



**Commonwealth
of Australia**

Gazette

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GOVERNMENT NOTICES

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The date of publication of this Gazette is 26 March 2003



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How to contact us

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Copy for inclusion in this Gazette will be accepted by the Gazette Office until 10-am on Friday, in the week before publication unless an earlier closing time has been advised.

INQUIRIES

All inquiries should be directed to (02) 6250 5510.

Variation of closing times

Easter Holiday—Issue of 23 April 2003 (GN 16)

As Friday 18 April 2003 and Monday 21 April 2003 are public holidays in the Australian Capital Territory, closing time for lodgment of all notices for publication in GN 16 will be:

- Wednesday, 16 April 2003 at 10.00am.

Anzac Day—Issue of 30 April 2003 (GN 17)

As Friday 25 April 2003 is a public holiday in the Australian Capital Territory, closing time for lodgment of all notices for publication in GN 17 will be:

- Thursday, 24 April 2003 at 10.00am

General Information

GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6250 5510
Subscriptions (Fax): (02) 6293 8388
Subscriptions (Tel): 1300 134631 (toll free)

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NOTICES FOR PUBLICATION and related correspondence can be lodged:

By hand or post: Gazette Office, Attorney General's Department, Cnr Kings Avenue and National Circuit, Barton ACT 2600.

By fax: (02) 6250 5995

By e-mail: gazettes@ag.gov.au.

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All notices for publication must be accompanied by covering note clearly setting out requirements. Copy for publication must be either original or a good copy with a margin surrounding the typewritten matter. Copy must be confined to one side of the paper and sheets must be of uniform size (preferably A4), numbered consecutively and fastened securely together. Dates, proper names and signatures are to be shown clearly.

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For further information contact the Gazette Office on (02) 6250 5510. Information is also available from the following internet site: <http://www.ag.gov.au/GNGazette/>.

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All notices for publication must be lodged by the following times (except at holiday periods for which special advice of

earlier closing times will be given).

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Periodic Gazettes: as agreed but generally 5 days prior to date of publication.

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Additional copies of *Special* and *Periodic Gazettes* can be provided at a cost of 2 cents per page per copy—minimum charge \$5.

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AVAILABILITY

The *Gazette* may be purchased by mail from Mail Order Sales, (132 447) AusInfo, GPO Box 84, Canberra ACT 2601 or over the counter from Commonwealth Government Info Shops at:

Adelaide: 60 Waymouth Street, Tel. (08) 8231 0144, Fax (08) 8231 0135

Brisbane: City Plaza cnr Adelaide and George Sts, Tel. (07) 3229 6822, Fax (07) 3229 1387

Canberra: 10 Mort Street, Tel. (02) 6247 7211, Fax (02) 6257 1797

Hobart: 31 Criterion Street, Tel. (03) 6234 1403, Fax (03) 6234 1364

Melbourne: 190 Queen Street, Tel (03) 9670 4224, Fax (03) 9670 4115

Parramatta: Shop 24 Horwood Place, (off Macquarie Street) Tel. (02) 9893 8466, Fax (02) 9893 8213

Perth: 469 Wellington Street, Tel. (08) 9322 4737, Fax (08) 9481 4412

Sydney: 32 York Street, Tel. (02) 9242 8500, Fax (02) 9262 8505

Townsville: 271 Flinders Mall, Tel. (07) 4721 5214, Fax (07) 4721 5217

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When a *Special Gazette* is issued outside the normal opening hours for the Government Info Shop, a copy of the *Gazette* will be posted on a noticeboard at the front entrance of the Attorney-General's Department, cnr Kings Avenue and National Circuit, Barton ACT 2600. Copies will be available from the Government Info Shop, 10 Mort Street Canberra City ACT 2601 on the next business day.

ALL REMITTANCES should be made available to:

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ISSUES OF PERIODIC GAZETTES

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

Copies may be purchased from Commonwealth Government Info Shops or by mail from: Mail Order Sales, AusInfo, GPO Box 84, Canberra ACT 2601.

Gazette number	Date of Publication	Subject
P1	31.1.03	Instruments made under Part VII of the <i>National Health Act 1953</i> .
P2	21.2.03	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. May. 02 to 30. Nov. 02 and not previously gazetted.

Government Departments

Agriculture, Fisheries and Forestry



Australian Fisheries Management Authority

FISHERIES MANAGEMENT ACT 1991

DECLARATION UNDER SUBSECTION 4(2)

THE *OCEAN DAWN*

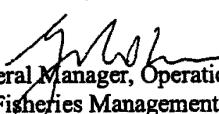
(No. 1 of 2003)

I, **GEOFFREY VINCENT ROHAN**, delegate of the Australian Fisheries Management Authority:

- (a) having been advised that the *Ocean Dawn* has been lawfully imported into Australia for the limited period 1st June 2003 to 1st December 2003; and
- (b) being satisfied that the extent of participation of citizens or residents of Australia either directly or indirectly, in the control of the operations of the boat in the Australian Fishing Zone during the period will be such as to justify me in declaring the *Ocean Dawn* to be an Australian boat for the period:

make the following declaration under subsection 4(2) of the *Fisheries Management Act 1991*.

Date 14 March 2003


General Manager, Operations
Australian Fisheries Management Authority

Citation

1. This declaration may be cited as the Australian Boat Declaration No.1 of 2003.

Commencement

2. This declaration commences on gazettal.

Interpretation

3. In this declaration:

"*Ocean Dawn*" means the New Zealand fishing boat known as the "*Ocean Dawn*" the distinguishing mark for which is "ZMSF".

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

Declaration that the *Ocean Dawn* is taken to be an Australian boat

4. The *Ocean Dawn* will be, for the period commencing on 1st June 2003 and ending on 1st December 2003, taken to be an Australian boat for the purposes of the *Fisheries Management Act 1991*.

Attorney-General

COMMONWEALTH OF AUSTRALIA CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, WAYNE BALDWIN, 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	12/03/03	13/03/03	14/03/03	15/03/03	16/03/03	17/03/03	18/03/03
Brazil	Reals	2.1095	2.0477	2.0243	2.0243	2.0243	2.0549	2.0332
Canada	Dollars	.8898	.8752	.8825	.8825	.8825	.8815	.8776
China	Yuan	5.0034	4.9000	4.9198	4.9198	4.9198	4.9588	4.9050
Denmark	Kroner	4.0693	4.0155	4.0876	4.0876	4.0876	4.1239	4.1372
European Union	Euro	.5478	.5409	.5505	.5505	.5505	.5545	.5573
Fiji	Dollar	1.1818	1.1670	1.1820	1.1820	1.1820	1.1913	1.1809
Hong Kong	Dollars	4.7142	4.6166	4.6354	4.6354	4.6354	4.6721	4.6215
India	Rupees	28.7999	28.2078	28.3237	28.3237	28.3237	28.5521	28.2423
Indonesia	Rupiah	5367.0000	5263.0000	5292.0000	5292.0000	5292.0000	5341.0000	5321.0000
Israel	Shekel	2.9173	2.8416	2.8448	2.8448	2.8448	2.8787	2.8409
Japan	Yen	70.8400	69.6800	70.3300	70.3300	70.3300	70.6700	70.2300
Korea	Won	745.1100	737.1600	736.7200	736.7200	736.7200	742.1100	738.4600
Malaysia	Ringgit	2.2968	2.2493	2.2584	2.2584	2.2584	2.2763	2.2516
New Zealand	Dollar	1.0899	1.0861	1.0854	1.0854	1.0854	1.0831	1.0793
Norway	Kroner	4.3357	4.2369	4.3102	4.3102	4.3102	4.3158	4.3546
Pakistan	Rupee	34.7900	34.2200	34.2400	34.2400	34.2400	34.6200	34.2500
Papua NG	Kina	2.1538	2.1010	2.1070	2.1070	2.1070	2.1303	2.1144
Philippines	Peso	33.1900	32.6000	32.6100	32.6100	32.6100	32.8000	32.5400
Singapore	Dollar	1.0519	1.0357	1.0415	1.0415	1.0415	1.0510	1.0452
Solomon Is.	Dollar	4.4877	4.3982	4.4226	4.4226	4.4226	4.4576	4.3961
South Africa	Rand	4.7614	4.7518	4.8389	4.8389	4.8389	4.8787	4.8731
Sri Lanka	Rupee	58.5800	57.3700	57.5300	57.5300	57.5300	58.0500	57.4000
Sweden	Krona	5.0944	5.0163	5.0844	5.0844	5.0844	5.1166	5.1345
Switzerland	Franc	.8038	.7945	.8080	.8080	.8080	.8134	.8182
Taiwan	Dollar	20.9100	20.5300	20.6100	20.6100	20.6100	20.7600	20.5400
Thailand	Baht	25.6700	25.2800	25.4000	25.4000	25.4000	25.5400	25.3300
UK	Pounds	.3762	.3679	.3711	.3711	.3711	.3772	.3779
USA	Dollar	.6045	.5920	.5944	.5944	.5944	.5991	.5926

WAYNE BALDWIN
Delegate of the
Chief Executive Officer of Customs
CANBERRA A.C.T.
19/03/03

COMMONWEALTH OF AUSTRALIA

CEO INSTRUMENT OF APPROVAL No. 4 of 2003

CUSTOMS ACT 1901

I, LIONEL BARRIE WOODWARD, Chief Executive Officer of Customs, under section 4A and paragraph 67F(2)(b) of the *Customs Act 1901* (the Act), hereby approve the 'Re-mail Reporters Application for Registration' (B304 (03/03)) form as an approved form for the purpose of applying for registration as a re-mail reporter under section 67F of the Act.

This instrument takes effect on and from 10 April 2003.

Dated: 19 March 2003



LIONEL BARRIE WOODWARD

Chief Executive Officer of Customs



**AUSTRALIAN
CUSTOMS SERVICE**

Approved form for the purposes of section 67F of
the Customs Act 1901

If this form was completed by a business
with fewer than 20 employees, please
provide an estimate of the time taken to
complete this form.

Hours

Minutes

RE-MAIL REPORTERS APPLICATION FOR REGISTRATION

ABOUT THIS APPLICATION FORM

- This application form is for registration as a re-mail reporter.
- This form is to be used as a cover sheet for your application. Attach your answers to the questions, together with attachments (*if any*), to this form and sign as indicated.
- We require the requested information under section 67F of the Customs Act in order to assess your application for registration as a re-mail reporter. The information you give may be disclosed to other Commonwealth agencies in accordance with section 16 of the Customs Administration Act 1985.
- Address your application to:
National Manager
Cargo Branch
Australian Customs Service
5 Constitution Avenue
Canberra, ACT 2600
- This application form can be submitted to Australian Customs Service by facsimile. The fax number to be used is (02) 6275 5745.

CERTIFICATION

I hereby apply for registration as a re-mail reporter in accordance with section 67F of the *Customs Act 1901*.
I certify that the information contained in this application, which consists of the following attachments:

- Attachment A: answers to questions 1 to 2,
- Attachment B: copy of documentation requested at Q.1.3,
- Attachment C: consent letters of personnel referred to at Q.1.4,
- Attachment D: copy of documentation requested at Q.1.6,
- Attachment E: company search details requested at Q.1.7,

is true and correct.

.....
(signed in accordance with your business's Partnership
Agreement or company's Articles of Association)

Date/...../....

DATE OF LODGEMENT

Date application received by a designated officer

B304 (03/03)

1. ABOUT THE APPLICANT

This section asks you to answer some question about your company/business.

Please provide the following details:

- 1.1 **Full name, address and ACN and/or ABN number of the applicant.**
- 1.2 **The name and phone number of a senior company official who may be contacted in relation to this application.**
- 1.3 **If the applicant is a company, a copy of the applicant's Certificate of Registration of a Company or Certificate of Registration of a Foreign Company or if the applicant is a partnership, a copy of the Partnership Agreement.**
- 1.4 **The name, address (residential and business), and date of birth of the following persons:**
 - if the applicant is a natural person, that person;
 - if the applicant is a partnership, the partners;
 - if the applicant is a company, any director, officer or shareholder of the company who will participate in the management of the affairs of the applicant;
 - employees who will participate in the making cargo reports in relation to re-mail items under section 64AB.

The applicant should be aware that persons nominated in response to this question will be the subject of a police records check. The information is used to satisfy the requirement that the nominees are "fit and proper" persons for the purposes of section 67H of the *Customs Act 1901*. In accordance with privacy legislation each person nominated will be required to complete a consent form as attached.

If a person chooses not to submit a consent form through you, he/she may return it direct to the Australian Customs Service (ACS) at the address on the front of this application.

Should a consent form not be forthcoming from a person nominated by you, the ACS must take this into account when assessing your application. The failure of an individual to give consent may result in the rejection of your application because the ACS cannot determine whether that individual is a "fit and proper" person.

In such circumstances the ACS cannot disclose to you the identity of the person concerned.

- 1.5 **If the applicant is a company, the street address and postal address of:**
 - the registered office of the applicant company in the State or Territory from which the application will be made; and
 - the head office of the applicant company if the application is not made in the State or Territory where it is located;
- 1.6 **If the applicant is a company, an outline of the shareholding in the applicant company.**
- 1.7 **Formal company search details of the applicant company (as provided by State or Territory Corporate Affairs Offices).**
- 1.8 **Do you have a Customs licensed depot (i.e. licensed under section 77G of the *Customs Act 1901*)? If your answer is "yes" list the name of the depot, its establishment code and licence number.**

2. REPORTING RE-MAIL ITEMS

All cargo arriving in Australia must be reported to Customs in accordance with section 64AB of the Customs Act 1901.

For the purposes for this Scheme, a "re-mail item" in relation to a ship or aircraft is defined as an item of cargo carried on the ship or aircraft, in respect of which all of the following apply:

- the item is packaged in an addressed envelope, of paper or other material, whose length plus width does not exceed 80cm;
- the item consists of paper;
- the item and packaging weigh no more than one kilogram;
- the item either has no commercial value or is a publication in respect of which the following apply:
 - i. the publication is sent from overseas to the addressee as a subscriber to the publication;
 - ii. the subscription is made by a direct dealing with the consignor by either the addressee or another person arranging a gift subscription for the addressee;
 - iii. the value of the publication does not exceed \$250
 - iv. any duty and Goods and Services Tax (GST) and/or Wine Equalisation Tax (WET) payable must be less than \$50 per individual consignment.
- the item is not mail;
- the item is not or does not contain prohibited goods;
- there is no individual document of carriage for the item;
- the item was consigned on the ship or aircraft by the consignor with other items to different consignees.

- 2.1 If you propose to report re-mail electronically, are you a registered user of the Customs electronic cargo system through which you propose to report these consignments (e.g. if you are involved in bringing consignments to Australia by air and wish to report them electronically, you must be a registered user in relation to the Air Cargo Automation System)?
- 2.2 Do you currently import re-mail items to Australia?
- 2.3 Do you have information or access to information relating to re-mail items intended to be landed in Australia that will allow you to be able to report those items at a level of specificity below the level of sub master air waybill or ocean bill of lading?

COMMONWEALTH OF AUSTRALIA

CEO INSTRUMENT OF APPROVAL No. 5 of 2003

CUSTOMS ACT 1901

I, LIONEL BARRIE WOODWARD, Chief Executive Officer of Customs, under section 4A and subsection 64AB(4) of the *Customs Act 1901* (the Act), hereby approve the 'Report of Re-mail Cargo' (Form 10A(03/03)) form as an approved form for the purpose of providing a documentary report of re-mail items intended to be unshipped from a ship or aircraft under section 64AB(3) of the Act.

This instrument takes effect on and from 10 April 2003.

Dated: 19 March 2003


LIONEL BARRIE WOODWARD

Chief Executive Officer of Customs

Approved Form
Customs Act 1901
Section 64AB(3E)
FORM 10A



REPORT OF RE-MAIL CARGO

We require this information under section 64AB(3) of the Customs Act in respect of re-mail that is intended to be unshipped in Australia. The information you give may be disclosed to the Australian Quarantine and Inspection Service (AQIS) in accordance with section 16 of the Customs Administration Act 1985.

*Strike out whichever is inapplicable

Owner/Operator of Aircraft		Flight No.	
Re-mail Reporter Registration No		Date of arrival	
Port of Loading		Origin	
Port of Discharge		Destination port	

AWB Ref No (MAWB)	Number of Packages	Goods Description	Consignor Details (Name, Address)	Consignee Details (Name, Address)	Weight

I declare that all statements and particulars contained in the above report, and in any attached documents are complete and contain, to best of my knowledge and belief, an exact and true account of all re-mail cargo on board the aircraft.

Signature

..... / /

*Owner/Operator of aircraft

COMMONWEALTH OF AUSTRALIA

CEO INSTRUMENT OF APPROVAL No. 6 of 2003

CUSTOMS ACT 1901

I, LIONEL BARRIE WOODWARD, Chief Executive Officer of Customs, under section 4A and subsection 64AB(5) of the *Customs Act 1901* (the Act), hereby approve the 'Approved Statement for the Purposes of Subsection 64AB(5) of the Customs Act 1901' statement as an approved statement for the purpose of providing a computer report of re-mail items intended to be unshipped from a ship or aircraft under section 64AB(3) of the Act.

This instrument takes effect on and from 10 April 2003.

Dated: 19 March 2003


LIONEL BARRIE WOODWARD

Chief Executive Officer of Customs

**APPROVED STATEMENT FOR THE PURPOSES OF
SUBSECTION 64AB(5)
OF THE CUSTOMS ACT 1901**

A person who is a re-mail reporter as defined by section 63A of the *Customs Act 1901* ("the Act") must provide the following information in respect of re-mail that is intended to be unshipped:

- a) air waybill number,
- b) flight number,
- c) date of arrival,
- d) origin,
- e) port of loading,
- f) port of discharge,
- g) port of destination,
- h) under the heading of description of goods state that the cargo is "*re-mail*",
- i) the re-mail reporter registration number (should be included with the description of goods eg. "Remail 0007",
- j) consignor name and address, (should be the re-mail service provider)
- k) consignee name and address, (should be the re-mail service provider)
- l) number of packages in the consignment, and
- m) weight.



Commonwealth of Australia

Classification (Publications, Films and Computer Games) Act 1995

Guidelines for the Classification of Films and Videotapes (Repeal)

Guidelines for the Classification of Computer Games (Repeal)

Guidelines for the Classification of Films and Computer Games

Subsection 12 (1) of the *Classification (Publications, Films and Computer Games) Act 1995* (the *Act*) provides that the Minister administering the Act (the *Attorney-General*) may, with the agreement of participating State and Territory Ministers with censorship responsibilities, determine guidelines to assist the Classification Board in applying the criteria in the National Classification Code.

Subsection 12 (3) of the Act provides that if the Attorney-General and each participating Minister agree to an amendment of the guidelines, the guidelines are taken to be amended accordingly.

Subsection 12 (4) of the Act provides that if the guidelines are amended, the Attorney-General must cause a copy of the amended guidelines to be published in the *Gazette*.

On 29 January 2003, the Attorney-General and each participating Minister agreed to amend the Guidelines for the Classification of Films and Videotapes and the Guidelines for the Classification of Computer Games by repealing them and replacing them with the *Guidelines for the Classification of Films and Computer Games*. The Attorney-General and each participating Minister also agreed that the amendment is to take effect on 30 March 2003.

The *Guidelines for the Classification of Films and Computer Games* are set out in the Schedule.

SCHEDULE

GUIDELINES FOR THE CLASSIFICATION OF FILMS AND COMPUTER GAMES

Introduction to the Guidelines

Background

The *Guidelines for the Classification of Films and Computer Games* (the *Guidelines*) are a tool for classifying films and computer games. They help explain the different classification categories, and the scope and limits of material suitable for each category. They are revised from time to time, with extensive community input.

