



CONTENTS

Christmas / New Year Publication Arrangements	3293
General Information	3293
Department of the House of Representatives	3297
Government Departments	3298
Public Notices	3351
Special Gazettes Nos S 392, S 393, S 394, S 395, S 396, S 397, S 398, S 399, S 400, S 401, S 402, S 403, S 404, S 405 and S 406 are herewith.	

The date of publication of this Gazette is 5 November 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) and the Legislative Instruments Database (frii.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.

Christmas/New Year publication arrangements

The last Government Notices Gazette for 2003 will be published on **Wednesday, 17 December 2003**. Normal closing times will apply.

The first Government Notices Gazette for 2004 will be published on **Wednesday, 7 January 2004**.

Arrangements for publication of Special Gazettes over the Christmas/New Year period can be made by telephoning: (02) 6250 5510

General Information

GAZETTE INQUIRIES

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

The **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 order (Tel. 1300 656 863, Fax (02) 6293 8333) from CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609. Over the counter sales are available from CanPrint Communications at the address above.

Over the counter sales are also available from the following Standards Australia outlets:

Adelaide: 63 Greenhill Road, Wayville SA 5034
Tel. (08) 8373 4140 Fax (08) 8373 4124

Brisbane: Ground Floor, Boundary Court, 55 Little Edward Street, Spring Hill QLD 4004
Tel. (07) 3834 7460 Fax (07) 3834 7461

Canberra: Gallery Level, The Boulevard, City Walk, Canberra ACT 2601 Tel. (02) 6249 8990
Fax (02) 6249 8989

Hobart: 10 Barrack Street, Hobart TAS 7000
Tel. (03) 6224 2380 Fax (03) 6224 4185

Melbourne: 19-25 Raglan Street, South Melbourne VIC 3025 Tel (03) 9693 3555 Fax (03) 9696 1319

Perth: 165 Adelaide Terrace, East Perth WA 6004
Tel. (08) 9221 6700 Fax (08) 9221 6194

Sydney: 286 Sussex Street, Sydney NSW 2000
Tel. 1300 654 646 Fax 1300 654 949

**OUT OF HOURS PUBLICATION — SPECIAL
GAZETTES**

When a *Special Gazette* is issued outside normal business hours, 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 on the next business day from CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609 and from the Standards Australia outlets listed above.

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">• Australian air Express Pty Ltd• ADI Ltd• Pacific National (ACT) LTD• CSL Ltd• JRH Biosciences Pty Ltd• Network Design and Construction Limited• Visionstream Pty Ltd• Reserve Bank of Australia

Gazette number	Date of Publication	Subject
		and grant of licence under Part VIII of the Act: <ul style="list-style-type: none"> • Telstra Corporation Ltd • Australian Postal Corporation and variation to conditions of licence: <ul style="list-style-type: none"> • Network Design and Construction Limited • Pacific National (ACT) Limited
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
P12	18.9.03	The Defence and Strategic Goods List, Pursuant to the <i>Customs Act 1901</i> , Customs (Prohibited Exports) Regulation 13E(1) Amendment 2003
*P13	28.10.03	<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.
*P14	31.10.03	Instruments made under Part VII of the <i>National Health Act 1953</i> .

* First time notified

Department of the House of Representatives

Acts of Parliament assented to

It is hereby notified, for general information, that His Excellency the Governor-General, in the name of Her Majesty, assented to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

Assented to on 21 October 2003:

- No. 105 of 2003—An Act to amend the *Civil Aviation Act 1988*, and for related purposes. (*Civil Aviation Amendment Act 2003*).
- No. 106 of 2003—An Act to amend the law relating to statistics, and for related purposes. (*Statistics Legislation Amendment Act 2003*).
- No. 107 of 2003—An Act to amend the law relating to taxation, and for related purposes. (*Taxation Laws Amendment Act (No. 8) 2003*).

Assented to on 24 October 2003:

- No. 108 of 2003—An Act to amend legislation related to communications, and for related purposes. (*Communications Legislation Amendment Act (No. 3) 2003*).

I C HARRIS
Clerk of the House of Representatives

Government Departments

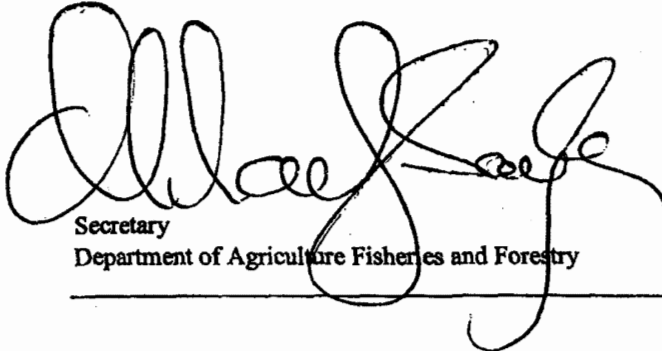
Agriculture, Fisheries and Forestry



Australian Meat and Live-stock Industry (Beef Export to the United States of America – Quota Year 2004) Order 2003

I, MICHAEL TAYLOR, Secretary to the Department of Agriculture, Fisheries and Forestry, make this Order under section 17 of the *Australian Meat and Live-stock Industry Act 1997*.

Dated 28 October 2003



Secretary
Department of Agriculture Fisheries and Forestry

Contents

	Page
Part 1 Preliminary	2
1 Name of Order	2
2 Commencement	2
3 Definitions	2
Part 2 Prohibition of certain exports	6
4 No export of quota meat without approval and US beef certificate	6
Part 3 US beef quota	7
5 What this Part does	7
6 How US beef quota is obtained	7
7 How US beef quota is worked out	7
8 Transfer of US beef quota	9
9 When unused US beef quota lapses	9

Contents

	Page
Part 4 Approvals	10
10 How to get approval for exports	10
11 Approval to export from the uncommitted amount	11
12 Duration of approvals	11
13 How much quota meat an exporter has exported	11
Part 5 US beef certificates	13
14 How to obtain a US beef certificate	13
15 Grant of EU quota certificate	13
16 When a US beef certificate lapses	13
Part 6 Miscellaneous	14
17 Where to send notices and documents	14
18 Cessation	14

Part 1 Preliminary

1 Name of Order

This Order is the *Australian Meat and Live-stock Industry (Beef Export to the United States of America – Quota Year 2004) Order 2003*.

2 Commencement

This Order commences on gazettal.

3 Definitions

In this Order:

access amount, of quota meat, means the amount, in kilograms, of quota meat that may be exported from Australia to the USA in quota year 2004.

Note The access amount is the amount of quota meat that the USA will allow to be imported from Australia in 2004 at a tariff of 4.4 cents per kilogram. For 2004, the amount is 378,214,000 kilograms shipped weight of quota meat. For imports of quota meat over the access amount, or not accompanied by a US beef certificate (see Part 5), the tariff rate in 2004 is 26.4%. See Proclamation 6763 of March 23, 1995 (USA) (60FR 15230).

Act means the *Australian Meat and Live-stock Industry Act 1997*.

approval means an approval to export a consignment of quota meat under Part 4.

AQIS means the Australian Quarantine and Inspection Service.

AUS-MEAT means AUS-MEAT Limited (ACN 082 528 881).

