1995</i>	Classification (Publications, Films and Computer Games) Regulations (Amendment)	1996 No. 331
<i>Wildlife Protection (Regulation of Exports and Imports) Act 1982</i>	Wildlife Protection (Regulation of Exports and Imports) Regulations (Amendment)	1996 No. 332
<i>National Health Act 1953</i>	National Health Regulations (Amendment)	1996 No. 333
<i>Overseas Missions (Privileges and Immunities) Act 1995</i>	Hong Kong Economic and Trade Office (Privileges and Immunities) Regulations	1996 No. 334
<i>Health Insurance Act 1973</i>	Health Insurance Regulations (Amendment)	1996 No. 335
<i>Health Insurance Act 1973</i>	Health Insurance Regulations (Amendment)	1996 No. 336
<i>Health Insurance Act 1973</i>	Health Insurance (1996-97 Diagnostic Imaging Services Table) Regulations (Amendment)	1996 No. 337
<i>Export Control Act 1982</i>	Export Control (Unprocessed Wood) Regulations (Amendment)	1996 No. 338
<i>Public Service Act 1922</i>	Public Service Regulations (Amendment)	1996 No. 339
<i>Air Navigation Act 1920</i>	Air Navigation Regulations (Amendment)	1996 No. 340

Produced by the Australian Government Publishing Service

Cat. No. 96 3750 8 ISBN 0644 470518

ISSN 1032-2345

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Act under which the Statutory Rules were made	Description of the Statutory Rules	Year and number of the Statutory Rules
<i>Airports Act 1996</i>	Airports (Ownership—Interests in Shares) Regulations	1996 No. 341
<i>Road Transport Reform (Vehicles and Traffic) Act 1993</i>	Road Transport Reform (Mass and Loading) Regulations (Amendment)	1996 No. 342
<i>Corporations Act 1989</i>	Corporations Regulations (Amendment)	1996 No. 343
<i>Superannuation Industry (Supervision) Act 1993</i>	Superannuation Industry (Supervision) Regulations (Amendment)	1996 No. 344
<i>Income Tax Assessment Act 1936</i>	Income Tax Regulations (Amendment)	1996 No. 345
<i>Income Tax Assessment Act 1936</i>	Income Tax Regulations (Amendment)	1996 No. 346
<i>Taxation Administration Act 1953</i>	Taxation Administration Regulations (Amendment)	1996 No. 347
<i>Banks (Shareholdings) Act 1972</i>	Banks (Shareholdings) Regulations (Amendment)	1996 No. 348
<i>Banks (Shareholdings) Act 1972</i>	Banks (Shareholdings) Regulations (Amendment)	1996 No. 349
<i>Health Insurance Act 1973</i>	Health Insurance (Vocational Registration of General Practitioners) Regulations (Amendment)	1996 No. 350
<i>Workplace Relations Act 1996</i>	Workplace Relations Regulations (Amendment)	1996 No. 351
<i>Judicial and Statutory Officers (Remuneration and Allowances) Act 1984</i>	Judicial and Statutory Officers (Remuneration and Allowances) Regulations (Amendment)	1996 No. 352
<i>Banks (Shareholdings) Act 1972</i>	Banks (Shareholdings) Regulations (Amendment)	1996 No. 353

TERRITORY OF CHRISTMAS ISLAND

NOTIFICATION OF THE MAKING OF ORDINANCES

The following Ordinances of the Territory of Christmas Island have been made and copies may be obtained from the Law Reform Section, Department of the Environment, Sport and Territories, Matrix House, 25 Moore Street, Turner, ACT.

Number and year of Ordinance	Short title of Ordinance
No. 10 of 1996	<i>Mining Legislation (Amendment) Ordinance 1996</i>
No. 11 of 1996	<i>Applied Laws (Implementation) (Amendment) Ordinance (No. 2) 1996</i>

TERRITORY OF COCOS (KEELING) ISLANDS

NOTIFICATION OF THE MAKING OF ORDINANCES

The following Ordinances of the Territory of Cocos (Keeling) Islands have been made and copies may be obtained from the Law Reform Section, Department of the Environment, Sport and Territories, Matrix House, 25 Moore Street, Turner, ACT.

Number and year of Ordinance	Short title of Ordinance
No. 8 of 1996	<i>Mining Legislation (Amendment) Ordinance 1996</i>
No. 9 of 1996	<i>Applied Laws (Implementation) (Amendment) Ordinance (No. 2) 1996</i>



AUSTRALIAN ELECTORAL COMMISSION

The following form is approved for the purposes of Rule 30 and Rule 56(1) of the
Aboriginal and Torres Strait Islander Commission Act 1989 Torres Strait Regional
Authority Election Rules.

W J Gray
Electoral Commissioner

23 December 1996

BALLOT PAPER

ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION
TORRES STRAIT REGIONAL AUTHORITY ELECTION

ELECTION OF 1 MEMBER FOR THE (a) ELECTORATE

Write the number 1 in the box next to the candidate of your first choice.

☐ (b)☐ (b)☐ (b)☐ (b)

- (a) Here insert the name of the electorate
(b) Here insert the name of the candidate

The following words will be added to the instruction printed above the candidates' names when there are more than 2 candidates - "Then, if you wish, you may show your order of choice for any other candidates by using the numbers 2, 3 and so on."

The following additional details will be added to ballot papers for postal voters - The word "POSTAL" will be inserted in front of the heading "BALLOT PAPER" and the following instruction will appear at the bottom of the ballot paper, "Fold the ballot paper, place it in the Postal Vote Certificate envelope and fasten the envelope."

If there are more than 16 candidates for an electorate the ballot paper is altered so that the names of the candidates are set out:

- (a) in vertical columns that are as nearly as possible of equal length; and
(b) in the order determined in accordance with rule 58 of the Torres Strait Regional Authority Election Rules so that each column after the first commences with the name of the candidate next succeeding that of the candidate whose name appears last in the immediately preceding column.



AUSTRALIAN ELECTORAL COMMISSION

The following form is approved for the purposes of subrule 26(1)(a) of the *Aboriginal and Torres Strait Islander Commission Act 1989* Torres Strait Regional Authority Election Rules.

W J Gray

W J Gray
Electoral Commissioner

23 December 1996

APPLICATION FOR POSTAL VOTE
Important – applicant and witness should read the
information adjacent.

ELECTOR TO COMPLETE – PLEASE PRINT	
SURNAME	
GIVEN NAMES	
ADDRESS where you are enrolled	
	Postcode
I am entitled to apply for a postal vote for the Electorate of	
and ask that a ballot paper be sent to me at:	
(only if different from above)	
	Postcode
Signature or Mark of Applicant	
AUTHORISED WITNESS TO COMPLETE	
Signature of authorised witness	/ /
Name (BLOCK LETTERS)	
Address	
OFFICE USE ONLY	
ISSUING OFFICE	
Certificate No.	
Date of issue	
Issuing officer's initials	
ELECTOR'S ELECTORATE	
Date certificate received in electorate for which vote claimed	

PART 4B - Candidate to complete**Name of candidate as enrolled**

Surname or Family name

Christian or Given names

Ballot paper name *

* The ballot paper name must include the surname or family name and at least one given name, or a commonly accepted variation, under which you are enrolled and if you want you may also have any other name or nickname by which you are commonly known.

Residential Address

Postal Address

Occupation

Male ☐Female ☐**Your Contact Details - (see Note 2 on front cover)**

The Returning Officer, or others, may need to contact you during the election. Please provide your contact phone/facsimile numbers below. You may give the details of another person as your representative but this person should be someone who can give you information quickly.

Contact name

Postal address

Contact numbers

Business Hours

After Hours

Facsimile

Candidate's Declaration

I, the candidate named herein, state that:

- I am an Aboriginal person or Torres Strait Islander.

- My date of birth is / /

- I am entitled to vote in the electorate I wish to represent.

- I live in the electorate I wish to represent.

- I am not a staff member of, or a consultant to, the TSRA or ATSIC.

- I am not bankrupt and there is no composition, deed of arrangement or deed of assignment in operation with my creditors under the law relating to bankruptcy.

- I have not been convicted of an offence and sentenced to prison for one year or longer, or convicted of an offence involving dishonesty and sentenced to prison for three months or longer.

OR

If I was sentenced to prison for one year or longer or sentenced to prison for dishonesty for three months or longer:

- I never actually went to prison and two years has passed since my conviction;

or

- I went to prison and two years has passed since my release.

- I consent to act as a member of the Torres Strait Regional Authority if elected and declare that I am not, and do not intend to be, a candidate in any other election to be held on the same day as the election to which this nomination relates.

Signature of candidate

Date

OFFICE USE Consecutive No. _____ Received: Date ____ / ____ / ____ Time ____ am/pm RO's Signature _____

TSIRA001 - 12/96

Page 2



COMMONWEALTH OF AUSTRALIA

JERVIS BAY TERRITORY

Administration Ordinance 1990

DETERMINATION OF FEES FOR ELECTRICITY SUPPLY

I, WARWICK LESLIE SMITH, Minister for Sport, Territories and Local Government, make this Determination under section 3B of the *Administration Ordinance 1990* of the Jervis Bay Territory.

Dated 20 December 1996.

Minister for Sport, Territories and Local Government

Citation

1. This Determination may be cited as Fees Determination No. 2 of 1996.

Commencement

2. This Determination commences on 1 January 1997.

Fees for electricity supply, etc.

3. (1) The fees for the connection of electricity supply, and for the supply of electricity, are as set out in the Schedule.

(2) In the Schedule:

“domestic supply” means a supply to a residence;

“general supply” means a supply that is not:

- (a) a domestic supply; or
- (b) an 11kV time-of-use demand supply;

“off-peak period” means a period that is not a peak period or a shoulder period;

“peak period” means either of the following periods:

- (a) the period between 7 a.m. and 9 a.m. on a working day (that is, a day that is not a Saturday, Sunday, or public holiday in the Territory);
- (b) the period between 5 p.m. and 8 p.m. on a working day;

“shoulder period” means either of the following periods:

- (a) the period between 9 a.m. and 5 p.m. on a working day;
- (b) the period between 8 p.m. and 10 p.m. on a working day.



Fees determination No. 2 of 1996

Eligibility for 11kV time-of-use demand supply

4. A customer is not eligible for the connection of an 11kV time-of-use demand supply unless the customer has a minimum demand of 200 kVA per month.

Period for payment

5. (1) If a time for payment of a fee is specified in the Schedule, an amount of such a fee is payable at the time specified.

(2) If no time for payment of a fee is specified in the Schedule, an amount of such a fee must be paid before the end of 21 days beginning on the day after the day of issue of an invoice for the amount.

Non-payment

6. (1) If an amount of a fee is payable, and is not paid within 7 days after the end of the period set out or referred to in clause 5, the Minister may disconnect the supply of electricity to the customer concerned.

(2) If a supply is disconnected under subclause (1), the Minister is not obliged to reconnect it until the customer concerned pays the unpaid amount in full.

Refund of deposit

7. After a customer requests that his or her supply be disconnected, the amount of any security deposit paid by the customer is to be deducted from his or her final account.

Revocation

8. Any previous determination of fees or conditions for the supply of electricity, or for the connection of electricity supply, is revoked.

SCHEDULE

FEES

1. Fees for connection of electricity supply

1.1 For the connection of an electricity supply, where no other clause of this Schedule applies:

(a) \$35 (payable before connection); and

(b) payable before connection, as a security deposit:

(i) for a customer who produces evidence that he or she is a pensioner—\$60;

(ii) for any other customer—\$120

Fees determination No. 2 of 1996

1.2 For connection of electricity supply to a newly built house—\$210, payable before connection

1.3 For a meter test—\$50

1.4 For the changing of a hot-water timer—\$20

1.5 For reconnection of electricity supply after disconnection for non-payment of an account—\$50, payable before reconnection

1.6 For a builders' temporary electricity supply—\$120, payable before connection

2. Fees for supply of electricity

2.1 For a domestic supply, in each 60-day period:

- (a) for consumption up to 198 kWh in that period—13.49c per kWh; and
- (b) for any consumption in excess of 198 kWh in that period—10.25c per kWh; and

subject to:

- (c) a minimum charge of \$16.05 for that period; and
- (d) for a customer who is a pensioner—a rebate of \$13.58

2.2 For a general supply, in each 60-day period:

- (a) for consumption up to 198 kWh in that period—15.845c per kWh; and
- (b) for any consumption in excess of 198 kWh in that period—10.197c per kWh

subject to a minimum fee of \$21.39 for that period

2.3 For a controlled-off-peak supply, in each 60-day period:

- (a) off-peak 1—3.89c per kWh; or
- (b) off-peak 2—6.7c per kWh

2.4 For an 11kV time-of-use demand supply:

- (a) a monthly fee of \$6.649 per kVA; and
 - (b) for electricity supplied during a peak period—8.627c per kWh; and
 - (c) for electricity supplied during a shoulder period—7.45c per kWh; and
 - (d) for electricity supplied during an off-peak period—3.002c per kWh.
-



COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS -

- (A) Fung Ying Ma is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) Fung Ying Ma proposes to acquire an interest in the Australian urban land specified in the notice furnished on 22 November 1996 under section 26A of the Act;

NOW THEREFORE I, Rod Kemp, Assistant Treasurer, for and on behalf of the Treasurer, being satisfied that:

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

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

Dated this

20th

day of December 1996.


Assistant Treasurer





**Commonwealth
of Australia**

Gazette

No. S 522, Tuesday, 24 December 1996

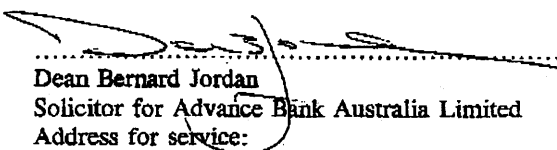
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SPECIAL

**NOTICE OF APPLICATION RELATING TO
ADVANCE BANK AUSTRALIA LIMITED
A.C.N. 002 953 335**

Notice is hereby given that Advance Bank Australia Limited will apply to the Supreme Court of New South Wales at 10.00 am on 6 January 1997 at Queens Square, Sydney for an order under section 411(4) and (6) of the Corporations Law approving a scheme of arrangement (with or without modification) between the Company and the holders of its ordinary shares.

Any person intending to appear at the hearing must file a notice of appearance in the prescribed form and serve that notice on Advance Bank Australia Limited at its address for service shown below not later than 2 January 1997.


