



## CONTENTS

General Information .....	2409
Courts .....	2412
Government Departments .....	2413
Special Gazettes Nos S 298, S 299, S 300, S 301, S 302, S 303, S 304, S 305, S 306 and S 307 are herewith.	

The date of publication of this Gazette is 13 August 2003

### IMPORTANT COPYRIGHT NOTICE

© Commonwealth of Australia 2003

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without prior written permission from the Commonwealth available from the Department of Communications, Information Technology and the Arts. Requests and inquiries concerning reproduction and rights should be addressed to the Commonwealth Copyright Administration, Intellectual Property Branch, Department of Communications, Information Technology and the Arts, GPO Box 2154, Canberra ACT 2601 or <http://www.dcita.gov.au/cca>.



Office of Legislative Drafting

**This Gazette is published by the Office of Legislative Drafting (OLD) on behalf of the Commonwealth of Australia.**

OLD has experience over more than half a century as the specialist professional drafter of Commonwealth subordinate legislation.

OLD strives to maintain and enhance its reputation as a centre of drafting excellence. We produce legislative and administrative instruments of the highest standard through the innovative use of plain English, current technology and rigorous quality assurance procedures.

OLD has a working relationship with the Commonwealth's drafter of primary legislation, the Office of Parliamentary Counsel. OLD is a member of the Parliamentary Counsel's Committee of Australia and participates in relevant international forums.

**OLD's responsibilities**

- drafting
- advising about drafting; preparing and formally notifying instruments; interpreting instruments created under a statutory power
- publishing the Government Notices Gazette
- providing ready public access to the law through SCALEplus ([scaleplus.law.gov.au](http://scaleplus.law.gov.au)) and the Legislative Instruments Database ([fcli.law.gov.au](http://fcli.law.gov.au))
- ensuring that Commonwealth legislation and explanatory material is available in easily accessible form, as it is made, and in consolidated form, as it is amended

**Value-added services**

We arrange the gazettal and tabling in Parliament of

instruments in the Statutory Rules series, and can arrange gazettal and tabling of other instruments.

We consolidate into a principal legislative instrument any amendments made to an instrument, making copies available in hard and electronic format. On request, we can do the same for other instruments.

We publish legislative instruments drafted by OLD (including amendments and consolidations) on the Internet on SCALEplus and on the Legislative Instruments Database. On request, we can arrange the publication of other instruments in those media, assisting you to meet the Government's policy of providing ready public access to the law.

**Other assistance**

We can provide advice on:

- the basis and role of delegated legislation and other instruments made under a statutory power
- the requirements and procedures for notification, tabling and disallowance of instruments
- sound techniques for developing efficient drafting instructions (important for efficient achievement of your legislative program)

**How to contact us**

Principal Legislative Counsel  
Office of Legislative Drafting  
Attorney-General's Department  
Robert Garran Offices  
National Circuit  
Barton ACT 2600  
Tel. (02) 6250 6263  
Fax. (02) 6250 5930

**THIS GAZETTE IS PRODUCED AS A CAMERA-READY PUBLICATION**

**QUALITY OF YOUR PUBLICATION**

To maximise the quality of notices, all copy must be typewritten or typeset using a laser printer. Handwritten material will generally not be accepted. Other material may be accepted, however, the Attorney-General's Department will take no responsibility for the quality of production of these notices.

**LODGMET RATES**

A charge of \$126.50 per page will apply to the submission of notices for this Gazette.

**CUSTOMER ACCOUNT NUMBERS** must be clearly indicated on the covering sheet and submitted with your notice. Any notice submitted without this information will not be published.

**CLOSING TIMES**

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.

## General Information

### GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6250 5510  
Subscriptions (Fax): (02) 6293 8388  
Subscriptions (Tel): (02) 6293 8383

**GOVERNMENT NOTICES GAZETTE** is published each Wednesday and contains a range of legislation (including proclamations) and information about legislation as well as special information and government departments' notices. The Gazette is sold at \$6.40 each or on subscription for \$314.00 (50 issues). Prices are GST inclusive.

**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.

Notices received before closing times will be accepted for publication in the next available issue of the *Gazette*, unless otherwise specified.

All notices lodged for publication must be accompanied by a covering note clearly setting out requirements. For the purposes of publication, electronic copy is preferred. However, publication of hard copy notices can be arranged. Further information is provided below.

### Publication of hard copy notices

Where a notice for publication includes a signature or other handwritten material that must appear in the published notice, a hard copy of the notice will be accepted for publication. The notice must be either an original or a good copy. Print should be confined to one side of the paper and sheets must be A4 size and numbered consecutively. Dates, proper names and signatures are to be shown clearly. An electronic copy of the notice should also be e-mailed to the Gazette Office.

### Publication of electronic notices

Where a notice for publication is provided in electronic form it should be provided in Word, RTF (Rich Text Format) or searchable PDF format.

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/>.

### CLOSING TIMES FOR LODGMENT

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).

All *Government Notices Gazette* copy: Friday at 10.00 a.m. in the week prior to publication.

*Special Gazette Notices*: by 9.30am on the day of publication.

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

### ADVERTISING RATES (GST Inclusive)

*Government Notices*: \$126.50 per A4 page — minimum charge one page.

*Special Gazette notices*: \$236.50 per page.

*Periodic Gazette notices*: \$350 for first page and \$50 for each subsequent page.

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

Payment may be made by credit card, EFT, cheque, money order or customer account code (for account code customers only).

**SUBSCRIPTIONS** are payable in advance and are accepted for a maximum period of one year. All subscriptions are on a firm basis and refunds for cancellations will not be given. Rates include surface postage in Australia and overseas. For further information about subscriptions telephone (02) 6293 8383.

### 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

### OUT OF HOURS PUBLICATION — SPECIAL GAZETTES

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, on the next business day.

**ALL REMITTANCES** should be made available to: Collector of Public Moneys, Attorney-General's Department.

**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 National Health Act 1953.
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.
P3	29.4.03	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of some permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. Feb. 03 to 28. Feb. 03. Particulars of some permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. Dec. 02 to 31. Jan. 03 and not previously gazetted.
P4	30.4.03	Instruments made under Part VII of the <i>National Health Act 1953</i> .
P5	20.5.03	<i>Australian Heritage Commission Act 1975</i> Notice of intention to enter places in the Register of the National Estate Notice of entry in the Register of the National Estate. Notice of decision not to enter places and parts of places in The Register of the National Estate. Notice of removal of entries from the Register of the National Estate.
P6	6.6.03	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. Mar. 03 to 31. Mar. 03 and not previously gazetted. Particulars of some permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. Apr. 03 to 30. Apr. 03. Particulars of some permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. May. 03 to 31. May. 03.
P7	1.7.03	Notices under the <i>Safety, Rehabilitation and Compensation Act 1988</i> Regarding variations to prudential conditions of licence: <ul style="list-style-type: none"> <li>• Australian air Express Pty Ltd</li> <li>• ADI Ltd</li> <li>• Pacific National (ACT) LTD</li> <li>• CSL Ltd</li> <li>• JRH Biosciences Pty Ltd</li> <li>• Network Design and Construction Limited</li> <li>• Visionstream Pty Ltd</li> <li>• Reserve Bank of Australia</li> </ul>

---

Gazette number	Date of Publication	Subject
		and grant of licence under Part VIII of the Act: <ul style="list-style-type: none"><li>• Telstra Corporation Ltd</li><li>• Australian Postal Corporation</li></ul> and variation to conditions of licence: <ul style="list-style-type: none"><li>• Network Design and Construction Limited</li><li>• Pacific National (ACT) Limited</li></ul>
P8	14.7.03	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. Dec. 02 to 31. Jan. 03. and not previously gazetted. Particulars of some permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. May. 02 to 30. Nov. 02 and not previously gazetted.
P9	22.7.03	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. April. 03 to 30. Apr. 03. and not previously gazetted
P10	31.7.03	Instruments made under Part VII of the <i>National Health Act 1953</i> .
P11*	8.8.03	<i>Great Barrier Reef Marine Park Act 1975</i> Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 01. May. 03 to 31. May 03. and not previously gazetted

---

\*First time notified

---

**Courts**

---

**Workplace Relations Act 1996****AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION****NOTICE OF VARIATION OF COMMON RULE AWARD**

IN the matter of the variation of the awards

Notice is hereby given

(a) that the Commission has varied the term/s of the awards referred to in the Schedule below.

(b) that the variations will be a common rule of the Australian Capital Territory as shown in the Schedule below; and

(c) that any person or organisation interested and having an objection to the variations binding that person or organisation and wanting to be heard in relation to the above-mentioned variation is invited to lodge with the Commission a notice of that objection.

A copy of the award may be inspected free of charge at the Australian Industrial Registry at Level 2, CML Building, University Avenue, Canberra, A.C.T., or at the office of the Australian Industrial Registry in any capital city.

**NB: the prescribed time for lodgement of objections is 28 days.**

**SCHEDULE OF TERMS TO BE VARIED****AWARD (Case No.)**

(Award Code/Print)

<b>Clause</b>	<b>Substance</b>	<b>Date of Effect</b>
<b>Commercial Radio - Announcers' Award 1998 (C2003/4329)</b> (AW775844/PR935580)		
8,12,14	Safety Net 2003	30/07/03
<b>Commercial Radio - Journalists' Award 1999 (C2003/4331)</b> (AW776547/PR935577)		
14, 15	Safety Net 2003	31/07/03
<b>Journalists (Country Non-Daily Newspapers) Award 1998 (C2003/4337)</b> (AW785589/PR935486)		
14,16	Safety Net 2003	18/07/03
<b>Nurses Private Employment (A.C.T.) Award 2002 (C2003/4539)</b> (AW818792/PR935662)		
5,6,7	Safety Net 2003	28/07/03

8 August 2003

Christine Hayward  
Deputy Industrial Registrar

---

## Government Departments

---

### Attorney General

---



## Witness Protection (Complementary Law – Northern Territory) Declaration 2003

*Witness Protection Act 1994*

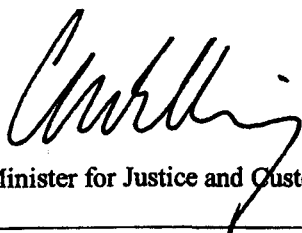
---

I, CHRISTOPHER MARTIN ELLISON, Minister for Justice and Customs, acting under the definition of **complementary witness protection law** in section 3 of the *Witness Protection Act 1994*, declare the *Witness Protection (Northern Territory) Act*, being a law that makes provision for the protection of witnesses, to be a complementary witness protection law.