AUS-MEAT handbook cut number, for a cut of meat, means the number for that cut of meat set out in the *AUS-MEAT RFP Cut Code Reference Booklet - 1999*, published by AUS-MEAT, as amended and in force at the commencement of this Order.

AUS-MEAT meat type cipher, for a type of meat, means the cipher for that type of meat set out in the *AUS-MEAT RFP Cut Code Reference Booklet - 1999*, published by AUS-MEAT, as amended and in force at the commencement of this Order.

beef means meat derived from cattle.

beef product means selected cuts of fresh, chilled or frozen beef as included in the Harmonised Tariff Schedule of the United States of America, subheadings 0201.10.10, 0201.20.10, 0201.20.30, 0201.20.50, 0201.30.10, 0201.30.30, 0201.30.50, 0202.10.10, 0202.20.10, 0202.20.30, 0202.20.50, 0202.30.10, 0202.30.30, and 0202.30.50.

consignment means a single shipment of quota meat (by sea or air) by an exporter to a single consignee.

consignment information for a consignment means:

- (a) if the information required to be given to AQIS or the Department about the consignment by section 3 of Order No. M67/94 is given to AQIS under paragraph 3 (b) of that Order — that information; or
- (b) if the information is given to the Department in a document in accordance with Form 4, 9 or 10 under that Order — that information.

Department means the Australian Government Department of Agriculture, Fisheries and Forestry — see section 19A of the *Acts Interpretation Act 1901* and the Administrative Arrangements Order made on 21 October 1998 and published in the *Gazette* on 22 October 1998.

eligible exporter means an exporter to which a US beef quota is allocated under the Quotas Act, or to which US beef quota is transferred.

establishment means a meat processing premise that:

- (a) is under the full-time inspection and supervision of AQIS; and
- (b) is registered under the *Export Control Act 1982*; and
- (c) has been accredited by AUS-MEAT and AQIS for the export of meat to the USA.

EXDOC means the electronic documentation system maintained by AQIS.

exporter means the holder of a meat export licence issued under section 10 of the Act allowing the holder to export a beef product to the USA.

Harmonised tariff Schedule of the United States of America means the Harmonised tariff Schedule enacted under Chapter 18 of Title 19 in the US Code, as in force at the commencement of this Order.

Order No. M67/94 means the Order so numbered made on 10 February 1994 under section 16H of the *Australian Meat and Live-stock Corporation Act 1997*, and continued in effect by item 5 of Schedule 5 to the *Australian Meat and Live-stock Industry (Repeals and Consequential Provisions) Act 1997*.

processed, in relation to meat, means meat that has been:

- (a) ground or comminuted; or
- (b) diced or cut into sizes for stew meat or similar uses; or
- (c) rolled or skewered; or
- (d) especially processed into fancy cuts, special shapes, or otherwise made ready for particular uses by the retail consumer.

QA Unit means the section of the Department known as the Quota Administration and Statistics Unit.

Note The address of the Department's QA Unit is given in section 17.

quota meat means a beef product other than:

- (a) edible offal; or
- (b) canned or processed meat; or
- (c) product for ships' stores; or
- (d) a shipment that is not entered into the USA within the tariff-rate quota (within the meaning of Proclamation 6763 of March 23, 1995 (USA) (60FR 15230)), and attracts a tariff at the rate of 26.4% ad valorem.

Quotas Act, means the *Australian Meat and Live-stock (Quotas) Act 1990*.

quota year 2004 means the year beginning on 1 January 2004.

shipped equivalent weight:

- (a) for beef or a beef product (other than bone-in beef), canned beef or processed beef – means the actual weight of the product when it is loaded for shipment; and
- (b) for bone-in beef – means two thirds of the actual weight of the product when it is loaded for shipment (including bones); and
- (c) for canned beef or processed beef – means the percentage of the actual weight of the product when it is loaded for shipment, being the percentage stated in the exporter's application for approval as the percentage of the product that is beef.

shipped weight for beef or a beef product – means the actual weight of the product when it is loaded for shipment (includes bones if they have not been removed).

shipping year 2001 means the period of 12 months beginning on 1 November 2000.

shipping year 2002 means the period of 12 months beginning on 1 November 2001.

shipping year 2003 means the period of 12 months beginning on 1 November 2002.

USA means the Customs Territory of the United States of America including the States, the District of Columbia and Puerto Rico.

US beef certificate means a certificate issued under section 15.

Note Part 5 provides for the issue of US beef certificates. Certificates are required by the USA to prove the authenticity of each consignment of beef exported to the USA within the quota.

US beef quota means the amount of quota meat that an eligible exporter is entitled to export to the USA in quota year 2004.

Part 2 Prohibition of certain exports

4 No export of quota meat without approval and US beef certificate

On and after 1 January 2004, an eligible exporter may export quota meat to the USA only if the Department has given an approval and issued a US beef certificate for the export.

Note 1 The importation of quota meat into the USA in 2004 will attract a tariff of 4.4 cents per kilogram. See Proclamation 6763 of March 23, 1995 (USA) (60FR 15230).

Note 2 An eligible exporter may export a beef product, other than quota meat, to the USA without an approval or a US beef certificate. The import of that product into the USA will attract a tariff at the rate of 26.4% in 2004. See Proclamation 6763 of March 23, 1995 (USA) (60FR 15230).

Note 3 An exporter that is not an eligible exporter may export a beef product to the USA without an approval or a US beef certificate. The import of that product into the USA will attract a tariff at the rate of 26.4% in 2004. See Proclamation 6763 of March 23, 1995 (USA) (60FR 15230).

Note 4 An exporter may export meat of a kind specified in a limitation notice issued under subsection 5 (1) of the Quotas Act to a country specified in the notice only if the exporter has been granted a quota – see subsection 5 (1) of that Act.

Part 3 US beef quota

5 What this Part does

This Part sets out how a US beef quota is obtained and how to work out an exporter's US beef quota for quota year 2004.

6 How US beef quota is obtained

- (1) The Secretary may invite exporters to apply for US beef quota for quota year 2004.

Note The Department intends to give exporters a notice (a *quota notice*) stating the amount of quota meat that may be exported to the USA in 2004 and, in that notice, may seek applications from exporters for the allocation of quota within this amount — see section 5 of the *Australian Meat and Live-stock (Quotas) Act 1990*.

- (2) An application for US beef quota must be made in writing to the Department's QA Unit in a form approved by the Secretary.
- (3) The Secretary may allocate US beef quota in accordance with section 7.
- (4) An exporter may also receive US beef quota by transfer under section 8.

7 How US beef quota is worked out

- (1) If an exporter applies, in accordance with subsection 6(2), for US beef quota, the Secretary must allocate to the exporter, as the exporter's US beef quota for quota year 2004, an amount determined by the Secretary in accordance with subsection (3).

Note The US beef quota is allocated by the Secretary under section 6 of the Quotas Act.

- (2) If the Secretary allocates US beef quota to an exporter under section 6, the Secretary must give to the exporter a notice stating the shipped weight of quota meat that the exporter is entitled to export under the quota.