The legal context

The national classification scheme is based on:

- the Commonwealth *Classification (Publications, Films and Computer Games) Act 1995* (the *Act*), and
- a cooperative agreement between Commonwealth, State and Territory governments.

Under the scheme, the Commonwealth makes the classification decisions, and the States and Territories enforce them.

The Act contains a National Classification Code (the *Code*). It also allows Guidelines to be made. By agreement, the Commonwealth, State and Territory Ministers can vary the Code and the Guidelines.

The Act requires films and computer games to be classified, using the Code and the Guidelines, before they are released or advertised.

Classification decisions are made by the Classification Board. Its decisions can be reviewed by the Classification Review Board. Administrative support for both Boards is provided by the Commonwealth Office of Film and Literature Classification.

Classification categories

The Act names the classification categories for films and computer games, and the Code describes them. The categories are:

- G
- PG/G(8+)
- M/M(15+)
- MA/MA(15+)
- R
- X
- RC

Note: R and X apply to films only.

Classification criteria

The Act

Under the Act, each of the following matters must be taken into account in classifying films and computer games:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults;
- (b) the literary, artistic or educational merit (if any) of the publication, film or computer game;
- (c) the general character of the publication, film or computer game, including whether it is of a medical, legal or scientific character;
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

The Code

Under the Code, classification decisions are to give effect, as far as possible, to the following principles:

- (a) adults should be able to read, hear and see what they want;
- (b) minors should be protected from material likely to harm or disturb them;
- (c) everyone should be protected from exposure to unsolicited material that they find offensive;
- (d) the need to take account of community concerns about:
 - (i) depictions that condone or incite violence, particularly sexual violence; and
 - (ii) the portrayal of persons in a demeaning manner.

Consumer advice

Except for G classifications, the Act requires the Classification Board to provide consumer advice about the content of films and computer games it classifies. (For G classifications, the Act gives the Board the option whether to provide consumer information.) This information helps consumers make informed choices.

The Guidelines

Using the Guidelines: Essential principles

Three essential principles underlie the use of the Guidelines:

- the importance of context
- assessing impact
- the six classifiable elements

Except for the X category, each classification category takes a similar form. It begins with an “impact test” that determines the threshold for the category. It then lists the six classifiable elements, with a statement limiting the content of each element.

Importance of context

Context is crucial in determining whether a classifiable element is justified by the story-line or themes. In particular, the way in which important social issues are dealt with may require a mature or adult perspective. This means that material that falls into a particular classification category in one context may fall outside it in another.

Assessing impact

The Guidelines use the following hierarchy of impact:

- | | | |
|-------------|---|------------|
| • very mild | - | G |
| • mild | - | PG/G(8+) |
| • moderate | - | M/M(15+) |
| • strong | - | MA/MA(15+) |
| • high | - | R |
| • very high | - | RC |

Assessing the impact of material requires considering not only the treatment of individual classifiable elements but also their cumulative effect. It also requires considering the purpose and tone of a sequence.

Impact may be higher where a scene:

- contains greater detail, including the use of close-ups and slow motion
- uses accentuation techniques, such as lighting, perspective and resolution
- uses special effects, such as lighting and sound, resolution, colour, size of image, characterisation and tone
- is prolonged
- is repeated frequently
- is realistic, rather than stylised
- encourages interactivity.

Interactivity includes the use of incentives and rewards, technical features and competitive intensity. As a general rule:

- except in material restricted to adults, nudity and sexual activity must not be related to incentives or rewards
- material that contains drug use and sexual violence related to incentives or rewards is Refused Classification.

Impact may be lessened where reference to a classifiable element is verbal rather than visual. For example, a verbal reference to sexual violence is generally of less impact than a visual depiction. Also, some visual impacts have less impact than others: for example, an incidental depiction may have less impact than a direct one.

The classifiable elements

The six classifiable elements in a film or computer game are:

- themes
- violence
- sex
- language
- drug use
- nudity

The classification takes account of the context and impact of each of these elements, including their frequency and intensity, and their cumulative effect. It also takes account of the purpose and tone of a sequence, and how material is treated.

The Categories



G – GENERAL



Impact test

The impact of the classifiable elements for material classified G should be very mild only.

Note: The G classification is for a general audience. However, it does not necessarily indicate that children will enjoy the film or computer game. Some G films and games contain themes, story-lines or game play that do not interest children.

Classifiable elements

THEMES

The treatment of themes should have a very low sense of threat or menace, and be justified by context.

VIOLENCE

Violence should have only a low sense of threat or menace, and be justified by context.

Sexual violence is not permitted.

SEX

Sexual activity should be very mild and very discreetly implied, and be justified by context.

LANGUAGE

Coarse language should be very mild and infrequent, and be justified by context.

DRUG USE

Drug use should be implied only very discreetly, and be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.



**PG – PARENTAL GUIDANCE
G(8+) – GENERAL**



Impact test

The impact of the classifiable elements for material classified PG/G(8+) should be no higher than mild.

Note: Material classified PG/G(8+) may contain material which some children find confusing or upsetting, and may require the guidance of parents or guardians. It is not recommended for viewing by persons under 15 without guidance from parents or guardians.

Classifiable elements

THEMES

The treatment of themes should generally have a low sense of threat or menace and be justified by context.

VIOLENCE

Violence should be mild and infrequent, and be justified by context.

Sexual violence is not permitted.

SEX

Sexual activity should be mild and discreetly implied, and be justified by context.

LANGUAGE

Coarse language should be mild and infrequent, and be justified by context.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.



M – MATURE
M(15+) – MATURE



Impact test

The impact of the classifiable elements for material classified M/M(15+) should be no higher than moderate.

Note: Material classified M/M(15+) is not recommended for persons under 15 years of age. There are no legal restrictions on access.

Classifiable elements

THEMES

The treatment of themes may have a moderate sense of threat or menace, if justified by context.

VIOLENCE

Moderate violence is permitted, if justified by context.

Sexual violence should be very limited and justified by context.

SEX

Sexual activity should be discreetly implied, if justified by context.

LANGUAGE

Coarse language may be used.

Aggressive or strong coarse language should be infrequent and justified by context.

DRUG USE

Drug use should be justified by context.

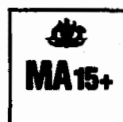
NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.



**MA – MATURE ACCOMPANIED
MA (15+) – MATURE RESTRICTED**



Impact test

The impact of material classified MA/MA(15+) should be no higher than strong.

Note: Material classified MA/MA(15+) is considered unsuitable for persons under 15 years of age. It is a legally restricted category.

Classifiable elements

THEMES

The treatment of strong themes should be justified by context.

VIOLENCE

Violence should be justified by context.

Sexual violence may be implied, if justified by context.

SEX

Sexual activity may be implied.

LANGUAGE

Strong coarse language may be used.

Aggressive or very strong coarse language should be infrequent.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.



R – RESTRICTED

Impact test

The impact of material classified R should not exceed high.

Note: This classification category applies only to films. Material classified R is legally restricted to adults. Some material classified R may be offensive to sections of the adult community.

Classifiable elements

THEMES

There are virtually no restrictions on the treatment of themes.

VIOLENCE

Violence is permitted.

Sexual violence may be implied, if justified by context.

SEX

Sexual activity may be realistically simulated. The general rule is “simulation, yes – the real thing, no”.

LANGUAGE

There are virtually no restrictions on language.

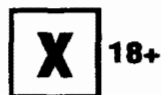
DRUG USE

Drug use is permitted.

NUDITY

Nudity is permitted.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.



X – RESTRICTED

**CONTAINS CONSENSUAL SEXUALLY EXPLICIT ACTIVITY
(Restricted to adults 18 years and over*)**

**Available only for sale or hire in the ACT and Northern Territory.*

Note: This classification category applies only to films. This classification is a special and legally restricted category which contains only sexually explicit material. That is material which contains real depictions of actual sexual intercourse and other sexual activity between consenting adults.

No depiction of violence, sexual violence, sexualised violence or coercion is allowed in the category. It does not allow sexually assaultive language. Nor does it allow consensual depictions which purposefully demean anyone involved in that activity for the enjoyment of viewers.

Fetishes such as body piercing, application of substances such as candle wax, 'golden showers', bondage, spanking or fisting are not permitted.

As the category is restricted to activity between consenting adults, it does not permit any depictions of non-adult persons, including those aged 16 or 17, nor of adult persons who look like they are under 18 years. Nor does it permit persons 18 years of age or over to be portrayed as minors.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

RC – REFUSED CLASSIFICATION

Note: Films that exceed the R and X classification categories will be Refused Classification. Computer games that exceed the MA(15+) classification category will be Refused Classification.

Films and computer games will be refused classification if they include or contain any of the following:

CRIME OR VIOLENCE

Detailed instruction or promotion in matters of crime or violence.

The promotion or provision of instruction in paedophile activity.

Depictions of child sexual abuse or any other exploitative or offensive depictions involving a person who is or who looks like a child under 16 years.

Gratuitous, exploitative or offensive depictions of:

- (i) violence with a very high degree of impact or which are excessively frequent, prolonged or detailed;
- (ii) cruelty or real violence which are very detailed or which have a high impact;
- (iii) sexual violence.

SEX

Depictions of practices such as bestiality.

Gratuitous, exploitative or offensive depictions of:

- (i) sexual activity accompanied by fetishes or practices which are offensive or abhorrent;
- (ii) incest fantasies or other fantasies which are offensive or abhorrent.

DRUG USE

Detailed instruction in the use of proscribed drugs.

Material promoting or encouraging proscribed drug use.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

List of Terms

Note: Words which are used in the Guidelines but which are not contained in this List of Terms take their usual dictionary meaning. Refer to the latest edition of The Macquarie Dictionary.

Coercion:	The use of threat or power to force agreement to sexual activity.
Demean:	A depiction or description, directly or indirectly sexual in nature, which debases or appears to debase the person or the character depicted.
Elements:	Themes, violence, sex, coarse language, drug use and nudity.
Exploitative:	Appearing to purposefully debase or abuse for the enjoyment of others, and lacking moral, artistic or other values.
Fetish:	An object, an action or a non-sexual part of the body which gives sexual gratification.
Intensity:	Strength of the treatment or subject matter; strength of engagement or involvement.
Offensive:	Material which causes outrage or extreme disgust.
Sexual Activity:	Matters pertaining to sexual acts, but not limited to sexual intercourse.
Sexual Violence:	Sexual assault or aggression, in which the victim does not consent.
Sexualised Violence:	Where sex and violence are connected in the story, although sexual violence may not necessarily occur.
Themes:	Social issues such as crime, suicide, drug and alcohol dependency, death, serious illness, family breakdown and racism.
Treatment:	The way in which material is handled or presented.
Violence:	Acts of violence; the threat or effects of violence.

Communications, Information Technology and The Arts



**Australian
Broadcasting
Authority**

Broadcasting Services Act 1992

NOTICE OF VARIATION TO THE BROADCASTING SERVICES (COMMERCIAL RADIO CURRENT AFFAIRS DISCLOSURE) STANDARD 2000, THE BROADCASTING SERVICES (COMMERCIAL RADIO ADVERTISING) STANDARD 2000 AND THE BROADCASTING SERVICES (COMMERCIAL RADIO COMPLIANCE PROGRAM) STANDARD 2000

In accordance with subsection 127 of the *Broadcasting Services Act 1992*, the Australian Broadcasting Authority (“ABA”) hereby gives notice that it has varied the Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000, the Broadcasting Services (Commercial Radio Advertising) Standard 2000 and the Broadcasting Services (Commercial Radio Compliance Program) Standard 2000 (the standards).

The ABA has varied the standards as follows:

The Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000

Clause 2 entitled “Duration” – varied by omitting “and ends on 2 April 2003”.

The Broadcasting Services (Commercial Radio Advertising) Standard 2000

Clause 2 entitled “Duration” – varied by omitting “and ends on 2 April 2003”.

The Broadcasting Services (Commercial Radio Compliance Program) Standard 2000

Clause 2 entitled “Duration” – varied by omitting “and ends on 2 April 2003”.

Copies of the standards may be obtained from the ABA website at
<http://www.aba.gov.au/radio/content/standards/index.htm>



**Australian
Broadcasting
Authority**

Broadcasting Services Act 1992

**NOTICE OF VARIATION TO TWO CONDITIONS IMPOSED ON COMMERCIAL RADIO
BROADCASTING LICENCE SL4102**

In accordance with subsection 43(2) of the *Broadcasting Services Act 1992*, the Australian Broadcasting Authority ("ABA") hereby gives notice that it has varied the two conditions that were imposed on the commercial radio broadcasting licence identified by the service licence number SL4102, held by Radio 2UE Sydney Pty Ltd ("the licensee").

The ABA has varied the conditions originally imposed on 21 March 2000 as follows:

First Condition – Disclosure and Compliance

Clause 10 entitled "Duration of Condition" –varied by omitting "2003" and inserting "2004".

Second Condition – Paid Advertisements Distinguishable from Other Program Matter

Clause 4 entitled "Duration of Condition" –varied by omitting "2003" and inserting "2004".

The two varied conditions are set out in Schedule 1 to this notice.

Schedule 1**Conditions on licence of 2UE Sydney****First Condition – Disclosure And Compliance****1. Definitions**

In this condition:

ABA means the Australian Broadcasting Authority.

Act means the *Broadcasting Services Act 1992*.

Advertisement means

- (a) material broadcast a substantial purpose of which is to draw public attention to, or to promote, directly or indirectly, an organisation, a product, service, belief or course of action; and
- (b) consideration has been provided by or on behalf of an organisation or a supplier of the product or service to a licensee, or to a presenter, part-time presenter, or an associate of a presenter or part-time presenter for the broadcast of that material.

Associate of a Presenter means

- (a) any person (including, without limitation, a corporation or a trustee of a trust) who has, or purports to have, the right to provide the services of the Presenter; or
- (b) any corporation or trust in which the presenter has a greater than 50% company or beneficial interest, as the case may be, or any corporation of which the presenter is a director.

Associate of a Part-Time Presenter means

- (a) any person (including, without limitation, a corporation or a trustee of a trust) who has, or purports to have, the right to provide the services of the Part-Time Presenter; or
- (b) any corporation or trust in which the part-time presenter has a greater than 50% company or beneficial interest, as the case may be, or any corporation of which the part-time presenter is a director.

Code means a code of practice for commercial radio broadcasting licensees registered by the ABA under section 123 of the Act.

Commercial Agreement means an agreement, arrangement or understanding, whether committed to writing or not:

- (a) one of the purposes of which is that a Presenter or Part-Time Presenter or an associate of a presenter or part-time presenter:
 - (i) promotes a third party and/or its products or services or interests; or
 - (ii) refrains from making negative comments about a sponsor; or
 - (iii) provides consultancy services in respect of publicity, promotion or public relations;

in exchange for any benefit or valuable consideration; or

- (b) which imposes obligations on a Presenter or Part-Time Presenter to provide services and pursuant to which the Presenter or Part-Time Presenter or an Associate of a Presenter or Part-Time Presenter receives, from a person other than the Licensee, any benefit or consideration of \$25,000 or more per annum.

A commercial agreement does not include an agreement, arrangement or understanding between only the Presenter or Part-Time Presenter and an Associate of the Presenter or Part-Time Presenter.

Consideration means any valuable consideration other than the provision, at no charge, of a product or service solely for review.

Disclosure announcement means a statement broadcast by a presenter or part-time presenter that a relevant commercial agreement exists.

Licensee means Radio 2UE Sydney Pty Ltd or any transferee of the commercial radio broadcasting licence held by Radio 2UE Sydney Pty Ltd.

Major Commercial Agreement means any Commercial Agreement where the value of the benefit or consideration to be received by the Presenter or Part-Time Presenter or an Associate of a Presenter or Part-Time Presenter pursuant to the agreement is greater than \$100,000 per annum.

Part-Time Presenter means a Presenter who presents a program or programs for no more than a total of three (3) hours per week when averaged over any continuous period of four (4) weeks.

Presenter means the on-air presenter of a program broadcast by the Licensee but does not include a Part-Time Presenter or commentators or guests invited to appear on a program whether or not they appear on the program regularly.

Register means the Register of Commercial Agreements referred to in Clause 4.1.

Sponsor means:

- (a) a party to a Commercial Agreement (other than a Presenter or Part-Time Presenter or an Associate of a Presenter or Part-Time Presenter); and
- (b) the party or parties who are to directly benefit from the promotional or other services provided by a Presenter or Part-Time Presenter or an associate of a presenter pursuant to a Commercial Agreement.

2. Commencement

This condition commences on 3 April 2000.

3. On-Air Disclosures

3.1 A Disclosure Announcement must include at least one of the following phrases:

- (a) [name of Sponsor] is a sponsor of mine; or
- (b) I have a commercial agreement with [name of Sponsor];
- (c) [name of sponsor] is a sponsor of a company of which I am a director, [name of company];
- (d) [name of sponsor] has a commercial agreement with a company of which I am a director, [name of company].

or if the relevant Commercial Agreement is a Major Commercial Agreement, must include at least one of the following phrases:

- (e) [name of Sponsor] is a major sponsor of mine; or
- (f) I have a major commercial agreement with [name of Sponsor];
- (g) [name of sponsor] is a major sponsor of a company of which I am a director, [name of company];
- (h) [name of sponsor] has a major commercial agreement with a company of which I am a director, [name of company].

3.2 Subject to Clause 3.3, the Licensee must broadcast a Disclosure Announcement at the time of and as part of:

- (a) a broadcast of any material in which the name, products or services of a Sponsor are mentioned by the Presenter or Part-Time Presenter; or
- (b) a broadcast of any material in which an agent, employee or officer of a Sponsor is interviewed in relation to any matter that concerns the Sponsor, its products, services or interests; or
- (c) any broadcast requested by a Sponsor or which is based on or similar to any material which is provided by a Sponsor; or
- (d) a broadcast of any material that directly promotes any issue which is directly favourable to a sponsor.

3.3 A Disclosure Announcement need not be broadcast:

- (a) if the material broadcast is a verbatim broadcast of a news item or bulletin prepared by the newsroom staff of the Licensee; or
- (b) if the material broadcast is an advertisement broadcast pursuant to an agreement between the Licensee and the advertiser provided that the advertisement is not presented in a manner whereby a reasonable listener would be entitled to assume that the advertisement is:
 - (i) the reporting of news; or
 - (ii) the expression of opinion or editorial comment by the Presenter or Part-Time Presenter or the Licensee; or
- (c) if the relevant Commercial Agreement is solely an agreement for the Presenter or Part-Time Presenter to provide writing services for a magazine or newspaper, to perform or appear in a film, television program or theatrical production, or to provide voice-over services for an advertisement.

4. Register of Current Commercial Agreements

4.1 The Licensee must keep a Register of current Commercial Agreements between sponsors and Presenters or Part-Time Presenters or associates of such Presenters or Part-time Presenters which records the following particulars of each Commercial Agreement concerning Presenters of programs produced or commissioned by the licensee or purchased from a person other than the licensee and associates of Presenters:

- (a) the date of the Commercial Agreement;
- (b) the parties to the Commercial Agreement;

- (c) the duration of the Commercial Agreement;
- (d) a brief description of the obligations of the Presenter under the Commercial Agreement;
- (e) the identity of each person providing a benefit or consideration under the Commercial Agreement; and
- (f) subject to Clause 4.2, the amount or value of the benefit or consideration to be provided under the Agreement; and

which records the following particulars of each Commercial Agreement concerning Part-Time Presenters of programs produced or commissioned by the licensee or purchased from a person who other than a licensee and associates of Part-time Presenters:

- (g) the parties to the Commercial Agreement;
- (h) a brief description of the obligations of the Part-Time Presenter under the Commercial Agreement.