Dated

8<sup>th</sup> July

2003.



Minister for Justice and Customs

---

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	30/07/03	31/07/03	01/08/03	02/08/03	03/08/03	04/08/03	05/08/03	
Brazil	Reals	1.9535	1.9363	1.9216	1.9216	1.9216	1.9216	1.9856	
Canada	Dollars	.9220	.9142	.9108	.9108	.9108	.9108	.9085	
China	Yuan	5.4813	5.4001	5.3645	5.3645	5.3645	5.3645	5.3572	
Denmark	Kroner	4.3012	4.2727	4.2878	4.2878	4.2878	4.2878	4.2338	
European Union	Euro	.5784	.5749	.5769	.5769	.5769	.5769	.5698	
Fiji	Dollar	1.2401	1.2330	1.2249	1.2249	1.2249	1.2249	1.2272	
Hong Kong	Dollars	5.1642	5.0878	5.0544	5.0544	5.0544	5.0544	5.0474	
India	Rupees	30.5313	30.0843	29.9070	29.9070	29.9070	29.9070	29.8508	
Indonesia	Rupiah	5692.0000	5552.0000	5495.0000	5495.0000	5495.0000	5495.0000	5503.0000	
Israel	Shekel	2.9121	2.8823	2.8812	2.8812	2.8812	2.8812	2.8874	
Japan	Yen	79.3500	78.3500	78.0500	78.0500	78.0500	78.0500	77.9200	
Korea	Won	779.7500	768.8500	763.0700	763.0700	763.0700	763.0700	765.3800	
Malaysia	Ringgit	2.5160	2.4788	2.4625	2.4625	2.4625	2.4625	2.4590	
New Zealand	Dollar	1.1252	1.1197	1.1163	1.1163	1.1163	1.1163	1.1143	
Norway	Kroner	4.7819	4.6975	4.7222	4.7222	4.7222	4.7222	4.6799	
Pakistan	Rupee	38.1600	37.6100	37.3300	37.3300	37.3300	37.3300	37.3200	
Papua NG	Kina	2.2821	2.2476	2.2251	2.2251	2.2251	2.2251	2.2202	
Philippines	Peso	36.1800	35.6800	35.4900	35.4900	35.4900	35.4900	35.4300	
Singapore	Dollar	1.1619	1.1470	1.1410	1.1410	1.1410	1.1410	1.1403	
Solomon Is.	Dollar	4.9418	4.8687	4.8366	4.8366	4.8366	4.8366	4.8299	
South Africa	Rand	4.8594	4.7892	4.7668	4.7668	4.7668	4.7668	4.8137	
Sri Lanka	Rupee	64.3000	63.3100	62.9200	62.9200	62.9200	62.9200	62.8400	
Sweden	Krona	5.3168	5.2712	5.3248	5.3248	5.3248	5.3248	5.2665	
Switzerland	Franc	.8953	.8902	.8880	.8880	.8880	.8880	.8723	
Taiwan	Dollar	22.7300	22.4100	22.2700	22.2700	22.2700	22.2700	22.2600	
Thailand	Baht	27.7500	27.3700	27.1700	27.1700	27.1700	27.1700	27.1800	
UK	Pounds	.4076	.4038	.4025	.4025	.4025	.4025	.4017	
USA	Dollar	.6622	.6524	.6481	.6481	.6481	.6481	.6472	

WAYNE BALDWIN  
Delegate of the  
Chief Executive Officer of Customs  
CANBERRA A.C.T.  
06/08/2003



---

## Communications, Information Technology and The Arts

---

### AUSTRALIAN COMMUNICATIONS AUTHORITY

*Telecommunications Act 1997*

*Subsection 81(1)*

### NOMINATED CARRIER DECLARATION

I, Dr Roslyn Kelleher, delegate of the Australian Communications Authority acting under subsection 81(1) of the *Telecommunications Act 1997* ('the Act') being satisfied that:

- (a) if Airnet Commercial Australia Ltd (ACN 064 229 723) is declared to be the nominated carrier in relation to the network unit or units, it would be in a position to comply with all of the obligations imposed on the carrier in its capacity as the nominated carrier in relation to the unit or units; and
- (b) making of the declaration will not impede the efficient administration of the Act;

declare that Airnet Commercial Australia Ltd is the nominated carrier in regard to designated radiocommunication facilities, owned by m.Net Corporation Ltd (ACN 097 086 390) and operating in Adelaide and Whyalla, South Australia.

Dated the

30<sup>th</sup>

day of

July

2003

Signed



Delegate of the Australian Communications Authority

**AUSTRALIAN COMMUNICATIONS AUTHORITY**

*Telecommunications Act 1997*

*Subsection 56(3)*

**NOTIFICATION OF GRANT OF CARRIER LICENCE**

**The Australian Communications Authority gives notice under subsection 56(3) of the *Telecommunications Act 1997* ('the Act') that on 30 July 2003 a carrier licence was granted to Personal Broadband Australia Pty Ltd ACN 095 822 905 under subsection 56(1) of the Act.**

---

**AUSTRALIAN COMMUNICATIONS AUTHORITY**

*Telecommunications Act 1997*

*Subsection 56(3)*

**NOTIFICATION OF GRANT OF CARRIER LICENCE**

The Australian Communications Authority gives notice under subsection 56(3) of the *Telecommunications Act 1997* ('the Act') that on 30 July 2003 a carrier licence was granted to Omninet Wireless Pty Ltd ACN 005 086 260 under subsection 56(1) of the Act.

---

**Commonwealth of Australia**

**AUSTRALIAN COMMUNICATIONS AUTHORITY**

**Notice under section 191 of the *Radiocommunications Act 1992***

**NOTIFICATION THAT THE AUSTRALIAN COMMUNICATIONS AUTHORITY  
IS CONSIDERING PROHIBITING A DEVICE**

Notice is given that the Australian Communications Authority (the ACA) is considering declaring a device, known as a radionavigation-satellite service (RNSS) jammer, to be prohibited under section 190 of the *Radiocommunications Act 1992* (the Act).

The ACA, before making such a declaration, is seeking public comment to assist in consideration of the matter.

**Description of the device**

A RNSS jamming device is described as a device that is

- (a) designed to have an adverse effect on the reception by RNSS receivers of RNSS radiocommunications; and
- (b) would be likely substantially to interfere with, disrupt or disturb the reception by RNSS receivers of RNSS radiocommunications.

RNSS includes the Global Positioning System (GPS) used in Australia. GPS was developed, and is operated, by the United States Department of Defense. There are also plans to introduce the European Union's GALILEO (another RNSS) system to Australia.

The ACA must ensure that the description is broad enough to accommodate the relevant devices, without unintentionally including legitimate radiocommunications devices. Public comment is therefore sought about whether the description is appropriate.

**Why the ACA is considering prohibition of this device**

In response to a request from the Australian Global Navigation Satellite System Coordination Committee (AGCC), the ACA is considering declaring jammers of radionavigation-satellite services prohibited devices.

While RNSS interference caused by jamming devices has not come to the attention of the ACA yet, the ACA considers that the relative ease with which a RNSS jammer could be built, and the significant potential for disruption to a wide range of services may warrant a prohibition.

The ACA understands that the purpose of the device is to deliberately disrupt licensed radiocommunications services. It seems there is no legitimate radiocommunications use for RNSS jamming devices.

Operators of the device may breach section 192 (interference likely to prejudice safe operation of vessels, aircraft or space objects), section 193 (interference in relation to certain radiocommunications), section 194 (interference likely to endanger safety or cause loss or damage) and section 197 (to recklessly interfere substantially with radiocommunications) of the Act. The ACA can take action to prosecute under these sections. A prohibition declaration would add to these provisions and would focus regulatory attention on the manufacturers and suppliers of RNSS jamming devices.

A prohibition declaration would also act as a warning to individuals who, or organisations which, may otherwise have bought and operated the devices unaware of the consequences of doing so.

A package which includes a copy of the draft prohibition declaration and a background paper may be obtained by contacting:

Alexandra Seneta  
Space and Terrestrial Systems Team  
Radiofrequency Planning Group  
Australian Communications Authority  
PO Box 78  
BELCONNEN ACT 2616  
Telephone: (02) 6219 5372  
Facsimile: (02) 6219 5133  
Email: [aseneta@aca.gov.au](mailto:aseneta@aca.gov.au)

### Comments

The ACA seeks comments from interested parties particularly in relation to examples of RNSS interference and the potential or actual effect of such interference. In particular, the ACA seeks comments about the use (including potentially legitimate use) of these devices, whether it is necessary to prohibit these devices, and the scope of the device's description.

This public consultation process will allow the ACA to assess the consequences of making (or not making) a declaration which prohibits RNSS jamming devices.

Interested persons are invited to make representations about the proposed prohibition by close of business on September 17 2003. Representations should be made in writing and addressed to:

The Manager  
Space and Terrestrial Systems Team  
Radiofrequency Planning Group  
Australian Communications Authority  
PO Box 78  
BELCONNEN ACT 2616  
Facsimile: (02) 6219 5133  
Email: [Radiocommunications.Licensing.Policy@aca.gov.au](mailto:Radiocommunications.Licensing.Policy@aca.gov.au)



**Australian  
Broadcasting  
Authority**

**NOTICE OF APPLICATION FOR RENEWAL OF LICENCE UNDER SECTIONS  
46(2) AND 90(2) OF THE BROADCASTING SERVICES ACT 1992**

In accordance with sections 46(2)(commercial licences) and 90(2)(community licences) of the *Broadcasting Services Act 1992* (the Act), the Australian Broadcasting Authority (ABA) hereby notifies that the companies listed below have lodged applications for the renewal of the following broadcasting service licences:

<b>Commercial Radio Licensees</b>	<b>Licence No.</b>	<b>Location</b>
Sea FM Gold Coast Pty Ltd	SL3182	Gold Coast Qld
Radio Murray Bridge Pty Ltd	SL10361	Murray Bridge SA
Promo-Radio Pty Ltd	SL1150507	Australia Wide
<b>Community Broadcasting Licensees</b>	<b>Licence No.</b>	<b>Location</b>
Goulburn Valley Community Radio Inc.	SL10392	Shepparton Vic

The ABA is required to renew these licences unless it decides that an applicant is no longer a suitable licensee. A company is a suitable licensee if the ABA does not decide that sub-section 41(2) (for commercial) or 83(2) (for community) of the Act applies to the company.