Dean Bernard Jordan
Solicitor for Advance Bank Australia Limited
Address for service:
Clayton Utz
Level 27-35
No.1 O'Connell Street
SYDNEY NSW 2000





Quarantine Act 1908
Quarantine Determinations
No 3 of 1996

I, JOHN DUNCAN ANDERSON, Minister for Primary Industries and Energy, pursuant to section 86E of the *Quarantine Act 1908*, hereby make the following determinations.

Dated 18th Dec 1996

Minister for Primary Industries and Energy

Revocation earlier determinations

1. Determinations No 2 of 1996 made pursuant to section 86E of the *Quarantine Act 1908* and published in the Gazette No GN34, of 28 August 1996 is hereby revoked.

Date of effect of these determinations

2. These determinations are to take effect on 1 January 1997.

Fees payable for services

3. Subject to paragraphs 4, 5 and 6, the fee payable in respect of a service specified in an item in Column 2 of the Schedule is the amount specified in Column 3 of the Schedule adjacent to that item.

Minimum fee

4. Where a fee specified in Column 3 of the Schedule is expressed to be subject to a minimum fee, the fee payable shall not be less than the amount of that fee.

Maximum fee

5. Where a fee specified in Column 3 of the fee Schedule is expressed to be subject to a maximum fee, the fee payable shall not exceed the amount of that fee.

Multiple fees

6. Where more than one fee in Column 3 of the Schedule is applicable to a service, the fee payable shall be calculated by adding together the fees that are applicable to that service.



Date due for payment

7. A fee imposed by these determinations must be paid:
- (a) if the amount of the fee is determined before the provision of the service - on demand for payment; or
 - (b) in any other case - on the due date shown on an invoice issued by the Australian Quarantine and Inspection Service.

Determinations not to apply to certain services

8. These Determinations do not apply in relation to services provided:
- a. to diplomatic staff of a country other than Australia;
 - b. to foreign vessels and equipment undertaking combined exercises with the Australian defence forces;
 - c. for examination of personal luggage arriving in Australia aboard the same vessel as the owner or importer of the goods;
 - d. for surveillance of parcel post items containing goods that are for private/non-commercial use.

Definitions

9. In these determinations, unless the contrary intention appears:

"line equivalent" means, in relation to:

- seeds, each lot of 20 or fewer seeds planted in no more than 4 pots having a diameter of 300 millimetres;
- fruit tree or vines, each lot of 2 or fewer fruit trees or vines planted separately.

QUARANTINE SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
Services in relation to Quarantine Services		
1.	Performance of a service for which a fee is not specified elsewhere in this schedule	
	(a) Examination of a consignment of goods of quarantine concern by examining documents only	\$30 per consignment
	(b) for in-office inspections where an electronic entry is lodged	\$30 per quarter hour or part thereof for each officer performing the service
	(c) for in-office inspections other than (b) above	\$32 per quarter hour or part thereof for each officer performing the service
	(d) for examination of documentation relating to a live animal or animal reproductive material import	\$32 per quarter hour or part thereof for each officer performing the service
	(e) for other inspections (including tailgating of containers and examination of live animals)	\$72 for the first half hour or part thereof for each officer performing the service and thereafter \$36 per quarter hour or part thereof for each officer performing the service.
	(f) for the services of each inspector whose services are required for a normal working day	\$637 per day
	(g) for the services of each inspector whose services are required during normal working hours for a week	\$2,218 per week
	(h) for the services of each inspector whose services are required during normal working hours for a period of four weeks	\$8,686 per four weeks
	(i) for the services of each inspector whose services are required during normal working hours for a year	\$100,439 per year

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
2.	(a) Lodgement of an electronic quarantine entry via the Joint Entry Management System	\$6 per entry
	(b) Lodgement of a quarantine entry form other than (a) above	\$12 per entry
	(c) Processing of a quarantine entry associated with a compliance agreement	\$8 per entry
	(d) Lodgement of an application to import plants and plant products	\$60 per application
	(e) Lodgement of an application to import live animals and animal reproductive material	
	dog/cat	\$60 per application
	laboratory animals and bees	\$60 per application
	other live animals, birds and other reproductive material	\$120 per application
	(f) Lodgement of an exemption against an existing animal import condition	\$60 per application
	(g) Lodgement of an application to import biological material and other animal products	
	(i) foodstuffs and composite products for human consumption	\$60 per 5 items or part thereof
	(ii) animal and fish feeds	
	livestock and aquaculture feeds	\$60 per item
	pet feeds	\$60 per 5 items or part thereof
	composite products (additives)	\$60 per 5 items or part thereof
	(iii) therapeutics and cosmetics	
	human therapeutics (for personal use by applicant)	\$60 per 5 items or part thereof
	human or veterinary therapeutics (other)	\$180 per 5 items or part thereof
	cosmetics (greater than 20% animal material)	\$60 per 5 items or part thereof

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
	(iv) vaccines	
	human vaccines	\$60 per 5 items or part thereof
	other vaccines (living, inactivated and master seeds)	\$240 per item
	(v) bioremediation agents	
	containing live micro-organisms	\$120 per item
	not containing live micro-organisms	\$60 per 5 items or part thereof
	(vi) viable organisms (other than vaccines and bioremediation agents)	
	microbes (nonpathogenic and human pathogens for use as laboratory standards)	\$60 per 50 items or part thereof
	microbes (possible pathogens)	\$60 per item
	parasites	\$60 per 5 items or part thereof
	animal cell lines	\$60 per 5 items or part thereof
	plant material	\$60 per 5 items or part thereof
	(vii) laboratory and industrial materials/ diagnostics/reagents (other than those referred to above)	
	material not for exposure to animals or plants (less than 20ml or 20g of animal extract):	\$60 for up to 50 items or part thereof and thereafter \$120 for 51 to 1000 items or part thereof and thereafter \$120 per 1000 items or part thereof
	materials which may be exposed to animals or plants	\$60 per item
	(viii) biological materials and foodstuffs not referred to above	\$60 per 50 items or part thereof

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
3.	Examination of	
	(a) a consignment of timber (excluding plywood or veneers)	\$1.62 per cubic metre or part thereof
	(b) seed samples where analysis is performed in a laboratory involved	\$32.00 per quarter hour or part thereof for each officer
	(c) postal articles	\$24.00 per article
4.	Clearance of a container system unit	
	(a) empty containers	\$2 per unit
	(b) other than (a) above	\$6 per unit
5.	In-office supervision or packing of goods for fumigation or other treatment, including destruction, by use of an oven, chamber, tank or incinerator	\$32 per quarter hour or part thereof per officer involved for the aggregate time taken to pack, fumigate or otherwise treat the goods.
6.	Care of consignment of plants at a government nursery	
	(a) seed lines or varieties	
	For consignments of less than 30 seed lines or varieties:-	
	(i) for the first nine months or part thereof	\$246 for the first line equivalent, plus \$148 for each of the next nine line equivalents, plus \$100 for each additional line equivalent in excess of ten
	(ii) for each subsequent nine months or part thereof	\$100 for each line equivalent
	For consignments of 30 or more seed lines or varieties:-	
	(iii) for time spent servicing consignments at a government nursery	\$72 for the first half hour or part thereof for each officer performing the service and thereafter \$36 for each additional quarter hour or part thereof for each officer performing the service.

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
	(iv) for the services of each officer whose services are required for a normal working day	\$637 per day
	(v) for the services of each officer whose services are required during normal working hours for a week	\$2,218 per week
	(vi) for the services of each officer whose services are required during normal working hours for a period of four weeks	\$8,686 per four weeks
	(b) fruit trees or vines	
	(i) for the first year or part thereof	\$246 for the first line equivalent plus \$148 for the next 9 line equivalents plus \$100 for each additional line equivalent in excess of ten.
	(ii) for each subsequent year or part thereof in a glasshouse	\$148 for the first line equivalent plus \$100 for each additional line equivalent
	(iii) for each subsequent year or part thereof in screen or shade house	\$49 for each line equivalent
	(c) bulbs, corms or tubers planted under field conditions	
	(i) for the first growing period	\$49 for the first bulb, corm or tuber in a consignment plus \$6 for each additional bulb, corm or tuber
	(ii) for each subsequent growing period	\$6 for each bulb, corm or tuber

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
	(d) other plants, bulbs, corms or tubers	
	(i) for the first 4 months or part thereof	<p>\$81 for the first plant, bulb, corm or tuber in a consignment, regardless of pot size, plus</p> <p>\$8 each for the next 19 plants, bulbs, corms or tubers in pots up to and including 15 cm diameter, or</p> <p>\$10 each for the next 19 plants, bulbs, corms or tubers in pots between 15 and 30 cm diameter, or</p> <p>\$15 each for the next 19 plants, bulbs, corms or tubers in pots exceeding 30 cm diameter, plus</p> <p>\$6 for each plant, bulb, corm or tuber in excess of 20</p>
	(ii) for each subsequent 4 month period or part thereof	\$6 for each plant
	(e) repotting	\$6 per plant repotted
	(f) hand pollination	\$57 per line equivalent
7.	Services provided to plants in quarantine	
	(a) testing for the presence of a disease organism in an imported plant by:-	
	(i) electron microscopy	\$86 per test
	(ii) using herbaceous indicator plants:	<p>\$86 per test for the first line equivalent, plus</p> <p>\$43 per test for the next nine line equivalents, plus</p> <p>\$22 per test for each line equivalent in excess of ten</p>

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
	(iii) using woody indicator plants:	<p>\$173 per test for the first line equivalent, plus</p> <p>\$130 per test for the next nine line equivalents, plus</p> <p>\$86 per test for each line equivalent in excess of ten</p>
	(iv) serological testing at AQIS facility:	<p>\$86 per test for the first line equivalent plus</p> <p>\$65 per test for each of the next nine line equivalents plus</p> <p>\$43 per test for each line equivalent in excess of ten.</p>
	(v) serological testing at a facility not owned or managed by AQIS	<p>the amount charged per test by the facility plus</p> <p>\$10 per line equivalent plus any amount required for postage</p>
	(vi) double stranded RNA testing	\$745 for each group of ten or less tests
	(vii) other biochemical testing	\$86 per test
	(b) Disease elimination	
	(i) by heat therapy	\$2421 per treatment and subsequent test
	(ii) by shoot tip culture	\$1210 per treatment and subsequent test

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
8.	Use of a quarantine station for management of animals	
	(A) at Cocos (Keeling) Islands	
	Any animals	\$25,000 per week or part thereof for each consignment plus feed, veterinary supplies, freight and special husbandry requirements at cost
		\$875,000 per full year for each consignment plus feed, veterinary supplies, freight and special husbandry requirements at cost
	(B) at other stations:	
	(a) an equine animal, ruminant animal or swine, care and maintenance provided by importer	\$40 per animal per day, for the first 25 animals, plus \$10 per day for each animal in excess of 25. In both cases feed and veterinary supplies to be provided by importer
	(b) use of groom's quarters with cleaning to be carried out by importer	\$100 per week or part thereof, plus \$20 per person per week or part thereof
	(c) dog or cat that is 6 weeks or more old	\$21 per day
	(d) a bitch that whelps	\$480 plus the daily rate, plus \$5 per day for each pup up to 6 weeks
	(e) a cat that has kittens	\$300 plus the daily rate

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
	(f) a rabbit, a guinea pig or a queen bee with all reproductive management for queen bees provided by the importer	\$5 per day
	(g) avian imports:	
	(i) a consignment of live birds	\$380 per day plus veterinary supplies at cost
	(ii) a consignment of birds eggs	\$400 per day plus veterinary supplies at cost
	(h) an animal that is not specified in paragraphs (a-i) (inclusive)	
	(i) weighing not more than 60 kilograms	\$21 per day
	(ii) weighing in excess of 60 kilograms	\$40 per day for the first 25 animals plus \$10 per day for each animal in excess of 25 with feed and veterinary supplied to be provided by importer
	(i) conveyance of cats and dogs to Government quarantine stations	\$55 per importer per journey

9. When services are performed outside an officer's usual hours of duty, or an officer is required to perform shiftwork, an additional fee will be charged calculated at the following rates:

- (a) time and a half
 - (i) for veterinary officers
 - \$9.00 for each 1/4 hour or part thereof.
 - A minimum charge of \$156.00 applies where the services are performed non-continuously with ordinary duty
 - (ii) for other officers
 - \$6.00 for each 1/4 hour or part thereof.
 - A minimum charge of \$104.00 applies where the services are performed non-continuously with ordinary duty
- (b) double time
 - (i) for veterinary officers
 - \$12.00 for each 1/4 hour or part thereof.
 - A minimum charge of \$192.00 applies where the services are performed non-continuously with ordinary duty

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
	(ii) for other officers	\$8.00 for each 1/4 hour or part thereof. A minimum charge of \$128.00 applies where the services are performed non-continuously with ordinary duty
	(c) double time and a half	
	(i) for veterinary officers	\$15.00 for each 1/4 hour or part thereof. A minimum charge of \$240.00 applies where the services are performed non-continuously with ordinary duty
	(ii) for other officers	\$10.00 for each 1/4 hour or part thereof. A minimum charge of \$160.00 applies where the services are performed non-continuously with ordinary duty
	(d) for the performance of shiftwork by veterinary officers	
	(i) for shiftwork performed on a Monday Tuesday, Wednesday, Thursday or Friday which is not a holiday	\$0.90 for each quarter hour
	(ii) for shift work performed on Saturday	\$3.00 per quarter hour
	(iii) for shift work performed on Sunday	\$6.00 per quarter hour
	(iv) for shift work performed on a public holiday during normal hours	\$9.00 per quarter hour
	(v) for shift work performed on a public holiday outside normal hours	\$15.00 per quarter hour
	(e) for the performance of shiftwork by other officers	
	(i) for shiftwork performed on a Monday Tuesday, Wednesday, Thursday or Friday which is not a holiday	\$0.60 for each quarter hour
	(ii) for shift work performed on Saturday	\$2.00 per quarter hour

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
	(iii) for shift work performed on Sunday	\$4.00 per quarter hour
	(iv) for shift work performed on a public holiday during normal hours	\$6.00 per quarter hour
	(v) for shift work performed on a public holiday outside normal hours	\$10.00 per quarter hour
10.	(a) Application for approval for registration of premises for the purposes of performing quarantine including zoological gardens, circuses and theatres)	\$415 plus \$72 per 1/2 hour or part thereof for inspection of premises and examination of documentation
	(b) renewal of registration:	\$415 plus \$72 per 1/2 hour or part thereof for inspection of premises
11.	Stowage of goods not removed from premises owned or managed by AQIS after clearance through quarantine:	
	(a) seeds if not removed within 7 days of quarantine clearance	\$9.60 per kilogram or part thereof
	(b) plants including bulbs, corms, rhizomes or tubers if not removed within 7 days of quarantine clearance	\$2.40 per plant per day or part thereof
	(c) machinery or other equipment (including motor vehicles) if not removed within 7 days of quarantine clearance	\$66.00 per unit per day or part thereof
	(d) animals if not removed within 7 days of quarantine clearance	\$18.00 per animal per day plus feed at cost
	(e) other goods if not removed within 7 days of quarantine clearance	\$12.00 per cubic metre per day or part thereof.
	(f) care and maintenance of goods held for passengers on in-transit flights	\$30.00 per passenger
12.	Overnight costs where an officer is required to stay overnight in order to perform services	\$120 per night