4.2 The Register need only record the amount or value of the benefit or consideration to be provided under a Commercial Agreement as:

- (a) \$10,000 or less per annum;
- (b) more than \$10,000 but not more than \$100,000 per annum; more than \$100,000 but not more than \$500,000 per annum; or
- (c) \$500,000 or more per annum.

4.3 The Licensee must keep the Register at the station premises and must make it available for inspection free of charge upon request by any member of the public during business hours.

4.4 The Licensee must publish the Register on any website operated by or on behalf of the Licensee and must link the Register directly to the home page of that website.

4.5 In circumstances where the associate of a Presenter is party to a commercial agreement that does not involve the provision of the services of the Presenter (in any capacity whatsoever) to the other party to the agreement, the register need only record:

- (a) the parties to the commercial agreement; and
- (b) a brief description of the obligations of the associate of the Presenter under the commercial agreement.

4.6 The register must record the following particulars in circumstances where the Licensee broadcasts a current affairs program produced or commissioned by a second Licensee:

- (a) the name of the current affairs program;
- (b) the name of the second Licensee;
- (c) the address where the second Licensee's register of current commercial agreements between sponsors and presenters or part-time presenters is available for inspection; and
- (d) if a website is operated by or on behalf of the second Licensee, the address of that website.

5. Notifications to the ABA

5.1 The Licensee must provide to the ABA in writing the particulars set out in clauses 4.1 or 4.2, as appropriate:

- (a) in relation to each Commercial Agreement provided to the Licensee by each Presenter or associate of a Presenter; and
- (b) in relation to each commercial agreement provided to the Licensee by each Part-Time Presenter or associate of a Part-time Presenter; and
- (c) any changes within fourteen (14) days after the Licensee is notified of those particulars.

6. Presenters

6.1 The Licensee must require that each Presenter of programs produced or commissioned by the Licensee or purchased from a person other than a Licensee or associate of such a Presenter

- (a) provide to the Licensee:
 - (i) a copy of any existing written Commercial Agreement to which the Presenter or an Associate of a Presenter is a party; and
 - (ii) a copy of any further written commercial agreement to which the presenter or an associate of a presenter is a party, within 7 days of it being entered into; or
 - (iii) if the Commercial Agreement is not in writing, the particulars set out in clause 4.1 of each Commercial Agreement.
- (b) complies with the obligations imposed on the Licensee by the Act, each Code¹ and this condition.

6.2 The Licensee must require that each Part-Time Presenter of programs produced or commissioned by the Licensee or purchased from a person other than a licensee or associate of such a Part-time Presenter:

- (a) provide to the Licensee:
 - (i) the names of the parties to any existing Commercial Agreement to which the part-time presenter or an associate of a part-time presenter is a party; and
 - (ii) within seven (7) days of it being entered into, the names of the parties to any further commercial agreement to which the part-time presenter or an associate of a part-time presenter is a party; and
 - (iii) a brief description of the obligations of the Part-Time Presenter pursuant to any such Commercial Agreement.
- (b) complies with the relevant obligations imposed on the Licensee by the Act, the Codes and this condition.

6.3 The Licensee must not engage, or continue to engage, the services of any Presenter or Part-Time Presenter unless it is a condition of that engagement that the Presenter or Part-

¹ This is not intended to make each Code a licence condition but to place a condition on the Licensee that it shall require, in the terms of engagement of any Presenter, that the Presenter is bound by the obligations imposed on the Licensee by the Act, each Code and this condition.

Time Presenter or associate of the presenter or part-time presenter, as the case may be, complies with Clause 6.1 or 6.2 as appropriate.

7. Compliance Program

- 7.1 The Licensee must ensure that at least twice in the first year of this condition and at least once every year thereafter all staff of the Licensee involved in the production or presentation of material broadcast by the Licensee and all Presenters and Part-Time Presenters undertake a training program concerning the obligations imposed on the Licensee by the Act, each Code and this condition.
- 7.2 The Licensee must ensure that each training program referred to in Clause 7.1 is conducted by a firm of lawyers with expertise in broadcasting law or compliance programs and that the firm, provides to the ABA at the conclusion of each training program, a written report setting out details of:
- (a) the training conducted; and
 - (b) the staff of the Licensee and the Presenters or Part-Time Presenters who undertook the training program.

8. Calculation of Consideration

For the purposes of determining the value of the benefit or consideration referred to in:

- (a) paragraph (b) of the definition of Commercial Agreement;
- (b) paragraphs (a) to (d) of Clause 4.2; and
- (c) the definition of Major Commercial Agreement;

the value of any benefit or consideration to be provided under all agreements, arrangements or understandings with the same Sponsor are to be aggregated.

9. Avoidance

Every contract, agreement, or arrangement made or entered into, orally or in writing, whether before or after the commencement of this condition, shall so far as it has, or purports to have, the purpose or effect of in any way, directly or indirectly:

- (a) defeating, evading, or avoiding any responsibility or duty imposed on any person by this condition; or
- (b) preventing the operation of this condition in any respect,

be of no effect and be absolutely void for the purposes of this condition, but without prejudice to such validity as it may have in any other respect or for any other purpose.

10. Duration of Condition

This condition will cease to operate on 2 April 2003.

Second Condition - Paid Advertisements Distinguishable From Other Program Matter

1. Definitions

In this condition:

Advertisement means

- (a) material broadcast a substantial purpose of which is to draw public attention to, or to promote, directly or indirectly, an organisation, product, service, belief or course of action; and
- (b) Consideration has been provided by or on behalf of that organisation or a supplier of the product or service to the Licensee, or to a Presenter or an Associate of a Presenter for the broadcast of that material.

Associate of a Presenter means any person including without limitation, a corporation or a trustee of a trust) which has, or purports to have, the right to provide the services of the Presenter to any person.

Consideration means any valuable consideration other than the provision, at no charge, of a product or service solely for review.

Licensee means Radio 2UE Sydney Pty Ltd or any transferee of the commercial radio broadcasting licence held by Radio 2UE Sydney Pty Ltd.

Presenter means the on-air presenter of a program broadcast by the Licensee.

2. Commencement

This condition commences on 3 April 2000.

3. Distinguishing Advertisements

Advertisements broadcast by the Licensee must be presented in such a manner that the reasonable listener is able to distinguish them from other program material.

4. Duration of Condition

This condition will cease to operate on 2 April 2003.

Defence

NOTIFICATION OF THE MAKING OF AN INSTRUMENT

The following determination has been made under section 52 of the Defence Act 1903 and copies may be obtained from the Superannuation Directorate (R4-2-084), Department of Defence, CANBERRA, ACT, 2600
Tel - 02 6265 1809 or e-mail – superannuation@defence.gov.au

Description of Determination	Number and year of Determination
------------------------------	-------------------------------------

Defence Force (Superannuation) (Productivity Benefit) Determination (Amendment)
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No. 1 of 2003

Employment and Workplace Relations

Workplace Relations Act 1996

Australian Industrial Registry
Principal Registry
Nauru House
80 Collins St
Melbourne VIC 3000

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

NOTICE OF APPLICATION FOR CONSENT TO AN ALTERATION OF ELIGIBILITY RULES

(D2003/5)

NOTICE is given that an application under the *Workplace Relations Act 1996* for consent to an alteration of the eligibility rules of the CSR Limited Officers' Association has been received.

A copy of the application has been published on the website of the Australian Industrial Relations Commission at: <http://www.airc.gov.au/> (under *Organisations* click *Gazette Notices*).

Alternatively, a copy of the application will, on receipt of a written request from an organisation, be made available to the organisation by any other method and form agreed with the organisation. Requests can be directed to Mr Paul Herrod, Australian Industry Registry, GPO Box 1994S, Melbourne 3001 (facsimile 03-9654 6672 or E-mail: paul.herrod@air.gov.au).

Information contained in the supporting documents to the application concerning the proposed alteration, the reason for the proposal and the effect of the proposal is as follows.

1 The particulars of the proposed alterations to rule 1 are as follows:

1 NAME

The name of the Association shall be "CSR Limited Officers' Association" ~~and it is an Association formed in connection with the industry of growing Sugar Cane and of the production sale and distribution of sugar and associated products and any other Industry in which Colonial Sugar Refining Company Limited shall be for the time being engaged.~~

2 The reason for the proposed alteration:

- (a) CSR Limited has signalled an intention to demerge its business.
- (b) Upon demerger former salaried employees of CSR Limited who become employed by the demerged entity will cease to be members of the Organisation by the operation of rule 9 of its rules.
- (c) Awards and certified agreements to which the Organisation is the only employee party will continue to apply to those employees by the operation of sections 149 and 170MB of the Workplace Relations Act 1996.
- (d) It is appropriate and in the public interest that those employees wishing to continue their membership with the Organisation be permitted to do so.

- (e) The Act does not require an Organisation to have a description of industry rule.
- (f) The alteration to the eligibility rule is consistent with the alteration to the eligibility sought in application D2003/1 already filed with the Industrial Registrar.

3 The effect of the proposed alteration

- (a) Persons employed by CSR Limited and the company created by its demerger will be eligible to be or continue to be members of the Organisation.

Any interested organisation registered under the *Workplace Relations Act 1996*, association or person who desires to object to the application may do so by lodging in the Industrial Registry marked to the attention of Mr Paul Herrod a notice of objection accompanied by a written statement within thirty-five 35 days after the publication of this advertisement and by serving on the organisation (at solicitors acting on their behalf W. G. McNally & Co. Level 10, 170-172 Phillip Street, SYDNEY NSW 2000) within 7 days after the notice of objection has been lodged, copies of the notice of objection and written statement so lodged.

Nicholas Wilson
Industrial Registrar

Environment and Heritage**DEPARTMENT OF THE ENVIRONMENT AND HERITAGE***Environment Protection and Biodiversity Conservation Act 1999***NOTICE OF A DECISION ON WHETHER AN ACTION IS A CONTROLLED ACTION OR NOT**

1. Pursuant to section 77(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* and paragraph 16.02(1)(a) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, notice is hereby given that the Minister for the Environment and Heritage or a delegate of that Minister, has decided that each action identified in columns 1 and 2 of each row of the following table is a controlled action. The controlling provisions for each action are specified in column 4 of each row.

Reference No	Title of action	Date of Decision	Controlling Provisions	Component decision under s.77(3) applies
2003/960	The Nicol Group/Urban and commercial new development/Farm Road, Werribee/VIC/Housing subdivision	18 Mar 2003	s 18 a listed threatened species or ecological community	No
2002/910	Kemerton Silica Sand Pty Ltd/Mining/Kemerton/WA/Silica Sand Mine Expansion	14 Mar 2003	s 18 a listed threatened species or ecological community	No
2003/972	WA Main Roads/Land transport/South Perth/WA/Roe Hwy Extension	13 Mar 2003	s 18 a listed threatened species or ecological community	No

2. Pursuant to section 77(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* and paragraph 16.02(1)(a) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, notice is hereby given that the Minister for the Environment and Heritage or a delegate of that Minister, has decided that each action identified in columns 1 and 2 of each row of the following table is not a controlled action.

Reference No	Title of action	Date of Decision	Component decision under s.77(3) applies
2003/967	Newmont NFM Limited/Mining/Windy Hill, Tanami/NT/Minotaur MLA 23283 Mine Development	19 Mar 2003	No

2. cont

Reference No	Title of action	Date of Decision	Component decision under s.77(3) applies
2003/955	Wyndham City Council/Tourism, recreation and conservation management/Werribee South/VIC/Grahams Reserve Landscaping & Rehabilitation Program	11 Mar 2003	No
2003/958	City of Salisbury/Water management and use/Edinburgh Park/SA/Collection of stormwater and reticulation for non-potable uses	18 Mar 2003	No
2003/964	Telstra Corporation/Communication/Nelly Bay/QLD/Telecommunications Facility	17 Mar 2003	No
2003/956	Commonwealth of Australia/Sale or lease of Commonwealth property/Thursday Island/QLD/Sale of Lot 9 on RP 732395	10 Mar 2003	No

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE
Environment Protection and Biodiversity Conservation Act 1999

NOTICE OF A DECISION ON THE APPROACH TO BE USED FOR ASSESSMENT OF THE RELEVANT IMPACTS OF AN ACTION

Pursuant to Section 91(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999* and paragraph 16.02(1)(a) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, notice is hereby given that the Minister for the Environment and Heritage or a delegate of that Minister, has decided on the approach to be used for the assessment of the relevant impacts of each action identified in columns 1 and 2 of each row of the following table. The assessment approach for each identified action is specified in column 4 of each row.

Reference No	Title of action	Date of Decision	Assessment approach
2003/931	Mineral Deposits (Operations) Pty Ltd/Mining/McGuire's Crossing/NSW/Mineral sand mining	12 Mar 2003	Accredited Assessment Process <i>NSW Environmental Planning and Assessment Act 1979</i>
2003/922	LG Chem Ltd/Manufacturing/Landing Road, Gladstone/QLD/Construction of a Chlor-Alkali/Ethylene Di-Chloride (CA/EDC) plant, Gladstone State Development Area	17 Feb 2003	Accredited Assessment Process <i>Qld State Development and Public Works Organisation Act 1971</i>

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE
Environment Protection and Biodiversity Conservation Act 1999

NOTICE OF THE GRANTING OF AN APPROVAL FOR TAKING AN ACTION

Notice is hereby given that the Minister for the Environment and Heritage, or a delegate of that Minister, has decided to grant the following approval for taking each action identified in columns 1 and 2 of each row of the following table.

Reference No	Title of action	Approval	Date
2001/160	Aldoga Aluminium Smelter Pty Ltd/Industry/Gladstone/QLD/Aldoga Aluminium Smelter Gladstone	Approved	19 Mar 2003

For more information see: <http://www.ea.gov.au/epbc>



COMMONWEALTH OF AUSTRALIA

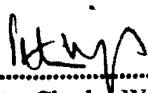
Environment Protection and Biodiversity Conservation Regulations 2000

Subregulation 12.56(2)

INSTRUMENT OF DETERMINATION

I, Peter Charles Wellings, Assistant Secretary, Parks Australia North, Department of the Environment and Heritage, delegate of power of the Director of National Parks, under regulation 12.56(2) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, having taken into account that allowing the use of vessels on the area of water of the Magela Creek system, in the Commonwealth reserve known as Kakadu National Park, described in the Schedule hereto, might endanger public safety or interfere with the protection or conservation of biodiversity, HEREBY DETERMINE that that area of water is an area where the use of vessels is prohibited at all times.

Dated 10 January 2003

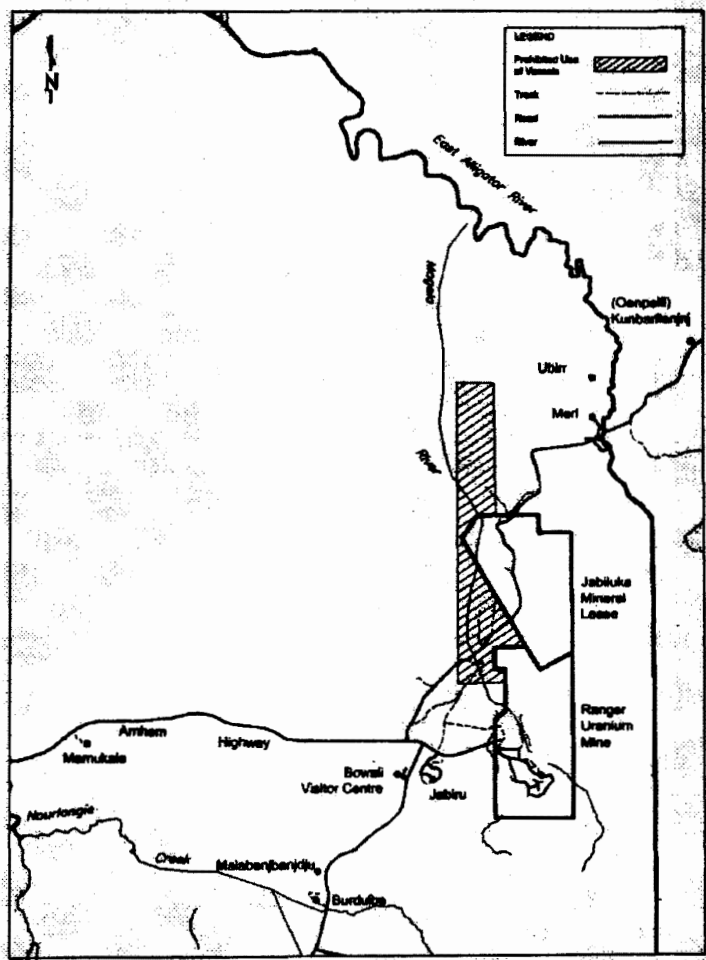

.....
Peter Charles Wellings
delegate of the Director of National Parks

SCHEDULE

DESCRIPTION OF RESTRICTED WATERS MAGELA CREEK - KAKADU NATIONAL PARK

All waters within an area more or less bounded by an imaginary line commencing at Grid Reference UTM WGS 84 E270800 N860510 thence proceeding in a westerly direction to Grid Reference UTM WGS 84 E267000 N860500, thence in a northerly direction to Grid Reference UTM WGS 84 E267000 N863000, thence in an easterly direction to Grid Reference UTM WGS 84 E270000 N863000, thence in a southerly direction Grid Reference UTM WGS 84 E270100 N861910 at an intersection with the northern boundary of the Jabiluka Mineral Lease, then an imaginary line from this point following the Jabiluka and Ranger Mineral lease boundaries in a west, south westerly, south easterly and southerly direction back to the point of commencement, as shown on the map below.

GENERAL MAP OF PROHIBITED AREA



Finance and Administration



Public Works Committee Act 1969

Notice under sub-section 18(8a)

I, Peter Neil Slipper, Parliamentary Secretary to the Minister for Finance and Administration, 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 the Commonwealth, or by or for an authority of the Commonwealth to which the *Public Works Committee Act 1969* applies, 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(8A) of that Act.

SCHEDULED

Repairs to Living-In Accommodation, Holsworthy Barracks, NSW

Dated this

19th

day of

March

2003

A handwritten signature in black ink, appearing to read 'Peter Neil Slipper'.

Peter Neil Slipper
Parliamentary Secretary to the Minister for Finance and Administration



Lands Acquisition Act 1989

DECLARATION

I hereby declare, pursuant to the provisions of sub-section 41 (1) of the *Lands Acquisition Act 1989*, that the land described hereunder is acquired by the Commonwealth of Australia by compulsory process for the public purpose of defence.

Dated this 4th day of March 2003.

A handwritten signature in dark ink, appearing to read 'Peter Slipper', written over a dotted line.

PETER NEIL SLIPPER

Parliamentary Secretary to the Minister for Finance
and Administration

DESCRIPTION OF LAND

The land subject to this notice is that piece of land at Pyrmont in the Parish of St Andrew, County of Cumberland in the State of New South Wales being Lot 1 in DP 218445 and Lot 5 in DP 218445.

Health and Ageing

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

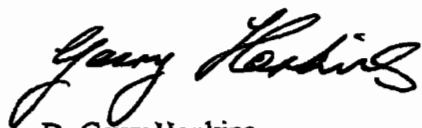
SECTION 14 NOTICE

I, Garry Hopkins, the Delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14(1) of the Therapeutic Goods Act 1989 ("the Act") give my consent for Amgen Australia Pty Ltd, Level 1, 801 Glenferrie Road, Hawthorn Victoria 3122, to supply AranespTM, Darbepoetin alfa, 20µg/0.5mL, AUSTR No 77952 and Batch number P007889 with labels which do not comply with the requirements of Therapeutic Goods Order No 69 - "General Requirements for Labels for Medicines".