Note 1 The Department intends to give an eligible exporter a notice, (a *quota document*) about its quota — see section 6 of the Quotas Act. It is intended that the quota document will state the shipped weight of quota meat that the eligible exporter may export to the USA in quota year 2004. It is also intended that the quota document will identify any conditions of the grant of quota.

Note 2 The Department maintains an account (a *quota account*) for each eligible exporter. An eligible exporter's quota is recorded in its quota account and exports by the exporter are recorded in the account as debits.

Note 3 The Secretary may at any time vary any of the following:

- (a) the period of effect of a quota;
- (b) the shipped weight or description of goods covered by a quota;

(c) any condition applying to a quota.

See section 28 of the Act.

Note 4 Certain decisions by the Secretary about a quota are reviewable by the Administrative Appeals Tribunal — see section 30 of the Act.

(3) An eligible exporter's US beef quota for 2004 is the sum of the following:

(a) $0.8 \times AA \times 0.333 \times \frac{(EY01+EY02+EY03)}{(TY01+TY02+TY03)}$

(b) $0.2 \times AA \times 0.333 \times \frac{(EZ01+EZ02+EZ03)}{(TZ01+TZ02+TZ03)}$

(4) For subsection (3):

AA is the access amount;

EY01 is the recorded shipped weight of quota meat to the USA by the exporter for shipping year 2001.

EY02 is the recorded shipped weight of quota meat to the USA by the exporter for shipping year 2002.

EY03 is the recorded shipped weight of quota meat to the USA by the exporter for shipping year 2003.

EZ01 is the recorded shipped equivalent weight of exports to all destinations (including the USA) by the exporter for shipping year 2001.

EZ02 is the recorded shipped equivalent weight of exports to all destinations (including the USA) by the exporter for shipping year 2002.

EZ03 is the recorded shipped equivalent weight of exports to all destinations (including the USA) by the exporter for shipping year 2003.

TY01 is the recorded shipped weight of exports of quota meat to the USA by all exporters for shipping year 2001.

TY02 is the recorded shipped weight of exports of quota meat to the USA by all exporters for shipping year 2002.

TY03 is the recorded shipped weight of exports of quota meat to the USA by all exporters for shipping year 2003.

TZ01 is the recorded shipped equivalent weight of exports by all exporters to all destinations (including the USA) for shipping year 2001.

TZ02 is the recorded shipped equivalent weight of exports by all exporters to all destinations (including the USA) for shipping year 2002.

TZ03 is the recorded shipped equivalent weight of exports by all exporters to all destinations (including the USA) for shipping year 2003.

-
- (5) If the amount of US beef quota worked out for an eligible exporter under subsection (3) is less than 12 000 kilograms, the US beef quota for the exporter is taken to be nil.
 - (6) The amount of US beef quota taken to remain unallocated because of the operation of subsection (5) is to be redistributed among the eligible exporters in proportion to the amount of US beef quota allocated to each of them under subsection (3).
 - (7) After an eligible exporter's US beef quota has been worked out under subsection (3) and the fee prescribed by the *Australian Meat and Live-stock (Quotas) Amendment Regulations 2003* for allocation of the quota has been paid, the Secretary must credit the exporter's quota account with the amount of the US beef quota.

8 Transfer of US beef quota

- (1) Subject to subsection (2) an eligible exporter may transfer all or part of its US beef quota for quota year 2004 to another exporter in accordance with this section.
- (2) If an eligible exporter (*transferor*) wishes to transfer all or part of its US beef quota to another exporter (*transferee*), it must notify the Department's QA Unit, in writing, of the following information:
 - (a) the name of the transferor; and
 - (b) the name of the transferee; and
 - (c) the weight, in kilograms, of US beef quota to be transferred.

Note The Department's QA Unit maintains an account (a quota account) for each eligible exporter. An eligible exporter's quota is recorded in its quota account and exports by the exporter are recorded in the account as debits.

9 When unused US beef quota lapses

- (1) An eligible exporter must, before 15 October 2004, give the Department a written declaration stating how it intends to deal with any unused US beef quota and whether it intends to relinquish any of that quota.

Note Before 15 October 2004, the Department intends to send each eligible exporter a notice asking it to tell the Department, in writing, how it intends to deal with any unused US beef quota.

- (2) US beef quota entitlement not supported by requests for approval to the department QA unit under subsection 10 (3) (b) before 29 October 2004 lapses at the beginning of that day.

Note Any eligible exporter may apply for approval to export against lapsed US beef quota — see subsection 11 (1).

Part 4 Approvals

10 How to get approval for exports

- (1) An exporter must obtain a separate approval for each consignment to be exported.
- (2) An application must set out the following information for the consignment:
 - (a) the applicant's name;
 - (b) the identification number;
 - (c) for the meat to be exported:
 - (i) its type; and
 - (ii) its AUS-MEAT meat type cipher; and
 - (iii) its AUS-MEAT handbook cut number; and
 - (iv) the shipped weight (in kilograms); and
 - (v) whether it is chilled or frozen; and
 - (vi) whether it is bone-in or boneless, and the quantity of it in each form; and
 - (vii) the establishment number of the establishment that prepared the meat;
 - (d) the name of the importer;
 - (e) the name of the ship and the voyage, or the air freight carrier and flight number, to be used;
 - (f) the intended port of loading and the expected date of loading;
 - (g) the name of the final destination country;
 - (h) the intended port of discharge;
- (3) An application for approval:
 - (a) must not be made to the Department before the exporter receives a notice under subsection 7 (2) about its US beef quota; and
 - (b) must be made to the Department's QA Unit by 5 pm on 28 October 2004.
- (4) The Secretary must give the eligible exporter an approval to export a consignment if:
 - (a) The exporter lodges an application for the approval in accordance with this section; and
 - (b) The total shipped weight of the consignment and quota meat already exported by the exporter in quota year 2004 is not more than the exporter's US beef quota for that year.

11 Approval to export from the uncommitted amount

- (1) An eligible exporter may apply, after 1 November 2004, for approval to export a consignment up to the access amount if:
 - (a) an amount of US beef quota lapses under section 9; and
 - (b) the total of all exports approved under this Part is less than the access amount.
- (2) Section 10 (except subsection 10 (3) (b)) applies to an application under this section.
- (3) The Secretary must give to the eligible exporter an approval to export a consignment if:
 - (a) The exporter lodges an application for the approval in accordance with this section; and
 - (b) The total amount of the consignment and quota meat already approved for export by all eligible exporters in quota year 2004 under section 10 is not more than the access amount.

12 Duration of approvals

- (1) An approval (other than an approval given under subsection 11 (1)) lapses if the eligible exporter to which it is given does not receive a US beef certificate for the approved consignment before the earlier of the following:
 - (a) 5 pm on 28 October 2004;
 - (b) 3 months after the issue of the approval.
- (2) An approval given under subsection 11 (1) lapses if the eligible exporter to which it is given does not receive a US beef certificate for the approved consignment within 4 weeks after the approval is given.
- (3) An approval under subsection 11 (1) lapses at the end of 31 December 2004 if the approved consignment is not accepted into the USA on or before that day.