COLUMN 1	COLUMN 2	COLUMN 3
ITEM	SERVICE	FEE
13.	Routine examination and clearance at first port of call in Australia for each entry of:	
	(a)(i) granting of pratique without inspection of non-aircraft vessels	\$114
	(ii) granting of pratique and inspecting non-aircraft vessels 25m or less in overall length	\$114 for the first 1/2 hour or part thereof for each officer performing the service, then \$57 for each additional 1/4 hour or part thereof for each officer
	(iii) granting of pratique with inspection of non-aircraft vessels in excess of 25 metres overall length	\$456 plus \$57 for each 1/4 hour or part thereof in excess of 1.5 hours of inspection for each officer performing the service.
	(b) Follow-up inspections	\$114 for the first 1/2 hour or part thereof for each officer performing the service, plus \$57 for each additional 1/4 hour or part thereof for each officer performing the service.
14.	Deratting certificate when not performed in conjunction with first port of call inspection	\$456 for each certificate, plus \$57 for each 1/4 hour in excess of 1.5 hours of inspection

EXPLANATORY STATEMENT

Issued by the authority of the Minister for Primary Industries and Energy

QUARANTINE ACT 1908

DETERMINATIONS UNDER SECTION 86E OF THE *QUARANTINE ACT 1908*

Determinations No. 3 of 1996

Subsection 86E (1B) of the *Quarantine Act 1908* (the Act) provides that the Minister may, by notice published in the Gazette, determine that fees of amounts set out in the notice are payable in respect of specified examinations or services carried out or provided by or under the Act, the issue by quarantine officers of specified certificates by or under the Act, the management and maintenance of animals at a quarantine station in the Cocos (Keeling) Islands and the granting of approvals by the Chief Quarantine Officer under subsection 44A(5) or 44B(1).

Subsection 86E (4) of the Act provides that section 48 (other than paragraphs (1)(a) and (b) and subsection (2)) and sections 49 and 50 of the *Acts Interpretation Act 1901* apply in relation to determinations made under section 86E. Determinations No. 3 of 1996 replace Determinations No. 2 of 1996 which were published in Gazette No 34, 28 August 1996 and provide for fees for various quarantine examinations and services and other matters within subsection 86E (1) of the Act.

Amendments are required to a number of fees to fund a cost recovery shortfall in AQIS's Quarantine Import Clearance Program. The issuing of import applications has been identified as the main area contributing to the program's cost recovery problems. All charge amendments have been endorsed by industry.

Under Item 1(d) a new charge has been introduced for the examination of documentation relating to a live animal or animal reproductive material imports. This service was previously provided as a free service to importers. As the costs of the officers performing the service are fully recoverable, it is appropriate and necessary to introduce a charge.

Item 2 refers to the processing of quarantine documentation. The charge for lodgement of an application to import plants and plant products has been increased from \$48 to \$60. The charge for lodgement of application to import live animals and animal reproductive material has also been increased from \$48 to \$60 for routine imports. The charge for more complex imports of live animals, birds and other reproductive material has been increased to \$120 to reflect the processing cost. In addition, Item 2(f) introduces a new category of charge for the lodgement of an exemption against an existing animal import condition. These charges reflect the cost incurred by AQIS in providing the service.

Determinations No. 3 of 1996 will come into effect on 1 January 1997.

Quarantine Determinations No. 3 of 1996.



COMMONWEALTH OF AUSTRALIA
Export Control (Orders) Regulations

Export Control Orders No. 3 of 1996

Export Control (Fees) Orders (Amendment)

I, JOHN DUNCAN ANDERSON, Minister for Primary Industries and Energy, make the following Orders under the Export Control (Orders) Regulations.

Dated the 18th day of December 1996.

1. Commencement

1.1 These Orders commence on 1 January 1997.

2. Amendment

1.1 The *Export Control (Fees) Orders* are amended as set out in these Orders.

3. Section II of the Schedule (Fees for particular services)

3.1 Omit clause 3A of the Schedule, substitute

"3A The fee payable for auditing a compliance program relating to live animals or animal reproductive material or the approval of a veterinary or other service provider for animal exports is \$70 per half hour or part thereof for each officer involved in the audit or approval."

3.2 Omit clause 3C.1 of the Schedule, substitute

"3C.1 The fees payable for the inspection or supervision of live animals or animal reproductive material or premises or a compliance program for the purposes of relevant orders is \$70 for each one half hour or part thereof for each officer performing the service."

3.3 Omit paragraph 3C.2(a) of the Schedule, substitute

"(a) travel from the officer's ordinary station - \$70 for each half hour or part thereof spent in travelling; and"



3.4 Omit clause 3D of the Schedule, substitute

"3D The fee payable for the services of an authorized officer for the inspection of goods for the purpose of determining whether a certificate of condition, pursuant to section 23 of the Act, is to be issued for live animals or animal reproductive material, is

(a) for in-office inspections - \$35 per quarter hour or part thereof for each authorizing officer performing the service; or

(b) for out of office inspections - \$70 for each half hour or part thereof for each attendance by an authorized officer."

4. Section IV of the Schedule (Documentation Fees)

4.1 Omit clause 6A of the Schedule, substitute

"6A For the purposes of order 13, the fee payable for the approval or registration of premises where animals or animal reproductive material is held prior to embarkation is \$70 per half hour or part thereof for each officer involved in the approval of the registration process."

4.2 Omit clause 7.3 of the Schedule, substitute

"7.3 For the purposes of order 13A the fee payable in relation to the issue of a replacement or additional health certificate by an authorized officer for live animals or animal reproductive material is \$70 for each half hour or part thereof of the officer's attendance."

NOTES

1. Statutory Rules 1982 No. 355.
2. The *Export Control (Fees) Orders* are in force under the *Export Control Act 1982* and the *Export Control (Orders) Regulations*; the table below cites the *Export Control (Fees) Orders* and subsequent amendments to those Orders up to the making of these Orders:

TABLE OF ORDERS

Name of Orders	No. and year	Date made	Date of Entry into force
1. Export Control (Fees) Orders	9 of 1986	5.9.86	1.10.86
2. Export Control (Fees) Orders (Amendment)	12 of 1986	22.10.86	1.11.86
3. Export Control (Fees) Orders (Amendment)	2 of 1987	27.2.87	1.3.87
4. Export Control (Fees) Orders as amended (Amendment)	4 of 1987	25.3.87	1.4.87
5. Export Control (Fees) Orders as amended (Amendment)	11 of 1987	27.8.87	1.9.87
6. Export Control (Fees) Orders as amended (Amendment)	16 of 1987	28.9.87	1.10.87
7. Export Control (Fees) Orders as amended (Amendment)	17 of 1987	27.10.87	1.11.87
8. Export Control (Fees) Orders as amended (Amendment)	18 of 1987	14.12.87	1.1.88
9. Export Control (Fees) Orders as amended (Amendment)	19 of 1987	20.12.87	1.1.88
10. Export Control (Fees) Orders as amended (Amendment)	4 of 1988	30.3.88	1.4.88
11. Export Control (Fees) Orders as amended (Amendment)	7 of 1988	31.5.88	1.6.88
12. Export Control (Fees) Orders as amended (Amendment)	10 of 1988	29.6.88	1.7.88
13. Export Control (Fees) Orders as amended (Amendment)	16 of 1988	28.9.88	1.10.88
14. Export Control (Fees) Orders as amended (Amendment)	6 of 1989	27.9.89	1.10.89
15. Export Control (Fees) Orders as amended (Amendment)	7 of 1990	12.12.90	1.1.91
16. Export Control (Fees) Orders as amended (Amendment)	5 of 1991	20.6.91	1.7.91
17. Export Control (Fees) Orders as amended (Amendment)	6 of 1991	30.9.91	1.10.91
18. Export Control (Fees) Orders (Amendment)	6 of 1992	12.5.92	20.5.92
19. Export Control (Fees) Orders (Amendment)	7 of 1992	29.7.92	1.8.92
20. Export Control (Fees) Orders (Amendment)	1 of 1994	12.1.94	13.1.94
21. Export Control (Fees) Orders (Amendment)	3 of 1994	20.10.94	1.11.94
22. Export Control (Fees) Orders (Amendment)	1 of 1995	21.6.95	1.7.95

4 *Export Control (Orders) Regulations*

*Commonwealth of Australia Gazette
No. S 524, 24 December 1996*

23.	Export Control (Fees) Order (Amendment)	1 of 1996	18.1.96	1.2.96
24.	Export Control (Fees) Orders (Amendment)	2 of 1996	20.8.96	1.9.96
24.	Export Control (Fees) Orders (Amendment)	3 of 1996	18.12.96	1.1.97

Printed by the authority of the Department of Primary Industries and Energy for the
Commonwealth of Australia

EXPLANATORY STATEMENT

Issued by the authority of the Minister for Primary Industries and Energy

Export Control Act 1982

Export Control (Fees) Orders (Amendment)

Sub-section 25(1) of the Export Control Act 1982 (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Paragraph 25(2)(g) of the Act provides that the Governor-General may make orders, not inconsistent with the regulations, with respect to any matter for or in relation to which provision may be made by the regulations.

Regulation 3 of the *Export Control (Orders) Regulations* provides that the Minister may, by instrument in writing, make orders, not inconsistent with regulations made under the Act, with respect to any matter for or in relation to which provision may be made by regulations made under the Act.

The *Export Control (Fees) Orders* (the Orders) impose fees in connection with the performance of services by authorized officers and make provision for the collection of those fees.

The purpose of the *Export Control (Fees) Orders (Amendment)* (the Amendment) is to increase fees payable in relation to the Australian Quarantine and Inspection Services (AQIS's) Live Animal Exports program. The fee increases are required to ensure full cost recovery in the program in the 1996-97 financial year and are required due to the following factors

- a decline in estimated recoverable activity due to the introduction of third party inspection arrangements
- a slower than expected reduction in costs during the introduction of third party arrangements

The *Export Control (Fees) Orders (Amendment)* amends the Orders as follows:

Order 1 — Commencement

SubOrder 1.1 provides that the Orders will commence on 1 January 1997.

Order 2 — Amendment

SubOrder 2.1 provides that the Orders are amended as set out in the *Export Control (Fees) Orders (Amendment)*.

Order 3 — Section II of the Schedule (Fees for particular services)

Sub order 3.1. replaces clause 3A of the Schedule with a new paragraph 3A which increases the fee payable for the auditing of a compliance program relating to live animals or animal reproductive material from \$61 to \$70 for each half hour or part thereof.

Sub order 3.2 replaces clause 3C.1 of the Schedule with a new paragraph 3C.1 which increases the fee payable for inspection or supervision of live animals or animal reproductive material or premises or a compliance program from \$61 to \$70 for each half hour or part thereof.

Sub order 3.3 replaces clause 3C.2a of the Schedule with a new paragraph 3C.2a which increases the fee payable where an authorised officer is required to travel from the officer's ordinary station from \$61 to \$70 per half hour or part thereof spent in travelling.

Sub order 3.4 replaces clause 3D of the Schedule with a new paragraph 3D which increases the fee payable for the inspection of goods for the purpose of determining whether a certificate of condition is to be issued for live animals or animal reproductive material. The fee payable for in-office inspections is increased from \$31 to \$35 and out of office inspections from \$61 to \$70.

Order 4 — Section IV of the Schedule (Documentation Fees)

Sub order 4.1 replaces clause 6A of the Schedule with new paragraph 6A which increases the fee payable for the approval or registration of premises where animals or animal reproductive material is held prior to embarkation from \$61 to \$70 per half hour or part thereof.

Sub order 4.2 replaces clause 7.3 of the Schedule with new paragraph 7.3 which increases the fee payable in relation to the issue of a replacement or additional health certificate for live animals or animal reproductive material from \$61 to \$70 per half hour or part thereof.



COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS -

- (A) Sulaiman Binti Ramlah is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) Sulaiman Binti Ramlah proposes to acquire an interest in the Australian urban land specified in the notice furnished on 22 November 1996 under section 26A of the Act;

NOW THEREFORE I, Rod Kemp, Assistant Treasurer, for and on behalf of the Treasurer, being satisfied that:

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

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

Dated this

23rd

day of December 1996.

Assistant Treasurer





**Commonwealth
of Australia**

Gazette

No. S 526, Tuesday, 24 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

COMMONWEALTH OF AUSTRALIA

Telecommunications Act 1991

**NOTIFICATION OF THE MAKING OF DETERMINATIONS UNDER THE
*TELECOMMUNICATIONS ACT 1991***

The following determinations have been made under the *Telecommunications Act 1991* (the Act). Copies of the determinations may be obtained from the Commonwealth Government Infoshop in your nearest capital city or major city, or by telephoning 132447. The determinations are also available from the Department of Communications and the Arts Home Page on the Internet at <http://www.dca.gov.au>

Section of the Act	Description	Date Made
Subsection 117(1)	Telecommunications National Code 1996	23/12/96
Subsection 127A(1)	Land Access Code	23/12/96

Each of the above determinations commences on 1/1/97.



Commonwealth of Australia

Telecommunications Act 1991

**Direction to the Australian Telecommunications Authority
on Enforcement of the Telecommunications National Code 1996
No.1 of 1996**

I, RICHARD KENNETH ROBERT ALSTON, Minister for Communications and the Arts, in accordance with subsection 50(1) of the *Telecommunications Act 1991* (the Act), direct the Australian Telecommunications Authority (AUSTEL) to:

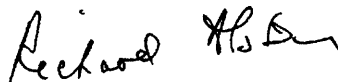
- (a) develop and implement an appropriate procedure for auditing the compliance by telecommunications carriers with subclause 11(4) of the Telecommunications National Code 1996 (the Code); and
- (b) if
 - (i) AUSTEL finds that a carrier has breached subclauses 11(3) and 11(4) of the Code, and
 - (ii) AUSTEL considers that the breach by the carrier of subclauses 11(3) and (4) of the Code has resulted in cabling whose visual impact has caused a significant reduction in the amenity of the street, by reference to the particular streetscape in which the breach has occurred

then AUSTEL must use its powers under the Act to direct the carrier to rectify the breach of the Code under section 119 of the Act, or licence condition under section 343 of the Act, by removing the non-complying cabling or facility, unless AUSTEL considers that the breach is of such a minor and technical nature that there are compelling reasons why such a direction should not be made.