For the purposes of subsection 15(1) of the Act, the Company must adhere to the following conditions:

1. The Canadian labels for the product will be used with attached pouch containing details as specified in your letter of 12 March and fax of 13 March 2003 including directions to the dispensing pharmacist to replace the Canadian product information with the supplied Australian version.
2. Your Company will submit a Category 3 application to process this change
3. The exemption applies to 1,008 packs of Canadian labelled Aranesp Batch number P007889.

Supply of this product is subject to the standard conditions applying to the supply of goods registered in the Australian Register of Therapeutic Goods.



Dr Garry Hopkins
Manager, Prescription Medicines
Therapeutic Goods Administration Laboratories

Friday, 14 March 2003

COMMONWEALTH OF AUSTRALIA**THERAPEUTIC GOODS ACT 1989****SECTION 14 NOTICE**

On 14 March 2003, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14(1) of the *Therapeutic Goods Act 1989* ("the Act") gave his consent for Wyeth Australia Pty Ltd, 17-19 Solent Circuit, Norwest Business Park, Baulkham Hills NSW ("the Company") to supply aminocaproic acid "Amicar" 5 g in 20 mL injection in vials (AUST R 15116) which are exempt from compliance with Therapeutic Goods Order No. 69 (TGO 69) "General requirements for labels for medicines".

For the purposes of subsection 15(1) of the Act, the Company must adhere to the following conditions in supplying the product.

1. The exemption applies specifically to two US-labelled batches of the injection (Lot No 600461 expiry date 31 March 2004 and Lot No 600625 expiry 31 October 2004 ~ 5000 units in total).
2. The vial and carton labels to be used are those provided with the Company letter of 7 March 2003, viz the US labels.
3. The main panel of the US carton labels are overstickered with the information provided in the Company correspondence dated 13 March 2003 before supply in Australia.
4. The product is supplied with the approved Australian product information in the manner described in the Company letter of 7 March 2003.
5. No other changes have been made to the product.

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 NOTICE

On 6 March 2003, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14(1) of the *Therapeutic Goods Act 1989* ("the Act") gave his consent for Roche Products Pty Ltd, 4-10 Inman Road, Dee Why NSW ("the Company") to supply the following products which are exempt from compliance with aspects of the BP 2001/2002 "Co-benaldopa Capsules" monograph requirements, specifically that the limits for benserazide assay and benserazide related substances are not met.

- levodopa/benserazide (Madopar 62.5) 50 mg/12.5 mg capsules AUST R 13744
- levodopa/benserazide (Madopar 125) 100 mg/25 mg capsules AUST R 13746
- levodopa/benserazide (Madopar 200/50) 200 mg/50 mg capsules AUST R 1374
- levodopa/benserazide (Madopar HBS) 100 mg/25 mg capsules AUST R 13743

For the purposes of subsection 15(1) of the Act, the Company must adhere to the following conditions in supplying the product.

1. The exemption applies for a period of 12 months from the date of approval, during which time the Company will liaise with the BP Commission in order to have the Monograph revised.
2. The limits for benserazide assay and benserazide related substances are the currently applied limits. The product complies with all other aspects of the abovementioned BP monograph, including the requirements for levodopa assay and levodopa-related impurities.
3. No other changes have been made to the product.

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

THERAPEUTIC GOODS REGULATIONS 1990

DESIGNATION OF NEVIRAPINE AS AN ORPHAN DRUG

I, Leonie Gail Hunt, delegate of the Secretary for the purposes of 16J of the *Therapeutic Goods Regulations 1990* ("the Regulations"), acting under subregulation 16J(2) of the Regulations, designated nevirapine (Viramune) as an orphan drug on 11th March 2003 for prevention of mother to child transmission of HIV-1 in pregnant women who are not taking antiretroviral therapy at time of labour.

The dose forms of nevirapine (Viramune) for this indication are 200 mg tablets and 10 mg/mL oral liquid suspension.

The sponsor of nevirapine (Viramune) is Boehringer Ingelheim Pty Limited.



Leonie Gail Hunt
Director
Drug Safety and Evaluation Branch
Therapeutic Goods Administration

Dated this 11th Day of March 2003

COMMONWEALTH OF AUSTRALIA
National Health Act 1953
PHARMACEUTICAL BENEFITS
DETERMINATION UNDER SECTION 85B(1)

I, JOAN CORBETT, Assistant Secretary, Pharmaceutical Benefits Branch, Department of Health and Ageing and delegate of the Minister for Health and Ageing, pursuant to subsection 85B(1) of the *National Health Act 1953*, hereby make the following Determination:

1. This Determination commences on 26 March 2003.
2. The Determination under subsection 85B(1) of the *National Health Act 1953* made on 27 February 2003 with effect from 5 March 2003 is repealed.

Dated this *nineteenth* day of *March* 2003.



JOAN CORBETT
Assistant Secretary
Pharmaceutical Benefits Branch
Department of Health and Ageing
Delegate of the Minister for Health and Ageing

**NHMRC***National Health &
Medical Research Council****National Health and Medical Research Council Act 1992*****NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL****Timetable and Procedures Relating to Research and Training Grants for Funding
Commencing in 2004**

For section 11A of the Act, the National Health and Medical Research Council has made the timetable and procedures, set out below, to assist it in making recommendations to the Commonwealth on the application of the Medical Research Endowment Reserve on:

- (a) public health research and training; and
- (b) medical research and training.

Development Grants	
Procedure	Timetable
Applications Open	20 March 2003
Applications close	30 May 2003
Advice to Minister	By 7 November 2003
Advice to applicants	By 5 December 2003
Commencement	1 March 2004



National Health and Medical Research Council Act 1992

Notice of reasons for dispensing with consultative steps

The National Health and Medical Research Council (NHMRC) has agreed to rescind the following publications:

- *National immunisation strategy* 1993;
- *Review of child health surveillance & screening* 1993;
- *Australian immunisation procedures* 5th edition 1994;
- *The Australian immunisation handbook* 6th edition 1996.
- *Staying healthy in child care – prevention of infectious diseases in day care settings; guidance for providers* edition 1 1993;
- *NHMRC Childhood immunisation schedule* 1993;
- *Clinical practice guidelines for the management of early breast cancer* 1995; and
- *Early breast cancer – a consumers guide* 1995.

The Council proposes, under subsection 14B(1) of the Act, not to undertake the consultative steps set out in section 13 of the Act.

This is because updated editions have replaced all of the above publications.

Further Information

For further information is available from:

The Publications Review Project Officer
Health Advisory Section
National Health and Medical Research Council
MDP 100
GPO Box 9848
CANBERRA ACT 2601
Email: hac.nhmrc@nhmrc.gov.au
Tel: (02) 6289 9817
Fax: (02) 6289 9898



**NOTIFICATION OF APPLICATION FOR FACILITY LICENCE UNDER THE
AUSTRALIAN RADIATION PROTECTION AND NUCLEAR SAFETY ACT 1998**

The CEO of the Australian Radiation Protection and Nuclear Safety Agency intends to make decisions under section 32 of the Australian Radiation Protection and Nuclear Safety (ARPANS) Act 1998 regarding the following application for facility licence.

Application No. F0149 by Australian Customs Service to operate a Container Examination Facility at Fisherman Islands, Brisbane.

Industry, Tourism and Resources

COMMONWEALTH OF AUSTRALIA

Petroleum (Submerged Lands) Act 1967

NOTICE OF CANCELLATION OF EXPLORATION PERMIT AC/P28

I, JOHN FRANK LEWIS GRIFFITHS, the Designated Authority in respect of the adjacent area in respect of the Territory of Ashmore and Cartier Islands, pursuant to section 105 of the Petroleum (Submerged Lands) Act 1967 hereby cancel exploration permit AC/P28, of which West Oil NL is the registered holder, on the grounds of:

non-compliance with the work program condition for
Year 3 of the permit term.

DESCRIPTION OF BLOCKS

In the adjacent area of the Territory of Ashmore and Cartier Islands

(The references hereunder are to the names of map sheets of the 1:1 000 000 series published by the Designated Authority and to the numbers of graticular sections shown thereon).

MAP SHEET SD51 (BRUNSWICK BAY)

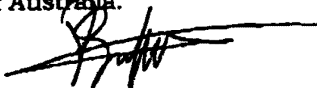
Block Nos.

692	693	694	695	696
764	765	766	767	768
769	836	837	838	839
840	841	842	908	909
910	911	912	913	914
915	980	981	982	983
984	985	986	987	988
1052	1053	1054	1055	1056
1057	1058	1059	1060	1124 part
1125 part	1126 part	1127 part	1128 part	1129 part
1130 part	1131 part	1132 part		

Assessed to contain 53 blocks.

Dated this 19th day of March, 2003.

MADE under the *Petroleum (Submerged Lands) Act 1967* of the
Commonwealth of Australia.



DELEGATE OF THE DESIGNATED AUTHORITY
FOR THE TERRITORY OF ASHMORE AND CARTIER ISLANDS ADJACENT
AREA

Pursuant to the Instrument of Delegation dated 2 July 2003

COMMONWEALTH OF AUSTRALIA

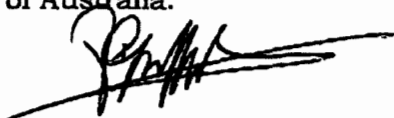
Petroleum (Submerged Lands) Act 1967

**NOTICE OF INVITATION OF APPLICATIONS FOR EXPLORATION
PERMITS**

I, JOHN FRANK LEWIS GRIFFITHS, the Delegate of the Designated Authority in respect of the adjacent area in respect of the Territory of Ashmore and Cartier Islands, in pursuance of section 20(1) of the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth of Australia, hereby invite applications for the grant of exploration permits in respect of the following blocks within the areas as described in the Schedule.

Dated 24 March 2003.

Made under the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth of Australia.



**DELEGATE OF THE DESIGNATED AUTHORITY
FOR THE TERRITORY OF ASHMORE AND CARTIER ISLANDS
ADJACENT AREA**

Pursuant to the Instrument of Delegation dated 2 July 2002

SCHEDULE

(The references hereunder are to the names of the map sheets of the 1:1,000,000 series and to the numbers of graticular sections shown thereon.)

The Commonwealth/State/Territory jurisdictional boundary in coastal waters is determined by the Australian Maritime Boundaries Information System Dataset of 2000, released in January 2001 by the Australian Surveying and Land Information Group (now Geoscience Australia National Mapping Division).

Section 5AAA of the *Petroleum (Submerged Lands) Act 1967* provides that, where a change to the baseline of Australia's territorial sea would impact on the boundary of an existing petroleum title (in Commonwealth or State or Territory waters), there is in fact no such impact. The Commonwealth, State or Territory Act (as the case may be) under which the title has been granted, continues to apply to the title and the whole title area for as long as the title remains in force. Therefore, this Instrument does not apply to any such area that is already under title.

BLOCK DESCRIPTION

Area AC03-1

Map Sheet SC51

3447 3448

Map Sheet SD51 (Brunswick Bay)

63 64(part) 135

Assessed to contain 5 blocks

Area AC03-2

Map Sheet SD51 (Brunswick Bay)

413	414	415	481	482	483	484	485	486	487
553	554	555	556	557	558	625	626	627	628
629	697	698	699	700	701	702	703	770	771
772	773	843	844	916					

Assessed to contain 35 blocks

Area AC03-3

Map Sheet SD51 (Brunswick Bay)

776	777	848	849	850(part)	919
920	921(part)	922(part)	991	992(part)	993(part)
1061	1062	1063(part)	1064(part)	1133(part)	1134(part)
1135(part)					

Assessed to contain 19 blocks

APPLICATIONS

Applications lodged under section 20 of the *Petroleum (Submerged Lands) Act 1967* must include:

(a) Details of: -

(i) *Technical Assessment*

the applicant's assessment of the petroleum potential of the area, including the concepts underlying its proposed exploration work program, with sufficient detail to support that program;

(ii) *Minimum Guaranteed Work Program*

the applicant's minimum guaranteed proposal (including indicative minimum expenditure) for exploration wells to be drilled, 3D and 2D seismic and other surveying activities, data evaluation and other work, for each year of the first three years of the permit term. This proposal, to be known as the minimum guaranteed work program, should comprise work expected to involve a substantial exploration component - normally, appraisal work should not be included;

(iii) *Secondary Work Program*

the applicant's proposal (including indicative minimum expenditure) for exploration wells to be drilled, 3D and 2D seismic and other surveying activities, data evaluation and other work, for each of the three remaining years of the permit term. This proposal, to be known as the secondary work program, should comprise work expected to involve a substantial exploration component - normally, appraisal work should not be included.

(b) Particulars of the applicant: -

- (i) the technical qualifications of the applicant and of its key employees;
- (ii) the technical advice available to the applicant;
- (iii) the financial resources available to the applicant, including evidence of the applicant's ability to fund the work program proposed, a statement of other exploration commitments over the next six years, and a copy of the latest annual and quarterly reports for each applicant company;
- (iv) where relevant, the viability of the consortium lodging the application, including evidence that a satisfactory settlement has been, or can be, reached on the Joint

Operating Agreement (a copy of a signed Heads of Agreement dealing will generally suffice); and

- (v) the percentage participating interest of each party to the application;

(c) Other Information

Such other information as the applicant wishes to be taken into account in consideration of the application.

(d) Fee

Each application must be accompanied by a fee of \$A3 000, payable to the Commonwealth of Australia through an Australian bank or bank cheque.

Further details of the work program bidding system outlined above, including the criteria for assessment of applications and the conditions to apply following the award of a permit are available from the Director of Energy, Department of Business, Industry & Resource Development in Darwin and from the Petroleum Division, Department of Industry, Tourism and Resources in Canberra.

It should be noted that any income derived in the future from the recovery of petroleum from these areas will be subject to the Commonwealth Government's Resource Rent Tax.

Applications together with relevant data should be submitted in the following manner to:

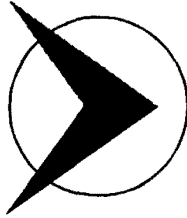
Petroleum Registrar
Department of Business, Industry & Resource Development
4th Floor, Centrepont Building
The Mall
DARWIN N.T. 0800

before 4.00 pm Thursday 25 March 2004

- in an envelope or package clearly marked 'Application for Area (insert Area Number) Commercial-in-Confidence,'
- enclose two copies of the application, supporting material and the application fee.
- the application should be sealed and marked as described above, then enclosed in a plain covering envelope or package and posted or delivered to the above address.

Copies of the basic exploration data pertaining to the blocks comprising this notice may be purchased from the Department of Business, Industry & Resource Development, 3rd Floor, Centrepont Building, The Mall, Darwin.

Transport and Regional Services



CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA

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

The following Airworthiness Directives under subregulation 39.1 (1) of the *Civil Aviation Safety Regulations 1998* will become effective on 17 April 2003:

Part 105 - Aircraft

AD/A109/33 - Main Rotor Blade Tip Cap - 2

AD/A109/34 - Windshield Wipers

AD/A109/35 - Hydraulic Hoses

AD/A109/36 - Damper Assembly of Main Rotor Hub

AD/A109/37 - Tail Rotor Blades P/N 109-8132-01-111

AD/A330/12 - Ram Air Turbine - Inspection

AD/A330/13 - Life Limits / Monitored Parts

AD/AS355/67 Amdt 1 - Main Gearbox Lubrication Pump

AD/B737/137 Amdt 1 - LE Slat Actuator Rod End

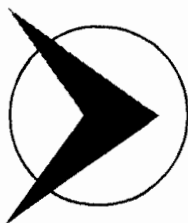
AD/B737/209 - Engine Mount - Inspection

AD/B737/210 - Elevator and Elevator Tab Assembly

AD/B747/289 - Fuselage Skin between BS 1961 and BS 2360

AD/B767/78 Amdt 1 - Midspar Fuse Pins

AD/B767/88 Amdt 4 - Thrust Reverser Control System Operational Tests - CANCELLED



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

Part 105 - Aircraft (Continued)

AD/B767/167 - Centre/Auxiliary Fuel Tank Override/Jettison Fuel Pumps

AD/B767/182 - Thrust Reverser Control - Modification

AD/B767/183 - Thrust Reverser Control - Inspection

AD/BEECH 90/101 - External Door Operating Instructions

AD/BEECH 200/70 - External Door Operating Instructions

AD/BEECH 300/17 - External Door Operating Instructions

AD/BEECH 1900/39 - AC Inverters and Synchronisation Wire

AD/BN-2/69 Amdt 1 - Throttle friction adjuster

AD/BNT/46 Amdt 1 - Throttle Friction Adjuster

AD/DAUPHIN/64 - Fuel - Air Vent Hoses

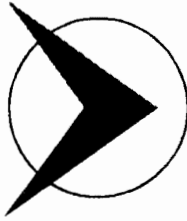
AD/EC135/9 - Main Rotor Hydraulic Actuators - CANCELLED

AD/EMB-120/33 - Aileron and Elevator Rotary Variable Inductive Transducer Bellcrank
Assemblies

AD/EMB-120/34 - Fuelling Control Panel Access Door

AD/EMB-120/35 - Main Wheel Hubcap

AD/EMB-120/18 - Combustion Chamber Rear Drain Valve - CANCELLED



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

Part 105 - Aircraft (Continued)

AD/JETSTREAM/93 Amdt 1 - Vertical Stabiliser Attachment Fittings

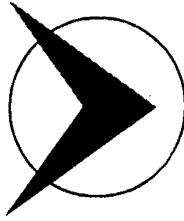
AD/SD3-60/64 Amdt 1 - Vertical Stabiliser Web Fittings

AD/SF340/90 - Main Landing Gear - Modification

Copies of the above Order(s) are available from:

Oliver Ernst
Publishing Controller
AD/AAC Publishing Group
Civil Aviation Safety Authority
GPO Box 2005
CANBERRA ACT 2601

Phone: 02 6217 1854
Fax: 02 6217 1442
E-Mail: ERNST_O@CASA.GOV.AU
Internet Site: [HTTP://WWW.CASA.GOV.AU](http://WWW.CASA.GOV.AU)



CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA

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

The following Airworthiness Directives under subregulation 39.1 (1) of the *Civil Aviation Safety Regulations 1998* will become effective on 17 April 2003:

Part 106 - Engines

AD/CF6/51 - LPT Shroud - Replacement

AD/DART/27 Amdt 1 - Engine Fuel and Control - Fuel Burner Flow Calibration Checks and Life Limitation

AD/DART/30 - Turbine Disc - Coating Removal

AD/TFE731/12 - Fan Rotor Assembly - CANCELLED

AD/TFE731/19 Amdt 2 - Fan Rotor Disc Inspection - CANCELLED

AD/TFE731/21 Amdt 1 - Fan Disc Dovetail Slot - CANCELLED

AD/TFE731/27 - P/N 3072816 Fan Disc Life Reduction - CANCELLED

AD/TFE731/28 - P/N 3072816 Fan Disc Inspection - CANCELLED



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

Part 106 - Engines (continued)

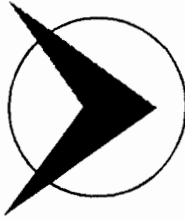
AD/TFE731/30 - Re-Inspect Fan Disc - CANCELLED

AD/TFE731/29 - Fan Disc Life Reduction - CANCELLED

Copies of the above Order(s) are available from:

Oliver Ernst
Publishing Controller
AD/AAC Publishing Group
Civil Aviation Safety Authority
GPO Box 2005
CANBERRA ACT 2601

Phone: 02 6217 1854
Fax: 02 6217 1442
E-Mail: ERNST_O@CASA.GOV.AU
Internet Site: [HTTP://WWW.CASA.GOV.AU](http://WWW.CASA.GOV.AU)



CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA

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

The following Airworthiness Directives under subregulation 39.1 (1) of the *Civil Aviation Safety Regulations 1998* will become effective on 17 April 2003:

Part 107 - Equipment

AD/EMY/33 - Emergency Evacuation Slide/Raft

AD/PHZL/70 - Hard Alloy Blades - Removal

Copies of the above Order(s) are available from:

Oliver Ernst
Publishing Controller
AD/AAC Publishing Group
Civil Aviation Safety Authority
GPO Box 2005
CANBERRA ACT 2601

Phone: 02 6217 1854
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Internet Site: [HTTP://WWW.CASA.GOV.AU](http://WWW.CASA.GOV.AU)

Regulation 25

CT-4

**COMMONWEALTH OF AUSTRALIA
NAVIGATION ACT 1912****No: 373****PERMIT TO UNLICENSED SHIP - CONTINUING**

Name of Ship	Port of Registry	OFFICIAL NUMBER
STADACONA	NASSAU	9000032

Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

NAMES OF PORTS FOR WHICH PERMIT ISSUED**GLADSTONE, ADELAIDE, MELBOURNE AND BRISBANE**Dated at CANBERRA this 11th day of March 2003Official
Stamp

[Signature]
Delegate of the Minister for Transport
and Regional Services

CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This permit covers the period 15 MARCH 2003 to 15 JUNE 2003.
3. Non-citizen crew have visas only for the period of the permit, on condition that the ship leaves Australia at least once in every three (3) month period.
4. CLINKER, SLAG, GYPSUM, FLYASH AND CEMENT only may be carried.
5. Coastal cargo may only be carried from:
GLADSTONE TO MELBOURNE, ADELAIDE TO MELBOURNE AND BRISBANE, ADELAIDE TO MELBOURNE, ADELAIDE TO BRISBANE AND PORT KEMBLA TO MELBOURNE.
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.