13 How much quota meat an exporter has exported

- (1) For this Part and subject to subsections (2), (3) and (4), an eligible exporter is taken to have exported the shipped weight of quota meat shown in approvals given to the exporter under this Part.
- (2) If:
 - (a) the shipped weight of quota meat in a consignment (the *actual shipped weight*) is less than the shipped weight stated in the approval for the consignment (the *approved shipped weight*),
 - (b) the identifying number of the approval is shown on the consignment information; and
 - (c) the exporter gives that information to the Department's QA Unit by 5 pm on 28 October 2004;

the exporter is not taken to have exported the difference between the actual shipped weight and the approved shipped weight.

- (3) If an approval for a consignment lapses before 5 pm on 31 October 2004 and before the consignment is exported, the eligible exporter is taken not to have exported the shipped weight of quota meat stated in the approval.
- (4) If a consignment is refused entry to the USA, the eligible exporter is taken not to have exported the consignment if the exporter returns all copies of the US beef certificate for the consignment to the Department's QA Unit by the earlier of the following:
 - (a) 5 pm on 28 October 2004; or
 - (b) 3 months after the day the export leaves Australia.

Part 5 US beef certificates

14 How to obtain a US beef certificate

- (1) An eligible exporter may obtain a US beef certificate for a consignment for which the Department has issued an approval by:
 - (a) making an entry for the consignment in EXDOC; or
 - (b) making a written application to the Department.
- (2) An application under paragraph (1) (b) must be lodged with the Department's QA Unit.

15 Grant of US quota certificate

The Secretary must issue a US beef certificate to an eligible exporter if the exporter:

- (a) has an approval; and
- (b) makes an entry or applies under section 14.

Note A US beef certificate that is issued to an eligible exporter on or before 31 December 2003 for a consignment that is intended for entry to the USA after 1 January 2004 will not be able to be used until on or after 1 January 2004.

16 When a US beef certificate lapses

A US beef certificate lapses if the consignment to which it applies is not accepted for entry into the USA before 1 January 2005.

Part 6 Miscellaneous

17 **Where to send notices and documents**

If a section of this Order requires a person to give a document, lodge an application or provide information to the Department's QA Unit, the document, application or information must be sent in one of the following ways:

- (a) by post to:
Quota Administration & Statistics Unit
Australian Government Department of Agriculture, Fisheries and Forestry
GPO Box 858
CANBERRA ACT 2601
- (b) by email to:
quota.admin@affa.gov.au
- (c) by facsimile to:
02 6272 4585.

18 **Cessation**

This Order ceases to have effect at the end of 31 December 2004 unless earlier revoked.

Attorney GeneralCOMMONWEALTH OF AUSTRALIA
CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - s161J CUSTOMS ACT 1901

I, JOHN FENNING, 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 Column 1	Column 2 Currency	(Foreign Currency = AUS \$1)						
		Column 3 22/10/03	Column 4 23/10/03	Column 5 24/10/03	Column 6 25/10/03	Column 7 26/10/03	Column 8 27/10/03	Column 9 28/10/03
Brazil	Reals	1.9884	2.0147	2.0035	2.0035	2.0035	2.0075	2.0224
Canada	Dollars	.9197	.9182	.9144	.9144	.9144	.9157	.9225
China	Yuan	5.7853	5.8317	5.8019	5.8019	5.8019	5.7946	5.8235
Denmark	Kroner	4.4501	4.4309	4.4103	4.4103	4.4103	4.4218	4.4569
European Union	Euro	.5986	.5960	.5927	.5927	.5927	.5951	.5999
Fiji	Dollar	1.2661	1.2691	1.2665	1.2665	1.2665	1.2649	1.2714
Hong Kong	Dollars	5.4191	5.4625	5.4350	5.4350	5.4350	5.4292	5.4560
India	Rupees	31.6717	31.9137	31.7436	31.7436	31.7436	31.7188	31.9376
Indonesia	Rupiah	5906.0000	5957.0000	5948.0000	5948.0000	5948.0000	5960.0000	6018.0000
Israel	Shekel	3.1126	3.1425	3.1430	3.1430	3.1430	3.1364	3.1535
Japan	Yen	76.5400	76.8700	76.7700	76.7700	76.7700	76.2200	76.2500
Korea	Won	825.7500	829.5600	830.5700	830.5700	830.5700	827.6300	830.9600
Malaysia	Ringgit	2.6559	2.6771	2.6634	2.6634	2.6634	2.6600	2.6733
New Zealand	Dollar	1.1589	1.1578	1.1492	1.1492	1.1492	1.1497	1.1505
Norway	Kroner	4.9546	4.9131	4.8944	4.8944	4.8944	4.9204	4.9497
Pakistan	Rupee	40.2000	40.5000	40.2900	40.2900	40.2900	40.2100	40.3400
Papua NG	Kina	2.3417	2.3605	2.3484	2.3484	2.3484	2.3454	2.3571
Philippines	Peso	38.4000	38.9000	38.7500	38.7500	38.7500	38.7800	38.9700
Singapore	Dollar	1.2174	1.2225	1.2216	1.2216	1.2216	1.2192	1.2271
Solomon Is.	Dollar	5.2164	5.2582	5.2314	5.2314	5.2314	5.2246	5.2508
South Africa	Rand	4.9714	4.9028	4.8763	4.8763	4.8763	4.8355	4.8314
Sri Lanka	Rupee	65.9600	66.4500	66.0300	66.0300	66.0300	66.0100	66.3700
Sweden	Krona	5.4084	5.3800	5.3731	5.3731	5.3731	5.4063	5.4375
Switzerland	Franc	.9294	.9243	.9178	.9178	.9178	.9207	.9283
Taiwan	Dollar	23.7300	23.8800	23.7900	23.7900	23.7900	23.7700	23.8700
Thailand	Baht	27.8900	28.0800	27.8600	27.8600	27.8600	27.8900	28.0700
UK	Pounds	.4170	.4158	.4130	.4130	.4130	.4132	.4154
USA	Dollar	.6990	.7046	.7010	.7010	.7010	.7001	.7036

JOHN FENNING
Delegate of the
Chief Executive Officer of Customs
CANBERRA A.C.T.
29/10/03

Employment and Workplace Relations

Comment on proposed Amendments to the National Workplace Exposure Standards

The National Occupational Health and Safety Commission (NOHSC) invites public comment on the proposed amendments to the following *National Exposure Standards for Atmospheric Contaminants in the Occupational Environment*:

2-Butoxyethanol
1,4-Dioxane
2,2-Dichloro-1,1,1-trifluoroethane (HCFC-123)
Trichloroethylene
Ortho-Dichlorobenzene (o-DCB)
Ammonium, Potassium and Sodium Persulfate

Exposure standards are guides to the safe use of chemicals in the workplace. The proposed standards give details on the acceptable concentration of substances in the worker's breathing zone, to limit the risk of adverse health effects.

A Public Discussion paper providing a description of the process used to develop the proposed amendments, details of how to provide your comment, draft documentation to support the proposed amendments and a Preliminary Regulation Impact Statement is available free of charge from the NOHSC website at:

<http://www.nohsc.gov.au/OHSInformation/Databases/ExposureStandards/expsearch.asp>

Alternatively, if you wish to have a downloaded copy sent to you, place your request by:

- telephone to Freecall 1800 552 488 follow the prompts when the call is answered; or
- fax (02) 6279 1150 – mark your fax 'Proposed amendments to national exposure standards, Attention: Chemicals Framework Team' and include your name and postal address; or
- email to esrequest@nohsc.gov.au - title your email 'Proposed amendments to national exposure standards' and include your name and postal address.