Dated

23

December 1996



Minister for Communications and the Arts

Commonwealth of Australia

Telecommunications Act 1991

**Direction to the Australian Telecommunications Authority
to Hold a Public Inquiry
No.2 of 1996**

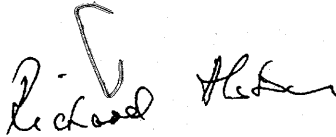
I, RICHARD KENNETH ROBERT ALSTON, Minister for Communications and the Arts, in accordance with paragraph 327(b) and subsection 50(1) of the *Telecommunications Act 1991*, direct the Australian Telecommunications Authority (AUSTEL) to:

- (a) hold a public inquiry to advise me on:
 - (i) the declaration of facilities to be 'low-impact facilities' under subclause 5(3) of Schedule 3 of the *Telecommunications Bill 1996*; and
 - (ii) matters to be included in a Code of Conduct made under clause 13 of Schedule 3 of the *Telecommunications Bill 1996*; and
- (b) report the outcomes of the public inquiry to me by no later than 30 April 1997.

Dated

23

December 1996


Richard Alston

Minister for Communications and the Arts



TOBACCO ADVERTISING PROHIBITION ACT 1992

SPECIFICATION UNDER SUBSECTION 18(2)

I, Michael Wooldridge, Minister for Health and Family Services, under subsection 18(2) of the *Tobacco Advertising Prohibition Act 1992* (the Act), having regard to the guidelines in force under subsection 18(5) of the Act and being satisfied that the event mentioned below is of international significance and that failure to specify the event would be likely to result in the event not being held in Australia:

- (a) specify the 1997 Qantas Australian Grand Prix to be held at Albert Park in Melbourne on 6-9 March 1997 as a sporting event to be held in Australia; and
- (b) specify the following conditions as conditions to be complied with in relation to the publication of tobacco advertisements in connection with the event:
 - (i) the number of advertisements that may be published is limited to:
 - A. the advertisements required by, or otherwise pursuant to, international contracts or arrangements for the sponsorship of individual teams and drivers, being contracts or arrangements in force at the date of this instrument but excluding advertisements displayed on the uniforms of promotional personnel and/or giveaways;
 - B. 20 Marlboro signs (2 x 10m), one double sided bridge sign (2 x 20m), and 5 hangover signs (1 x 5m); and
 - (ii) the content of the advertisements that may be published is limited to:
 - A. the content of the advertisements required by, or otherwise pursuant to, international contracts or arrangements for the sponsorship of individual teams and drivers, being contracts and arrangements in force at the date of this instrument; and
 - B. all signs referred to in paragraph (b)(i)B. above must include one of the health warnings set out in Column 2 of Schedule 1 of the Trade Practices (Consumer Product Information Standards)(Tobacco) Regulations. Each of the health warnings set out in Column 2 of Schedule 1 shall appear as nearly as possible on an equal number of signs. Each health warning must comply with the format set out in regulation 9 of the Regulations, and must occupy at least 25% of the total area of each sign; and
 - (iii) the way in which the advertisements may be published is limited to the advertisements being confined to the venue of the Event, namely Albert Park, Victoria.



The specification comes into force on 28 February 1997 and ends on 16 March 1997..

Dated 22.12.96



Minister for Health and Family Services



**Commonwealth
of Australia**

Gazette

No. S 528, Tuesday, 31 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

**Australia New Zealand Food
Authority**

**Amendment No. 33
to the
Food Standards Code**



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AUSTRALIA NEW ZEALAND FOOD AUTHORITY
VARIATIONS TO THE FOOD STANDARDS CODE
(AMENDMENT No. 33)

1. Preamble

The variations set forth in the Schedule below are variations to the Food Standards Code (hereinafter called 'the Code') which was published by the National Health and Medical Research Council in the *Commonwealth of Australia Gazette*, No. P 27, on 27 August 1987, and which has been varied from time to time.

The Schedule contains variations adopted by the Australia New Zealand Food Standards Council in December 1996.

These variations are published pursuant to section 32 of the *Australia New Zealand Food Authority Act 1991*.

2. Citation

These variations may be collectively known as '*Amendment No. 33*' to the Code.

3. Commencement

These variations commence on the date of publication of this Gazette.

SCHEDULE

[1.] *Standard T1* is varied by -

[1.1] changing the date on which clauses 1 and 2 cease to have effect from 1 January 1997 to 1 January 1998; and

[1.2] omitting the annotations to the Table to clause 3.

Editorial Note:

The annotations consist of the asterisk and hatch indicators for each line in the Table and the explanation for these indicators following the Table.



Commonwealth
of Australia

Gazette

No. S 529, Monday, 30 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



Life Insurance Act 1995

NOTICE OF MAKING OF COMMISSIONER'S RULES

Under paragraph 48(1)(a) of the *Acts Interpretation Act 1901* and subsection 5(3) of the *Statutory Rules Publication Act 1903* NOTICE is given that the Insurance and Superannuation Commissioner has, pursuant to subsection 252(1) of the *Life Insurance Act 1995* (the "Act"), made the following Commissioner's rules:

- Commissioner's rules number 27, for the purposes of subsection 61(1) of the Act, made on 23 December 1996;
- Commissioner's rules number 28, for the purposes of subsection 62(5) of the Act, made on 23 December 1996;

These Commissioner's rules commence to have effect on gazettal, and apply to the first financial year of the company commencing on or after 31 December 1996.

Copies of the Commissioner's rules are available from:

Life Insurance Group
Insurance and Superannuation Commission
GPO Box 9836
Canberra ACT 2612

Inquiries about copies should be made by ringing Ms Simone Abbot on (06) 267 6803.

Dated 24 September 1996

(Published by authority of the Insurance and Superannuation Commissioner)

Produced by the Australian Government Publishing Service

Cat. No. 96 3761 3 ISBN 0644 471042

ISSN 1032-2345

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Commonwealth
of Australia

Gazette

No. S 530, Monday, 30 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Parliament House
Canberra, 30 December 1996

I HEREBY notify that, pursuant to the provisions of the Constitution of the Commonwealth of Australia, I have this day issued a writ for the election of a Member to serve in the House of Representatives for the electoral division of Fraser in the place of Mr John Vance Langmore, resigned, fixing the following dates for the purposes of the election—

For the close of the Rolls Monday, 6 January 1997

For the nominations Friday, 10 January 1997

For the polling..... Saturday, 1 February 1997

For the return of the writ..... On or before Wednesday,
9 April 1997.

BOB HALVERSON OBE MP
Speaker of the House
of Representatives

Produced by the Australian Government Publishing Service

Cat. No. 96 3762 1 ISBN 0644 471050

ISSN 1032-2345

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ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF TASMANIA
IN RELATION TO THE FISHERY FOR FINFISH TO BE MANAGED UNDER
COMMONWEALTH LAW IN WATERS RELEVANT TO TASMANIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the
Commonwealth) of the one part and the State of Tasmania (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(a) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in the coastal waters of the State) is to be managed in accordance with the law of the Commonwealth;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(a) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) section 161 of the *Living Marine Resources Management Act 1995* of Tasmania (the State Act) empowers the State to make an arrangement in accordance with section 72 of the Management Act;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an arrangement in relation to the fishery referred to in clause 2 and clause 3 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act will agree in writing to the maximum quantity of fish, the subject of clause 2 and of clause 3 of this Arrangement, that may be taken by way of bycatch from time to time in accordance with a licence or other authority referred to in those clauses and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows.

- 1. This Arrangement commences at 0.00 hours on 1 January 1997.
- 2. Subject to clause 5 the fishery to which this Arrangement applies is all activities by way of fishing for the species listed in subclause 2(a) and all activities by way of



fishing for commercial purposes for the species listed in subclause 2(b) in all waters relevant to Tasmania within the area described in clause 6 of this Arrangement for the following fish:

- | | |
|-------------------------|------------------------------------|
| (a) Albacore tuna | <i>Thunnus alalunga</i> |
| Bigeye tuna | <i>Thunnus obesus</i> |
| Billfish | Families Istiophoridae & Xiphiidae |
| Longtail tuna | <i>Thunnus tonggol</i> |
| Northern bluefin tuna | <i>Thunnus thynnus</i> |
| Skipjack tuna | <i>Katsuwonus pelamis</i> |
| Southern bluefin tuna | <i>Thunnus maccoyii</i> |
| Yellowfin tuna | <i>Thunnus albacares</i> |
| | |
| (b) Bass | <i>Polyprion americanus</i> |
| Bass groper | <i>Polyprion moene</i> |
| Black oreo | <i>Allocyttus niger</i> |
| Blue-eye trevalla | <i>Hyperoglyphe antarctica</i> |
| Blue grenadier | <i>Macruronus novaezelandiae</i> |
| Flathead, deepwater | <i>Neoplatycephalus conatus</i> |
| Gemfish | <i>Rexea solandri</i> |
| Hapuku | <i>Polyprion oxygeneios</i> |
| John dory | <i>Zeus faber</i> |
| King dory | <i>Cyttus traversi</i> |
| Mirror dory | <i>Zenopsis nebulosus</i> |
| Orange roughy | <i>Hoplostethus atlanticus</i> |
| Ox-eye oreo | <i>Oreosoma atlanticum</i> |
| Pink ling | <i>Genypterus blacodes</i> |
| Rays bream (or pomfret) | Family Bramidae |
| Redfish | <i>Centroberyx affinis</i> |
| Smooth oreo | <i>Pseudocyttus maculatus</i> |
| Spiky oreo | <i>Neocyttus rhomboidalis</i> |
| Warty oreo | <i>Allocyttus verrucosus</i> |
| Yelloweye nannygai | <i>Centroberyx australis</i> |

but not including the taking, by way of bycatch, of any of the fish referred to above in accordance with a licence or other authority granted by the State in respect of another fishery.

3. Subject to clause 4, the fishery to which this arrangement applies also includes, in all waters relevant to Tasmania within the area described in clause 6 of this arrangement:

- (a) the taking of fish (other than the fish referred to in Clause 2) by way of bycatch, in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act in respect of the fishery described in clause 2, except for:

- | | |
|-----------------------------|------------------------------|
| Abalone | Family Haliotidae |
| Rock lobster | Family Palinuridae |
| Limpets and Keyhole limpets | Superfamilies Fissurellacea, |

Patellacea and Siphonariacea

- (b) all activities by way of fishing for the genera/species *Emmelichthyes*, *Trachurus*, *Sardinops*, *Clupea*, *Engraulis* and *Scomber australasicus* for the purposes of bait by the holder of a fishing concession granted by AFMA in respect of tuna and tuna-like species with one or more of the following types of fishing gear:
- (i) Lampara net;
 - (ii) lift net;
 - (iii) small scale purse seine.
4. The fishery to which this arrangement applies excludes the taking of the following fish by way of bycatch, in all coastal waters of Tasmania:
- | | |
|------------------------|---------------------------------|
| Handfish | Family Brachionichthyidae |
| Three-finned blennies | Family Tripterygiidae |
| Seahorses and Pipefish | Family Sygnathidae |
| Great white shark | <i>Carcharodon carcharias</i> . |
5. The fishery to which this arrangement applies excludes all activities by way of fishing for the following fish:

Bass	<i>Polyprion americanus</i>
Bass groper	<i>Polyprion moene</i>
Black oreo	<i>Allocyttus niger</i>
Blue grenadier	<i>Macruronus novaezelandiae</i>
Flathead, deepwater	<i>Neoplatycephalus conatus</i>
Gemfish	<i>Rexea solandri</i>
Hapuku	<i>Polyprion oxygeneios</i>
John dory	<i>Zeus faber</i>
King dory	<i>Cyttus traversi</i>
Mirror dory	<i>Zenopsis nebulosus</i>
Orange roughy	<i>Hoplostethus atlanticus</i>
Ox-eye oreo	<i>Oreosoma atlanticum</i>
Redfish	<i>Centroberyx affinis</i>
Smooth oreo	<i>Pseudocyttus maculatus</i>
Spiky oreo	<i>Neocyttus rhomboidalis</i>
Warty oreo	<i>Allocyttus verrucosus</i>
Yelloweye nannygai	<i>Centroberyx australis</i>

using equipment consisting of:

- (i) demersal gillnet of which the total headline length does not exceed 150 metres;
- (ii) trolling lines;
- (iii) not more than two fish traps;

- (iv) one demersal long line not exceeding 1,000 metres in length to which not more than 200 snoods and hooks are attached or are capable of being attached; or
- (v) not more than two droplines to which no more than 200 snoods and hooks in total are attached or are capable of being attached

when such equipment is used by a person who holds a licence or authority granted by the State authorising the taking of rock lobster of the family Palinuridae.

6. This Arrangement applies to the area of water bounded by the line-

- (a) commencing at the point of Latitude 40° South, Longitude 140° 57.9' East;
- (b) running thence south along the meridian of Longitude 140° 57.9' East to its intersection with the outer limit of the Australian fishing zone;
- (c) thence generally southerly, easterly and northerly along that outer limit to its intersection with the parallel of Latitude 39° 12' South;
- (d) thence west along that parallel to its intersection with the meridian of Longitude 143° 40' East;
- (e) thence south along that meridian to its intersection with the parallel of Latitude 40° South; and
- (f) thence west along that parallel to the point of commencement;

but does not include the following National Parks and Marine Nature Reserves -

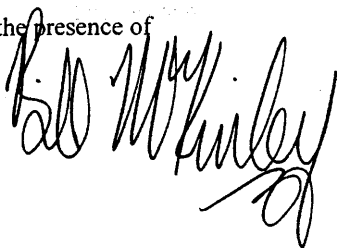
- (g) the area known as South-West National Park being all waters to the north and east of a line extending from Hilliard Head to Point Vincent;
- (h) the area known as Nine Pin Point Marine Nature Reserve being all waters within 500 metres of Nine Pin Point;
- (i) the area known as Tinderbox Marine Nature Reserve being all waters bounded by a line:
 - (i) beginning at Piersons Point;
 - (ii) running thence 200 metres due east;
 - (iii) running thence generally southerly and westerly 200 metres from and parallel to the low water mark, until 43° 03.84'S and 147° 19.13'E;
 - (iv) running thence due north to high water mark; and
 - (v) running thence generally northerly and easterly along the high water mark to the point of commencement;

- (j) the area known as Governor Island Marine Nature Reserve being all waters bounded by a line:
 - (i) beginning at the southern most point of Governor Island;
 - (ii) running thence due south for 400 metres;
 - (iii) running thence generally easterly, northerly and westerly at 600 metres from and parallel to low water mark until the intersection with the line of longitude which passes through the northern most point of Governor Island;
 - (iv) running then south along the line of longitude which passes through the northern most point of Governor Island; and
 - (v) running then along high tide mark to the point of commencement; and
 - (k) the area known as Maria Island National Park being all waters bounded by a line:
 - (i) beginning at Return Point;
 - (ii) running thence 1 km offshore to 148° 07.43'S, 42° 37.98'E;
 - (iii) running thence generally northerly and easterly 1 km from and parallel to the low water mark until 148° 04.65'S, 42° 33.77'E;
 - (iv) running thence inshore to 148° 07.59'S, 42° 34.71'E; and
 - (v) running thence generally northerly, westerly and southerly along the high tide mark to the point of commencement.
7. The fishery to which this Arrangement applies is to be managed in accordance with the law of the Commonwealth.
8. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).
9. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement even if the result is to extend the fishery described by this Arrangement.
10. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

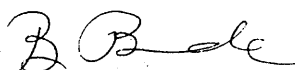
Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy

A handwritten signature in dark ink, appearing to read 'Warwick Parer', written in a cursive style.

in the presence of

A handwritten signature in dark ink, appearing to read 'R. W. Parer', written in a cursive style.