The ABA may decide that either section 41(2) or 83(2) of the Act applies to a licensee if it is satisfied that allowing the licensee to provide or continue to provide either a commercial or a community broadcasting service under a licence would lead to a significant risk of:

- (a) an offence against the Act or the regulations being committed; or
- (b) a breach of the conditions of the licence occurring.

In deciding whether these sub-sections apply, the ABA is required by sections 41(3) (commercial) and 83(3) (community) of the Act, to take into account:

- (a) the business record of the company; and
- (b) the company's record in situations requiring trust and candour; and
- (c) (commercial) the business record of each person who is, or would be, if a licence were allocated to the applicant, in a position to control the licence; or (community) the business record of the chief executive and each director and secretary of the applicant; and
- (d) the record in situations requiring trust and candour of each such person; and

whether the company, or a person referred to in paragraph (c) or (d), has been convicted of an offence against this Act or the regulations.

The Act does not require the ABA to hold an investigation or a hearing into whether a licence should be renewed.

The ABA may also refuse to renew a community broadcasting licence if, having regard to matters in paragraphs 84(2)(a) to (f), it considers that it would not allocate such a licence if it were deciding whether to allocate the licence to the licensee (s91(2A)).

**NOTIFICATION UNDER SECTION 96(6)  
OF THE BROADCASTING SERVICES ACT 1992**

On 1 August 2003 the Australian Broadcasting Authority allocated, under section 96(1) of the *Broadcasting Services Act 1992*, three hundred and forty subscription television broadcasting licences to Telstra Pay TV Pty Ltd. (Licence Identification Nos. 2052 – 2391).

On 1 August 2003 the Australian Broadcasting Authority allocated, under section 96(1) of the *Broadcasting Services Act 1992*, two hundred subscription television broadcasting licences to FOXTEL Cable Television Pty Limited. (Licence Identification Nos. 2392 – 2593).

**Commonwealth of Australia**

*Telecommunications (Consumer Protection and Service Standards) Act 1999*

*Acts Interpretation Act 1901*

**Telecommunications (Customer Service  
Guarantee) Direction No. 1 of 1999  
(Amendment No. 1 of 2003)**

I, RICHARD KENNETH ROBERT ALSTON, Minister for Communications, Information Technology and the Arts, give the following Direction under section 124 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* and subsection 33(3) of the *Acts Interpretation Act 1901*.

Dated 5 August 2003

Richard Alston

Minister for Communications, Information Technology and the Arts

---

**PART 1—PRELIMINARY**

**1 Name of Direction**

This Direction is the *Telecommunications (Customer Service Guarantee) Direction No. 1 of 1999 (Amendment No. 1 of 2003)*.

**2 Commencement**

This Direction commences on gazettal.

**3 Variation**

The *Telecommunications (Customer Service Guarantee) Direction No. 1 of 1999* is varied as set out in Schedule 1 to this Direction.

NOTE: The *Telecommunications (Customer Service Guarantee) Direction No. 1 of 1999* was notified in the *Gazette* on 4 January 2000. It was varied by the *Telecommunications (Customer Service Guarantee) Direction No. 1 of 1999 (Amendment No. 1 of 2001)*, which was notified in the *Gazette* on 5 September 2001.

2 **Telecommunications (Customer Service Guarantee) Direction No. 1 of  
1999 (Amendment No. 1 of 2003)**

## **Schedule 1 Amendments**

**[1] Clause 4, definition of *enhanced call handling feature***

*after*

any of the following features

*insert*

when activated by a carriage service provider

**[2] After clause 19**

*insert new clause*

### **Temporary Exemptions**

**19A. (1)** Performance standards must provide that the ACA may, on application by or on behalf of a carriage service provider, grant the provider a temporary exemption from compliance with the performance standards under this clause.

**(2)** Performance standards must provide that an application under subclause (1) must:

- (a)** be in writing; and
- (b)** include a description of the geographic area for which the provider is seeking the exemption; and
- (c)** specify the period of time for which the provider is seeking the exemption; and
- (d)** include details of the current number of CSG services supplied by the provider in the geographic area for which it is seeking the exemption; and
- (e)** include details of the number of CSG services estimated to be supplied by the provider in the geographic area for which it is seeking the exemption at the end of the period of time for which the provider is seeking the exemption; and
- (f)** include any additional matters as are determined in writing by the ACA.



3 *Telecommunications (Customer Service Guarantee) Direction No. 1 of 1999 (Amendment No. 1 of 2003)*

(3) Performance standards must provide that a temporary exemption granted under this clause:

- (a) must be in writing; and
- (b) must include a description of the geographic area for which the exemption is granted; and
- (c) must specify the period for which the exemption is granted; and
- (d) may set out such terms and conditions for the exemption, including in relation to its cessation, as the ACA considers appropriate.

(4) Performance standards must provide that a temporary exemption is only to have effect prospectively and does not affect any right, obligation or liability acquired, accrued or incurred under performance standards or agreements in force before the exemption takes effect.

(5) Subject to this clause, performance standards must provide that the ACA will grant a temporary exemption to a carriage service provider, if the ACA is satisfied that:

- (a) the provider is not a primary universal service provider; and
- (b) the provider has a small share in the market for CSG services in the geographic area for which it is seeking the exemption; and
- (c) the proposed exemption is likely to result in a net benefit to end-users in the geographic area for which the exemption is sought.

(6) Performance standards must provide that in determining whether a proposed exemption is likely to result in a net benefit to end-users for the purposes of paragraph (5)(c), the ACA must have regard to:

- (a) the extent to which the exemption would lower the cost of entering or competing in the market for CSG services in the geographic area for which the exemption is sought; and
- (b) the extent to which the exemption is likely to promote sustainable competition for CSG services nationally and in the geographic area for which the exemption is sought; and
- (c) the extent to which the exemption is likely to result in service improvements for end-users including, but not limited to, lower prices, increased quality of service, and increased choice of service; and

4 *Telecommunications (Customer Service Guarantee) Direction No. 1 of 1999 (Amendment No. 1 of 2003)*

- (d) the number of CSG services affected, or likely to be affected, by the exemption; and
  - (e) the estimated proportion of the market for CSG services in the geographic area for which the exemption is sought that would be affected; and
  - (f) the estimated proportion of the market for CSG services in Australia generally that would be affected; and
  - (g) the proposed exemption period; and
  - (h) such other matters as the ACA considers relevant.
- (7) Performance standards must provide that a temporary exemption granted under this clause must not exceed a period of 5 years.
- (8) Performance standards must provide that:
- (a) the ACA may, on application by or on behalf of a carriage service provider, renew a temporary exemption granted under this clause for a further period not exceeding 5 years; and
  - (b) this clause is to apply to renewing a temporary exemption in the same way as it applies to granting a temporary exemption.
- (9) Performance standards must specify a process for notifying customers or prospective customers of a carriage service provider that the provider has been granted a temporary exemption under this clause and the implications of that exemption.
- (10) Performance standards must provide that it is a condition of a carriage service provider's temporary exemption under this clause that the provider must comply with the process mentioned in subclause (9).

**[3] After subclause 17(10)**

*insert*

- (11) Performance standards must provide that an area for which an exemption is claimed under this clause must be affected by:
- (a) circumstances beyond the control of the provider; or
  - (b) the need to move staff or equipment to an area affected by circumstances beyond the control of the provider.

**Commonwealth Authorities and Companies Act 1997 (responsible Minister to  
Departmental Secretary – Small Agency Monitoring) Authorisation**

---

I, Senator the Hon Richard Alston, Minister for Communications, Information Technology and the Arts

authorise the Secretary and SES employees of the Department of Communications, Information Technology and the Arts

to exercise my powers under sections 14, 16, 39 and 41 of the *Commonwealth Authorities and Companies Act 1997* to request monthly reports and budget estimates in accordance with the outcomes of Budget Estimates and Framework Review in relation to an Agency that, from time to time:

- (a) is not classified as material entity; and
- (b) falls within my portfolio responsibilities.

**Definitions**

**Agency** means a Commonwealth authority or a wholly-owned Commonwealth company as defined in the *Commonwealth Authorities and Companies Act 1997*.

**Material Agency** means an Agency that forms part of 99% of assets, liabilities, revenues and expenses of the Commonwealth, as determined from time to time by the Department of Finance and Administration.

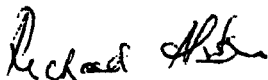
**Secretary** means a Secretary of a Department of State.

**SES employees** means employees of the Department who are classified as SES employees under the *Public Sector Act 1999* and whose duties involve monitoring small agencies.

**Small Agency** means an Agency that is not a material agency and that is in the Minister's portfolio.

Note Unless the contrary intention appears, expressions used in this Authorisation have the same meaning as in the *Commonwealth Authorities and Companies Act 1997*.

DATED 21/7/ 2003



RICHARD ALSTON

Minister for Communications, Information Technology and the Arts

---

## Employment and Workplace Relations

---

### **DECLARATION TO AMEND THE CHRYSOTILE EXPOSURE STANDARD IN THE ADOPTED NATIONAL EXPOSURE STANDARDS FOR ATMOSPHERIC CONTAMINANTS IN THE OCCUPATIONAL ENVIRONMENT [NOHSC: 1003(1995)]**

Under Section 38 of the *National Occupational Health and Safety Commission Act 1985* (Commonwealth), the National Occupational Health and Safety Commission (NOHSC) declared an amendment to the chrysotile exposure standard in the *Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment* [NOHSC: 1003(1995)].

#### **TITLE**

This amendment may be cited as an amendment to the *Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment* (Source D Update) 2003.

#### **OBJECTIVE**

The objective of this amendment is to update the National Exposure Standard maintained by the National Occupational Health and Safety Commission by replacing the existing standard for chrysotile asbestos.