NOHSC will review the proposed amendments in light of public comment received and make final recommendations in mid 2004. Following declaration by NOHSC, final exposure standards are considered for adoption by Commonwealth, State and Territory Governments in workplace hazardous substances legislation.

Public comment closes on 13 February 2004.

Environment and Heritage

TERRITORY OF HEARD ISLAND AND MCDONALD ISLANDS

NOTICE OF APPLICATION RECEIVED UNDER THE ENVIRONMENT PROTECTION AND MANAGEMENT ORDINANCE 1987

I, ANTHONY JAMES PRESS, Delegate of the Parliamentary Secretary to the Minister for the Environment and Heritage, in accordance with section 17 of the Heard Island and McDonald Islands Environment Protection and Management Ordinance 1987, give notice of an application received from Quark Expeditions Inc (USA) to undertake a commercial (tourist) expedition to the Territorial waters of Heard Island during November 2003.

A copy of the application may be obtained from the Antarctic Treaty and Government Section of the Australian Antarctic Division, Channel Highway, Kingston, Tasmania 7050.


Delegate of the Minister for the
Environment and Heritage

28 October 2003

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

Policy Coordination Branch
Australian Antarctic Division
Channel Highway
KINGSTON TAS 7050

Telephone (03) 6232 3504
Facsimile (03) 6232 3500

COMMONWEALTH OF AUSTRALIA

**Antarctic Treaty (Environment Protection) (Environmental Impact Assessment) Regulations
NOTICE OF COMPLETION OF AN INITIAL ENVIRONMENTAL EVALUATION**

I, ANTHONY JAMES PRESS, Delegate of the Minister for the Environment and Heritage, pursuant to regulation 7 of the Antarctic Treaty (Environment Protection) (Environmental Impact Assessment) Regulations, give notice that I have determined that the activity, proposed by Mr Chris Paterson of the Australian Antarctic Division, namely the clean-up the Thala Valley Waste Disposal Site at Australia's Casey Station, Wilkes Land, Antarctica, is likely to have a minor or transitory impact on the environment.

Interested persons may obtain copies of the revised initial environmental evaluation from:

Mr Chris Paterson
Chief Engineer,
Australian Antarctic Division
Channel Highway
KINGSTON TAS 7050

Dated 30 October 2003



Anthony J. Press
Delegate of the Minister for the
Environment and Heritage

COMMONWEALTH OF AUSTRALIA

**Antarctic Treaty (Environment Protection) (Environmental Impact Assessment) Regulations
NOTICE OF AVAILABILITY IN AUSTRALIA OF A DRAFT INITIAL ENVIRONMENTAL
EVALUATION**

I, ANTHONY JAMES PRESS, Delegate of the Minister for the Environment and Heritage, in accordance with regulation 10 of the Antarctic Treaty (Environment Protection) (Environmental Impact Assessment) Regulations, give notice that I have received a draft Initial Environmental Evaluation of the proposed activity to 'develop and operate an ongoing air transport system including inter-continental flights between the Australian and the Antarctic continents and intra-continental flights between Antarctic stations'.

A copy of the evaluation may be obtained from the Environment Officer, Australian Antarctic Division, Channel Highway, Kingston, Tasmania 7050, or by phoning (03) 6232 3503.

Interested persons may submit their comments on the evaluation to the Director of the Australian Antarctic Division, Channel Highway, Kingston, Tasmania 7050 by close of business on 5 December 2003.



Anthony J. Press
Delegate of the Minister for the
Environment and Heritage

October 2003

COMMONWEALTH OF AUSTRALIA

Antarctic Treaty (Environment Protection) (Environmental Impact Assessment) Regulations
NOTICE OF AVAILABILITY IN AUSTRALIA OF A DRAFT INITIAL ENVIRONMENTAL
EVALUATION

I, ANTHONY JAMES PRESS, Delegate of the Minister for the Environment and Heritage, in accordance with regulation 10 of the Antarctic Treaty (Environment Protection) (Environmental Impact Assessment) Regulations, give notice that I have received a draft Initial Environmental Evaluation of the proposed activity to 'remove Old Davis Station buildings-Old Donga Line'.

A copy of the evaluation may be obtained from the Environment Officer, Australian Antarctic Division, Channel Highway, Kingston, Tasmania 7050, or by phoning (03) 6232 3503.

Interested persons may submit their comments on the evaluation to the Director of the Australian Antarctic Division, Channel Highway, Kingston, Tasmania 7050 by close of business on 5 December 2003.



Anthony J. Press
Delegate of the Minister for the
Environment and Heritage

October 2003

Commonwealth of Australia

Environment Protection and Biodiversity Conservation Act 1999

Section 378

AMENDMENT OF NOTICE ESTABLISHING BOARD OF MANAGEMENT

ULURU KATA TJUTA NATIONAL PARK

I, DAVID ALISTAIR KEMP, Minister for the Environment and Heritage, having agreed with the Central Land Council on the amendment of the notice published in *Gazette* No. G49 on 10 December 1985 establishing the Uluru-Kata Tjuta Board of Management (as amended by notices published in *Gazette* No. S177 on 21 April 1986 and No. GN23 on 21 June 1989, and by item 6 of Schedule 4 to the *Environmental Reform (Consequential Provisions) Act 1999*), hereby amend that notice pursuant to paragraph 378(1)(b) of the *Environment Protection and Biodiversity Conservation Act 1999*:

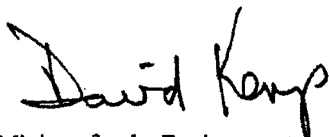
- (a) by omitting from paragraph (c) of the notice 'ten' and substituting 'twelve'; and
- (b) by omitting the Schedule to the notice and substituting the following schedule-

SCHEDULE

Qualifications for appointment to a position of member of the Board:

- (i) eight members, each to be an Aboriginal person nominated by the traditional owners of the Park;
- (ii) one member to be the person holding the office of the Director of National Parks under the *Environment Protection and Biodiversity Conservation Act 1999* or a Senior Executive Service employee in the Parks Australia Division of the Department of the Environment and Heritage;
- (iii) one member to be a person nominated by the Minister responsible for Tourism and approved by the traditional owners of the Park;
- (iv) one member nominated by the Northern Territory and approved by the traditional owners of the Park;
- (v) one member to be a person nominated by the Minister responsible for the Environment and approved by the traditional owners of the Park

Dated 13 October 2003



Minister for the Environment and Heritage



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, Ian Cresswell, Delegate of the Minister for the Environment and Heritage, pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999*, hereby amend the list of exempt native specimens established under section 303DB of the Act by including in the list the following specimens:

1. *Pinctada maxima* (silver lipped pearl oyster)
2. *Pinctada margaritifera*
3. *Pinctada albina*
4. *Pinctada fucata*
5. *Pteria penguin*

with a notation for each specimen that inclusion in the list is subject to the following restrictions or conditions:

- in relation to *Pinctada maxima*, the specimen must have been taken in accordance with the *Pearling (General) Regulations 1991* in force under the *Pearling Act 1990* (Western Australia); and
- in relation to specimens other than *Pinctada maxima*, the specimen must have been taken in accordance with an Oyster Fishing Licence issued under the *Fish Resources Management Act 1994* (Western Australia); and
- in relation to each specimen, inclusion of the specimen on the list will expire on 22 October 2008.