Signed for and on behalf of the
State of Tasmania by the
Honourable WILFRED BERT BONDE,
Minister for Primary Industry and Fisheries

A handwritten signature in dark ink, appearing to read 'W. B. Bonde', written in a cursive style.

in the presence of

A handwritten signature in dark ink, appearing to read 'W. B. Bonde', written in a cursive style.

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 20 June 1996



Governor-General

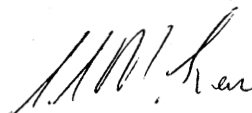
By His Excellency's command



Minister for Resources and Energy

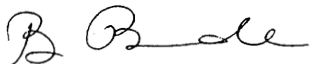
I, the Honourable Sir Guy Stephen Montague Green, AC, KBE, Governor of the State of Tasmania, hereby approve this instrument.

Given under my hand this eleventh day of December 1996.



Governor

By His Excellency's command



Minister for Primary Industry and Fisheries

ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF TASMANIA
IN RELATION TO THE FISHERY FOR FINFISH TO BE MANAGED UNDER STATE
LAW IN WATERS RELEVANT TO TASMANIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of Tasmania (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(b) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in the waters on the seaward side of the coastal waters of the State) is to be managed in accordance with the law of the State;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(b) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) section 161 of the *Living Marine Resources Management Act 1995* of Tasmania (the State Act) empowers the State to make an arrangement in accordance with section 72 of the Management Act;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an arrangement in relation to the fishery referred to in clauses 2 and 3 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act will agree in writing to the maximum quantity of fish, the subject of clause 2 and of clause 3 of this Arrangement, that may be taken by way of bycatch from time to time in accordance with a licence or other authority referred to in those clauses and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows.

1. This Arrangement commences at 0.00 hours on 1 January 1997.

2. The fishery to which this Arrangement applies is all activities by way of fishing in all waters relevant to Tasmania within the area described in clause 4 of this Arrangement, for the following fish:

Australian anchovy	<i>Engraulis australis</i>
Australian salmon/tommy ruff	Genus <i>Arripis</i>
Banded morwong	<i>Cheilodactylus spectabilis</i>
Bastard trumpeter	<i>Latridopsis forsteri</i>
Black bream	<i>Acanthopagrus butcheri</i>
Blue groper	<i>Achoerodus gouldii</i>
Blue sprat	<i>Spratelloides robustus</i>
Dusky morwong	<i>Dactylophora nigricans</i>
Garfish	<i>Hyporhamphus melanochir</i>
Grassy (rock) flathead	<i>Platycephalus laevigatus</i>
King gar	<i>Scomberesox forsteri</i>
King George whiting	<i>Sillaginodes punctata</i>
Luderick	<i>Girrella tricuspidata</i>
Magpie morwong	<i>Cheilodactylus nigripes</i>
Mulloway	<i>Argyrosomus hololepidotus</i>
Pilchard	<i>Sardinops neopilchardus</i>
Red mullet	<i>Upeneichthys vlamingii</i>
Red snapper	<i>Centroberyx gerrardi</i>
Sea sweep	<i>Scorpius aequipinnis</i>
Snapper	<i>Pagrus auratus</i>
Snook (shortfinned pike)	<i>Sphyræna novaehollandiae</i>
Sprat	<i>Clupea bassensis</i>
Striped trumpeter	<i>Latris lineata</i>
Wrasses	Family Labridae
Yellow-finned whiting	<i>Sillago schomburgkii</i>
Yelloweye mullet	<i>Aldrichetta forsteri</i>
Yellowtail kingfish	<i>Seriola lalandi</i>

but not including:

- (a) the taking, by way of bycatch, of the fish referred to above in accordance with a fishing concession granted by the Australian Fisheries Management Authority under the Management Act in respect of another fishery; nor
- (b) all activities by way of fishing for Australian anchovy (*Engraulis australis*), Blue sprat (*Spratelloides robustus*), Pilchard (*Sardinops neopilchardus*) and Sprat (*Clupea bassensis*) for the purposes of bait by the holder of a fishing concession granted by AFMA in respect of tuna and tuna-like species with one or more of the following types of fishing gear:
 - (i) Lampara net;
 - (ii) lift net;
 - (iii) small scale purse seine.

3. The fishery to which this Arrangement applies also includes the taking, in all waters relevant to Tasmania within the area described in clause 4 of this Arrangement, of fish (other than the fish referred to in clause 2), by way of bycatch, in accordance with a licence or other authority granted by the State in respect of the fishery described in clause 2, except for:

Black oreo	<i>Allocyttus niger</i>
Billfish	Families Istiophoridae & Xiphiidae
Flathead, deepwater	<i>Neoplatycephalus conatus</i>
King dory	<i>Cyttus traversi</i>
Mirror dory	<i>Zenopsis nebulosus</i>
Northern bluefin tuna	<i>Thunnus thynnus</i>
Orange roughy	<i>Hoplostethus atlanticus</i>
Ox-eye oreo	<i>Oreosoma atlanticum</i>
Smooth oreo	<i>Pseudocyttus maculatus</i>
Southern bluefin tuna	<i>Thunnus maccoyii</i>
Spiky oreo	<i>Neocyttus rhomboidalis</i>
Warty oreo	<i>Allocyttus verrucosus</i>
Yelloweye nannygai	<i>Centroberyx australis</i>

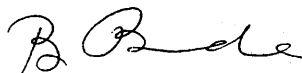
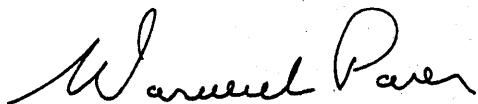
4. This Arrangement applies to the area of water bounded by the line:
- commencing at the point of Latitude 40° South, Longitude 140° 57.9' East;
 - running thence south along the meridian of Longitude 140° 57.9' East to its intersection with the outer limit of the Australian fishing zone;
 - thence generally southerly, easterly and northerly along that outer limit to its intersection with the parallel of Latitude 39° 12' South;
 - thence west along that parallel to its intersection with the meridian of Longitude 143° 40' East;
 - thence south along that meridian to its intersection with the parallel of Latitude 40° South; and
 - thence west along that parallel to the point of commencement.
5. The fishery to which this Arrangement applies is to be managed in accordance with the law of Tasmania.
6. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).
7. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that

provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement even if the result is to extend the fishery described by this Arrangement.

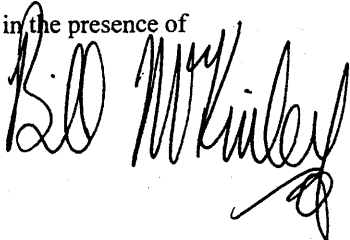
8. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy

Signed for and on behalf of the
State of Tasmania by the
Honourable WILFRED BERT BONDE,
Minister for Primary Industry and Fisheries



in the presence of

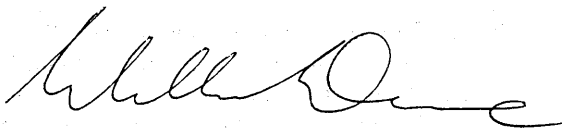


in the presence of



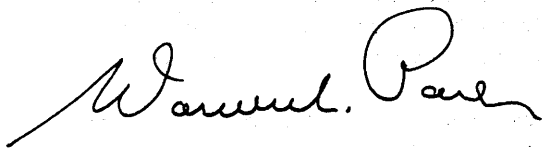
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated *20 June* 199*6*



Governor-General

By His Excellency's command



Minister for Resources and Energy

I, the Honourable Sir Guy Stephen Montague Green, AC, KBE, Governor of the State of Tasmania, hereby approve this instrument.

Given under my hand this *eleventh* day of December 1996.



Governor

By His Excellency's command



Minister for Primary Industry and Fisheries

ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF TASMANIA
IN RELATION TO THE FISHERY FOR INVERTEBRATES AND CERTAIN FINFISH
TO BE MANAGED UNDER STATE LAW IN WATERS RELEVANT TO TASMANIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of Tasmania (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(b) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in waters on the seaward side of the coastal waters of the State) is to be managed in accordance with the law of the State;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(b) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) section 161 of the *Living Marine Resources Management Act 1995* of Tasmania (the State Act) empowers the State to make an arrangement in accordance with section 72 of the Management Act;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an arrangement in relation to the fishery referred to in clause 2, clause 4 and clause 5 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act will agree in writing to the maximum quantity of fish, the subject of clause 2, clause 3 and of clause 5 of this Arrangement, that may be taken by way of bycatch from time to time in accordance with a licence or other authority referred to in those clauses and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows.

1. This Arrangement commences at 0.00 hours on 1 January 1997.

- (a) prawns of the following species:

Deepwater prawn	<i>Haliporoides cristatus</i>
Red prawn	<i>Aristeomorpha foliacea</i>
Royal red prawn	<i>Haliporoides sibogae</i>
Scarlet prawn	<i>Plesiopenaeus edwardsianus</i>

- (d) squid of the following species:

Arrow squid	<i>Nototodarus gouldi</i>
Red ocean squid	<i>Ommastrephes bartrami</i>
Southern ocean arrow squid	<i>Todarodes filippovae</i>
Yellowback squid	<i>Sthenoteuthis oualaniensis</i>

- (e) scallops Family Pectinidae

4. The fishery to which this Arrangement applies also includes all activities by way of fishing, in all waters relevant to Tasmania within the area described in clause 6 of this Arrangement for all species of the Superclass Pisces except for:

- | | | |
|-----|-------------------------|--------------------------------|
| (a) | Albacore tuna | <i>Thunnus alalunga</i> |
| | Blue-eye trevalla | <i>Hyperoglyphe antarctica</i> |
| | Longtail tuna | <i>Thunnus tonggol</i> |
| | Pink ling | <i>Genypterus blacodes</i> |
| | Rays bream (or pomfret) | Family Bramidae |
| | Skipjack tuna | <i>Katsuwonus pelamis</i> |

- (b) all other species within the Family Scombridae (commonly known as tuna and tuna-like fish) as are not of the genera *Scomberomorus* and *Scomber*

using equipment consisting of:

- (i) demersal gillnet of which the total headline length does not exceed 150 metres;
- (ii) trolling lines;
- (iii) not more than two fish traps;
- (iv) one demersal long line not exceeding 1,000 metres in length to which not more than 200 snoods and hooks are attached or are capable of being attached; or
- (v) not more than two droplines to which no more than 200 snoods and hooks in total are attached or are capable of being attached

when such equipment is used by a person who holds a licence or authority granted by the State authorising the taking of rock lobster of the family Palinuridae.

- 5. The fishery also includes the taking, in all waters relevant to Tasmania within the area described in clause 6 of this Arrangement, of the fish described in paragraph 4(a) of this Arrangement, by way of bycatch, by the class of persons and by the use of the equipment referred to in clause 4 of this Arrangement.
- 6. This Arrangement applies to the area of water bounded by the line-
 - (a) commencing at the point of Latitude 40° South, Longitude 140° 57.9' East;
 - (b) running thence south along the meridian of Longitude 140° 57.9' East to its intersection with the outer limit of the Australian fishing zone;
 - (c) thence generally southerly, easterly and northerly along that outer limit to its intersection with the parallel of Latitude 39° 12' South;
 - (d) thence west along that parallel to its intersection with the meridian of Longitude 143° 40' East;
 - (e) thence south along that meridian to its intersection with the parallel of Latitude 40° South; and
 - (f) thence west along that parallel to the point of commencement.
- 7. The fishery to which this Arrangement applies is to be managed in accordance with the law of Tasmania.
- 8. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).

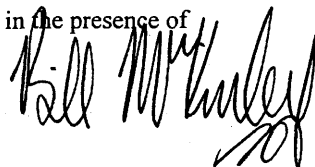
9. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement even if the result is to extend the fishery described by this Arrangement.
10. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy

Signed for and on behalf of the
State of Tasmania by the
Honourable WILFRED BERT BONDE,
Minister for Primary Industry and Fisheries



in the presence of



in the presence of



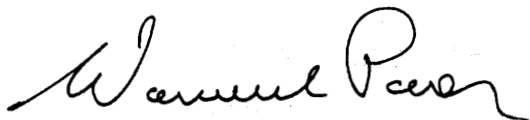
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 20 December 1996



Governor-General

By His Excellency's command



Minister for Resources and Energy

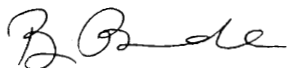
I, the Honourable Sir Guy Stephen Montague Green, AC, KBE, Governor of the State of Tasmania, hereby approve this instrument.

Given under my hand this eleventh day of December 1996.



Governor

By His Excellency's command



Minister for Primary Industry and Fisheries

ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF TASMANIA
IN RELATION TO THE FISHERY FOR ROYAL RED PRAWN AND ASSOCIATED
SPECIES TO BE MANAGED UNDER COMMONWEALTH LAW IN WATERS
RELEVANT TO TASMANIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of Tasmania (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(a) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in the coastal waters of the State) is to be managed in accordance with the law of the Commonwealth;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(a) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) section 161 of the *Living Marine Resources Management Act 1995* of Tasmania (the State Act) empowers the State to make an arrangement in accordance with section 72 of the Management Act;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an arrangement in relation to the fishery referred to in clause 2 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act will agree in writing to the maximum quantity of fish, the subject of clause 2 and of clause 3 of this Arrangement, that may be taken by way of bycatch from time to time in accordance with a licence or other authority referred to in those clauses and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows.