Regulation 25

CT-4

**COMMONWEALTH OF AUSTRALIA
NAVIGATION ACT 1912**

No: 373

**AMENDED
PERMIT TO UNLICENSED SHIP - CONTINUING**

Name of Ship	Port of Registry	OFFICIAL NUMBER
STADACONA	NASSAU	9000032

Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

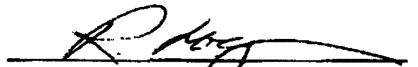
NAMES OF PORTS FOR WHICH PERMIT ISSUED

GLADSTONE, ADELAIDE, MELBOURNE AND BRISBANE

Dated at **CANBERRA** this **14** day of **March 2003**

Official
Stamp




**Delegate of the Minister for Transport
and Regional Services**

CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This permit covers the period 15 MARCH 2003 to 15 JUNE 2003.
3. Non-citizen crew have visas only for the period of the permit, on condition that the ship leaves Australia at least once in every three (3) month period.
4. CLINKER, SLAG, GYPSUM, FLYASH AND CEMENT only may be carried.
5. Coastal cargo may only be carried from:
GLADSTONE TO MELBOURNE, ADELAIDE TO MELBOURNE AND BRISBANE, ADELAIDE TO MELBOURNE, ADELAIDE TO BRISBANE.
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.

Regulation 25

CT-4

COMMONWEALTH OF AUSTRALIA
NAVIGATION ACT 1912

No: 374

PERMIT TO UNLICENSED SHIP - CONTINUING

Name of Ship	Port of Registry	OFFICIAL NUMBER
E R CANBERRA	MONROVIA	17985

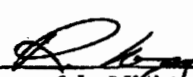
Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

NAMES OF PORTS FOR WHICH PERMIT ISSUED

MELBOURNE, ADELAIDE AND FREMANTLE

Dated at CANBERRA this 24 day of March 2003

Official
Stamp
Delegate of the Minister for Transport
and Regional Services

CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This permit covers the period 5 APRIL 2003 to 5 JULY 2003.
3. Non-citizen crew have visas only for the period of the permit, on condition that the ship leaves Australia at least once in every three (3) month period.
4. GENERAL CARGO only may be carried.
5. The cargo may only be carried from:
MELBOURNE AND ADELAIDE TO FREMANTLE.
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.

Regulation 25

CT-4

**COMMONWEALTH OF AUSTRALIA
NAVIGATION ACT 1912**

No: 375

PERMIT TO UNLICENSED SHIP - CONTINUING

Name of Ship	Port of Registry	OFFICIAL NUMBER
CSCL FUZHOU	MONROVIA	90405

Pursuant to the provisions of Section 286 of the Navigation Act, I hereby grant, subject to the conditions set out hereunder, permission for the above-named ship to carry passengers and cargo between the ports, or any of them, specified hereunder.

This permit remains in force until cancelled by me upon not less than six months' notice to the master, owner, or agent of the ship of the intended cancellation.

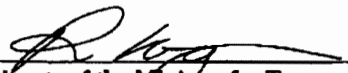
NAMES OF PORTS FOR WHICH PERMIT ISSUED

MELBOURNE AND BRISBANE

Dated at CANBERRA this 19th day of March 2003

Official
Stamp




Delegate of the Minister for Transport
and Regional Services

CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

1. That the Transport Regulation Division is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This permit covers the period 25 MARCH 2003 to 25 JUNE 2003.
3. Non-citizen crew have visas only for the period of the permit, on condition that the ship leaves Australia at least once in every three (3) month period.
4. CONTAINERISED CARGO only may be carried.
5. The cargo may only be carried from:
MELBOURNE TO BRISBANE
6. If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
7. That the vessel is not detained under Australia's Port State Control program.

Treasury



General Insurance Reform Act 2001

DETERMINATION THAT PROVISIONS OF THE OLD ACT APPLY AND PROVISIONS OF THE NEW ACT DO NOT APPLY

I, Thomas Karp, a delegate of the Australian Prudential Regulation Authority, under sub-items 4(1) and 5(1) of Schedule 2 of the *General Insurance Reform Act 2001* ("GIRA") and subsection 33(3) of the *Acts Interpretation Act 1901* VARY the Determination made on 26 June 2002 under sub-items 4(1) and 5(1) of Schedule 2 of GIRA in relation to Australian Pacific Professional Indemnity Insurance Company Ltd ACN 072 266 909 by:

- (i) omitting the words "31 December 2002"; and
- (ii) replacing them with the words "30 June 2003".

In this notice, "new Act" and "old Act" have the meanings given in item 1 of Schedule 2 of GIRA.

Dated 31 December 2002.

[signed]

Tom Karp
Executive General Manager
Diversified Institutions Division

[Note 1: Under paragraph 6(2)(b) of Schedule 2 of GIRA, the body corporate will be taken to be a general insurer for the purposes of the provisions of the new Act that apply to it (ie other than those covered by the sub-item 5(1) determination).

Note 2: This determination may be varied or revoked under subsection 33(3) of the *Acts Interpretation Act 1901*, which may result in the authority of the insurer under the old Act ceasing to apply – see item 7 of Schedule 2 of GIRA.]



Banking Act 1959

**NOTICE THAT AUTHORISED DEPOSIT-TAKING
INSTITUTION HAS CHANGED ITS NAME**

I, Senthamangalam Venkatramani, a delegate of the Australian Prudential Regulation Authority, under paragraph 9B(1)(b) of the *Banking Act 1959* (the “Act”), am satisfied that Primary Industry Bank of Australia Ltd ACN 001 621 129, a body corporate that has been granted a section 9 authority under the Act, has changed its name to:

Rabobank Australia Limited

Under subsection 9B(3) of the Act, the section 9 authority granted to Primary Industry Bank of Australia Ltd has effect after the publication of this notice as if the section 9 authority had been granted to the body corporate under its changed name.

Dated: 19 March 2003.

***[signed]*
S G Venkatramani
General Manager
Diversified Institutions Division**



Insurance Act 1973

**VARIATION OF CONDITIONS ON
AUTHORISATION TO CARRY ON INSURANCE
BUSINESS**

To: Australian Pacific Professional Indemnity Insurance Company Ltd ACN 072
266 909 (the "Company")

SINCE:

- A. the Australian Prudential Regulation Authority ("APRA") has made determinations under sub-items 4(1) and 5(1) of Schedule 2 of the *General Insurance Reform Act 2001* (the "GI Reform Act") in relation to the Company; and
- B. by virtue of paragraph 6(2)(b) of Schedule 2 of the GI Reform Act, the Company is taken to be a general insurer for the purposes of the provisions of the new Act that apply to the company during the transition period; and
- C. the Company's authorisation to carry on insurance business in Australia is subject to conditions,

I, Tom Karp, a delegate of APRA, under paragraph 13(1)(b) of the Act, VARY the conditions on the authorisation of the Company to carry on insurance business in Australia, by:

- (i) omitting the words "31 December 2002" in Condition 3;**
- (ii) replacing those words with the words "30 June 2003"**

"transition period" and "new Act" have the meaning given in item 1 of Schedule 2 of the GI Reform Act.

"general insurer" has the meaning given by section 11 of the new Act, that is, a body corporate that is authorised under section 12 of the new Act to carry on insurance business in Australia.

Dated: 31 December 2002.

[signed]

Tom Karp
Executive General Manager
Diversified Institutions Division

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

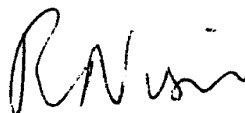
ORDER UNDER SUBSECTION 22(1)

WHEREAS -

- (A) Lasseters International Limited is a corporation for the purposes of section 18 of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) Lasseters International Limited is a foreign person for the purposes of that section of the Act;
- (C) Lasseters International Limited proposes to acquire a substantial shareholding in Evian Enterprises Limited and Lasseters Holdings Limited as specified in the notices furnished on 17 February 2003 under section 25 and section 26 of the Act respectively.

NOW THEREFORE I, Roy Nixon, Manager, International and Compliance Unit of the Foreign Investment Policy Division of the Treasury and authorised to make this order for and on behalf of the Treasurer pursuant to subsection 22(1) of the Act, for the purpose of enabling consideration to be given as to whether an order should be made under subsection 18(2) of the Act in respect of the proposed acquisition, PROHIBIT the proposed acquisition for a period not exceeding ninety days after this order comes into operation.

Dated this 19th day of March 2003.



Manager

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS –

- (A) Irene Hii Ik Tiing is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ("the Act");
- (B) Irene Hii Ik Tiing proposes to acquire an interest in Australian urban land as specified in the notice furnished on 13 February 2003 under section 26A of the Act.

NOW THEREFORE I, Chris Legg, General Manager, Foreign Investment Policy Division, for and on behalf of the Treasurer, being satisfied that:

- (i) Irene Hii Ik Tiing 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

18th

day of

MARCH

2003



General Manager

COMMISSIONER OF TAXATION

The Commissioner of Taxation, Michael Joseph Carmody, gives notice of the following Rulings, copies of which can be obtained from Branches of the Australian Taxation Office.

NOTICE OF RULINGS

Ruling Number	Subject	Brief Description
CR 2003/25	Income Tax: assessable income: football umpires: North Western Football Association Inc. receipts	This Ruling sets out the tax consequences for Australian Rules football umpires who are members of the North Western Football Association Umpires Association and receive payments for umpiring matches administered by the North Western Football Association Inc, in the north west region of the State of Tasmania.
CR 2003/26	Income tax: CSIRO funded Studentships and Scholarships	This Ruling sets out the tax consequences for full-time University students in receipt of wholly funded Studentships or Scholarships with the Commonwealth Scientific & Industrial Research Organisation.
CR 2003/27	Income tax: Approved Early Retirement Scheme - Queensland Performing Arts Trust	This ruling sets out the tax consequences for all employees whose duties or functions are surplus to the Queensland Performing Arts Trust's requirements and whose skills and abilities cannot be reasonably utilised in other vacancies within the Queensland Performing Arts Trust and who receive a payment under the approved early retirement scheme.
CR 2003/28	Income tax: UNiTAB Limited Employee Share Bonus Plan	This Ruling sets out the tax consequences for the Australian resident employees of UNiTAB Limited and its Group Companies: • SA TAB Pty Limited • NT TAB Pty Limited • UNiTAB Gaming Pty Limited • Gaming Systems Qld Pty Limited • Broadcasting Station 4IP Pty Limited • TAB Queensland Pty Limited who receive shares in UNiTAB Limited under the UNiTAB Limited Employee Share Bonus Plan.
PR 2003/7	Income tax: Sylvatech Tropical Timbers 2003	This Ruling sets out the tax consequences of investing in the Project by growers entering into a Licence and Management Agreement to commercially grow and cultivate <i>Acacia mangium</i> trees for the purpose of producing woodchip or other suitable timber products.
GSTR 2003/4	Goods and services tax: stores and spare parts for international flights and voyages.	This ruling explains the requirements for a GST-free supply of ship's or aircraft's stores, or spare parts, for international flights and voyages.
GSTR 2003/5	Goods and Services Tax: Vouchers	This ruling explains the Commissioner's view on how the <i>A New Tax System (Goods and Services Tax) Act 1999</i> applies to vouchers.
GSTR 2003/6	Goods and services tax: transfers of enterprise assets as a result of property distributions under the <i>Family Law Act 1975</i> or in similar circumstances.	This ruling explains the GST consequences of a transfer of an enterprise asset to a spouse as a result of a matrimonial property distribution under the <i>Family Law Act 1975</i> or in similar circumstances.
GSTD 2003/2	Goods and Services Tax: are there GST consequences when a partner in a partnership takes goods held as trading stock for private or domestic use?	This ruling determines the application of Division 130 of the <i>A New Tax System (Goods and Services Tax) Act 1999</i> when a partner in a partnership takes goods held as trading stock for private or domestic use.

NOTICE OF WITHDRAWALS

Ruling Number	Subject	Brief Description
TD 1999/1	Income tax: are deductions under Division 43 of the Income Tax Assessment Act 1997 ('ITAA 1997') excluded by subsection 82(2) of the Income Tax Assessment Act 1936 ('ITAA 1936') in calculating any assessable profit or deductible loss from the sale of the property by the person who constructed the building?	Taxation Determination 1999/1 is withdrawn with effect from today. This ruling is withdrawn as it conflict with the views expressed by the Federal Court in <i>MLC Limited & Anor v. Deputy Commissioner of Taxation</i> [2002] FCA 1491.
TR 1999/18	Income tax: lease surrender receipts and payments	Taxation Ruling TR 1999/18 is withdrawn with effect from today. The ruling is withdrawn as the views expressed in the Ruling are being reconsidered.

NOTICE OF ADDENDUMS

Ruling Number	Subject	Brief Description
GSTR 2000/37	Goods and services tax: agency relationships and the application of the law	This addendum applies on and from today. This addendum expands on the explanations in the original ruling to explain how the principle and agent in a Subdivision 153-B arrangement account for GST for supplies that are not taxable supplies, acquisitions that are not creditable acquisitions and the supply of agency services that relate to making those supplies or acquisitions.

NOTICE OF WITHDRAWAL OF PRODUCT RULINGS

Ruling Number	Subject	Brief Description
PR 2003/7	Income tax: Sylvatech Tropical Timbers 2003	This Product ruling is withdrawn with effect from 30 June 2006.

NOTICE OF WITHDRAWAL OF CLASS RULINGS

Ruling Number	Subject	Brief Description
CR 2003/27	Income tax: Approved Early Retirement Scheme - Queensland Performing Arts Trust	This Class ruling is withdrawn with effect from 13 September 2003.

COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974

Consumer Protection Notice No. 1 of 2003

CONSUMER PRODUCT SAFETY STANDARD: BUNK BEDS

I, IAN GORDON CAMPBELL, Parliamentary Secretary to the Treasurer, pursuant to section 65E of the *Trade Practices Act 1974*, hereby:

- (a) REVOKE the consumer product safety standard in respect of bunk beds declared by consumer protection notice No.2 of 2002 published in the Commonwealth of Australia Gazette No. GN 15 of 17 April 2002;
- (b) DECLARE, that in respect of goods of a kind specified in Division 1 of the Schedule to this Notice, the standard approved by Standards Australia specified in Division 2 of the Schedule, as varied by Division 3 of the Schedule, is a consumer product safety standard for purposes of section 65C of the *Trade Practices Act 1974*.

THE SCHEDULE

Division 1: Particulars of the Goods

Bunk beds supplied as an item of furniture or part of an item of furniture, not including portable bunk beds designed for camping or bunk beds that are built-in fitments in caravans, camper trailers, tent trailers, camper vans, motor homes, trains, ships, aircraft and other types of conveyances.

Division 2: The Standard

Australian/New Zealand Standard AS/NZS 4220:1994, Bunk beds.

Division 3: Variations

- (1) Delete the following clauses, sub-clauses and items: 1, 2, 4, 5, 6.1, 6.2, 6.5, 6.6, 6.7, 6.9, 7.1(c), 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 8, 9(b)(i) and 9(d), and appendices B, C, D, E, F, G, H, I and J.
- (2) Delete the text in sub-clause 3.1 and replace with the following text:

"Bunk Bed-

 - (a) A set of components that are assembled or are ready for assembly into single beds or double/single combination beds which will be stacked one over the other; or
 - (b) Any single bed, other than a hospital bed, where the upper surface of the mattress base is at least 800 mm above the floor surface."
- (3) In Sub-clause 7.1(b) replace the dimension "75 mm" with the dimension "95 mm".

- (4) In sub-clause 9(c) add to the beginning of the paragraph the following words:

"For the upper bed, where the height of the guard rails is less than 360 mm above the mattress base:"

- (5) In Appendix A, part A3(a)(iv) replace the spherical probe diameter dimension "75 $\pm$ 0.5 mm" with the dimension "95 $\pm$ 0.5 mm", and in parts A5(e), A6(c) replace the dimension "75 mm" with the dimension "95 mm".
- (7) In Appendix A, delete part A3(b).
- (8) In Appendix A, part A5(a), delete the words "Place a mattress on each of the mattress bases of the bunk bed."

Dated this 11th day of March, 2003



IAN CAMPBELL
Parliamentary Secretary to the Treasurer

COMMONWEALTH OF AUSTRALIA

TRADE PRACTICES ACT 1974

Consumer Protection Notice No. 2 of 2003

UNSAFE GOODS NOTICE

I, IAN GORDON CAMPBELL, Parliamentary Secretary to the Treasurer, pursuant to section 65C(5) of the *Trade Practices Act 1974*, hereby DECLARE that goods of the kind specified below are unsafe goods, in that it appears to me the goods will or may cause injury to a person.

The effect of this declaration is to ban the supply of these goods for a period of 18 months.

Particulars of goods:

Children's dart gun sets, with or without a target, consisting of:

- a) a firing gun, and
- b) suction tipped darts of a size that fit entirely into the small parts test cylinder when tested in accordance with clause 5.2 (small parts test) of the Australian/New Zealand Standard *Safety of Toys, Part 1* (AS/NZS ISO8124.1:2002).

Summary of reasons:

It has been found that small darts used in some dart gun sets may choke children if the darts lodge in the throat.

Dated this 18th day of March 2003



IAN CAMPBELL
Parliamentary Secretary to the Treasurer

COMMONWEALTH OF AUSTRALIA

TRADE PRACTICES ACT 1974

Consumer Protection Notice No. **3** of 2003

**CERTIFICATION FOR PUBLICATION WITHOUT DELAY OF A NOTICE
DECLARING UNSAFE GOODS**

I, IAN GORDON CAMPBELL, Parliamentary Secretary to the Treasurer, pursuant to section 65L(1) of the *Trade Practices Act 1974*, hereby CERTIFY that a notice under section 65C(5) of the *Trade Practices Act 1974* in relation to goods of the kind specified below should be published without delay, as it appears to me that such goods create an imminent risk of death, serious injury or serious illness.