Dated this 27th day of October 2003

.....Ian Cresswell.....

Delegate of the Minister for the Environment and Heritage

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

Environment Protection and Biodiversity Conservation Act 1999

Some public notifications on the Internet and in the Gazette relating to the processing of referrals for approval under Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999* may occasionally be missed in processing by the Department of Environment and Heritage, or may not meet timeframes for notification. The Department of Environment and Heritage has implemented systems and ongoing quality assurance procedures to minimise any risk of missing a notification within the required timeframe. Where a missed notification is identified the practice will be to notify these even though the timeframe for notification has lapsed. This will ensure that the history of notifications for each referral is available to the public. The Department of Environment and Heritage regrets any inconvenience that may be caused by a missed notification. Please note that late notifications have not affected subsequent processing of referrals or assessments and they do not affect decisions made.

NOTICE OF A DECISION ON WHETHER AN ACTION IS A CONTROLLED ACTION OR NOT

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

Reference No	Title of action	Date of Decision	Controlling Provisions	Component decision under s.77(3) applies
2003/1229	Powerlink Queensland/Energy generation and supply/Gladstone/QLD/Powerlink Gladstone to Larcom Creek 275kV Transmission Line	28 Oct 2003	s 18 a listed threatened species or ecological community	No

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

Reference No	Title of action	Date of Decision	Component decision under s.77(3) applies
2003/1245	Boral Construction Materials/Manufacturing/Lawnton/QLD/Concrete Batching plant	29 Oct 2003	No

2003/1243	Caltex Refineries/Energy generation and supply/Kurnell/NSW/Construction Of Two New Fuel Processing Plants On Existing Site	30 Oct 2003	No
2003/1234	Caltex Refineries (QLD) Ltd/Manufacturing/Brisbane/QLD/Lytton Fuels Refinery Modification	29 Oct 2003	No
2003/1231	Canberra Investment Corporation Limited/Urban and commercial new development/Canberra/ACT/North Watson Residential Estate	28 Oct 2003	No
2003/1230	Magellan Petroleum (NT) Pty Ltd/Mining/Finke Gorge National Park, Amadeus Basin/NT/Palm Valley-11 Gas Well	28 Oct 2003	No
2003/1215	Albury-Wodonga development Corporation/Urban and commercial new development/Thurgoona/NSW/Mitchell Park Residential Estate Stage 1	21 Oct 2003	No
2003/1219	Mr K Jordan/Urban and commercial new development/Paterson/NSW/Weed and Native Vegetation Clearing, Cintra Estate Rural Residential Subdivision, Paterson	21 Oct 2003	No

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

Environment Protection and Biodiversity Conservation Act 1999

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

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

Reference No	Title of action	Date of Decision	Assessment approach
2003/1144	Stockland Development Pty Ltd/Urban and commercial new development/Point Lonsdale/VIC/Residential and Golf Course Development Project	24 Oct 2003	Accredited Assessment Process

DEPARTMENT OF THE ENVIRONMENT AND HERITAGE

Environment Protection and Biodiversity Conservation Act 1999

NOTICE OF THE GRANTING OF AN APPROVAL FOR TAKING AN ACTION

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

Reference No	Title of action	Approval	Date
2001/172	Ravensthorpe Nickel Operations Pty Ltd/Mining/Ravensthorpe/WA/Ravensthorpe Nickel Project	Approved with Conditions	24 Oct 2003

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

Health and Ageing



Therapeutic Goods (Listing) Notice 2003 (No. 3)

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 9A (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 that contain, as an active ingredient, sodium sulfate, and include a label statement that, where the substance was not to be used as a laxative, the substance may have a laxative effect.

Dated 27 October 2003



National Manager, Therapeutic Goods Administration
Delegate of the Parliamentary Secretary

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

THERAPEUTIC GOODS REGULATIONS 1990

**DESIGNATION OF BORTEZOMIB (VELCADE)
AS AN ORPHAN DRUG**

I, Leonie Hunt, delegate of the Secretary for the purposes of 16J of the *Therapeutic Goods Regulations 1990* ("the Regulations"), acting under subregulation 16J(2) of the Regulations, designated bortezomib (VELCADE) as an orphan drug on the 22nd of October 2003 for the treatment of resistant or relapsed multiple myeloma.

The dose form for bortezomib (VELCADE) is a powder for injection.

The sponsor of bortezomib (VELCADE) is Janssen-Cilag.



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

Dated this 22nd day of October 2003

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

THERAPEUTIC GOODS REGULATIONS 1990

DESIGNATION OF TACROLIMUS (PROGRAF) AS AN ORPHAN DRUG

I, Leonie Hunt, delegate of the Secretary for the purposes of 16J of the *Therapeutic Goods Regulations 1990* ("the Regulations"), acting under subregulation 16J(2) of the Regulations, designated tacrolimus (PROGRAF) as an orphan drug on 22nd October 2003 for use as an immunosuppressant in lung transplantation.

The dose forms for tacrolimus (PROGRAF) are 0.5, 1 and 5 mg capsules and a 5 mg/mL concentrate for intravenous infusion.

The sponsor of tacrolimus (PROGRAF) is Janssen-Cilag.



Dr Leonie Hunt

Director

Drug Safety and Evaluation Branch
Therapeutic Goods Administration

Dated this 22nd day of October 2003

COMMONWEALTH GAZETTE NOTICE

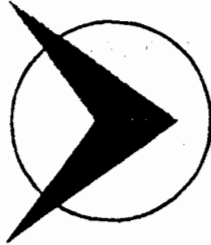
**COMMONWEALTH OF AUSTRALIA
RESEARCH INVOLVING HUMAN EMBRYOS ACT 2002
s 7 - Declaration of 'corresponding State law'**

I, Kevin Andrews, Minister with portfolio responsibility for human cloning and embryo research, hereby declare the *Research Involving Human Embryos Act 2003 (South Australia)* to be a corresponding State law for the purposes of the *Commonwealth Research Involving Human Embryos Act 2002*.



3/14/03.