In preparation for declaring the amendment to the chrysotile exposure standard from 1 f/mL (fibre per millilitre of air), public comment was sought, and supported by documentation from the NICNAS Priority Existing Chemical (PEC) report on chrysotile. After reviewing the public comment, in consultation with industry, unions and the jurisdictions, it was agreed to amend the exposure standard from 1 f/mL to 0.1 f/mL (TWA<sub>8</sub>: time weighted average, 8 hours).

NOHSC has, after considering public representations, declared an amendment to the chrysotile exposure standard in the *Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment* [NOHSC: 1003(1995)].

#### **HOW COPIES CAN BE OBTAINED**

Copies of the *Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment* [NOHSC: 1003 (1995)] may be obtained from the National Occupational Health and Safety Commission's website at [www.nohsc.gov.au](http://www.nohsc.gov.au)

Drew Wagner  
Executive Manager

## Environment and Heritage



Department of the Environment and Heritage

### **ENVIRONMENT PROTECTION (SEA DUMPING) ACT 1981 MATTERS TO BE PUBLISHED IN THE GAZETTE FOR THE PERIOD: 1 JULY 2003 – 31 JULY 2003**

Pursuant to section 25 of the *Environment Protection (Sea Dumping) Act 1981*, notice is given that:

#### ***Applications for Permits***

- an application was received on 4 July 2003 from Australian Customs Service, 5 Constitution Ave, Canberra City, ACT, 2601, to dump at sea the seized vessel HAO KIET BL91693TS off the coast of Port Hedland.
- an application was received on 9 July 2003 from Hamersley Iron Pty Ltd, 152-158 St Georges Terrace, Perth, WA, 6000, to load, for the purposes of dumping, and to dump up to 2,500,000 cubic metres of capital and maintenance dredge spoil derived from the Dampier Port Upgrade Project.
- an application was received on 17 July 2003 from Geraldton Port Authority, 298 Marine Terrace, Geraldton, WA, 6530, to load, for the purposes of dumping, and to dump up to 155,000 cubic metres of dredged natural limestone rock from the Geraldton shipping channel.
- an application was received on 25 July 2003 from Bunbury Port Authority, PO Box 4, Bunbury, WA, 6231, to load for the purposes of dumping, and to dump up to 900,000 cubic metres of maintenance dredge spoil.

#### ***Revocation, Variation, Suspension, and Cancellation of a Suspension, of a permit or Condition imposed in respect of a Permit***

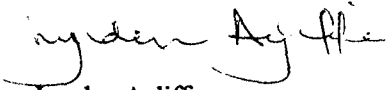
- a variation to the permit and the conditions imposed in respect of the permit, was granted on 31 July 2003 to Geraldton Port Authority, 298 Marine Terrace, Geraldton, WA, 6530, to extend the period of the permit until 31 August 2003.

#### ***Permits Granted***

- a permit was granted on 4 July 2003 from Australian Customs Service, 5 Constitution Ave, Canberra City, ACT, 2601, to dump at sea the seized vessel HAO KIET BL91693TS off the coast of Port Hedland.



Copies of relevant documentation may be obtained, upon request, from the Director,  
Approvals and Audit Section, Environment Australia, GPO Box 787 CANBERRA ACT 2601.  
Ph: 02 6274 2128 Fax: 02 6274 1620.



Lynden Ayliffe

Director

Approvals and Audit Section

Environment Assessment and Approvals Branch

4 August 2003

**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**

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.

<b>Reference No</b>	<b>Title of action</b>	<b>Date of Decision</b>	<b>Component decision under s.77(3) applies</b>
2003/1023	Energy Australia/Urban and commercial new development/Newcastle/NSW/Tomago to Tomaree Electricity Supply Upgrade	05 Aug 2003	No
2003/1034	City of Armadale/Tourism, recreation and conservation management/Champion Lakes/WA/Construction of international rowing course and commercial/residential areas	21 May 2003	No
2002/890	Melbourne Water Corporation/Waste management/Werribee/VIC/Removal of Sludge to Produce Dried Biosolids, Western Treatment Plant	06 Jan 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.

<b>Reference No</b>	<b>Title of action</b>	<b>Date of Decision</b>	<b>Assessment approach</b>
2003/1120	Brisbane Airport Corporation/Air and space transport/Brisbane Airport/QLD/Virgin Blue Aircraft Maintenance Facility	01 Aug 2003	Accredited Assessment Process ( <i>Airports Act 1996</i> )
2003/997	Gosford City Council/Tourism, recreation and conservation management/Umina Beach/NSW/Vegetation Clearing North Pearl Estate section of Kahibah Creek	31 Jul 2003	Assessment Preliminary Documentation

**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.

<b>Reference No</b>	<b>Title of action</b>	<b>Approval</b>	<b>Date</b>
2002/728	Enertrade/Energy generation and supply/Moranbah - Townsville/QLD/Gas pipeline	Approved with Conditions	04 Aug 2003

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



**Commonwealth of Australia**


**Inclusion of threatening processes in the list of key threatening processes under section 183 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 183 of that Act by:

including in the list in the key threatening processes category

- Injury and fatality to vertebrate marine life caused by ingestion of, or entanglement in, harmful marine debris

Dated this.....<sup>4<sup>th</sup></sup>.....day of .....August.....2003

  
Minister for the Environment and Heritage

---

## Health and Ageing

---

### COMMONWEALTH OF AUSTRALIA

### DEPARTMENT OF HEALTH AND AGEING

#### *Customs (Prohibited Exports) Regulations 1958*

I, Margaret Hartley, declare that as delegate of the Secretary to the Department of Health and Ageing that for the purposes of subregulation 10AB(3) of the *Customs (Prohibited Exports) Regulations 1958*, the countries listed below are relevant to paragraph (2)(b) of that subregulation. The Governments of these countries have requested pre-export notifications under Article 12 of the *United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988* for precursor substances listed in Part 2 of Schedule 9 to the *Customs (Prohibited Exports) Regulations 1958*.

**Tanzania**

**Dominican Republic**

**(Signed by M L Hartley)**

Margaret Hartley  
Delegate of the Secretary  
to the Department of Health and Ageing

23 July 2003



## Therapeutic Goods (Listing) Notice 2003 (No. 2)

### *Therapeutic Goods Act 1989*

---

I, TERRY SLATER, National Manager, Therapeutic Goods Administration, delegate of the Parliamentary Secretary to the Minister for Health and Ageing, under subsection 17 (5) of the *Therapeutic Goods Act 1989*, require the following therapeutic goods to be included in the part of the Australian Register of Therapeutic Goods for listed goods:

- a) preparations, referred to in item 3 of Schedule 4, Part 1 of the Therapeutic Goods Regulations (the Regulations) that contain, as an ingredient, cold-pressed neem (*Azadirachta indica*) seed oil for topical application at concentrations up to 1%, and at concentrations greater than 1% when in a container fitted with a child resistant closure and labelled with the statements:

*"Not to be taken";*

*"Keep out of the reach of children"; and*

*"Do not use if pregnant or likely to become pregnant."*

which is to be mentioned in Division 2 of Part 4 of Schedule 4 of the Regulations; and

- b) preparations, referred to in item 3 of Schedule 4, Part 1 of the Regulations that contain, as an ingredient, calcium sodium caseinate, and that are supplied with a label that includes a statement to the effect "*contains cow's milk protein*", which is to be mentioned in Division 3 of Part 5 of Schedule 4 of the Regulations.

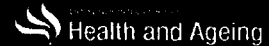
Dated 4 August 2003

A handwritten signature in black ink, appearing to read 'Terry Slater', is written over a horizontal line.

National Manager, Therapeutic Goods Administration

Delegate of the Parliamentary Secretary

---



**Office of the Gene Technology Regulator**

8 August 2003

**INVITATION TO COMMENT ON A RISK ASSESSMENT & RISK MANAGEMENT PLAN  
FOR THE LIMITED AND CONTROLLED RELEASE OF  
GENETICALLY MODIFIED HERBICIDE TOLERANT AND HERBICIDE  
TOLERANT/INSECTICIDAL COTTONS**

Australia's Gene Technology Regulator (the Regulator) is responsible for administering the national regulatory system that seeks to protect the health and safety of people and the environment by identifying risks posed by, or as a result of, gene technology and managing those risks.

The Regulator has received an application from **Monsanto Australia Limited** for a licence to undertake limited and controlled release of genetically modified cottons into the environment:

- ⇒ DIR 035/2003 proposes the limited and controlled release of genetically modified, herbicide tolerant (Roundup Ready<sup>®</sup> MON 88913) and herbicide tolerant/insecticidal (Roundup Ready<sup>®</sup> MON 88913/Bollgard II<sup>®</sup>) cotton (*Gossypium hirsutum*) into the environment. Four trials (two in the southern summer growing season and two in the northern winter growing season) are proposed for up to 50 sites, covering a total of 954 hectares, over three years (2003 – 2005), in the existing cotton growing areas of New South Wales and Queensland, and in northern Queensland, northern Western Australia and the Northern Territory.

Following consultation with the expert groups and authorities prescribed in the *Gene Technology Act 2000* (the Act), the Regulator has prepared a risk assessment and risk management plan in respect of the proposed activities for the licence application. The plan suggests that the release would not pose significant risks to human health and safety and the environment in the proposed release areas and identifies a range of licence conditions, including containment conditions, that might be imposed.

In accordance with the Act, the Regulator invites written submissions from the public and interested organisations on matters relating to the protection of human health and safety and the environment in order to finalise this plan. Please note that issues such as food labelling, insecticide and herbicide use and marketability and trade implications do NOT fall within the scope of the evaluations conducted under the Act as these are the responsibility of other agencies and authorities.

The full risk assessment and risk management plan, as well as summary information, can be obtained from the Office of the Gene Technology Regulator's website or from the address below. Copies of the licence application and a summary are also available. Please quote application number DIR 035/2003.

Submissions should be forwarded to the Regulator by close of business on **19 September 2003**.

**Office of the Gene Technology Regulator  
PO Box 100 WODEN ACT 2606**

**Telephone: 1800 181 030**

**Facsimile: 02 6271 4202**

**<http://www.ogtr.gov.au>**

**E-mail: [ogtr@health.gov.au](mailto:ogtr@health.gov.au)**

## Immigration and Multicultural and Indigenous Affairs



Commonwealth of Australia

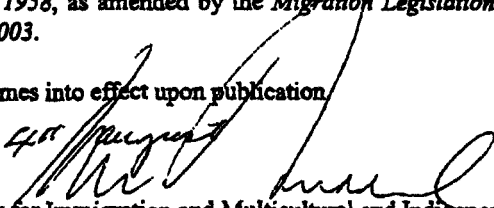
*Migration Act 1958*

### NOTICE UNDER SECTION 503A OF THE *MIGRATION ACT 1958* AS AMENDED BY THE *MIGRATION LEGISLATION AMENDMENT (PROTECTED INFORMATION) ACT* 2003.