1. This Arrangement commences at 0.00 hours on 1 January 1997.

2. The fishery to which this Arrangement applies is all activities by way of fishing in all waters relevant to Tasmania within the area of water described in clause 4 of this Arrangement, for the following fish of the Phylum Crustacea:

- (a) prawns of the following species:

Deepwater prawn	<i>Haliporoides cristatus</i>
Red prawn	<i>Aristeomorpha foliacea</i>
Royal red prawn	<i>Haliporoides sibogae</i>
Scarlet prawn	<i>Plesiopenaeus edwardsianus</i>

- (b) prawns of the genus *Aristeus*; and

- (c) carids of the Family Pandalidae.

3. The fishery to which this Arrangement applies also includes the taking, in all waters relevant to Tasmania within the area described in clause 4 of this Arrangement, of fish (other than the fish referred to in clause 2), by way of bycatch, in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act in respect of the fishery described in clause 2, except for:

Abalone	Family Haliotidae
Rock lobster	Family Palinuridae
Limpets and Keyhole limpets	Superfamilies Fissurellacea, Patellacea and Siphonariacea

but does not include the taking, in all coastal waters of Tasmania, of the following fish:

Three-finned blennies	Family Tripterygiidae
Handfish	Family Brachionichthyidae
Seahorses and Pipefish	Family Sygnathidae
Great white shark	<i>Carcharodon carcharias</i>

4. This Arrangement applies to the area of water bounded by the line-

- (a) commencing at the point of Latitude 40° South, Longitude 140° 57.9' East;
- (b) running thence south along the meridian of Longitude 140° 57.9' East to its intersection with the outer limit of the Australian fishing zone;
- (c) thence generally southerly, easterly and northerly along that outer limit to its intersection with the parallel of Latitude 39° 12' South;
- (d) thence west along that parallel to its intersection with the meridian of Longitude 143° 40' East;

- (e) thence south along that meridian to its intersection with the parallel of Latitude 40° South; and
- (f) thence west along that parallel to the point of commencement.

but does not include the following National Parks and Marine Nature Reserves -

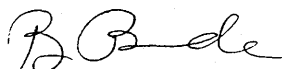
- (g) the area known as South-West National Park being all waters to the north and east of a line extending from Hilliard Head to Point Vincent;
- (h) the area known as Nine Pin Point Marine Nature Reserve being all waters within 500 metres of Nine Pin Point;
- (i) the area known as Tinderbox Marine Nature Reserve being all waters bounded by a line:
 - (i) beginning at Piersons Point;
 - (ii) running thence 200 metres due east;
 - (iii) running thence generally southerly and westerly 200 metres from and parallel to the low water mark, until 43° 03.84'S and 147° 19.13'E;
 - (iv) running thence due north to high water mark; and
 - (v) running thence generally northerly and easterly along the high water mark to the point of commencement;
- (j) the area known as Governor Island Marine Nature Reserve being all waters bounded by a line:
 - (i) beginning at the southern most point of Governor Island;
 - (ii) running thence due south for 400 metres;
 - (iii) running thence generally easterly, northerly and westerly at 600 metres from and parallel to low water mark until the intersection with the line of longitude which passes through the northern most point of Governor Island;
 - (iv) running then south along the line of longitude which passes through the northern most point of Governor Island; and
 - (v) running then along high tide mark to the point of commencement; and
- (k) the area known as Maria Island National Park being all waters bounded by a line:
 - (i) beginning at Return Point;
 - (ii) running thence 1 km offshore to 148° 07.43'S, 42° 37.98'E;
 - (iii) running thence generally northerly and easterly 1 km from and parallel to the low water mark until 148° 04.65'S, 42° 33.77'E;
 - (iv) running thence inshore to 148° 07.59'S, 42° 34.71'E; and
 - (v) running thence generally northerly, westerly and southerly along the high tide mark to the point of commencement.

5. The fishery to which this Arrangement applies is to be managed in accordance with the law of the Commonwealth.

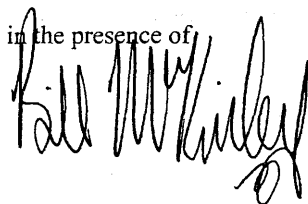
6. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).
7. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement even if the result is to extend the fishery described by this Arrangement.
8. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy

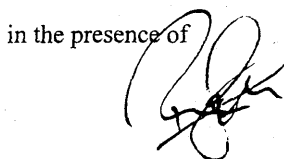
Signed for and on behalf of the
State of Tasmania by the
Honourable WILFRED BERT BONDE,
Minister for Primary Industry and Fisheries



in the presence of

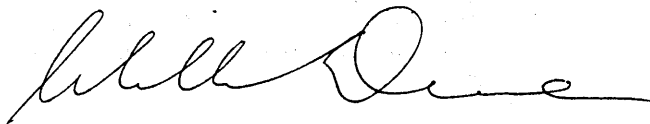


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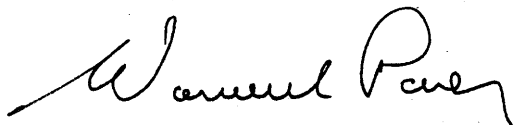
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 20 June 1996



Governor-General

By His Excellency's command



Minister for Resources and Energy

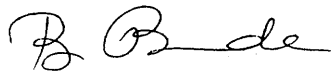
I, the Honourable Sir Guy Stephen Montague Green, AC, KBE, Governor of the State of Tasmania, hereby approve this instrument.

Given under my hand this eleventh day of December 1996.



Governor

By His Excellency's command



Minister for Primary Industry and Fisheries

INSTRUMENT OF TERMINATION OF ARRANGEMENTS MADE BETWEEN THE
COMMONWEALTH AND THE STATE OF TASMANIA

An INSTRUMENT approved by the Governor-General and the Governor of the State of
Tasmania.

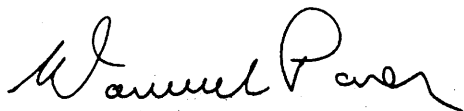
WHEREAS-

- (a) Arrangements were entered into under section 12H(4) of the *Fisheries Act 1952* of the Commonwealth between the Commonwealth and the State of Tasmania in relation to the:
 - (i) Tuna fishery published in the Commonwealth of Australia Gazette No. S266 on 6 June 1986;
 - (ii) Abalone fishery published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
 - (iii) Rock Lobster and associated species fishery published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987; and
- (b) paragraph 7(4)(b) of the *Fisheries Legislation (Consequential Provisions) Act 1991* of the Commonwealth (the Consequential Provisions Act) provides that upon the commencement of Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), any Arrangement made with a State or Territory under subsection 12H (1) or (4) of the *Fisheries Act 1952* that was in force immediately before that commencement continues in force as if it had been made under Part 5 of the Management Act;
- (c) subsection 75(1) of the Management Act provides that an arrangement under Division 3 of Part 5 of the Management Act may be terminated by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned; and
- (d) section 156 of the *Living Marine Resources Management Act* of Tasmania (the State Act) provides that an arrangement made by the State of Tasmania ceases to have effect if the arrangement is terminated in accordance with the provisions of the Management Act.

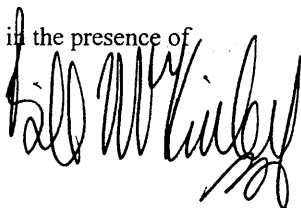
NOW THEREFORE in pursuance of the Management Act and the State Act and of all other powers so enabling.

1. The Arrangements entered into between the Commonwealth and the State of Tasmania referred to in paragraph (a) of the recitals to this Instrument are terminated, pursuant to subsection 75(1) of the Management Act.
2. This Instrument shall take effect from 0.00 hours on 1 January 1997.

Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy

A handwritten signature in cursive script, appearing to read 'Warwick Parer'.

in the presence of

A handwritten signature in cursive script, appearing to read 'Bill W. Kirby'.

Signed for and on behalf of the
State of Tasmania by the
Honourable WILFRED BERT BONDE,
Minister for Primary Industry and Fisheries

A handwritten signature in cursive script, appearing to read 'W. Bonde'.

in the presence of

A handwritten signature in cursive script, appearing to read 'R. G. ...'.

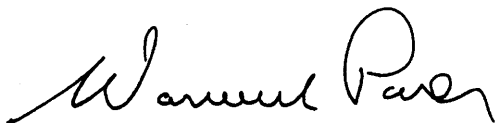
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 75(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 20 June 1996



Governor-General

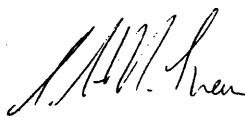
By His Excellency's command



Minister for Resources and Energy

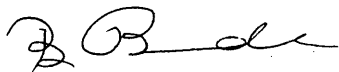
I, the Honourable Sir Guy Stephen Montague Green, AC, KBE, Governor of the State of Tasmania, hereby approve this instrument.

Given under my hand this eleventh day of December 1996.



Governor

By His Excellency's command



Minister for Primary Industry and Fisheries

ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF SOUTH AUSTRALIA IN RELATION TO THE FISHERY FOR FINFISH TO BE MANAGED UNDER COMMONWEALTH LAW IN WATERS RELEVANT TO SOUTH AUSTRALIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of South Australia (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(a) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in the coastal waters of the State) is to be managed in accordance with the law of the Commonwealth;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(a) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) subsection 13(1) of the *Fisheries Act 1982* of South Australia (the State Act) empowers the State to make an arrangement referred to in section 72 of the Management Act for the management of a particular fishery;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an Arrangement in relation to the fishery referred to in clause 2 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of fish, the subject of clause 2 and clause 3, that may be taken by way of bycatch from time to time under a licence or other authority referred to in these paragraphs and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows:

1. This Arrangement commences at 0.00 hours on 1 January 1997.
2. The fishery to which this Arrangement applies is all activities by way of fishing in those waters relevant to South Australia described in clause 4 of this Arrangement for the following fish belonging to the Class Osteichthyes:

Albacore tuna	<i>Thunnus alalunga</i>
Bigeye tuna	<i>Thunnus obesus</i>
Billfish	Families Istiophoridae & Xiphiidae
Bass	<i>Polyprion americanus</i>
Bass groper	<i>Polyprion moene</i>
Black oreo	<i>Allocyttus niger</i>
Blue-eye trevalla	<i>Hyperoglyphe antarctica</i>
Blue grenadier	<i>Macruronus novaezelandiae</i>
Blue warehou	<i>Seriolella brama</i>
Flathead, deepwater	<i>Neoplatycephalus conatus</i>
Flathead, sand	<i>Platycephalus bassensis</i>
Flathead, tiger	<i>Neoplatycephalus richardsoni</i>
Gemfish	<i>Rexea solandri</i>
Hapuku	<i>Polyprion oxygeneios</i>
Jackass morwong	<i>Nemadactylus macropterus</i>
John dory	<i>Zeus faber</i>
King dory	<i>Cyttus traversi</i>
Longtail tuna	<i>Thunnus tonggol</i>
Mirror dory	<i>Zenopsis nebulosus</i>
Northern bluefin tuna	<i>Thunnus thynnus</i>
Ocean perch	<i>Helicolenus spp</i>
Orange roughy	<i>Hoplostethus atlanticus</i>
Ox-eye oreo	<i>Oreosoma atlanticum</i>
Pink ling	<i>Genypterus blacodes</i>
Rays bream (or pomfret)	Family Bramidae
Redfish	<i>Centroberyx affinis</i>
School whiting	<i>Sillago flindersi</i>
Silver trevally	<i>Pseudocaranx dentex</i>
Skipjack tuna	<i>Katsuwonus pelamis</i>
Smooth oreo	<i>Pseudocyttus maculatus</i>
Southern bluefin tuna	<i>Thunnus maccoyii</i>
Spiky oreo	<i>Neocyttus rhomboidalis</i>
Spotted warehou	<i>Seriolella punctata</i>
Warty oreo	<i>Allocyttus verrucosus</i>
Yelloweye nannygai	<i>Centroberyx australis</i>
Yellowfin tuna	<i>Thunnus albacares</i>

but not including activities by way of fishing in connection with the taking, by way of bycatch, of the fish referred to above in accordance with a licence or other authority granted by the State in respect of another fishery.

- The fishery to which this arrangement applies also includes all activities by way of fishing in connection with the taking, in those waters relevant to South Australia described in clause 4 of this arrangement, of fish (other than the fish referred to in clause 2), by way of bycatch, in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries-Management Authority under the Management Act in respect of the fishery described in clause 2, except for:

Abalone

Family Haliotidae

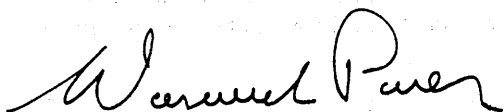
King crab
King George whiting
Rock lobster
Scallops

Pseudocarcinus gigas
Sillaginodes punctata
Family Palinuridae
Family Pectinidae.

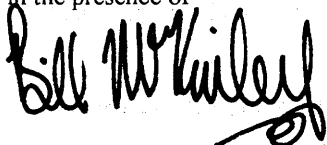
4. This Arrangement applies to the area of water bounded by the line:
 - (a) commencing at a point on the meridian of Longitude 140° 57.9' East that is the intersection of the coastline at mean low water by the boundary between the States of South Australia and Victoria; and
 - (b) running southerly along the meridian to its intersection by the outer limit of the Australian fishing zone; and
 - (c) from there westerly along that outer limit to its intersection by the meridian of Longitude 129° East; and
 - (d) from there northerly along the meridian to its intersection by the parallel of Latitude 31° 45' South; and
 - (e) from there northerly along the geodesic to the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia; and
 - (f) from there along the coastline of the State of South Australia at mean low water to the point of commencement.
5. The fishery is to be managed in accordance with the law of the Commonwealth.
6. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).
7. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement provided that, if it is determined that the area described by clause 4 of this Arrangement includes an area of water which lies within the coastal waters of another State then that clause shall be read down and this Arrangement shall be construed as if clause 4 did not include the waters of the other State.

8. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

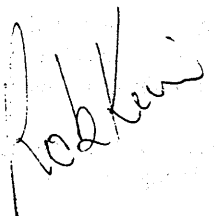
Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER
Minister for Resources and Energy

A handwritten signature in black ink, appearing to read 'Warwick Parer'.

in the presence of

A handwritten signature in black ink, appearing to read 'Bill Whitley'.