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 5 November 2003:

Part 105 - Aircraft

AD/ECUREUIL/93 - Collective Lever Lock

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

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

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



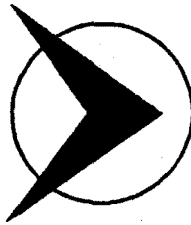
**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

The following Airworthiness Directives under subregulation 39.1 (1) of the *Civil Aviation Safety Regulations 1998* will become effective on 27 November 2003:

Part 105 - Aircraft

- | | | |
|------------------------|---|---|
| AD/A320/120 Amdt 3 | - | Slide Raft Telescopic Girt Bar |
| AD/A320/124 Amdt 1 | - | Overwing Emergency Exit Door Frame Corners |
| AD/A320/137 Amdt 1 | - | Fuel Probes and Fuel Tank Level Sensors |
| AD/A320/146 Amdt 1 | - | Airworthiness Limitation Items |
| AD/A320/148 Amdt 1 | - | Pitot Probes |
| AD/A320/151 | - | Keel Beam Side Panels |
| AD/A330/21 Amdt 1 | - | Low Pressure Fuel Shut-Off Valve |
| AD/A330/25 | - | Auxiliary Power Unit Control Box |
| AD/AT/11 | - | Wing Main Spar - Steel Spar Caps and Centre Section Splice Blocks |
| AD/B747/296 | - | Body Station 2598 Bulkhead |
| AD/BEECH 300/1 | - | Cockpit D Side Window |
| AD/BELL 407/21 Amdt 2- | | Tail Rotor Drive Shaft Bearings |
| AD/BELL 47/61 Amdt 22- | | Retirement Life - Critical Components |

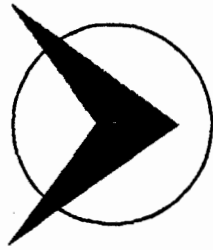


**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

Part 105 - Aircraft (Continued)

- | | | |
|--------------------------|----------|--|
| AD/CESSNA 120/12 | - | Carburettor and Cabin air heater muffis |
| AD/CHA/26 | - | Gascolator Bowl |
| AD/CHA/27 | - | Exhaust Stack 'Y' Junction |
| AD/CHA/28 | - | Cleveland Wheels |
| AD/DH 83/1 | - | Flight Limitations and Structural Inspection |
| AD/DH 83/2 | - | Cockpit Safety Harness Installation - Integrity and Lifting |
| AD/DH 83/3 | - | Cockpit Lateral Tie Rods and Aircraft Structure |
| AD/IAI-A/17 | - | Main Landing Gear Ground Contact Switches |
| AD/LA-4/10 Amdt 1 | - | Aircraft Structure - Inspection for Corrosion |
| AD/LUSCOMBE/3 | - | Cleveland Wheels |
| AD/SD3-60/61 | - | Engine Power Check |
| AD/SWSA226/94 | - | Boost Pump Wiring |



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

Part 105 - Aircraft (Continued)

- | | | |
|----------------------|---|---|
| AD/TB 200/8 Amdt 1 | - | Aileron and Elevator Control Gimbal Joint |
| AD/TB10/35 Amdt 1 | - | Aileron and Elevator Control Gimbal Joint |
| AD/TB20/41 Amdt 1 | - | Aileron and Elevator Control Gimbal Joint |
| AD/TBM 700/28 Amdt 1 | - | Fuselage Skin Around the VHF1 Antenna |
| AD/TBM 700/33 | - | Vertical Stabiliser Attachment Fittings |
| AD/TECNAM/1 | - | Fin Rear Spar |

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

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

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



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

The following Airworthiness Directives under subregulation 39.1 (1) of the *Civil Aviation Safety Regulations 1998* will become effective on 27 November 2003:

Part 106 - Engines

- AD/RB211/22 Amdt 1 - Spray Nozzle Fuel Supply Tube - Inspection
- AD/ROTAX/13 - Mixture Enrichment Jet
- AD/ROTAX/14 - Turbo Charger Pressure Oil Line Banjo Bolt
- AD/ROTAX/15 - Inspection of Exhaust Bends
- AD/ROTAX/16 - Inspect/Replace Engine Mount
- AD/ROTAX/17 - Inspection for Cracks in Crankcase
- AD/ROTAX/18 - Replacement of Valve Spring Retainers of Engines in Single Valve Spring Configuration
- AD/ROTAX/19 - Oil Dipstick
- AD/ROTAX/20 - Exhaust Muffler Inspection

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

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

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



**CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA**

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

The following Airworthiness Directives under subregulation 39.1 (1) of the *Civil Aviation Safety Regulations 1998* will become effective on 27 November 2003:

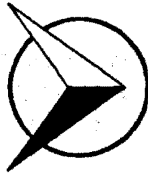
Part 107 - Equipment

- AD/FSM/25 Amdt 4 - Lear Romec Fuel Pumps
- AD/PPF/17 Amdt 4 - Hub Cracking
- AD/PHS/18 Amdt 1 - Hub Cracking
- AD/PROP/1 Amdt 2 - Propellers - Overhaul

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

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

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



CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA

**NOTIFICATION OF EXEMPTION
UNDER THE CIVIL AVIATION REGULATIONS 1988**

On 28 October 2003, the Civil Aviation Safety Authority (CASA) issued an exemption under subregulation 308 (1) of the *Civil Aviation Regulations 1988* relating to the use of aircraft radiocommunication system in fire fighting operations (Exemption Number CASA EX21/2003).

Copies of this instrument is available from:

**Airservices Australia Publications Centre
Alan Woods Building
25 Constitution Avenue
CANBERRA ACT 2600**

Copies of this instrument may be purchased by mail from:

**Airservices Australia Publications Centre
Locked Bag 8500
CANBERRA ACT 2601**

Treasury



**AUTHORITY FOR FOREIGN ADI TO CARRY ON
BANKING BUSINESS IN AUSTRALIA**

Banking Act 1959

I, John Francis Laker, Chair of the Australian Prudential Regulation Authority, under subsection 9(3) of the *Banking Act 1959* (the "Act"), GRANT Societe Generale ARBN 092 516 286 (the "foreign ADI"), an authority to carry on banking business in Australia.

This authority is subject to the condition, made under subsection 9(4) of the Act, that the foreign ADI, in carrying on banking business in Australia, shall not accept deposits or other funds for amounts which are less than \$250,000 from any source other than from:

- (i) incorporated entities;
- (ii) persons or unincorporated entities that are not residents of Australia;
- (iii) its own employees; or
- (iv) persons or non-incorporated entities with an initial balance with the foreign ADI of at least \$250,000.

This authority commences on 1 January 2004.

Dated: 31 October 2003

[signed]
John Laker
Chair



Banking Act 1959

CONSENT SINCE

- A. The Scallop Credit Union Co-operative Limited [ABN 52 087 651 741] is an ADI within the meaning of the *Banking Act 1959* (the "Act");
- B. The Scallop Credit Union Co-operative Limited proposes to dispose of all of its assets and liabilities to Austral Credit Union Limited [ABN 89 087 651 518];
- C. Section 63 of the Act prohibits an ADI, other than a foreign ADI, from, among other things, entering into an arrangement or agreement for disposal of its business without the consent of the Treasurer in writing;
- D. In a letter dated 30 July, The Scallop Credit Union Co-operative Limited requested the Treasurer to consent to that disposal:

I, Stephen Glenfield, General Manager, a delegate of the Treasurer, for the purposes of section 63 of the Act, CONSENT to the proposed disposal by The Scallop Credit Union Co-operative Limited of all of its assets and liabilities to Austral Credit Union Limited.

Dated: 23 October 2003

[signed]

.....
Stephen Glenfield
General Manager
Specialised Institutions Division
South West Region



Banking Act 1959

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

I, Stephen Glenfield, a delegate of the Australian Prudential Regulation Authority, under paragraph 9B(1)(b) of the *Banking Act 1959* (the "Act") am satisfied that Advance Credit Union Limited, ACN 087 651 518, a body corporate that was taken to have been granted a section 9 authority on 1 July 1999, has changed its name to:

**Austral Credit Union Limited
ACN 087 651 518**

Under subsection 9B(3) of the Act, the section 9 authority granted to Advance Credit Union Limited has effect after the publication of this notice as if the section 9 authority had been granted to Austral Credit Union Limited.