I, **PHILIP RUDDOCK**, Minister for Immigration and Multicultural and Indigenous Affairs, acting under subsection 503A(9) of the *Migration Act 1958* as amended by the *Migration Legislation Amendment (Protected Information) Act 2003* hereby:

1. **REVOKE** the gazette notice made under subsection 503A(9) of the *Migration Act 1958* as amended by the *Migration Legislation Amendment (Strengthening of Provisions relating to Character and Conduct) Act 1998* and signed on 31 May 1999;
2. **SPECIFY** each of the Australian law enforcement or intelligence bodies listed in Schedule 1 to this notice, as a gazetted agency for the purposes of paragraph (a) of the definition of 'gazetted agency' in subsection 503A(9) of the *Migration Act 1958*, as amended by the *Migration Legislation Amendment (Protected Information) Act 2003*;
3. **SPECIFY** each of the foreign countries, or parts of foreign countries, listed in Schedule 2 to this notice, as foreign countries, or parts of foreign countries, for the purposes of paragraph (b) of the definition of 'foreign countries', or parts of foreign countries, in subsection 503A(9) of the *Migration Act 1958*, as amended by the *Migration Legislation Amendment (Protected Information) Act 2003*.
4. This Instrument comes into effect upon publication.

Dated

  
Minister for Immigration and Multicultural and Indigenous Affairs

2003.

[NOTE 1: *Gazette Notice* is defined in regulation 1.03 to mean a notice in the *Gazette* by the Minister that is authorised by the Act; or a notice under regulation 1.17.

NOTE 2: The definition of *gazetted agency* in subsection 503A(9) of the *Migration Act 1958*, as amended by the *Migration Legislation Amendment (Protected Information) Act 2003* provides in part that a gazetted agency means:

- (a) in the case of an Australian law enforcement or intelligence body – a body specified in a notice published by the Minister in the *Gazette*; or
- (b) in the case of a foreign law enforcement body – a body in a foreign country, or a part of a foreign country, that is a foreign country, or part of a foreign country, specified in a notice published by the Minister in the *Gazette*.

NOTE 3: The definition of *Australian law enforcement or intelligence body* in subsection 503A(9) of the *Migration Act 1958*, as amended by the *Migration Legislation Amendment (Protected Information) Act 2003*, provides that an *Australian law enforcement or intelligence body* means a body, agency or organisation that is responsible for, or deals with, law enforcement, criminal intelligence, criminal investigation, fraud or security intelligence in, or in a part of Australia.

NOTE 4: The definition of *foreign law enforcement body* in subsection 503A(9) of the *Migration Act 1958*, as amended by the *Migration Legislation Amendment (Protected Information) Act 2003*, provides that a *foreign law enforcement body* means a body, agency or organisation that is responsible for, or deals with, law enforcement, criminal intelligence, criminal investigation, fraud or security intelligence in a foreign country or a part of a foreign country.]

## **SCHEDULE 1**

### **LIST OF AUSTRALIAN LAW ENFORCEMENT AGENCIES OR INTELLIGENCE BODIES**

1. Australian Federal Police.
2. Australian Crime Commission.
3. Australian Security Intelligence Organisation.
4. Aus Trac.
5. Crim Trac.
6. Interpol National Central Bureau, Canberra.
7. New South Wales Police Service.
8. Victoria Police.
9. Queensland Police Service.
10. South Australia Police.
11. Western Australia Police Service.
12. Tasmania Police
13. Northern Territory Police.
14. Australian Customs Service.
15. Department of the Treasury.
16. Department of Foreign Affairs and Trade.
17. Attorney-General's Department.
18. Australian Tax Office.
19. Centrelink.
20. Health Insurance Commission.
21. Australian Securities and Investments Commission.

## SCHEDULE 2

### LIST OF FOREIGN COUNTRIES, OR PARTS OF FOREIGN COUNTRIES

**A** Abu Dhabi, Afghanistan, Ajman, Albania, Alderney, Algeria, American Samoa, Andorra, Angola, Anguilla, Antigua and Barbuda, Argentina, Armenia, Aruba, Austria, Azad Kashmir, Azerbaijan

**B** Bahamas, Bahrain, Bangladesh, Barbados, Barbuda, Belarus, Belau, Belgium, Belize, Benin, Bermuda, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Bouvetøya, Brazil, Brechou, British Virgin Islands, Brunei, Bulgaria, Burkina Faso, Burundi

**C** Caicos Islands, Cambodia, Cameroon, Canada, Cape Verde, Cayman Islands, Central African Republic, Ceuta, Chad, Channel Islands, Chile, China People's Republic of, Colombia, Comoros, Congo Democratic Republic, Congo Republic, Cook Islands, Coral Sea Islands Territory, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic

**D** Denmark, Djibouti, Dominica, Dominican Republic, Dubai

**E** East Timor, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia

**F** Falkland Islands, Faroe Islands, Fiji, Finland, France, French Guiana, French Polynesia, Fujairah, Futuna Islands

**G** Gabon Gambia, Georgia, Germany, Ghana, Gibraltar, Great Britain, Greece, Greenland, Grenada, Guadeloupe, Guam, Guatemala, Guernsey, Guinea, Guinea-Bissau, Guyana

**H** Haiti, Herm, Honduras, Hong Kong, Hungary

**I** Iceland, India, Indian Ocean Territory (British), Indonesia, Iran, Iraq, Ireland, Ireland (Northern), Isle of Man, Israel, Italy, Ivory Coast

**J** Jamaica, Japan, Jersey, Jethou, Jordan

**K** Kazakhstan, Kenya, Kiribati, Korea Democratic People's Republic (North Korea), Korea Republic (South Korea), Kuwait, Kyrgyzstan

**L** Laos, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lihou, Lithuania, Luxembourg

**M** Macau, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Martinique, Mauritania, Mauritius, Mayotte, Melilla, Mexico, Micronesia, Federated States of, Midway Island, Moldova, Monaco, Mongolia, Montserrat, Morocco, Mozambique, Myanmar

**SCHEDULE 2 - continued**

**LIST OF FOREIGN COUNTRIES, OR PARTS OF FOREIGN  
COUNTRIES - continued**

- N** Namibia, Nauru, Nepal, Netherlands, Netherlands Antilles, New Caledonia, New Zealand, Nicaragua, Niger, Nigeria, Niue, Norfolk Island, Northern Marian Islands, Commonwealth of the, Norway
- O** Oman
- P** Pakistan, Palau, Palestinian Territories, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Pitcairn Islands, Poland, Portugal, Príncipe, Puerto Rico
- Q** Qatar
- R** Ras al-Khaimah, Reunion, Romania, Russian Federation, Rwanda
- S** St Kitts and Nevis, St Helena, Saint Lucia, St Pierre and Miquelon, Saint Vincent and the Grenadines, Samoa, San Marino, São Tomé and Príncipe, Sark, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sharjah, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Georgia, South Sandwich Islands, Spain, Spanish North Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syria
- T** Taiwan, Tajikistan, Tanzania, Thailand, Tobago, Togo, Tokelau, Tonga, Trinidad and Tobago, Tristan da Cunha, Tunisia, Turkey, Turkmenistan, Turks and Caicos Islands, Tuvalu
- U** Uganda, Ukraine, Umm al-Qaiwain, United Arab Emirates, United Kingdom, United States of America, US Virgin Islands, Uruguay, Uzbekistan
- V** Vanuatu, Vatican City, Venezuela, Vietnam, Virgin Islands British, Virgin Islands US
- W** Wake Island, Wallis and Futuna Islands
- Y** Yemen
- Z** Zambia, Zimbabwe





**Commonwealth of Australia**

***Migration Act 1958***

***Migration Regulations 1994***

**INSTRUMENT OF APPROVAL OF PRIMARY REPORTING SYSTEM (AIRCRAFT PASSENGERS)**

I, WILLIAM JOHN FARMER, Secretary of the Department of Immigration and Multicultural and Indigenous Affairs, acting under section 245J of the *Migration Act 1958* ("the Act") hereby:

- (1) REVOKE the instrument made by me on 20 December 2002 under section 245J of the Act; and
- (2) APPROVE the Advance Passenger Processing System, being the system described in either:
  - (a) Airline/RCS Interface Specification Version 5.0, dated 22 November 2002 and published by CPS Systems Pty Ltd; or
  - (b) the Interim APP Manual dated 13 December 2002 and published by the Departmentas the system for the purposes of reporting under Division 12B of Part 2 of the Act in respect of international passenger aircraft as defined in subregulation 3.13A(2) of the *Migration Regulations 1994*; and
- (3) SPECIFY the information set out in Schedule 1 to this instrument as the information that is to be reported in respect of passengers as described in Schedule 2 to this instrument.

This instrument takes effect from 1 July 2003.

Dated  23/6/ 2003

Secretary of the Department of Immigration and Multicultural and Indigenous Affairs

[NOTE 1: Section 245J of the Act provides that the Secretary must, for each kind of aircraft or ship to which this Division applies, approve in writing a system for the purposes of reporting under this Division. The system may be an electronic system or a system requiring reports to be provided in a documentary form. Under subsection (1), the Secretary may, for a kind of aircraft or ship, approve a single system for reporting on both passengers and crew or may, under subsection (2), approve one system for reporting on passengers, and another system for reporting on crew. Under subsection (3), the instrument of approval of a system for reporting on passengers or crew must also specify the information about passengers or crew that is to be reported by that system. Under subsection (4), an instrument of approval under section 245J, or a variation or revocation of such an instrument, is a disallowable instrument for the purposes of section 46A of the Acts Interpretation Act 1901.]