The effect of this certification and declaration is to ban the supply of these goods for a period of 18 months.

Particulars of goods:

Children's dart gun sets, with or without a target, consisting of:

- a) a firing gun, and
- b) suction tipped darts of a size that fit entirely into the small parts test cylinder when tested in accordance with clause 5.2 (small parts test) of the Australian/New Zealand Standard *Safety of Toys, Part 1* (AS/NZS ISO8124.1:2002).

Dated this 18th day of March 2003



IAN CAMPBELL
Parliamentary Secretary to the Treasurer

COMMONWEALTH OF AUSTRALIA

TRADE PRACTICES ACT 1974

Consumer Protection Notice No. 4 of 2003

**INVITATION TO REQUEST THE AUSTRALIAN COMPETITION AND
CONSUMER COMMISSION TO HOLD A CONFERENCE IN RELATION
TO THE DECLARATION OF UNSAFE GOODS**

I, IAN GORDON CAMPBELL, Parliamentary Secretary to the Treasurer, pursuant to section 65M(1) of the *Trade Practices Act 1974*, INVITE any person who has supplied or proposes to supply goods of a kind specified below to notify the Australian Competition and Consumer Commission (ACCC) in writing at the address shown below within a period of ten (10) days commencing on the day on which this notice is published in the Gazette or within such a longer period as the ACCC allows, whether that person wishes the ACCC to hold a conference in relation to the publication of a notice under section 65C(5) of the *Trade Practices Act 1974*.

Particulars of goods:

Children's dart gun sets, with or without a target, consisting of:

- a) a firing gun, and
- b) suction tipped darts of a size that fit entirely into the small parts test cylinder when tested in accordance with clause 5.2 (small parts test) of the Australian/New Zealand Standard *Safety of Toys, Part 1* (AS/NZS ISO8124.1:2002).

Note: The section 65C(5) notice referred to above bans the supply of the above goods for a period of eighteen months. This notice provides suppliers or potential suppliers of toy dart gun sets of the type specified above with the opportunity to request a conference to be held by the ACCC in relation to the ban.

**Address for notification to the Australian Competition and Consumer
Commission:**

The Manager, Product Safety Section
Australian Competition and Consumer Commission
PO Box 520J
MELBOURNE VICTORIA 3001

Dated this 18th day of March 2003



IAN CAMPBELL
Parliamentary Secretary to the Treasurer

Commonwealth of Australia*Excise Act 1901***DETERMINATIONS UNDER SECTION 77FB**

Notice is given that the following Determinations have been made under section 77FB of the *Excise Act 1901*. These Determinations are also available on the Australian Taxation Office legal database at www.ato.gov.au. For further information, contact National Director, Alcohol Industry Group, Excise, Australian Taxation Office, GPO Box 2318, Adelaide SA 5001.

Excise Act (Alcoholic strength of beer) Determination 2003

I, MARGOT RUSHTON, Assistant Commissioner Excise in the Australian Taxation Office and delegate of the Commissioner of Taxation, make this Determination under section 77FB of the *Excise Act 1901*.

Dated *18* of March 2003



MARGOT RUSHTON
Delegate of the Commissioner of Taxation

1 Name of Determination

This Determination may be cited as the Excise Act (Alcoholic strength of beer) Determination 2003.

2 Commencement

This Determination commences on and from the date of publication of the Determination in the *Gazette*.

3 Definitions

In this Determination:

- **beer** means a beverage that meets the definition of beer in the Schedule to the *Excise Tariff Act 1921*;
- **CEO** means the Commissioner of Taxation;
- **strength** means the percentage by volume of alcohol at 20 degrees Celsius.

4 Application of Determination

This Determination applies to beer entered for home consumption on or after the date of commencement of the Determination.

5 Measuring equipment

- (a) You must ascertain the alcoholic strength of beer by one or more of the following processes:
- (i) by the use of gas chromatography;
 - (ii) by the use of near infra red spectrometry; or
 - (iii) by distillation followed by the gravimetric measurement of the distillate or by measurement in a density meter.
- (b) If the brewery produces less than 100,000 litres of beer in a financial year, a hydrometer and a formula approved by the CEO may, with permission, be used to measure beer's alcoholic strength.
- (c) You must calibrate the accuracy of the measuring instruments (eg, volumetric glassware, hydrometer, pycnometer, thermometer), at intervals of one year or less, against standard instruments that have been certified by an independent authority approved by the National Association of Testing Authorities (NATA). The standard instruments must be calibrated by an independent NATA approved authority at intervals of five years or less.

6 Sampling and analysis

- (a) You must ascertain the alcoholic strength of the beer by analysing samples of the product after it has reached its full alcoholic strength and is ready for packaging or has been packaged. Sufficient samples must be taken from each run to ensure the strength measured in accordance with paragraph 6(b) accurately reflects the true strength of the beer.
- (b) You must analyse the samples with the approved calibrated equipment. The alcoholic strength of the beer is taken to be the average of the strength of all the readings. The alcoholic strength calculated is to be expressed as the volume that would be the volume of that alcohol if the alcohol were measured at a temperature of 20 degrees Celsius. Calculation by reference to the specific gravity of alcohol is to be made on the basis that, at a temperature of 20 degrees Celsius and in a vacuum, the specific gravity of alcohol in relation to water is 0.79067.

7 Permitted variations

For the purposes of working out the excise duty payable:

- (a) The strength of beer, other than beer subject to secondary fermentation, is taken to be its nominated or labelled strength if the nominated or labelled strength does not exceed the actual strength by more than 0.2%.
- (b) The strength of beer subject to secondary fermentation is taken to be its nominated or labelled strength if the nominated or labelled strength does not exceed the actual strength by more than 0.3%.
- (c) If the actual strength of beer, other than beer subject to secondary fermentation, exceeds the nominated or labelled strength by more than 0.2%, the strength is the actual strength.
- (d) If the actual strength of beer subject to secondary fermentation exceeds the nominated or labelled strength by more than 0.3%, the strength is the actual strength.

Excise Act (Alcoholic strength of spirits) Determination 2003

I, MARGOT RUSHTON, Assistant Commissioner Excise in the Australian Taxation Office and delegate of the Commissioner of Taxation, make this Determination under section 77FB of the *Excise Act 1901*.

Dated 18 of March 2003



MARGOT RUSHTON
Delegate of the Commissioner of Taxation

1 Name of Determination

This Determination may be cited as the Excise Act (Alcoholic strength of spirits) Determination 2003.

2 Commencement

This Determination commences on and from the date of publication of the Determination in the *Gazette*.

3 Definitions

In this Determination:

- **CEO** means the Commissioner of Taxation;
- **spirits** means beverages described in item 2 but excluding subitem 2(G) of the Schedule to the *Excise Tariff Act 1921*;
- **strength** means the percentage by volume of alcohol at 20 degrees Celsius.

4 Application of Determination

This Determination applies to spirits entered for home consumption on or after commencement of the Determination.

5 Measuring equipment

- (a) You must ascertain the alcoholic strength of spirits by one or more of the following processes:
- (i) by the use of hydrometry;
 - (ii) by the use of pycnometry;
 - (iii) by the use of gas chromatography;
 - (iv) by the use of near infra red spectrometry; or
 - (v) by distillation followed by the gravimetric measurement of the distillate or by measurement in a density meter.
- (b) You must calibrate the accuracy of the measuring instruments (eg, volumetric glassware, hydrometer, pycnometer, thermometer), at intervals of one year or less, against standard instruments that have been certified by an independent authority approved by the National Association of Testing Authorities (NATA). The

standard instruments must be calibrated by an independent NATA approved authority at intervals of five years or less.

6 Sampling and analysis

- (a) You must ascertain the alcoholic strength of the spirits by analysing sufficient samples to ensure the strength measured in accordance with paragraph 6(b) accurately reflects the true strength of the beverage.
- (b) You must analyse the samples with the approved calibrated equipment. The alcoholic strength of the beverage for duty purposes is taken to be the average of the strength of all the readings. The alcoholic strength calculated is to be expressed as the volume that would be the volume of that alcohol if the alcohol were measured at a temperature of 20 degrees Celsius. Calculation by reference to the specific gravity of alcohol shall be made on the basis that, at a temperature of 20 degrees Celsius and in a vacuum, the specific gravity of alcohol in relation to water is 0.79067.

7 Permitted variations

For the purposes of working out the excise duty payable:

- (a) If the actual strength of the beverage does not exceed the labelled strength by more than 0.2%, the strength is taken to be the labelled strength.
- (b) If the strength of the beverage exceeds the labelled strength by more than 0.2%, the strength is the actual strength.

Excise Act (Alcoholic strength of ready to drink beverages and liqueurs) Determination 2003

I, MARGOT RUSHTON, Assistant Commissioner Excise in the Australian Taxation Office and delegate of the Commissioner of Taxation, make this Determination under section 77FB of the *Excise Act 1901*.

Dated 18 of March 2003



MARGOT RUSHTON
Delegate of the Commissioner of Taxation

1 Name of determination

This Determination may be cited as the Excise Act (Alcoholic strength of ready to drink beverages and liqueurs) Determination 2003.

2 Commencement

This Determination commences on and from the date of publication of the Determination in the *Gazette*.

3 Definitions

In this Determination:

- **CEO** means the Commissioner of Taxation;
- **liqueur** means a beverage classified to subitem 2(G) of the Schedule to the *Excise Tariff Act 1921*;
- **ready to drink beverage** means a beverage classified to subitem 1(D) of the Schedule to the *Excise Tariff Act 1921*;
- **strength** means the percentage by volume of alcohol at 20 degrees Celsius.

4 Application of Determination

This Determination applies to ready to drink beverages and liqueurs entered for home consumption on or after the date of commencement of the Determination.

5 Measuring Equipment

- (a) You must ascertain the alcoholic strength of ready to drink beverages and liqueurs by one or more of the following processes:
 - (i) by the use of gas chromatography;
 - (ii) by the use of near infra red spectrometry; or
 - (iii) by distillation followed by the gravimetric measurement of the distillate or by measurement in a density meter.
- (b) You must calibrate the accuracy of the measuring instruments (eg, volumetric glassware, hydrometer, pycnometer, thermometer) at intervals of one year or less, against standard instruments that have been certified by an independent authority approved by the National Association of Testing Authorities (NATA). The standard instruments must be calibrated by an independent NATA approved authority at intervals of five years or less.

6 Sampling and analysis

- (a) You must ascertain the alcoholic strength of ready to drink beverages and liqueurs by analysing samples taken after the beverage has been manufactured to its final strength. Sufficient samples must be taken from each run to ensure the strength measured in accordance with paragraph 6(b) accurately reflects the true strength of the beverage.
- (b) You must analyse the samples with the approved calibrated equipment. The alcoholic strength of the beverage is taken to be the average of the strength of all the readings. The alcoholic strength calculated is to be expressed as the volume that would be the volume of that alcohol if the alcohol were measured at a temperature of 20 degrees Celsius. Calculation by reference to the specific gravity of alcohol is to be made on the basis that, at a temperature of 20 degrees Celsius and in a vacuum, the specific gravity of alcohol in relation to water is 0.79067.

7 Permitted variations

For the purposes of working out the excise duty payable:

- (a) If the actual strength of the beverage does not exceed the labelled strength by more than 0.2%, the strength is taken to be the labelled strength.
- (b) If the strength of the beverage exceeds the labelled strength by more than 0.2%, the strength is the actual strength.

Public Notices

SHIPPING REGISTRATION ACT 1981

NOTICE OF INTENTION TO APPLY FOR REGISTRATION

Notice is hereby given of the intention of

(full name).....CAMERON ARTHUR TREZISE..... of (ad-
dress).....7 CONCH CLOSE, TRINITY BEACH, QLD 4879..... to apply, after

the expiration of the period of thirty days commencing on the date of publication of this notice, for the registration under the abovenamed Act of the ship particulars of which are set out below. Objections to the registration of the ship in the name of the abovementioned person, by persons claiming a legal proprietary right in respect of the ship, should, together with any relevant documents that will verify the claim be delivered to the Registrar of Ships at the Australian Shipping Registration Office, Level 1 Allan Woods Building, 25 Constitution Avenue, Canberra City ACT 2601 or sent by properly prepaid post to the Registrar of Ships at the Australian Maritime Safety Authority, GPO Box 2181, Canberra City ACT 2601, before the expiry of the period referred to above.

Particulars of Ship

Present name:-MOBY DICK

Former name:-NONE

Present whereabouts:-CAIRNS

Length:-13.72 m

Principal material of construction:-TIMBER

Type of ship:-FISHING VESSEL



Financial Sector (Collection of Data) Act 2001

NOTIFICATION OF MAKING OF REPORTING STANDARDS

The Australian Prudential Regulation Authority ("APRA") has, under paragraph 13(1)(a) of the *Financial Sector (Collection of Data) Act 2001* (the "Collection of Data Act") made 10 reporting standards listed in the Schedule which must be complied with by registered entities (within the meaning of the Collection of Data Act) and by certain Authorised Deposit-Taking Institutions (ADIs) (ADIs are bodies corporate authorised under section 9 of the *Banking Act 1959* to carry out banking business). These reporting standards contain new requirements for registered entities, and additional requirements for ADIs, to provide data to APRA in relation to their international exposures.

APRA has, under subsection 15(1) of the Collection of Data Act, declared that the 10 reporting standards begin to apply to registered entities and certain ADIs on 14 March 2003.

Copies of the reporting standards are available:

- on APRA's website at www.apra.gov.au; or
- by telephoning 1300 131 060; or
- at the office of APRA at Level 26, 400 George Street, Sydney NSW 2000 (reference: Ms Prue Morris)

Published by authority of APRA under paragraph 13(1)(b) and subsection 15(2) of the Collection of Data Act.

SCHEDULE

Reporting Standard RRS 231.1a – International Exposures: Locational (Liabilities) Part 1
Reporting Standard RRS 231.1b – International Exposures: Locational (Assets) Part 1
Reporting Standard RRS 231.2 – International Exposures: Locational Part 2
Reporting Standard RRS 231.3a – International Exposures: Consolidated (Domestic Entity)
Reporting Standard RRS 231.3b – International Exposures: Consolidated (Foreign Entity)
Reporting Standard ARS 231.1a – International Exposures: Locational (Liabilities) Part 1
Reporting Standard ARS 231.1b – International Exposures: Locational (Assets) Part 1
Reporting Standard ARS 231.2 – International Exposures: Locational Part 2
Reporting Standard ARS 231.3a – International Exposures: Consolidated (Domestic Entity)
Reporting Standard ARS 231.3b – International Exposures: Consolidated (Foreign Entity)



**DEPARTMENT OF EDUCATION,
SCIENCE AND TRAINING**

NOTIFICATION UNDER THE *HIGHER EDUCATION FUNDING ACT* 1988.

The following notice specifies the repayment thresholds in 2003-2004 for the Higher Education Contribution Scheme (HECS) and has been made under *the Higher Education Funding Act* 1988 (the Act). A copy can be obtained from the website of the Department of Education, Science and Training at <http://www.dest.gov.au/directory/new.asp>, or the Student Financing Section, Higher Education Group, DEST, 14 Mort Street, Canberra City, ACT 2601, or by telephoning (02) 6240 7754.

Section	Description	Date Made																														
106Q(6)	The following amounts have been prescribed for the 2003-2004 year of income: <table><tr><td>Minimum Prescribed Amount:</td><td>\$25,347</td></tr><tr><td>First Intermediate Prescribed Amount:</td><td>\$26,731</td></tr><tr><td>Second Intermediate Prescribed Amount:</td><td>\$28,805</td></tr><tr><td>Third Intermediate Prescribed Amount:</td><td>\$33,414</td></tr><tr><td>Fourth Intermediate Prescribed Amount:</td><td>\$40,328</td></tr><tr><td>Fifth Intermediate Prescribed Amount:</td><td>\$42,447</td></tr><tr><td>Maximum Prescribed Amount:</td><td>\$45,628</td></tr></table> For HECS repayment incomes in the range: <table><tr><td>Below \$25,348</td><td>% rate to be applied to total HECS repayment income nil</td></tr><tr><td>\$25,348-\$26,731</td><td>3%</td></tr><tr><td>\$26,732-\$28,805</td><td>3.5%</td></tr><tr><td>\$28,806-\$33,414</td><td>4%</td></tr><tr><td>\$33,415-\$40,328</td><td>4.5%</td></tr><tr><td>\$40,329-\$42,447</td><td>5%</td></tr><tr><td>\$42,448-\$45,628</td><td>5.5%</td></tr><tr><td>\$45,629 and above</td><td>6%</td></tr></table>	Minimum Prescribed Amount:	\$25,347	First Intermediate Prescribed Amount:	\$26,731	Second Intermediate Prescribed Amount:	\$28,805	Third Intermediate Prescribed Amount:	\$33,414	Fourth Intermediate Prescribed Amount:	\$40,328	Fifth Intermediate Prescribed Amount:	\$42,447	Maximum Prescribed Amount:	\$45,628	Below \$25,348	% rate to be applied to total HECS repayment income nil	\$25,348-\$26,731	3%	\$26,732-\$28,805	3.5%	\$28,806-\$33,414	4%	\$33,415-\$40,328	4.5%	\$40,329-\$42,447	5%	\$42,448-\$45,628	5.5%	\$45,629 and above	6%	13/3/2003
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Australian
Antarctic
Division



Department of the Environment and Heritage

COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Notice Under Subsection 368(2)

Heard Island and McDonald Islands Marine Reserve

The Australian Antarctic Division, Department of the Environment and Heritage, proposes to prepare a draft management plan for the Heard Island and McDonald Islands Marine Reserve.

Members of the public are invited to comment on this proposal.

Relevant information, including the *Heard Island and McDonald Islands Marine Reserve Proposal* document, the current *Heard Island Wilderness Reserve Management Plan*, a description of the reserve boundaries, and maps of the reserve, is available via the Internet at:

http://www.aad.gov.au/HIMI_Marine_Reserve

Comments may be sent to:

Ewan McIvor
Environmental Management and Audit Unit
Australian Antarctic Division
Channel Highway
KINGSTON TAS 7050

Comments must be sent by 19 May 2003.

For further information please contact Ewan McIvor on 03 6232 3413 or E-mail himi@aad.gov.au.

AJ Bress
Director
Australian Antarctic Division
Delegate of the Director of National Parks
13 March 2003



Commonwealth
of Australia

Gazette

No. S 80, Tuesday, 18 March 2003

Published by Commonwealth of Australia

SPECIAL



Public Service Commissioner's Amendment Directions 2003 (No. 1)

I, ANDREW PODGER, Public Service Commissioner, make these Directions under subsection 11 (1) of the *Public Service Act 1999*.

Dated 13th March 2003

Public Service Commissioner

1 Name of Directions

These Directions are the *Public Service Commissioner's Amendment Directions 2003 (No. 1)*.

2 Commencement

These Directions commence on gazettal.

3 Amendment of *Public Service Commissioner's Directions 1999*

Schedule 1 amends the *Public Service Commissioner's Directions 1999*.

Schedule 1 Amendments

(section 3)

[1] After subclause 4.2 (6)

insert

- (7) This clause does not prevent the engagement of a non-ongoing APS employee as an ongoing APS employee in the circumstances described in clause 4.2A.