Signed for and on behalf of the
State of South Australia by the
Honourable ROBERT GERARD KERIN,
Minister for Primary Industries

A handwritten signature in black ink, appearing to read 'Rob Kerin'.

in the presence of

A handwritten signature in black ink, appearing to read 'Bill Egan'.

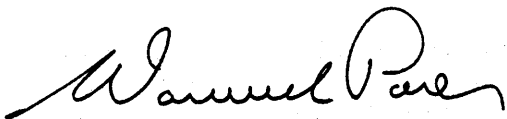
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated *20 June* 199*6*



Governor-General

By His Excellency's command



Minister for Resources and Energy

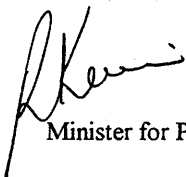
I, THE GOVERNOR of the State of South Australia, with the advice and consent of the Executive Council in pursuance of the provisions of the *Fisheries Act 1982*, hereby approve this instrument.

Given under my hand this *5th* day of *December* 199*6*.



Governor

By His Excellency's command



Minister for Primary Industries.

ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF SOUTH AUSTRALIA IN RELATION TO THE FISHERY FOR FINFISH TO BE MANAGED UNDER STATE LAW IN WATERS RELEVANT TO SOUTH AUSTRALIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of South Australia (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(b) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in waters on the seaward side of the coastal waters of the State) is to be managed in accordance with the law of the State;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(b) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) subsection 13(1) of the *Fisheries Act 1982* of South Australia (the State Act) empowers the State to make an arrangement referred to in section 72 of the Management Act for the management of a particular fishery;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an Arrangement in relation to the fishery referred to in clause 2 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of fish, the subject of clause 2 and of clause 3 of this Arrangement, that may be taken by way of bycatch from time to time under a licence or other authority referred to in these paragraphs and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows.

1. This Arrangement commences at 0.00 hours on 1 January 1997.
2. The fishery to which this Arrangement applies is all activities by way of fishing in those waters relevant to South Australia described in clause 4 of this Arrangement for the following fish belonging to the Class Osteichthyes:

- (a) by all methods of commercial fishing and for all purposes other than for use as bait for tuna fishing:

Australian anchovy	<i>Engraulis australis</i>
Australian salmon/tommy ruff	Genus Arripis
Banded morwong	<i>Nemodactylus spectabilis</i>
Bastard trumpeter	<i>Latridopsis forsteri</i>
Black bream	<i>Acanthopagrus butcheri</i>
Blue groper	<i>Achoerodus gouldii</i>
Blue sprat	<i>Spratelloides robustus</i>
Dusky morwong	<i>Dactylophora nigricans</i>
Garfish	<i>Hyporhamphus melanochir</i>
Grassy (rock) flathead	<i>Platycephalus laevigatus</i>
King gar	<i>Scomberesox forsteri</i>
King George whiting	<i>Sillaginodes punctata</i>
Luderick	<i>Girrella tricuspidata</i>
Magpie morwong	<i>Cheilodactylus nigripes</i>
Mulloway	<i>Argyrosomus hololepidotus</i>
Pilchard	<i>Sardinops neopilchardus</i>
Red mullet	<i>Upeneichthys vlamingii</i>
Red snapper	<i>Centroberyx gerrardi</i>
Sea sweep	<i>Scorpius aequipinnis</i>
Snapper	<i>Pagrus auratus</i>
Snook	<i>Sphyraena novaehollandiae</i>
Sprat	<i>Clupea bassensis</i>
Striped trumpeter	<i>Latris lineata</i>
Wrasses	Family Labridae
Yellow-finned whiting	<i>Sillago schomburgkii</i>
Yelloweye mullet	<i>Aldrichetta forsteri</i>
Yellowtail kingfish	<i>Seriola lalandi</i>

- (b) by all methods of commercial fishing other than trawling (including but not limited to board trawling, midwater or pelagic trawling and Danish seining):

Black reef leatherjacket	<i>Eubalichthys bucephalus</i>
Chinaman leatherjacket	<i>Nelussetta ayraudi</i>
Parrotfish (or knifejaw)	<i>Oplegnathus woodwardi</i>
Rough leatherjacket	<i>Monacanthus chinensis</i>

but not including activities by way of fishing in connection with the taking, by way of bycatch, of the fish referred to in paragraphs (a) or (b) in accordance with a fishing concession granted by the Australian Fisheries Management Authority under the Management Act in respect of another fishery.

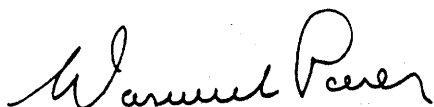
3. The fishery to which this Arrangement applies also includes all activities by way of fishing in connection with the taking, in those waters relevant to South Australia described in clause 4 of this arrangement, of fish (other than the fish referred to in clause 2), by way of bycatch, in the exercise of a right conferred by a licence or other authority granted by the State in respect of the fishery described in clause 2, except for:

Billfish
Northern bluefin tuna
Southern bluefin tuna

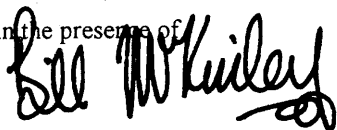
Families Istiophoridae & Xiphiidae
Thunnus thynnus
Thunnus maccoyii

4. This Arrangement applies to the area of water bounded by the line:
 - (a) commencing at a point on the meridian of Longitude 140° 57.9' East that is the intersection of the coastline at mean low water by the boundary between the States of South Australia and Victoria; and
 - (b) running southerly along the meridian to its intersection by the outer limit of the Australian fishing zone; and
 - (c) from there westerly along that outer limit to its intersection by the meridian of Longitude 129° East; and
 - (d) from there northerly along the meridian to its intersection by the parallel of Latitude 31° 45' South; and
 - (e) from there northerly along the geodesic to the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia; and
 - (f) from there along the coastline of the State of South Australia at mean low water to the point of commencement.
5. The fishery is to be managed in accordance with the law of South Australia.
6. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).
7. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement provided that, if it is determined that the area described by clause 4 of this Arrangement includes an area of water which lies within the coastal waters of another State then that clause shall be read down and this Arrangement shall be construed as if clause 4 did not include the waters of the other State.
8. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

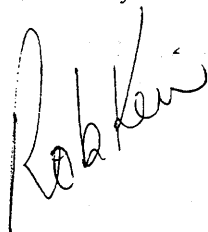
Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER
Minister for Resources and Energy

A handwritten signature in black ink, appearing to read 'Warwick Parer'.

in the presence of

A handwritten signature in black ink, appearing to read 'Bill Whitley'.

Signed for and on behalf of the
State of South Australia by the
Honourable ROBERT GERARD KERIN
Minister for Primary Industries

A handwritten signature in black ink, appearing to read 'Rob Kerin'.

in the presence of

A handwritten signature in black ink, appearing to read 'E. Wilson'.

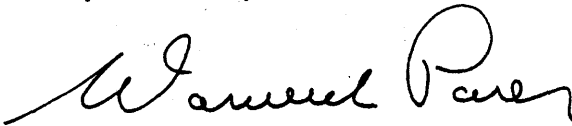
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated *20 June* 199*6*



Governor-General

By His Excellency's command



Minister for Resources and Energy

I, THE GOVERNOR of the State of South Australia, with the advice and consent of the Executive Council in pursuance of the provisions of the *Fisheries Act 1982*, hereby approve this instrument.

Given under my hand this *5th* day of *December* 1996.



Governor

By His Excellency's command



Minister for Primary Industries.

ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF SOUTH AUSTRALIA IN RELATION TO THE FISHERY FOR INVERTEBRATES TO BE MANAGED UNDER STATE LAW IN WATERS RELEVANT TO SOUTH AUSTRALIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of South Australia (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(b) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in waters on the seaward side of the coastal waters of the State) is to be managed in accordance with the law of the State;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(b) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) subsection 13(1) of the *Fisheries Act 1982* of South Australia (the State Act) empowers the State to make an arrangement referred to in section 72 of the Management Act, for the management of a particular fishery;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an Arrangement in relation to the fishery referred to in clause 2 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of fish, the subject of clause 3 and the last paragraph of clause 2 and the paragraph immediately thereafter, that may be taken by way of bycatch from time to time under a licence or other authority referred to in these paragraphs and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows.

1. This Arrangement commences at 0.00 hours on 1 January 1997.
2. The fishery to which this Arrangement applies is all activities by way of fishing in those waters relevant to South Australia described in clause 4 for all species of Phylum Crustacea, Phylum Mollusca and Phylum Echinodermata except for:

- (a) prawns of the following species:

Deepwater prawn	<i>Haliporoides cristatus</i>
Red prawn	<i>Aristeomorpha foliacea</i>
Royal red prawn	<i>Haliporoides sibogae</i>
Scarlet prawn	<i>Plesiopenaeus edwardsianus</i> ;

- (b) prawns of the genus *Aristeus*;

- (c) carids of the Family Pandalidae;

- (d) squid of the following species:

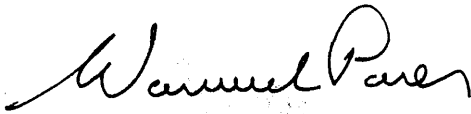
Arrow squid	<i>Nototodarus gouldi</i>
Red ocean squid	<i>Ommastrephes bartrami</i>
Southern ocean arrow squid	<i>Todarodes filippovae</i>
Yellowback squid	<i>Sthenoteuthis oualaniensis</i> ;

but including activities by way of fishing in connection with the taking, by way of bycatch, of the fish referred to in paragraph (d) in accordance with a licence or other authority granted by the State in respect of this fishery.

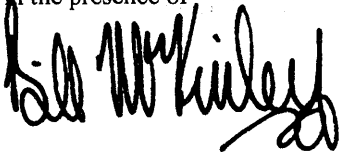
3. The fishery to which this arrangement applies excludes the taking, by way of bycatch, in all waters relevant to South Australia, described in clause 4 of this arrangement, of all species of Phylum Crustacea, Phylum Mollusca and Phylum Echinodermata, (except for Abalone (Family Haliotidae), King crab (*Pseudocarcinus gigas*), Rock lobster (Family Palinuridae) and Scallops (Family Pectinidae)), in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act in respect of another fishery.
4. This Arrangement applies to the area of water bounded by the line:
- (a) commencing at a point on the meridian of Longitude 140° 57.9' East that is the intersection of the coastline at mean low water by the boundary between the States of South Australia and Victoria; and
 - (b) running southerly along the meridian to its intersection by the outer limit of the Australian fishing zone; and
 - (c) from there westerly along that outer limit to its intersection by the meridian of Longitude 129° East; and
 - (d) from there northerly along the meridian to its intersection by the parallel of Latitude 31° 45' South; and
 - (e) from there northerly along the geodesic to the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia; and

- (f) from there along the coastline of the State of South Australia at mean low water to the point of commencement.
5. The fishery is to be managed in accordance with the law of South Australia.
6. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).
7. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement provided that, if it is determined that the area described by clause 4 of this Arrangement includes an area of water which lies within the coastal waters of another State then that clause shall be read down and this Arrangement shall be construed as if clause 4 did not include the waters of the other State.
8. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy



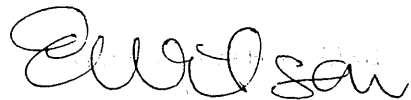
in the presence of



Signed for and on behalf of the
State of South Australia by the
Honourable ROBERT GERARD KERIN,
Minister for Primary Industries



in the presence of



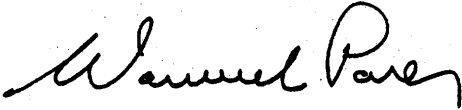
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 20 June 1996



Governor-General

By His Excellency's command



Minister for Resources and Energy

I, THE GOVERNOR of the State of South Australia, with the advice and consent of the Executive Council in pursuance of the provisions of the *Fisheries Act 1982*, hereby approve this instrument.

Given under my hand this 5th day of December 1996.



Governor

By His Excellency's command



Minister for Primary Industries.

ARRANGEMENT BETWEEN THE COMMONWEALTH AND STATE OF SOUTH AUSTRALIA IN RELATION TO THE FISHERY FOR ROYAL RED PRAWN AND ASSOCIATED SPECIES TO BE MANAGED UNDER COMMONWEALTH LAW IN WATERS RELEVANT TO SOUTH AUSTRALIA

An ARRANGEMENT entered into between the Commonwealth of Australia (the Commonwealth) of the one part and the State of South Australia (the State) of the other part.

WHEREAS-

- (a) Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), which provides for co-operation with the States and Northern Territory in the management of fisheries, commenced on 3 February 1995 upon the ceasing to have effect of Part IVA of the *Fisheries Act 1952* of the Commonwealth;
- (b) paragraph 72(a) of the Management Act provides that the Commonwealth may make an arrangement with a State with respect to a particular fishery in waters relevant to the State, not being a fishery to which an arrangement under section 71 applies, that the fishery (being a fishery wholly or partly in the coastal waters of the State) is to be managed in accordance with the law of the Commonwealth;
- (c) no arrangement has been entered into under section 71 of the Management Act with respect to the fishery for which this Arrangement provides;
- (d) subsection 74(1) of the Management Act provides that an arrangement under, inter alia, paragraph 72(a) is to be made by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned;
- (e) subsection 13(1) of the *Fisheries Act 1982* of South Australia (the State Act) empowers the State to make an arrangement referred to in section 72 of the Management Act for the management of a particular fishery;
- (f) both the Commonwealth and the State are desirous of exercising their powers to make an Arrangement in relation to the fishery referred to in clause 2 of this Arrangement; and
- (g) it is intended that the Minister responsible for administering the Management Act and the Minister responsible for administering the State Act may agree in writing to the maximum quantity of fish, the subject of clause 3, that may be taken from time to time under a licence or other authority referred to in these paragraphs and on matters of mutual interest in relation to the fishery.

NOW THEREFORE, in pursuance of the Management Act and the State Act and of all other powers so enabling, it is mutually arranged as follows.