**SCHEDULE 1**

<b>Item</b>	<b>Short field title</b>	<b>Description</b>
1	Travel Document	The assigned number of an official identification Number document issued by a state or organisation to a person for the purpose of international travel.
2	Travel Document ICAO Country Code	A 3-letter code assigned by the International Civil Aviation Organisation to represent the states and organisations that issue travel documents, for use in travel documents.
3	Family Name	First 4 characters of family name of the passenger.
4	Trans-Border Flight	The flight number used by the operator of the air service on which the passenger will cross the Australian border.
5	Check-in Port	The port at which the passenger commences an international movement and at which advance passenger information for the passenger is collected.
6	Expected Port	The Australian port at which the passenger will be cleared by the Australian Customs Service and Immigration for movement into Australia.
7	Check-in Date	Check-in date and time (according to Greenwich Mean Time) used to locate passengers.
8	Trans-Border Port	The first port in Australia at which the passenger will arrive when travelling to Australia

## **SCHEDULE 2**

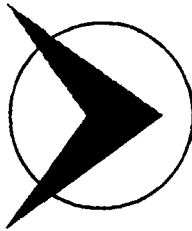
### **Passengers**

- (a) a non-citizen (except a New Zealand citizen) who holds a visa or Electronic Travel Authority (ETA), as confirmed by the APP System prior to departure of the international passenger aircraft from its last port of call before arrival in Australia; and**
- (b) the holder of an Australian passport, or a New Zealand passport, as confirmed by the APP System prior to departure of the international passenger aircraft from its last port of call before arrival in Australia.**

---

## Transport and Regional Services

---



**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 Safety Regulations 1998* will become effective on 13 August 2003:

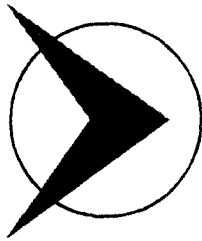
#### **Part 105 - Aircraft**

AD/BN-2/79 - FHL Landing Gear Units  
AD/BNT/54 - FHL Landing Gear Units  
AD/EC 135/5 Amdt 3 - Main Rotor Drive Torque Struts  
AD/R22/31 Amdt 6 - Main Rotor Blades  
AD/SD3-60/66 - Elevator Trim Tab Balance Weight Brackets

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](mailto: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 REGULATIONS**

The following Airworthiness Directive under subregulation 39.1 (1) of the *Civil Aviation Safety Regulations 1998* will become effective on 25 August 2003:

**Part 105 - Aircraft**

**AD/S-76/72 - Main Landing Gear Brake Discs - Replacement**

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)

Regulation 25

CT-4

COMMONWEALTH OF AUSTRALIA  
NAVIGATION ACT 1912

No: 436

## PERMIT TO UNLICENSED SHIP - CONTINUING

Name of Ship	Port of Registry	OFFICIAL NUMBER
NYK PRIDE	NASSAU	8709169

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

Sydney, Melbourne, Adelaide and Fremantle

Dated at CANBERRA this 7<sup>th</sup> day of August 2003Official  
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 24/8/03 to 23/11/03.
3. This permit is issued on condition that the ship named in the permit leaves Australia and travels to a port outside Australia at least once in any three (3) month period.
4. Containerised Cargo only may be carried.
5. The cargo may only be carried from:  
Sydney, Melbourne and Adelaide to Melbourne, Adelaide and 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.

---

**Treasury**

---



*Financial Sector (Shareholdings) Act 1998*

**VARIATION OF CONDITIONS OF APPROVAL TO  
HOLD A STAKE IN A FINANCIAL SECTOR  
COMPANY OF MORE THAN 15%**

**SINCE:**

- (1) Guinness Peat Group Plc and the persons listed in Schedule 1 (the "applicants") were, by Notice of Approval dated 26 June 2003, granted approval under section 14 of the *Financial Sector (Shareholdings) Act 1998* (the "Act") to hold a 56.19 % stake in the financial sector companies listed in Schedule 2 (the "companies"); and
- (2) the approval was subject to conditions; and
- (3) the applicants have applied to the Treasurer under section 16 of the Act to vary the conditions specified in the Notice of Approval; and
- (4) the applicants have applied to the Treasurer under section 17 of the Act to vary the percentage specified in the Notice of Approval; and
- (5) I am satisfied that it is in the national interest to vary the conditions and vary the percentage,

**I, Mark Harold Baxter, a delegate of the Treasurer, under subsections 16(2) and 17(3) of the Act, VARY the conditions of the approval by revoking the conditions and replacing them with the conditions in Schedule 3 and VARY the percentage by increasing it from 56.19 to 61.4.**

Dated: 31 July 2003.

*[signed]*  
Mark Baxter  
General Manager  
Diversified Institutions Division

## SCHEDULE 1

### Applicants

Guinness Peat Group plc

GPG (UK) Holdings plc

Ithaca (Custodians) Limited

## SCHEDULE 2

### Financial Sector Companies

Tower Limited ARBN 088 481 234

Tower Insurance Limited ARBN 000 000 680

Tower Australia Limited ABN 70 050 109 450

Tower Financial Services Group Limited (NZ)

Tower Holdings (Australia) Pty Ltd ACN 060 875 005

Tower Group (Australia) Pty Ltd ACN 060 875 078

## SCHEDULE 3

### Conditions

1. The percentage of the stake in the financial sector companies that is approved under section 14 of the Act shall reduce from 61.4 to 20.0 upon the earlier of either:
  - a. the occurrence of a reduction in the control percentage in Tower Limited ARBN 088 481 234 of Guinness Peat Group plc and Ithaca (Custodians) Limited as required under the New Zealand Takeovers Code; or
  - b. Tower Limited ARBN 088 481 234 holding its next general meeting.
2. Ithaca (Custodians) Limited may directly hold shares in Tower. Any of the other applicants may do so only after obtaining the written consent of APRA.





*Financial Sector (Shareholdings) Act 1998*

**APPROVAL TO HOLD A STAKE IN A FINANCIAL  
SECTOR COMPANY OF MORE THAN 15%**

**SINCE:**

- (1) Gary Hilton Weiss and Anthony Ian Gibbs, directors of Tower Limited ARBN 088 481 234 (the “applicants”) have applied to the Treasurer under section 13 of the *Financial Sector (Shareholdings) Act 1998* (the “Act”) for approval to hold a 61.4 % stake in the financial sector companies listed in Schedule 1 (the “companies”); and
- (2) I am satisfied that it is in the national interest to approve the applicants holding a stake in the companies of more than 15%,

**I, Mark Harold Baxter, a delegate of the Treasurer, under section 14 of the Act, APPROVE the applicants holding a 61.4 % stake in the companies, SUBJECT to the conditions, imposed under subsection 16(1) of the Act, specified in Schedule 2.**

This approval remains in force indefinitely.

Dated: 31 July 2003

*[signed]*  
Mark Baxter  
General Manager  
Diversified Institutions Division

## SCHEDULE 1

### Financial Sector Companies

**Tower Limited ARBN 088 481 234**

**Tower Insurance Limited ARBN 000 000 680**

**Tower Australia Limited ABN 70 050 109 450**

**Tower Financial Services Group Limited (NZ)**

**Tower Insurance Group Limited (NZ)**

**Tower Holdings (Australia) Pty Ltd ACN 060 875 005**

**Tower Group (Australia) Pty Ltd ACN 060 875 078**

## SCHEDULE 2

### Conditions

- 1. The percentage of the stake in the financial sector companies that is approved under section 14 of the Act shall reduce from 61.4 to 20.0 upon the expiry of the period within which the control percentage in Tower Limited ARBN 088 481 234 of Guinness Peat Group plc and Ithaca (Custodians) Limited is required to be reduced under the New Zealand Takeovers Code (including any exemptions to the New Zealand Takeovers Code)**



*Banking Act 1959 (Cth)*

**BANKING (EXEMPTION) ORDER No 100**

I, Wayne Byres, a delegate of the Australian Prudential Regulation Authority (“APRA”), under section 11(1) of the *Banking Act 1959* (the “Act”), DETERMINE that section 8 of the Act does not apply to The Trustees of Church Property for the Diocese of Newcastle (“the Trustees”) subject to the following conditions:

1. The Trustees must not carry on any banking business in Australia other than within the Diocese of Newcastle.
2. The following warnings must be prominently displayed on all material made available, by any means, to prospective depositors of the Trustees:
  - The Trustees of Church Property for the Diocese of Newcastle have not been granted an authority under subsection 9(3) of the *Banking Act 1959* to carry on banking business in Australia;
  - The provisions of the *Banking Act 1959* which apply to an authorised deposit-taking institution (“ADI”) do not apply to The Trustees of Church Property for the Diocese of Newcastle;
  - The Australian Prudential Regulation Authority does not have in relation to The Trustees of Church Property for the Diocese of Newcastle the functions which it has in relation to an ADI;
  - If The Trustees of Church Property for the Diocese of Newcastle become unable to meet their obligations or suspend payment, their assets in Australia are not required by subsection 13A(3) of *Banking Act 1959* (Depositor Protection Provisions) to be available to meet their deposit liabilities in Australia in priority to all of their other liabilities.
3. The Trustees must, unless exempted, comply with the “fundraising provisions” of the *Corporations Act 2001*, as referred to in the Australian Securities and Investments Commission’s Policy Statement 87.

Dated 4th August 2003

*[signed]*

Wayne Byres  
Acting Executive General Manager  
Specialised Institutions Division



*Medical Indemnity (Prudential Supervision and Product Standards) Act 2003*

**NOTIFICATION OF THE MAKING OF**

- **THREE INSTRUMENTS ISSUING GUIDELINES**
- **ONE INSTRUMENT REVOKING GUIDELINES**

On 6 August 2003, Charles Littrell, Executive General Manager of the Australian Prudential Regulation Authority (*APRA*), made three instruments which issued the following three guidelines under subsection 13(9) of the *Medical Indemnity (Prudential Supervision and Product Standards) Act 2003* (the *Act*):

- *Guidelines: Matters to be Included in a Funding Plan*
- *Guidelines: Certification of Funding Plans by Auditors and Actuaries*
- *Guidelines: Qualifications and Independence of Auditors and Actuaries*

and also made the following instrument revoking guidelines under subsection 13(9) of the *Act* and subsection 33(3) of the *Acts Interpretation Act 1901*:

- *Instrument Revoking Guidelines.*

The three guidelines (the *three new guidelines*) are identical to the three guidelines of the same name that were issued on 29 May 2003 (the *three original guidelines*). The three original guidelines are revoked by the instrument revoking guidelines.