[2] After subclause 4.2

insert

4.2A Engagement of non-ongoing APS employee as ongoing employee in exceptional circumstances

- (1) Despite clause 4.2, the Commissioner may authorise an Agency Head to engage a non-ongoing APS employee as an ongoing APS employee in accordance with this clause.
- (2) An Agency Head may, in writing, ask the Commissioner to authorise the engagement by the Agency Head of a non-ongoing APS employee as an ongoing APS employee without making the opportunity to apply for the relevant employment open to other eligible members of the community, if the Agency Head is satisfied:
- (a) on the basis of the relationship between the person's work-related qualities and the work-related qualities genuinely required for the duties of the relevant employment, that the person is suitable for the duties; and
 - (b) that the duties of the relevant employment are more appropriately undertaken by an ongoing APS employee.
- (3) The Commissioner may authorise the engagement if:
- (a) the engagement as an ongoing APS employee is at the person's former classification (or equivalent) as a non-ongoing APS employee; and
 - (b) the Commissioner is satisfied that the APS Values mentioned in paragraphs 10 (1) (b) and (m) of the Act were complied with in relation to:
 - (i) the engagement of the non-ongoing APS employee as a non-ongoing APS employee; and
 - (ii) any extension of the engagement of the non-ongoing APS employee as a non-ongoing APS employee; and
 - (c) the Commissioner is satisfied that exceptional circumstances exist to justify the engagement.

-
- (4) If the Commissioner authorises the engagement, the Agency Head may engage the non-ongoing APS employee as an ongoing APS employee.

Note It is intended that the Regulations will be amended to provide that if an Agency Head proceeds with the engagement of a non-ongoing APS employee as an ongoing APS employee in accordance with an authorisation by the Commissioner, the Agency Head must ensure that the decision to engage the non-ongoing APS employee as an ongoing APS employee is notified in the *Gazette* and that the notice includes a statement to the following effect:

'This engagement was authorised by the Public Service Commissioner on (date) under clause 4.2A of the *Public Service Commissioner's Directions 1999*.'



Commonwealth of Australia

Australian Communications Authority Act 1997

**Australian Communications Authority
(Service Provider Determination)
Direction 2003 (No. 1)**

I, RICHARD KENNETH ROBERT ALSTON, Minister for Communications, Information Technology and the Arts, make the following Direction under subsection 12(1) of the *Australian Communications Authority Act 1997* (the Act) in relation to the performance by the Australian Communications Authority (ACA) of its functions and the exercise by the ACA of its powers under sections 6 and 9 of the Act.

Dated 13 March 2003.

Richard Alston

Minister for Communications, Information Technology and the Arts

1 Name of Direction

This Direction is the *Australian Communications Authority (Service Provider Determination) Direction 2003 (No. 1)*.

2 Commencement

This Direction commences on gazettal.

3 Definitions

In this Direction:

190 premium service means a carriage service or content service using a number with a prefix starting with '190'.

Act means the *Telecommunications Act 1997*.

carriage service has the same meaning as in the Act.

*Australian Communications Authority (Service Provider
Determination) Direction 2003 (No. 1)*

2

carriage service provider has the same meaning as in the Act.

content service has the same meaning as in the Act.

premium service means:

- (a) a carriage service or content service using a number with a prefix starting with '190'; or
- (b) a carriage service used to supply:
 - (i) a content service; or
 - (ii) another service by way of a voice call (including a call that involves a recorded or synthetic voice);using a number that includes an international access code.

Regulations means the *Telecommunications Regulations 2001*.

relevant carriage service provider means a carriage service provider that provides access to premium services.

relevant customer means a customer of a relevant carriage service provider.

TISSC Code of Practice means the Code of Practice administered by the Telephone Information Services Standards Council (TISSC) that regulates the content and advertising of 190 telecommunications services, as in force or existing from time to time.

4

Service provider rules

- (1) The ACA must make a service provider determination as soon as practicable under section 99 of the Act in accordance with this Direction in relation to:
 - (a) certain of the matters specified in regulation 3.12 of the Regulations; and
 - (b) the matters specified in regulation 3.11 of the Regulations to the extent that they relate to the matter specified in paragraph 3.12(3)(d) of the Regulations.

Call barring

- (2) The service provider determination must set out a rule requiring a relevant carriage service provider to bar future calls by a relevant customer to 190 premium

*Australian Communications Authority (Service Provider
Determination) Direction 2003 (No. 1)*

3

services for the remainder of a calendar month where the charges incurred by that customer for those services during that month exceed a specified amount.

- (3) The service provider determination must allow a relevant customer to waive the application to the customer of the rule mentioned in subclause (2).
- (4) The service provider determination must provide that if a relevant customer makes such a waiver, the relevant carriage service provider is not bound by, and need not comply with, the rule mentioned in subclause (2) in relation to the customer.
- (5) A waiver must be made in accordance with the rules set out in the service provider determination.
- (6) Rules mentioned in subclause (5) must require a relevant carriage service provider to inform a relevant customer about the consequences of a waiver.

Information on risks associated with premium services

- (7) The service provider determination must set out a rule requiring a carriage service provider to provide information to its customers about the risks associated with premium services and the action that those customers can take to lessen the risk of unexpected high bills for those services.
- (8) The rule mentioned in subclause (7) may specify a method or way in which the carriage service provider must provide the information mentioned in that subclause.

**5 Matters to be investigated, and reported on, by the
ACA**

The ACA must investigate and report to the Minister by 31 July 2003 on whether it would be practicable and appropriate for:

- (a) additional requirements to be imposed on relevant carriage service providers to address consumer concerns about unexpected high bills for premium services including, in particular, requirements for the providers to bar access to international numbers, or number ranges, used to provide premium services; and

*Australian Communications Authority (Service Provider
Determination) Direction 2003 (No. 1)*

4

- (b) specific requirements to be imposed on relevant carriage service providers in relation to Internet diallers; and
- (c) the TISSC Code of Practice, or a similar code, to be registered under Part 6 of the Act.

6 Matters to be considered by the ACA in its investigation

In investigating the matters mentioned in clause 5, the ACA must have regard to:

- (a) any relevant industry self-regulation; and
- (b) the effect on competition; and
- (c) compliance costs; and
- (d) technical implications; and
- (e) consumer benefits and costs; and
- (f) the implications of the potential growth in premium services using short message service or multimedia message service technology; and
- (g) any other matters the ACA considers relevant.



Commonwealth
of Australia

Gazette

No. S 82, Wednesday, 19 March 2003

Published by Commonwealth of Australia

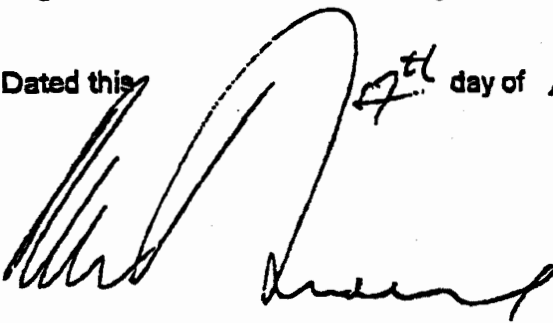
SPECIAL

COMMONWEALTH OF AUSTRALIA

Aboriginal and Torres Strait Islander Commission Act 1989
Aboriginal and Torres Strait Islander Commission
(Regional Council Election) Rules 1990

**NOTICE OF POLLING DAY FOR REGIONAL COUNCIL FURTHER
ELECTION**

I, PHILIP MAXWELL RUDDOCK, Minister for Immigration and Multicultural and Indigenous Affairs, under subrule 130(2) of the *Aboriginal and Torres Strait Islander Commission (Regional Council Election) Rules 1990*, fix 17 May 2003 as the day for polling for a further election for a member of the Regional Council in the Jabiru Region, Wadeye Ward.

Dated this  17th day of March 2003.

Minister for Immigration and Multicultural and
Indigenous Affairs

COMMONWEALTH OF AUSTRALIA

***Aboriginal and Torres Strait Islander Commission Act 1989
Aboriginal and Torres Strait Islander Commission
(Regional Council Election) Rules 1990***

**NOTICE OF POLLING DAY FOR REGIONAL COUNCIL FURTHER
ELECTION**

I, PHILIP MAXWELL RUDDOCK, Minister for Immigration and Multicultural and Indigenous Affairs, under subrule 130(2) of the *Aboriginal and Torres Strait Islander Commission (Regional Council Election) Rules 1990*, fix 31 May 2003 as the day for polling for a further election for a member of the Regional Council in the Geoktown Region, Aurukun Ward.

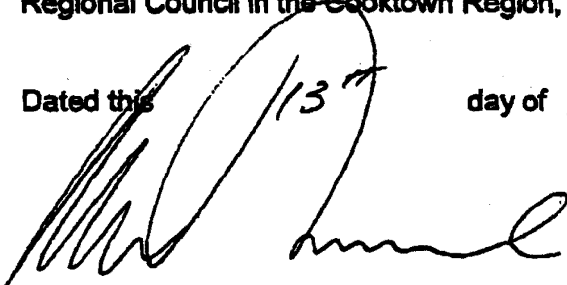
Dated this

13th

day of

March

2003.



PHILIP RUDDOCK

**Minister for Immigration and Multicultural and
Indigenous Affairs**



**Commonwealth
of Australia**

Gazette

No. S 83, Thursday, 20 March 2003

Published by the Commonwealth of Australia

SPECIAL

COMMONWEALTH OF AUSTRALIA

National Health Act 1953

**NOTIFICATION OF DETERMINATION UNDER
PARAGRAPH (bj), SCHEDULE 1 (PHS3/2003)**

The delegate of the Minister for Health and Ageing, has, with effect from 20 March 2003 amended the Determination made on 30 June 1999 under paragraph (bj) of Schedule 1 to the *National Health Act 1953*, by omitting Schedule 4 and substituting a new Schedule 4. The new Schedule reflects changes in the benefits payable to private hospitals in all States/Territories and public hospitals within New South Wales for accommodation provided to the Nursing Home Type Patient (NHTP).

Copies of the Determination can be obtained from the Commonwealth Department of Health and Ageing, GPO Box 9848, Canberra City 2601, telephone (02) 6289 9853 24hr answering machine.



COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 22(1)

WHEREAS -

- (A) PROMOSEVEN Pty Ltd ACN 102 606 324 As Trustee for the North Queensland Trust is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) PROMOSEVEN Pty Ltd ACN 102 606 324 As Trustee for the North Queensland Trust proposes to acquire an interest in the Australian urban land referred to in the notice furnished on 10 February 2003 under section 26A of the Act;

NOW THEREFORE I, Chris Legg, General Manager of the Foreign Investment Policy Division of the Treasury and authorised to make this order for and on behalf of the Treasurer pursuant to subsection 22(1) of the Act, for the purpose of enabling consideration to be given as to whether an order should be made under subsection 21A(2) of the Act in respect of the proposed acquisition, PROHIBIT the proposed acquisition for a period not exceeding ninety days after this order comes into operation.

Dated this

12th

day of

March

2003.

General Manager



ABORIGINAL AND TORRES STRAIT ISLANDER COMMISSION ACT 1989

Notice of Authorisation

I, RODNEY ALFREDSON, the Director of Evaluation and Audit of the Aboriginal and Torres Strait Islander Commission, appointed pursuant to section 77 of the *Aboriginal and Torres Strait Islander Commission Act 1989*, ('the Act'), hereby, pursuant to sub-section 78A(2) of the Act, authorise the person or persons whose names are set below, to perform the functions and exercise the powers conferred on me by section 78A of the Act, on my behalf until 30 June 2003 in respect of undertaking any evaluation or audit assigned by me to such person or persons.

**Don Cross
Martin Walsh**

Dated this 19th Day of March 2003

(Rodney Alfredson)
Director of Evaluation and Audit



**Commonwealth
of Australia**

Gazette

No. S 86, Thursday, 20 March 2003

Published by the Commonwealth of Australia

SPECIAL



CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA

**NOTIFICATION OF THE MAKING OF ORDERS
UNDER THE CIVIL AVIATION REGULATIONS 1988**

On 20 March 2003, Civil Aviation Amendment Order (No. 3) 2003 made amendments to the following Civil Aviation Order:

Part 82, sections 82.3 and 82.5.

The commencement date for these amendments is 20 March 2003.

Copies of this instrument is available from:

**Manager, Information and Production
CASA Office of Legal Counsel
Level 5 CASA Building
Cnr Northbourne Avenue and Barry Drive
Canberra ACT**

**Phone: (02) 6217 1910
Email: hornblower@casa.gov.au**



Commonwealth
of Australia

Gazette

No. S 87, Friday, 21 March 2003

Published by the Commonwealth of Australia

SPECIAL

Commonwealth of Australia

**Inclusion of ecological communities in the list of threatened ecological communities
under section 181 of the *Environment Protection and Biodiversity Conservation Act 1999***

I, DAVID KEMP, Minister for the Environment and Heritage, pursuant to section 184(1) of the *Environment Protection and Biodiversity Conservation Act 1999*, hereby amend the list referred to in section 181 of that Act by:

including in the list in the **Critically Endangered** category

- Swamps of the Fleurieu Peninsula, as described in the Schedule to this instrument.

Dated this 13th day of February 2003

Minister for the Environment and Heritage

SCHEDULE

Swamps of the Fleurieu Peninsula

The Swamps of the Fleurieu Peninsula are confined to the IBRA region "Lofty Block". They are limited to the local catchment areas of Tookayerta, Hindmarsh, Parawa, Myponga, Yankalilla, Onkparinga, Currency Creek and Finniss.

The Swamps of the Fleurieu Peninsula are localised wetlands occurring in high rainfall areas. They are densely vegetated and occur adjacent to waterlogged soils around low-lying creeks and flats. The swamps are typified by their reedy or heathy vegetation growing on peat, silt, peat silt, or black clay soils.

The Swamps of the Fleurieu Peninsula ecological community is characterised by the following plant species. The total flora species list for the ecological community is considerably larger than that given below, with many species present at only some sites, or in very low densities. Species may be present in the ecological community either in the seed bank, or as above-ground individuals. Not every species will be present at every site, and the species composition of the remnant patches will be influenced by patch-size, recent environmental conditions, local disturbance history, and site-specific geographic and topographic locations.

Species *	Common name/s
<i>Baumea rubiginosa</i>	Soft Twigrush
<i>Baumea tetragona</i>	Square Twigrush
<i>Carex appressa</i>	
<i>Centrolepis fascicularis</i>	Bristlewort
<i>Deyeuxia quadriseta</i>	
<i>Drosera binata</i>	Forked Sundew
<i>Eleocharis gracilis</i>	
<i>Empodisma minus</i>	Spreading Rope Rush
<i>Euphrasia collina</i> ssp <i>osbornii</i> (E)	Osborn's Eyebright
<i>Gahnia sieberiana</i>	Sword Grass, Sawsedge
<i>Gleichenia microphylla</i>	Scrambling Coral-fern, Coral-fern, Umbrella Fern
<i>Goodenia ovata</i>	Hop Goodenia
<i>Isolepis inundata</i>	
<i>Lepidosperma longitudinale</i>	Pithy Swordsedge
<i>Leptospermum continentale</i>	Prickly Tea-tree
<i>Leptospermum lanigerum</i>	Woolly Tea-tree
<i>Patersonia occidentalis</i>	
<i>Prasophyllum frenchii</i> (E)	Maroon Leek-orchid, Slaty Leek-orchid, Stout Leek-orchid, French's Leek-orchid
<i>Schoenus carsei</i>	Wiry Bog Rush
<i>Sprengelia incarnata</i>	Pink Swamp-heath
<i>Viminaria juncea</i>	Golden Spray, Native Broom
<i>Xyris operculata</i>	

* E listed as an endangered species under the *Environment Protection and Biodiversity Conservation Act 1999*

The Swamps of the Fleurieu Peninsula ecological community is habitat to the following fauna species. The total fauna species list for the ecological community is considerably larger than that given below, with many species present at only some sites, or in very low densities. Not every species will be present at every site, and the species within remnant patches will be influenced by patch-size, recent environmental conditions, local disturbance history, and site-specific geographic and topographic locations.

	Species*	Common name/s
Birds	<i>Acanthiza pusilla</i>	Brown Thornbill
	<i>Acrocephalus stentoreus</i>	Clamorous Reed-warbler
	<i>Cisticola exilis</i>	Golden-headed Cisticola
	<i>Rallus pectoralis pectoralis</i>	Lewin's Water Rail (eastern)
	<i>Epthiamura albifrons</i>	White-fronted Chat
	<i>Gallirallus philippensis</i>	Buff-banded Rail
	<i>Malurus cyaneus</i>	Superb Fairy-wren
	<i>Megalurus gramineus</i>	Little Grassbird
	<i>Phylidonyris pyrrhoptera</i>	Crescent Honeyeater
	<i>Phylidonyris novaehollandiae</i>	New Holland Honeyeater
	<i>Sericornis frontalis</i>	White-browed Scrubwren
	<i>Stipiturus malachurus intermedius</i> (E)	Southern Emu-wren (Fleurieu Peninsula), Mount Lofty Southern Emu-wren
	<i>Zosterops lateralis</i>	Silvereye
Mammals	<i>Antechinus flavipes</i>	Yellow Footed Antechinus
	<i>Macropus fuliginosus</i>	Western Grey Kangaroo
	<i>Rattus fuscipes</i>	Bush Rat
	<i>Rattus lutreolus</i>	Swamp Rat
	<i>Tachyglossus aculeatus</i>	Short-beaked Echidna
Reptiles	<i>Bassiana duperreyi</i>	a skink
	<i>Christinus marmoratus</i>	Marbled Gecko
	<i>Eulamprus heatwolei</i>	a skink
	<i>Hemiergus decresiensis</i>	a skink
	<i>Hemiergus peronii</i>	a skink
Amphibians	<i>Lampropholis guichenoti</i>	a skink
	<i>Crinia signifera</i>	Common Eastern Froglet
	<i>Limnodynastes tasmaniensis</i>	Spotted Grass Frog, Spotted Marsh Frog
	<i>Litoria ewingii</i>	Brown Tree Frog

* E listed as an endangered species under the *Environment Protection and Biodiversity Conservation Act 1999*



**Commonwealth
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Gazette

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SPECIAL

**Road Vehicle (National Standards)
Determination No 1 of 2003**



DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

Road Vehicle (National Standards) Determination No 1 of 2003

**(A determination under section 7 of the Motor Vehicle
Standards Act 1989)**

The determination published in this Gazette was made on 14 March 2003 by the Parliamentary Secretary to the Minister for Transport and Regional Services, the Hon Senator Ron Boswell. The explanatory statement relating to the determination, approved by the Parliamentary Secretary on the same date, is also published.

A guide to the texts of the determination and explanatory statement, as published in this gazette, is as follows:

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File number L2003/0200

**COMMONWEALTH OF AUSTRALIA
MOTOR VEHICLE STANDARDS ACT 1989**

**ROAD VEHICLE (NATIONAL STANDARDS)
DETERMINATION NO 1 OF 2003**

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

I, Ronald Leslie Boswell, Parliamentary Secretary to the Minister for Transport and Regional Services, make the following determination under section 7 of the *Motor Vehicle Standards Act 1989*:

1. Short Title and Citation

This determination may be cited as the *Road Vehicle (National Standards) Determination No 1 of 2003*.

2. Entry into Force

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

3. Interpretation and Definitions

- (1) In this determination and in the notes annexed to it:
"ADR" means Australian Design Rule but does not include preliminary pages (numbered (i) and (ii) and headed "cover sheet") published at the front of any ADR.
- (2) Clause headings form part of this determination and may be used in its interpretation.
- (3) The notes annexed to this determination are for ease of reference and do not form part of it.