1. This arrangement commences at 0.00 hours on 1 January 1997.
2. The fishery to which this Arrangement applies is all activities by way of fishing in those waters relevant to South Australia described in clause 4 of this Arrangement for the following fish:

- (a) prawns of the following species:

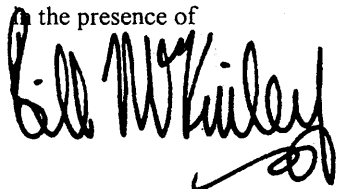
Deepwater prawn	<i>Haliporoides cristatus</i>
Red prawn	<i>Aristeomorpha foliacea</i>
Royal red prawn	<i>Haliporoides sibogae</i>
Scarlet prawn	<i>Plesiopenaeus edwardsianus</i> ;
 - (b) prawns of the genus *Aristeus*; and
 - (c) carids of the Family Pandalidae.
3. The fishery to which this arrangement applies also includes all activities by way of fishing in connection with the taking, in those waters relevant to South Australia, described in clause 4 of this arrangement, of fish (other than the fish referred to in clause 2), by way of bycatch, in the exercise of a right conferred by a fishing concession granted by the Australian Fisheries Management Authority under the Management Act in respect of the fishery described in clause 2, except for:
- | | |
|---------------------|------------------------------|
| Abalone | Family Haliotidae |
| King crab | <i>Pseudocarcinus gigas</i> |
| King George whiting | <i>Sillaginodes punctata</i> |
| Rock lobster | Family Palinuridae |
| Scallops | Family Pectinidae. |
4. This Arrangement applies to the area of water bounded by the line:
- (a) commencing at a point on the meridian of Longitude 140° 57.9' East that is the intersection of the coastline at mean low water by the boundary between the States of South Australia and Victoria; and
 - (b) running southerly along the meridian to its intersection by the outer limit of the Australian fishing zone; and
 - (c) from there westerly along that outer limit to its intersection by the meridian of Longitude 129° East; and
 - (d) from there northerly along the meridian to its intersection by the parallel of Latitude 31° 45' South; and
 - (e) from there northerly along the geodesic to the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia; and
 - (f) from there along the coastline of the State of South Australia at mean low water to the point of commencement.
5. The fishery is to be managed in accordance with the law of the Commonwealth.

6. The origin of geographical coordinates used in this Arrangement is the Australian Geodetic Datum 1966 (AGD66).
7. Without affecting the construction which this Arrangement would have if no provision of this Arrangement or part thereof is invalid, it is the intention of this Arrangement that if any provision of this Arrangement or part thereof is invalid, the remainder of that provision and of this Arrangement shall be construed as if that provision or part thereof was not included in this Arrangement provided that, if it is determined that the area described by clause 4 of this Arrangement includes an area of water which lies within the coastal waters of another State then that clause shall be read down and this Arrangement shall be construed as if clause 4 did not include the waters of the other State.
8. Unless the contrary intention is indicated, words used in this Arrangement shall have the same meaning as in the Management Act.

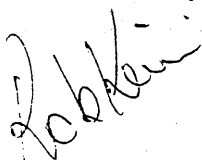
Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy



in the presence of



Signed for and on behalf of the
State of South Australia by the
Honourable ROBERT GERARD KERIN,
Minister for Primary Industries

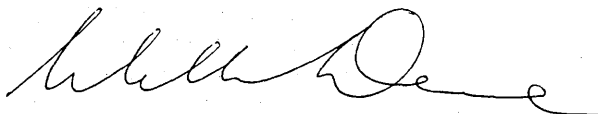


in the presence of



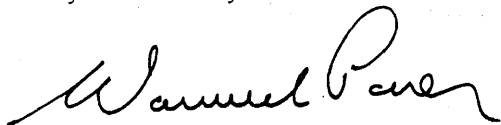
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 74(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated 20 July 1996



Governor-General

By His Excellency's command



Minister for Resources and Energy

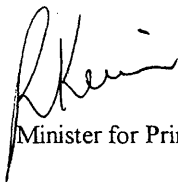
I, THE GOVERNOR of the State of South Australia, with the advice and consent of the Executive Council in pursuance of the provisions of the *Fisheries Act 1982*, hereby approve this instrument.

Given under my hand this 5th day of December 1996.



Governor

By His Excellency's command



Minister for Primary Industries.

INSTRUMENT OF TERMINATION OF ARRANGEMENTS MADE BETWEEN THE
COMMONWEALTH AND STATE OF SOUTH AUSTRALIA IN RELATION TO
VARIOUS FISHERIES

An INSTRUMENT approved by the Governor-General and the Governor of the State of South Australia.

WHEREAS-

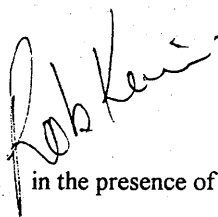
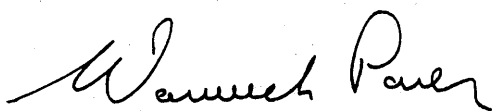
- (a) Arrangements were entered into under section 12H(4) of the *Fisheries Act 1952* of the Commonwealth between the Commonwealth and the State of South Australia in relation to the:
 - (i) Abalone fishery published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
 - (ii) Marine scale fishery published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
 - (iii) Rock Lobster fishery published in the Commonwealth of Australia Gazette No. S406 on 21 December 1988;
 - (iv) Tuna fishery published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987;
 - (v) West Coast (South Australia) prawns and associated species published in the Commonwealth of Australia Gazette No. S104 on 1 June 1987; and
- (b) paragraph 7(4)(b) of the *Fisheries Legislation (Consequential Provisions) Act 1991* of the Commonwealth (the Consequential Provisions Act) provides that upon the commencement of Part 5 of the *Fisheries Management Act 1991* of the Commonwealth (the Management Act), any Arrangement made with a State or Territory under subsection 12H (1) or (4) of the *Fisheries Act 1952* that was in force immediately before that commencement continues in force as if it had been made under Part 5 of the Management Act;
- (c) subsection 75(1) of the Management Act provides that an Arrangement under Division 3 of Part 5 of the Management Act may be terminated by instrument approved by the Governor-General and the Governor or Governors of the State or States concerned; and
- (d) subsection 13(2) in Part 2 of the *Fisheries Act 1982* of South Australia (the State Act) provides that an arrangement made by the State of South Australia may be terminated as provided by the Management Act.

NOW THEREFORE in pursuance of the Management Act and the State Act and of all other powers so enabling:

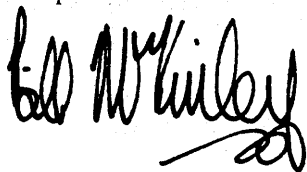
1. The Arrangements entered into between the Commonwealth and the State of South Australia referred to in paragraph (a) of the recitals to this Instrument are, pursuant to subsection 75(1) of the Management Act and subsection 13(2) of the State Act, terminated.
2. This Instrument shall take effect from 0.00 hours on 1 January 1997.

Signed for and on behalf of the
Commonwealth of Australia by Senator
the Honourable WARWICK PARER,
Minister for Resources and Energy

Signed for and on behalf of the
State of South Australia by the
Honourable ROBERT GERARD KERIN,
Minister for Primary Industries



in the presence of

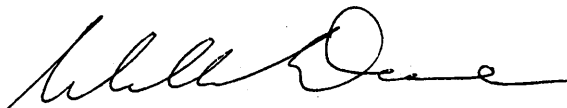


in the presence of



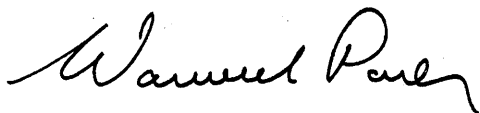
I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of subsection 75(1) of the *Fisheries Management Act 1991*, hereby approve this instrument.

Dated *20 June* 199*6*



Governor-General

By His Excellency's command



Minister for Resources and Energy

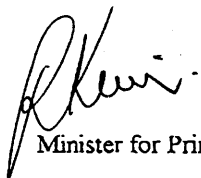
I, THE GOVERNOR of the State of South Australia, with the advice and consent of the Executive Council in pursuance of the provisions of the *Fisheries Act 1982*, hereby approve this instrument.

Given under my hand this *5th* day of *December* 199*6*.



Governor

By His Excellency's command



Minister for Primary Industries.



Commonwealth of Australia

Gazette

No. S 532, Tuesday, 31 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL

COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(4)

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

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

SCHEDULE

St. George Bank Limited

Dated 20 DEC 1996

WILLIAM DEANE

Governor-General

By His Excellency's Command

Assistant Treasurer



COMMONWEALTH OF AUSTRALIA

Banks (Shareholdings) Act 1972

Instrument under Subsection 10(5A)

WHEREAS, in accordance with subsection 10(4) of the *Banks (Shareholdings) Act 1972*, an instrument has been published in the Gazette fixing a percentage of 100 as the percentage applicable to the corporation specified in the Schedule in respect of Advance Bank Australia Limited;

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

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

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

SCHEDULE

St. George Bank Limited

Dated 21 DEC 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command



Assistant Treasurer



COMMONWEALTH OF AUSTRALIA

SAFETY REHABILITATION AND COMPENSATION ACT 1988

NOTICE OF DECLARATION UNDER SECTION 5(6)

Notice No. 44 of 1996

I, PETER KEASTON REITH, Minister for Industrial Relations, hereby declare for the purpose of subsection 5(6) of the *Safety Rehabilitation and Compensation Act 1988* that, on and from the date of publication of this Notice in the Commonwealth of Australia Gazette:

- (a) a person who is included in the class of persons referred to in the first column of the following table, being a class of persons who engage in activities or perform acts at the request and direction, for the benefit, or under a requirement made by or under a law, of the Commonwealth, is declared to be employed by the Commonwealth; and
- (b) the employment of the person is declared to be constituted by the performance by the person of an act included in the class of acts referred to in the second column of that table opposite to the reference to that class of persons:

First Column Class of Persons	Second Column Class of Acts
Persons who without receiving any remuneration (excluding payments of expenses incurred) place their services at the disposal of Australian Film, Television and Radio School as artists in residence and workers on student productions.	Acts performed in connection with work as an artists in residence and workers on student productions for Australian Film, Television and Radio School.

Dated

31 December 1996

Minister for Industrial Relations



Commonwealth
of Australia

Gazette

No. S 534, Tuesday, 31 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



ATTORNEY-GENERAL
AND
MINISTER FOR JUSTICE

Departmental No. 63

Executive Council Meeting

No. 31

Minute Paper for the Executive Council

Criminal Code Act 1995

Commencement

Recommended for the approval of His Excellency the Governor-General in Council that, by proclamation in the attached form, under subsection 2(1) of the *Criminal Code Act 1995*, he fix 1 January 1997 as the day on which the Act commences.

Approved in Council

WILLIAM DEANE
Governor-General

20 DEC 1996

Filed in the Records of
the Council

TONY LEVY
Secretary to the Executive Council

Daryl Williams
Attorney-General
and Minister for Justice

Produced by the Australian Government Publishing Service

Cat. No. 96 3766 4 ISBN 0644 471093

ISSN 1032-2345

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Criminal Code Act 1995

PROCLAMATION

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (1) of the *Criminal Code Act 1995*, fix 1 January 1997 as the day on which that Act commences.



Signed and sealed with the
Great Seal of Australia
on 20 December 1996.

WILLIAM DEANE
Governor-General

By His Excellency's Command,

Daryl Williams
Attorney-General and Minister for Justice

EXPLANATORY MEMORANDUM

Minute No. 63 of 1996 - Attorney-General and Minister for Justice

Subject - *Criminal Code Act 1995*

Commencement

Subsection 2(1) of the *Criminal Code Act 1995* (the Act) provides for the Governor-General to commence the Act by proclamation.

The proposed proclamation fixes 1 January 1997 as the date on which the Act commences.

The Act was assented to in March 1995, to be commenced on proclamation. The Act establishes a new regime of criminal responsibility that will apply to all Commonwealth criminal offences by 2000.

1 January 1997 has been chosen as the date for proclamation to enable related amendments to be made to Commonwealth legislation.

This Minute recommends that the Proclamation be made in the form proposed.

Authority: Subsection 2(1) of the
Criminal Code Act 1995

RLW



Commonwealth
of Australia

Gazette

No. S 535, Tuesday, 31 December 1996

Published by the Australian Government Publishing Service, Canberra

SPECIAL



Workplace Relations and Other Legislation Amendment Act (No. 2) 1996

PROCLAMATION

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (2) of the *Workplace Relations and Other Legislation Amendment Act (No. 2) 1996*, fix:

- (a) 31 December 1996 as the day on which item 2 of Schedule 1 to that Act commences; and
- (b) 1 January 1997 as the day on which items 3, 4 and 5 of Schedule 1 to that Act commence.



Signed and sealed with the
Great Seal of Australia
on 20 December 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command,

Minister for Industrial Relations





Workplace Relations and Other Legislation Amendment Act 1996

PROCLAMATION

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 2 (2) of the *Workplace Relations and Other Legislation Amendment Act 1996*, fix 31 December 1996 as the day on which Schedules 1, 2, 4, 6, 7, 8, 9 (other than item 1), 11, 13, 14, 15 and 20, and item 1 of Schedule 12, to that Act commence.



Signed and sealed with the
Great Seal of Australia
on 20 December 1996

WILLIAM DEANE
Governor-General

By His Excellency's Command,

A handwritten signature in dark ink, appearing to read 'Peter Keitt'.

Minister for Industrial Relations



IN THE SUPREME COURT OF WESTERN AUSTRALIA AT PERTH No. 345 of 1996
IN THE MATTER of COLAK PTY LTD ACN 060 652 566

ADVERTISEMENT OF APPLICATION FOR WINDING UP

Notice is hereby given that an application for the winding up of the abovenamed company by the Supreme Court of Western Australia was on 9 December 1996 filed by CORPORATE INVESTMENT AUSTRALIA FUNDS MANAGEMENT PTY LTD (ACN 059 438 514). The application is to be heard before a Master in Chambers at the Supreme Court at Perth at 10.30am on 22 January 1997.

The liquidator whose appointment is sought is Christopher Michael Williamson of the firm of Hall Chadwick of Level 20, 140 St George's Terrace, Perth, Western Australia.

Any creditor or contributory of the company desiring to support or oppose the making of an order on the application may appear at the time of hearing by himself or his counsel for that purpose.

The applicant's address is level 9, 33 Blich Street, Sydney, NSW, 2000. The applicant's solicitor is Majteles & Salmon, 29th Floor, St Martin's Tower, 44 St George's Terrace, Perth, ref SH:1000230.

- NOTE: (1) Any person who intends to appear on the hearing of the application must serve on or send by post to the abovenamed applicant's solicitor notice in writing of that intention. The notice must state the name and address of the person or, if a firm, the name and address of the firm, and must be signed by the person or firm, or their solicitor (if any), and must be served or, if posted, must be sent by post in sufficient time to be received not later than 4.00pm on 21 January 1997.
- (2) A person may not, without leave of the Court, oppose the application unless, at least 7 days before the hearing date, the person has filed and served on the applicant:
- (a) notice of the grounds of opposition; and
 - (b) an affidavit verifying the matters stated in the notice.