The reason for the revocation of the three original guidelines and their reissuing in the form of the three new guidelines is to correct an erroneous citation in the formal “making” instrument under which the three original guidelines were made. That instrument incorrectly cited the *Act* as the *Medical Indemnity (Prudential Supervision and Professional Standards) Act 2003* (instead of the *Medical Indemnity (Prudential Supervision and Product Standards) Act 2003*).

Copies of the three instruments issuing the three new guidelines, the instrument revoking guidelines, and the explanatory statements accompanying them, can be obtained free of charge at:

Australian Prudential Regulation Authority  
Level 26, 400 George Street  
Sydney NSW 2000  
Reference: Ms Margot Undercliffe.

The three new guidelines can also be viewed on APRA’s website ([www.apra.gov.au](http://www.apra.gov.au)).

This notice is given under sections 46A and 48 of the *Acts Interpretation Act 1901* and subsection 5(3) of the *Statutory Rules Publication Act 1903* (read with regulation 3 of the *Rules Publication Regulations 1913*).

Dated 6 August 2003



## Currency (Royal Australian Mint) Determination 2003 (No. 5)

---

I, IAN GORDON CAMPBELL, Parliamentary Secretary to the Treasurer, make this Determination under subsection 13A (1) of the *Currency Act 1965*.

Dated *29<sup>th</sup> of July*, 2003.

A handwritten signature in black ink, which appears to read 'Ian Gordon Campbell', is written over a horizontal line.

Parliamentary Secretary to the Treasurer

---

### Contents

1	Name of Determination	2
2	Commencement	2
3	Specification of coins	2
4	Application of Determination	2
<b>Schedule 1</b>		<b>3</b>
Part 1	Specifications of coins	3
Part 2	Explanation of symbols	3

---

**Section 1**

---

**1 Name of Determination**

This Determination is the *Currency (Royal Australian Mint) Determination 2003 (No. 5)*.

**2 Commencement**

This Determination commences on gazettal.

**3 Specification of coins**

This Determination specifies, for a coin having the denomination and standard composition specified in columns 2 and 3 of Part 1 of Schedule 1, the standard weight, the allowable variation from that weight, the dimensions and the design specified in columns 4, 5 and 6 of that Part.

**4 Application of Determination**

The specifications in Schedule 1 to this Determination do not affect any other Determination of the specification of a coin.

## Schedule 1

(section 3)

### Part 1 Specifications of coins

Column 1	Column 2	Column 3	Column 4	Column 5		Column 6			
Item	Denomination	Standard composition	Standard weight and allowable variation (g)	Dimensions		Design			
				(1) Diameter (mm)	(2) Thickness (mm)	(1) Shape	(2) Edge	(3) Obverse	(4) Reverse
101	\$5	Not less than 99.9% silver	36.31 ± 0.64	38.90	3.50	S1	E1	O38	R322
102	\$10	Not less than 99.9% silver with a central ring of silver, plated with gold of not less than 99.99%	60.50 ± 0.80	50.10	3.80	S1	E1	O39	R323

### Part 2 Explanation of symbols

Column 1	Column 2	Column 3	Column 4
Item	Design Feature	Symbol	Explanation
201	Shape	S1	Circular
202	Edge	E1	Continuously milled
203	Obverse	O38	An effigy of Queen Elizabeth II, and the monogram 'IRB', surrounded by the inscriptions: (a) 'ELIZABETH II'; and (b) 'AUSTRALIA 2003'; and (c) 'FIVE DOLLARS'.

## Schedule 1

## Part 2

## Explanation of symbols

Column 1	Column 2	Column 3	Column 4
Item	Design Feature	Symbol	Explanation
204	Obverse	O39	<p>A design consisting of a circle of raised beads, immediately inside the rim, surrounding:</p> <ul style="list-style-type: none"> <li>(a) the inscriptions: <ul style="list-style-type: none"> <li>(i) 'ELIZABETH II'; and</li> <li>(ii) 'AUSTRALIA 2003'; and</li> </ul> </li> <li>(b) an effigy of Queen Elizabeth II and the monogram 'IRB';</li> </ul> <p>that, in turn, surround a wreath of wattle leaves underneath a gold-plated representation of the obverse of the 1853 Sydney Mint sovereign pattern coin, comprising an effigy of Queen Victoria surrounded by the inscriptions:</p> <ul style="list-style-type: none"> <li>(c) 'VICTORIA'; and</li> <li>(d) 'D:G:': and</li> <li>(e) 'BRITANNIAR:': and</li> <li>(f) 'REGINA': and</li> <li>(g) 'F:D:': and</li> <li>(h) '1853'.</li> </ul>
205	Reverse	R322	<p>A design consisting of a holographic representation of the faces of three Australians that, on changing the angle of viewing, turns into a representation, in colour, of volunteer-associated equipment or images, being a hard hat, fire hose, flames, SES tape, red cross, a twig of the Wollemi pine, a figure cradling a child and a life saving flag, surrounded by a representation of a struck design of an interlocking jigsaw, surrounded by the inscriptions:</p> <ul style="list-style-type: none"> <li>(a) 'AUSTRALIA'S VOLUNTEERS'; and</li> <li>(b) 'MAKING A DIFFERENCE'.</li> </ul>
206	Reverse	R323	<p>A design comprising:</p> <ul style="list-style-type: none"> <li>(a) a wreath of wattle leaves tied with a ribbon; and</li> <li>(b) the inscription '1853 SYDNEY 2003';</li> </ul> <p>surrounding the inscriptions:</p> <ul style="list-style-type: none"> <li>(c) 'MINT PATTERN'; and</li> <li>(d) 'TEN DOLLARS';</li> </ul> <p>that, in turn, surround a gold plated representation of the reverse of the Sydney Mint pattern sovereign coin, comprising a circle of raised beads, immediately inside the rim, surrounding the inscriptions:</p> <ul style="list-style-type: none"> <li>(e) 'SYDNEY MINT'; and</li> <li>(f) 'ONE SOVEREIGN';</li> </ul> <p>that, in turn, surround a wreath of wattle leaves tied with a ribbon, surmounted by a crown, that in turn surrounds the inscription 'AUSTRALIA'.</p>



---

**INTERNATIONAL TAX AGREEMENTS ACT 1953**

**NOTICE UNDER SECTION 4A SPECIFYING THE DATE OF ENTRY INTO FORCE OF  
THE AMENDING PROTOCOL TO THE AUSTRALIA-UNITED STATES OF AMERICA  
DOUBLE TAXATION CONVENTION**

NOTICE is hereby given in pursuance of section 4A of the *International Tax Agreements Act 1953* that the Protocol amending the Convention between the Government of Australia and the Government of the United States of America for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income (being the protocol a copy of which in the English language is set out in Schedule 2A of that Act) entered into force on 12 May 2003.

Dated this 24th day of July 2003.

Signed: HELEN COONAN  
Minister for Revenue and Assistant Treasurer

**COMMONWEALTH OF AUSTRALIA**

***Foreign Acquisitions and Takeovers Act 1975***

**ORDER UNDER SUBSECTION 22(1)**

WHEREAS -

- (A) David Peter Dance & Sophi Dance are foreign persons for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) David Peter Dance & Sophi Dance propose to acquire an interest in the Australian urban land described in the notice furnished on 8 July 2003 under section 26A of the Act;

NOW THEREFORE I, Chris Legg, General Manager, 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 7<sup>th</sup> day of August 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 2003/66	Income tax: capital gains: demerger roll-over relief for shareholders: demerger of Tethyan Copper Company Limited from Mincor Resources NL	<p>This Ruling sets out the tax consequences for:</p> <ul style="list-style-type: none"> <li>• Ordinary shareholders of Mincor Resources NL ('Mincor') registered as ordinary shareholders on the date of the demerger; and</li> <li>• Tethyan Copper Company Limited ('TCC') shareholders who own 'put options' to exchange their existing TCC shares and options for shares in Mincor and have not exercised their options under the put option agreement at the date of the demerger.</li> </ul> <p>This Ruling applies from the date the proposed Demerger is effected.</p>
CR 2003/67	Income tax: Centennial Coal Company Limited - Exempt Employee Share Plan	<p>This Ruling sets out the tax consequences for Australian resident employees of Centennial Coal Company Limited and all nominated Associated Companies (the Centennial Coal Group) who participate in the Centennial Coal Company Limited Exempt Employee Share Plan. The Centennial Coal Group is comprised of 29 companies listed in the ruling.</p> <p>This Ruling applies from the 2002/2003 year of income.</p>
CR 2003/68	Income tax: Centennial Coal Company Limited - Deferred Employee Share Plan	<p>This Ruling sets out the tax consequences for Australian resident employees of Centennial Coal Company Limited and all nominated Associated Companies (the Centennial Coal Group) who participate in the Centennial Coal Company Limited Deferred Employee Share Plan. The Centennial Coal Group is comprised of 29 companies listed in the ruling.</p> <p>This Ruling applies from the 2002/2003 year of income.</p>
TR 2003/10	Income tax: deductions that relate to personal services income	<p>This ruling explains the alienation of personal services income measure in Part 2-42 of the Income Tax Assessment Act 1997. This ruling applies to:</p> <ul style="list-style-type: none"> <li>• those individuals, whose ordinary income or statutory income includes income that is mainly a reward for their personal efforts or skills; and</li> <li>• those companies and partnerships, or trusts whose ordinary income or statutory income includes income that is mainly a reward for the personal efforts or skills of an individual.</li> </ul> <p>This Ruling first applies to the 2000-2001 income year.</p>

**NOTICES OF WITHDRAWAL OF CLASS RULINGS**

<b>Ruling Number</b>	<b>Subject</b>	<b>Brief Description</b>
CR 2003/66	Income tax: capital gains: demerger roll-over relief for shareholders: demerger of Tethyan Copper Company Limited from Mincor Resources NL	This Class Ruling is withdrawn and ceases to have effect after 30 June 2004.

**NOTICE OF WITHDRAWAL**

<b>Ruling Number</b>	<b>Subject</b>	<b>Brief Description</b>
PR 2003/28	Income tax: Loddon Olive Project – 2003 Growers	Product Ruling PR 2003/28 is withdrawn from today. The minimum subscription was not met and the Project did not proceed.