4. Changes to National Standards – ADR 4/03

The national standards are amended by repealing clauses 20.1.1 and 20.1.2 and replacing them with:

"20.1.1 deleted

20.1.2 deleted"

5. Changes to National Standards - ADR 14/02

The national standards are amended by repealing Clause 4.7.1 and replacing it with the following:

"14.7.1 The technical requirements of ECE R 46/00 or 46/01 – "Rear View Mirrors" – shall be deemed to be equivalent to the technical requirements of this Rule for mirrors other than additional mirrors."

6. Changes to National Standards – ADR 18/02

The national standards are amended by repealing Clause 18.4.3, including the "note" associated with that clause and replacing them with:

"18.4.3 deleted

7. Changes to National Standards - ADR 42/03

The national standards are amended by repealing clauses 6, 8.2.1 (including 8.2.1.1, 8.2.1.1.1, 8.2.1.1.2, 8.2.1.2 and 8.2.1.3), 8.2.2 (including 8.2.2.1 and 8.2.2.2), 8.2.3, 8.2.4 and 10.2.1 and replacing them with:

"6 – Cigar and Cigarette Lighters

Deleted.

8.2.1 Lever position - deleted

8.2.2 Lever sequence - deleted

8.2.3 - deleted

8.2.4 - deleted."

10.2.1 Except for motor vehicles over 3.5 tonnes GVM and trailers over 3.5 tonnes ATM, the electrical connectors between motor vehicles and trailers, for the purpose of operating the prescribed vehicle lighting and signalling must comply with Australian Standard 2513-1982 "Electrical Connections for Trailer Vehicles". Motor vehicles over 3.5 tonnes GVM and trailers over 3.5 tonnes ATM may use electrical connectors complying with International Standards Organisation ISO 1185 – 1997 or Society of Automotive Engineers SAE J 560 – 1998 standards for electrical connectors between towing vehicles and trailers as alternative standards.

8. Changes to National Standards - ADR 46/00

The national standards are amended by renumbering Clauses 7.6 and 7.7 as 7.8 and 7.9 and inserting the following new clauses 7.6 and 7.7:

"7.6 The technical requirements of any of the editions of United Nations – Economic Commission for Europe – Regulation 112 – UNIFORM PROVISIONS CONCERNING THE APPROVAL OF MOTOR VEHICLE HEADLAMPS EMITTING AN ASYMMETRICAL PASSING BEAM OR A DRIVING BEAM OR BOTH AND EQUIPPED WITH FILAMENT LAMPS, incorporated under the 00 series of amendments are deemed to be equivalent to the requirements of this rule.

7.7 The technical requirements of any of the editions of United Nations – Economic Commission for Europe – Regulation 113 – UNIFORM PROVISIONS CONCERNING THE APPROVAL OF MOTOR VEHICLE HEADLAMPS EMITTING A SYMMETRICAL PASSING BEAM OR A DRIVING BEAM OR BOTH AND EQUIPPED WITH FILAMENT LAMPS, incorporated under the 00 series of amendments are deemed to be equivalent to the requirements of this rule."

9. Clarifications and Savings

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

Dated this Fourteenth day of March.....2003

.....

Parliamentary Secretary to the Minister for Transport and Regional Services

Notes to Road Vehicle (National Standards) Determination No. 1 of 2003:**A. Terms Used**

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

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

A2. In these notes:

"ADR volume" means the publication that is prepared and distributed by the Administrator, is known as the Australian Design Rules for Road Vehicles, and contains the full text of the national standards.

"UNECE" means United Nations Economic Commission for Europe.

B. Availability of Determinations

- B1. Copies of the Gazettes in which the determinations were notified or published can be purchased from the Ausinfo and its Government Info Shops.
- B2. The Gazettes in which the Determinations have been notified or published may be inspected at major public libraries and at the address in note D1.

C. Other Forms of Publication of the National Standards

- C1. For the convenience of users, the national standards are also published by the Administrator. The publication is commonly known as the ADR manual and is available on subscription in CD-ROM as set out in section E of these notes.
- C2. The titles of the components of the ADR manual which constitute the national standards are as follows:
- Definitions and Vehicle Categories
 - Current-issue ADRs
 - Prior-issue ADRs.
- C3. In addition, the ADR volume contains helpful background information on the Australian road vehicle standards system and its operations.

D. Inspection of National Standards

- D1. The national standards, as amended by this and previous Determinations, and the ADR manual as a whole, are available for inspection at the office of the Administrator of Vehicle Standards as follows:
- Level 4
111 Alinga Street
CANBERRA ACT

- D2. The national standards, and the ADR manual as a whole, may also be inspected at some State or Territory motor vehicle registries.

E. Purchase of National Standards

- E1. The national standards, as amended by this and previous determinations, and the ADR as a whole, are available over the counter from the office of the Administrator of Vehicle Standards at the address in D1 above.
- E2. The national standards may be obtained by mail from the office of the Administrator by one of the following means:

- by letter to:
ADR Subscriptions
Vehicle Safety Standards
Department of Transport and Regional Services
GPO Box 594
CANBERRA ACT 2601;
 - by fax to (612) 6274 7714 (international) or (02) 6274 7714 (within Australia);
 - by e-mail to ADR Subscriptions at:
standards@dotars.gov.au
- E3. The current prices of an electronic-format (CD-ROM) version of the ADRs, plus amendments, are as follows:
- ADR CD-ROM
\$70.60 (GST included \$6.42) includes postage and one year subscription to an amendment service
For overseas subscribers, \$AUD64.20 (Tax-free)
 - 1-OFF CD ROM without amendment service
\$23.55 (GST included \$2.15)
For overseas subscribers \$AUD21.40 (Tax-free)
- E4. Prices of particular national standards, and the ADRs may vary from time to time.
Up-to-date prices are available from the above address or by telephoning (612) 6274 7237 (international) or (02) 6274 7427 (within Australia).
- E5. Electronic versions include, within the stated prices, a set of Administrator's Circulars, and amendments thereto.
- E6. A copying/postage fee may be charged for copies of individual national standards or other material.

MOTOR VEHICLE STANDARDS ACT 1989

**ROAD VEHICLE (NATIONAL STANDARDS)
DETERMINATION NO. 1 OF 2003**

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

EXPLANATORY STATEMENT

**Issued by the authority of the Minister for Transport and
Regional Services**

March 2003

This statement deals with the Determination of National Standards under section 7 of the *Motor Vehicle Standards Act 1989*.

The first division describes the context within which the Determination has been made, including the legislative framework, the process for the making of Determinations and the standing arrangements for consultation.

The second division deals with how these general matters have been applied on the present occasion. The division includes a description of the content and effect of the particular Determination and a summary of the variations to the national standards the Determination is introducing.

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Explanatory Statement relating to Road Vehicle (National Standards) Determination No. 1 of 2003
DIVISION A - CONTEXT

A1. ROLE AND FUNCTIONS OF THE *MOTOR VEHICLE STANDARDS ACT 1989*

The *Motor Vehicle Standards Act 1989* (the Act) enables the Federal Government to establish nationally uniform standards for road vehicles when they are first supplied to the market in Australia. The Act applies to such vehicles whether they are manufactured in Australia or are imported as new or second hand vehicles.

The object of the Act is specified in section 3 which states that:

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

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

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

- (a) the making of national standards;
- (b) the application of those standards; and
- (c) the enforcement of the standards where necessary.

A2. ROLE AND FUNCTIONS OF THE ACT IN RELATION TO NATIONAL STANDARDS

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

All the national standards determined under section 7 of the Act have to this point been known as Australian Design Rules (ADRs).

The national standards so determined are kept under review by the Department of Transport and Regional Services, in consultation with other agencies and interests.

The Act also contains a range of provisions which make the national standards system effective.

A3. PROCESS FOR MAKING NATIONAL STANDARDS

Section 7 of the Act empowers the Minister to "*determine vehicle standards for road vehicles or vehicle components*", and provides that the Determinations are disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*.

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

- (a) settling the technical content of a proposed new or amended national standard;
- (b) determining the proposed standard as a national standard; and
- (c) scrutiny by the Parliament of the new and amended national standards.

Explanatory Statement relating to Road Vehicle (National Standards) Determination No. 1 of 2003
DIVISION A - CONTEXT

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

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

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

- (a) determination of the new standards by the Minister; and
- (b) notification of the Determination in the Gazette.

The major steps in the third of these components (ie Parliamentary scrutiny) are:

- (a) tabling in each Chamber of the Parliament; and
- (b) scrutiny by the Senate Standing Committee on Regulations and Ordinances.

A4. CONSULTATION ARRANGEMENTS

It has been longstanding practice to consult widely on proposed new or amended national standards. For many years there has been active collaboration between the Federal and the State/Territory Governments, as well as consultation with industry and consumer groups.

Much of the consultation currently undertaken takes place within institutional arrangements established for this purpose. Depending on the circumstances of particular cases, there can also be supplementary consultation tailor-made to the requirements of a particular instance.

To some extent, the analysis and documentation prepared in a particular case, and the bodies consulted, depend on the degree of impact the new or amended standard is expected to have on industry or road users. Both industry and consumers are consulted in this regard.

Depending on the nature of the proposed changes, consultation could involve the Technical Liaison Group (TLG), Transport Agencies Chief Executives (TACE), and the Australian Transport Council (ATC).

TLG consists of representatives of government (National and State/Territory), the manufacturing and operational arms of the industry (including organisations such as the Federal Chamber of Automotive Industries and the Australian Trucking Association) and of representative organisations of consumers and road users (particularly through the Australian Automobile Association).

TACE consists of the chief executives of national and State/Territory departments of transport and road vehicle administrations.

ATC consists of the Commonwealth, State/Territory and New Zealand Ministers with responsibility for transport issues.

Editorial changes and changes to correct errors are settled by agreement between the Department of Transport and Regional Services and National Road Transport Commission. This process is only invoked where the amendments do not vary the intent of the national standard.

Changes that result in relaxations of rules, as agreed by TLG, are submitted to TACE for endorsement before determination by the Minister for Transport and Regional Services. These changes are not required to be submitted to the ATC.

Explanatory Statement relating to Road Vehicle (National Standards) Determination No. 1 of 2003**DIVISION A - CONTEXT**

Significant changes that increase the stringency of the rules or new rules are submitted to TACE before seeking a vote by ATC. Unless disapproved by one third of ATC Ministers, the Parliamentary Secretary to the Minister for Transport and Regional Services can then determine the amendment, under the authority of the Minister for Transport and Regional Services. Proposals that are regarded as significant need to be supported by a Regulation Impact Statement (RIS) meeting the requirements of the Office of Regulation Review as published in *A Guide to Regulation*.

The changes to standards in this determination result in relaxations of rules and do not require the support of a RIS as they are not considered "significant". The changes have been agreed by TLG and endorsed by TACE but do not require the approval of ATC.

Explanatory Statement relating to Road Vehicle (National Standards) Determination No. 1 of 2003
DIVISION B - APPLICATION

B1. CONTENT AND EFFECT OF THE DETERMINATION

This Determination varies the national standards in the following manner:

- ADR 4/03 - by deleting Clauses 20.1.1 and 20.1.2 to facilitate harmonisation with the international standard for seatbelts.
- ADR 14/04 - by amending Clause 14.7.1 to allow for the use of convex rear vision mirrors complying with the relevant United Nations Economic Commission for Europe (UNECE) regulation.
- ADR 18/02 - by deleting Clause 18.4.3 and the relevant "note" relating to that Clause, to dispense with the need for variable illumination of the instrument panel.
- ADR 42/03 - by deleting Clauses 6, 8.2.1 to 8.2.4 and amending Clause 10.2, dealing with requirements for cigarette lighters, layout and visibility of automatic transmission controls and electrical connectors between heavy commercial vehicles and trailers.
- ADR 46/00 - by renumbering Clauses 7.6 and 7.7 as Clauses 7.8 and 7.9 and inserting new Clauses 7.6 and 7.7 to provide for the acceptance of two new UNECE regulations.

A brief description of the changes to the national standards is included at part B2 of this statement.

B1.1 TIMING OF INTRODUCTION OF CHANGES

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

B1.2 PROVISIONS OF THE DETERMINATION

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

Clause 2 specifies the date of entry into force of the Determination as a whole.

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

Clauses 4 to 8 vary the national standards by the deletion of redundant Clauses from relevant standards, by the repeal of Clauses requiring amendment and the substitution of replacement versions, and the insertion of new Clauses in some standards, as outlined in section B2 below. The standards as a whole, as varied, continue to be national standards for the purposes of the Act.

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

B1.3 NOTES TO THE DETERMINATION

The notes annexed to the Determination:

- (a) identify terms used in the Determination or appended notes which have meanings specified in the Act;
- (b) explain terms used in the appended notes but not otherwise defined;
- (c) provide information on the availability of Determinations;
- (d) explain the structure of the composite volume of national standards and the standing of each of its parts;
- (e) explain where copies of current and previous national standards, and of the composite volume of national standards, can be inspected; and
- (f) explain how, and from where, copies of current and previous national standards, and of the composite volume of national standards, can be purchased.

Explanatory Statement relating to Road Vehicle (National Standards) Determination No. 1 of 2003
DIVISION B - APPLICATION

B2. SUMMARY OF AMENDMENTS AND ADDITIONS TO THE NATIONAL STANDARDS

B2.1 DEFINITIONS AND VEHICLE CATEGORIES

Nil

B2.2 CURRENT-ISSUE NATIONAL STANDARDS

B2.2.1 New National Standards

Nil

B2.2.2 New Versions of Existing National Standards

Nil

B2.2.3 Amended National Standards

ADR 4/03 - Seatbelts

Two Clauses have been deleted from the ADR, relating to conditions that apply to the acceptance of seatbelts complying with the accepted alternative UNECE regulation. The first prohibited the use of non-locking retractors, while the second required seatbelts complying with the UNECE regulation to be further tested for the effects of environmental degradation including sunlight, dust, temperature and humidity.

The Clause prohibiting non-locking retractors is redundant, as the UNECE regulation no longer permits these retractors. The other Clause relating to additional environmental degradation testing was found to be unnecessary as the corresponding requirements in the UNECE regulation are either identical (effects of dust), more severe (sunlight degradation), or not substantially different from the ADR requirements (temperature and humidity effects).

ADR 14/02 - Rear Vision Mirrors

The ADR has been amended to allow convex or flat mirrors, as is allowed in the relevant UNECE regulation, for internal and driver's side external rear vision mirrors; previously the ADR only permitted flat mirrors for these applications.

While flat mirrors provide an undistorted view, enabling detection and accurate judgement of distances of objects in the field of view, convex mirrors can provide a wider field of view and reveal objects that would otherwise be in the blind spot and undetectable by flat mirrors. Although objects viewed by a convex mirror appear to be smaller and further away than they actually are, the curvature of convex mirrors is regulated to minimise these effects.

**Explanatory Statement relating to Road Vehicle (National Standards) Determination No. 1 of 2003
DIVISION B - APPLICATION**

It has been agreed that since both types of mirror have advantages and disadvantages, allowing convex mirrors in all positions will not have any significant effect on safety.

ADR 18/02 – Instrumentation

The ADR has been amended to dispense with the need to provide variable level illumination for instrument panels of passenger cars and passenger carrying three wheeled vehicles. None of the other vehicle categories are required to have this facility and there have not been any concerns raised about this aspect in relation to these other vehicles.

ADR 42 – General Safety Requirements

The ADR has been amended in respect of requirements relating to cigarette lighters, electrical connectors for trailers and automatic transmission controls.

Cigarette Lighters – it will no longer be required that cigarette lighters can only be activated when the ignition is in the “on” or “accessory” positions. There is no comparable requirement in the UNECE, European Union or the United States of America and no particular safety concerns have been raised in those jurisdictions that could justify retention of this requirement in Australia.

Electrical Connectors – two new standards have been added to the ADR to provide electrical connectors that are particularly suitable for heavy commercial vehicles.

Automatic Transmission Controls – a number of prescriptive requirements have been deleted. These include those relating to the layout of the shift lever indicator (park, reverse, neutral, drive and load/low) and the sequence of shift function selection. Also included is the requirement that the shift indicator display be visible at all times to the driver, even when the ignition is switched “off” and the key removed from the ignition lock.

There are no comparable layout or shift sequence requirements for manual transmissions, yet no safety concerns have emerged in that area. The requirement for the display to remain visible at all times is design restrictive and in conflict with the modern trend towards using liquid crystal displays, which only activate when the key is in the “on” or “accessory” positions.

ADR 46 – Headlamps

The ADR has been amended to add two new UNECE regulations to the list of acceptable alternative standards. These two new headlamp regulations were recently published to consolidate the many existing UNECE headlamp regulations into just two categories, characterised by the shape of the low beam pattern (flat/horizontal or bent up to the kerb side of the road). In time the older UNECE regulations will be withdrawn.

B2.3 PRIOR-ISSUE NATIONAL STANDARDS

Nil



DEPARTMENT OF TRANSPORT AND REGIONAL SERVICES

MOTOR VEHICLE STANDARDS ACT 1989
NOTIFICATION OF DETERMINATION UNDER SECTION 7

Notice is given that on 14 March 2003, the Parliamentary Secretary to the Minister for Transport and Regional Services, the Hon Senator Ron Boswell, made the following disallowable instrument under Section 7 of the *Motor Vehicle Standards Act 1989*.

• **Road Vehicle (National Standards) Determination No. 2 of 2003**

The Determination varies the national standards by adding one new vehicle standard known as:

- **ADR 83/00 External Noise.**

The Determination also contains minor amendments to the national standards known as:

- **ADR 79/00 Emission Control for Light Vehicles** - amended to insert clauses that define a new model vehicle, and specifying that vehicles complying with ADR 79/01 need not comply with ADR 79/00.
- **ADR 80/00 Emission Control for Heavy Vehicles** - amended to insert a clause specifying that vehicles complying with ADR 80/01 need not comply with ADR 80/00.
- **ADR 80/01 Emission Control for Heavy Vehicles** - amended to insert a clause that defines a new model vehicle.
- **ADR 81/00 Fuel Consumption Labelling for Light Vehicles** - amended to insert a clause specifying that vehicles complying with ADR 81/01 need not comply with ADR 81/00.
- **ADR 28/01 External Noise of Motor Vehicles** - amended to insert a clause specifying that vehicles complying with ADR 83/00 need not comply with ADR 28/01.
- **ADR 39/00 External Noise of Motor Cycles** - amended to insert a clause specifying that vehicles complying with ADR 83/00 need not comply with ADR 39/00.
- **ADR 56/00 Moped Noise** - amended to insert a clause specifying that vehicles complying with ADR 83/00 need not comply with ADR 56/00.
- **ADR 30/00 Diesel Engine Exhaust Smoke Emissions** - amended to insert a clause specifying that vehicles complying with ADR 30/01 need not comply with ADR 30/00.
- **ADR 30/01 Smoke Emission Control for Diesel Vehicles** - amended to insert a clause that defines a new model vehicle.

Copies of the Determination and an Explanatory Statement may be obtained by contacting:

ADR Subscriptions
Vehicle Safety Standards
Department of Transport and Regional Services
111 Alinga Street
CANBERRA ACT 2601

GPO Box 594
CANBERRA ACT 2601

Telephone: (02) 6274 7437
Facsimile: (02) 6274 7714
E-mail: standards@dotars.gov.au



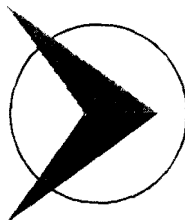
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SPECIAL



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

The following Airworthiness Directive under subregulation 39.1 (1) of the *Civil Aviation Regulations 1998* will become effective on 21 March 2003:

Part 105 - Aircraft

AD/LJ45/5 - Horizontal Stabiliser Actuator Assembly

Copies of the above Order(s) are available from:

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