**GAZETTE NOTICE**

Income Tax Assessment Act 1936

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

I, HELEN COONAN, Assistant Treasurer, in exercise of the powers and functions delegated to me by the Treasurer by instrument of delegation signed and dated on 8 April 1998, declare that the following person is an Offshore Banking Unit for the purposes of Division 11A of Part III of the *Income Tax Assessment Act 1936* from the date of publication of this notice in the *Gazette*:

**The Bank of Tokyo-Mitsubishi Limited**

Dated this

4

day of

August 2003



HELEN COONAN  
Minister for Revenue and Assistant Treasurer



Regulation 25

CT-4

COMMONWEALTH OF AUSTRALIA NAVIGATION ACT 1912

No: 431

PERMIT TO UNLICENSED SHIP - CONTINUING

Name of Ship	Port of Registry	OFFICIAL NUMBER
OOCL ENVOY	HONG KONG	7708950

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

Brisbane, Sydney, Bell Bay and Fremantle

Dated at CANBERRA this 29th day of July 2003

Official Stamp



Signature of Delegate of the Minister for Transport and Regional Services

CONDITIONS SUBJECT TO WHICH THIS PERMIT IS ISSUED

- 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.
- This permit covers the period 18 August 2003 to 17 November 2003.
- This permit is issued on condition that the ship named in the permit leaves Australia and travels to a port outside Australia at least once in any three (3) month period.
- Containerised Cargo only may be carried.
- The cargo may only be carried from: Brisbane, Sydney and Bell Bay to Sydney, Bell Bay and Fremantle
- If there is a change in schedule the Transport Regulation Division must be advised before the vessel sails.
- That the vessel is not detained under Australia's Port State Control program.



**DEPARTMENT OF EDUCATION,  
SCIENCE AND TRAINING**

**NOTIFICATION OF THE MAKING OF A DETERMINATION  
UNDER THE *HIGHER EDUCATION FUNDING ACT 1988***

The following determinations have been made under the Higher Education Funding Act 1988. A copy can be obtained from the Director, Student Financing Unit, Higher Education Division, Department of Education, Science and Training, 14 Mort Street, Canberra City, ACT 2601, or by telephoning (02) 6240 9695.

Number/Year	Section	Description	Date Made
G4-2003	40(5)	To determine that the index number for the September quarter of the year 2003 for calculating the annual course contribution shall be 1.024. Accordingly, the annual course contribution for the purposes of Chapter 4 in respect of 2004 is \$2,830.	1/8/2003
G5-2003	104(4)	To determine that the statutory amount in 2004, worked out in accordance with subsection 104(3) of the Act, is \$375; and the factor ascertained in accordance with subsection 40(3) of the Act and used to work out the statutory amount is 1.024.	1/8/2003
G6-2003	40A(4)	To determine that the Annual Band amounts in relation to 2004, worked out in accordance with subsection 40A(4) of the Act, are:  Band 1 \$3,768; Band 2 \$5,367; Band 3 \$6,283.  Furthermore, the factor ascertained in accordance with subsection 40(3) of the Act and used to work out the annual band amounts is 1.024.	1/8/2003



## Notification of the making of Statutory Rules

The following Statutory Rules have been made and copies may be purchased at the Government Info Shop, 10 Mort Street, Canberra City, ACT, 2600. Telephone: (02) 6247 7211.

Copies may also be obtained from the following internet sites:

[scaleplus.law.gov.au](http://scaleplus.law.gov.au)

[frli.law.gov.au](http://frli.law.gov.au)

Act under which the Statutory Rule was made	Description of the Statutory Rule	Year and number of the Statutory Rule
<i>Marriage Act 1961</i>	Marriage Amendment Regulations 2003 (No. 2)	2003 No. 198
<i>Naval Defence Act 1910</i>	Navy (Canteens) Amendment Regulations 2003 (No. 1)	2003 No. 199
<i>Great Barrier Reef Marine Park Act 1975</i>	Great Barrier Reef Marine Park Amendment Regulations 2003 (No. 2)	2003 No. 200
<i>Civil Aviation Act 1988</i>	Civil Aviation Amendment Regulations 2003 (No. 5)	2003 No. 201
<i>Corporations Act 2001</i>	Corporations Amendment Regulations 2003 (No. 7)	2003 No. 202
<i>Excise Act 1901</i>	Excise Amendment Regulations 2003 (No. 2)	2003 No. 203
<i>Income Tax Assessment Act 1936</i>	Income Tax Amendment Regulations 2003 (No. 1)	2003 No. 204
<i>Income Tax Assessment Act 1936</i>	Income Tax (Farm Management Deposits) Amendment Regulations 2003 (No. 1)	2003 No. 205





Commonwealth of Australia

**Inclusion of species in the list of threatened species under section 178 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 178 of that Act by:

including in the list in the **Vulnerable** category

*Neoceratodus forsteri*

(Australian Lungfish, Queensland Lungfish)

Dated this <sup>4<sup>th</sup></sup>.....day of <sup>April</sup>.....2002

Minister for the Environment and Heritage



Commonwealth of Australia

**Inclusion of species in the list of threatened species under section 178 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 178 of that Act by:

including in the list in the **critically endangered** category

*Thelymitra jonesii* (Sky-blue Sun-orchid)

including in the list in the **endangered** category

*Euploea alcathoe enastri* (Gove Crow Butterfly)

Dated this.....21<sup>st</sup>.....day of.....Feb.....2003

Minister for the Environment and Heritage



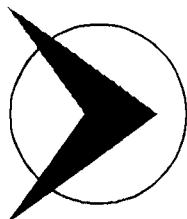
**Commonwealth  
of Australia**

**Gazette**

No. S 303, Thursday, 7 August 2003

Published by the Commonwealth of Australia

**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 Safety Regulations 1998* will become effective on 7 August 2003:

**Part 107 - Equipment**

**AD/PROP/4 - Overhaul Affected Propellers**

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](mailto:ERNST_O@CASA.GOV.AU)  
Internet Site: [HTTP://WWW.CASA.GOV.AU](http://WWW.CASA.GOV.AU)



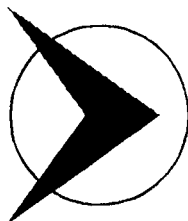
**Commonwealth  
of Australia**

**Gazette**

No. S 304, Friday, 8 August 2003

Published by the Commonwealth of Australia

**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 Safety Regulations 1998* will become effective on 8 August 2003:

**Part 105 - Aircraft**

**AD/A320/150 - Flight Manual Amendment - Fuel Leak Procedure**

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](mailto:ERNST_O@CASA.GOV.AU)  
Internet Site: [HTTP://WWW.CASA.GOV.AU](http://WWW.CASA.GOV.AU)



Commonwealth of Australia

*Local Government (Financial Assistance) Act 1995*

Department of Transport and Regional Services

**REVOCAION OF DECLARATION OF LOCAL GOVERNING BODY**

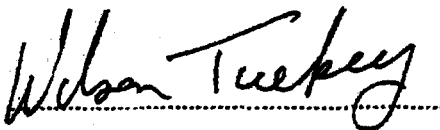
I, **CHARLES WILSON TUCKEY**, Minister for Regional Services, Territories and Local Government,

- A. noting that a body declared for the purposes of paragraph (b) of the definition of *local governing body* in section 3 of the *Local Government (Financial Assistance) Act 1986* (the repealed Act) is taken to be declared for the purposes of paragraph (b) of the definition of *local governing body* in subsection 4(2) of the *Local Government (Financial Assistance) Act 1995* (the Act) in accordance with section 21 of the Act; and
- B. acting on the advice of the Northern Territory Minister for Local Government and in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*

**REVOKE**

1. the Declaration made on 21 August 1986 by the Minister for Local Government and Administrative Services that *Kardu Namida Incorporated*<sup>1</sup> is, for the purposes of paragraph (b) of the definition of *local governing body* in section 3 of the repealed Act, a local governing body; and
2. the Declaration made on 29 July 1993 by the Minister for Housing, Local Government and Community Services that the *Gulin Gulin and Weemol Community Council Aboriginal Corporation* is a local governing body for the purposes of paragraph (b) of the definition of *local governing body* in section 3 of the repealed Act.

Dated this 4<sup>th</sup> day of Aug 2003



Minister for Regional Services, Territories and Local Government

<sup>1</sup> The correct name of the organisation is *Kardu Numida Incorporated*.



**Commonwealth  
of Australia**

**Gazette**

No. S 306, Monday, 11 August 2003

Published by the Commonwealth of Australia

**SPECIAL**

## **Notification of the making of a Statutory Rule**

The following Statutory Rule has been made and copies may be purchased at the Government Info Shop, 10 Mort Street, Canberra City, ACT, 2600. Telephone: (02) 6247 7211.

Copies may also be obtained from the following internet sites:

[scaleplus.law.gov.au](http://scaleplus.law.gov.au)

[fcli.law.gov.au](http://fcli.law.gov.au)

<b>Act under which the Statutory Rule was made</b>	<b>Description of the Statutory Rule</b>	<b>Year and number of the Statutory Rule</b>
<i>Federal Court of Australia Act 1976</i>	Federal Court Amendment Rules 2003 (No. 3)	2003 No. 206



NOTICE OF INTENTION TO PROPOSE CUSTOMS TARIFF ALTERATION

NOTICE NO. 3 (2003)

Pursuant to section 273EA of the *Customs Act 1901*, I, JOHN PETER ARNDELL, delegate of the Minister for Justice and Customs, hereby give notice that it is intended, within seven sitting days of the House of Representatives after the date of publication of this notice in the *Gazette*, to propose in the Parliament Customs Tariff alterations in accordance with the particulars specified in the Schedule to this notice and operating on and from 8 August 2003.

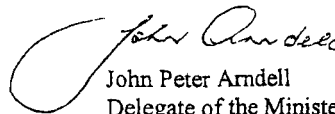
**Schedule**  
**Alterations having effect on and from**  
**8 August 2003**

**1 Schedule 3 (subheading 2207.20.10, column 3)**

Repeal the rates of duty, substitute:

5%, and \$0.38143/L  
NZ/PG/FI/DC/LDC/SG:  
\$0.38143/L  
DCS:4%, and  
\$0.38143/L  
DCT:5%, and  
\$0.38143/L

Dated this *Eighth* day of *August* 2003.

  
John Peter Arndell  
Delegate of the Minister for  
Justice and Customs