Dated: 23 October 2003

[*signed*]

.....
**Stephen Glenfield
General Manager
Specialised Institutions Division
South West Region**



Financial Sector Shareholdings Act 1998

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

SINCE:

- (1) The Scallop Credit Union Co-operative Limited ABN 52 087 651 741 ("Scallop") is a financial sector company under the *Financial Sector (Shareholdings) Act 1998* ("the Act"); and
- (2) Austral Credit Union Limited ABN 89 087 651 518 (the "Applicants") have applied to the Treasurer under section 13 of the Act for approval to hold a 100% stake in the transferring business; and
- (3) I am satisfied that it is in the national interest to approve the Applicants holding a stake in Scallop of more than 15%,

I, Stephen Glenfield, under section 14 of the Act, APPROVE the Applicants holding a 100% stake in the transferring business.

In this approval, "transferring business" means the gross assets and liabilities of the company that is to be transferred to the applicant under the *Financial Sector (Transfers of Business) Act 1999*.

This Approval remains in force indefinitely

Dated: 23 October 2003

[signed]

.....
Stephen Glenfield
General Manager
Specialised Institutions Division
South West Region



Insurance Act 1973

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

To: TGI Australia Limited ACN 000 041 458 (the "Company")

SINCE:

- A. the Company is a general insurer within the meaning of the *Insurance Act 1973* (the "Act"); and
- B. conditions have been imposed on the Company's authorisation under section 12 of the Act,

I, Thomas Karp, a delegate of APRA, under paragraph 13(1)(a) of the Act, IMPOSE a new condition on the authorisation of the Company to carry on insurance business in Australia, as set out below:

- "5. Condition 1 does not prevent or restrict or limit the body corporate from being entitled to have vested in it by order of the High Court of New Zealand ("the Court") pursuant to an application for approval of a scheme of arrangement under Part XV of the *NZ Companies Act*, the interests and liabilities of AMP Services (NZ) under certain inwards reinsurance treaties in which AMP Services (NZ) has a participation interest (as reinsurer), as detailed in the application to the Court, and to acquire by order of the Court such interests and liabilities."

Dated: 21 October 2003

[signed]
Tom Karp
Executive General Manager
Diversified Institutions Division

INTERNATIONAL TAX AGREEMENTS ACT 1953

**NOTICE UNDER SECTION 4A SPECIFYING THE DATE OF ENTRY INTO
FORCE OF THE AMENDING PROTOCOL TO THE AUSTRALIA-MALAYSIA
DOUBLE TAXATION AGREEMENT**

NOTICE is hereby given in pursuance of section 4A of the *International Tax Agreements Act 1953* that the Protocol amending the Agreement between the Government of Australia and the Government of Malaysia 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 16B of that Act) entered into force on 23 July 2003.

Dated this 23rd day of October, 2003.

HELEN COONAN
Minister for Revenue and Assistant Treasurer

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

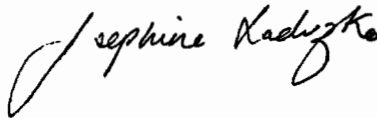
ORDER UNDER SUBSECTION 22(1)

WHEREAS -

- (A) HUALIN YAN & MEILAN YAN are foreign persons for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) HUALIN YAN & MEILAN YAN propose to acquire an interest in Australian urban land as described in the notice furnished on 30 September 2003 under section 26A of the Act;

NOW THEREFORE I, Jo Laduzko, Manager, Primary and Secondary Industries Unit, 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 *thirtieth* day of *October* 2003.



Manager

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 22(1)

WHEREAS -

- (A) **SUN RISINGS EXPORT COMPANY PTY LTD** is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) **SUN RISINGS EXPORT COMPANY PTY LTD** proposes to acquire an interest in Australian urban land as described in the notice furnished on 25 September 2003 under section 26A of the Act;

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

Dated this 27th day of OCTOBER 2003.



General Manager

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS -

- (A) SAID ACHMAD is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act');
- (B) SAID ACHMAD proposes to acquire an interest in Australian urban land as specified in the notice furnished on 29 September 2003 under section 26A of the Act;

NOW THEREFORE I, Chris Legg, General Manager of the Foreign Investment Policy Division of the Treasury and authorised to make this order for and on behalf of the Treasurer, being satisfied that:

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

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

Dated this 27th day of OCTOBER 2003.



General Manager

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 21A(2)

WHEREAS –

- (A) Young Hook Nang Robert and Adeline Toh Chwee Lian are foreign persons for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* (“the Act”);
- (B) Young Hook Nang Robert and Adeline Toh Chwee Lian propose to acquire an interest in Australian urban land as specified in the notice furnished on 9 October 2003 under section 26A of the Act.

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

- (i) Young Hook Nang Robert and Adeline Toh Chwee Lian propose to acquire an interest in Australian urban land; and
- (ii) the proposed acquisition would be contrary to the national interest,

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

Dated this

29th

day of

OCTOBER

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 2003/98	Income tax: capital reduction: Australand Holdings Limited	This Ruling sets out the tax consequences for all ordinary shareholders of Australand Holdings Limited who are on record as holders and who participate in the capital reduction announced on 20 August 2003. This Ruling applies to events occurring in the year ending 30 June 2004.
CR 2003/99	Income tax: Approved Early Retirement Scheme – Department of Innovation, Industry and Regional Development	This Ruling sets out the tax consequences for all employees of the Department of Innovation, Industry and Regional Development who receive a payment under the approved early retirement scheme. This Ruling applies from 23 October 2003 unless and until it is withdrawn.
PR 2003/65	Income tax: deductibility of interest incurred on borrowings in relation to The Macquarie Fusion Funds – December 2003 Offer	This Ruling sets out the tax consequences of investing in a Macquarie Fusion Fund using a loan made by Macquarie Bank Ltd (the Bank); a further borrowing from the Bank, if it occurs, used to fund a payment of interest; and a grant of a put option by the Bank. This Ruling applies prospectively from 5 November 2003.

NOTICE OF ERRATUM

Ruling Number	Subject	Brief Description
CR 2003/94	Income tax: Assessability of income: Members of the Australian Defence Forces (ADF) and Australian Public Service (APS) employees of the Department of Defence working in the Solomon Islands as part of operation ANODE	This Erratum amends Class Ruling CR 2003/94 by replacing the FOI Status in the header on pages 1, 3, 5, 7, 9, 11 and 13 of the Ruling. This Erratum applies on and from 22 October 2003.

NOTICE OF WITHDRAWALS

Ruling Number	Subject	Brief Description
TD 95/15	Income tax: capital gains: if all or part of the final distribution by a liquidator in the course of winding up a company is assessable to a shareholder as a dividend which is franked, is any notional capital gain accruing to the shareholder on the disposal of the shares reduced under subsection 160ZA(4) by the imputation credit included in assessable income by section 160AQT?	The issue dealt with by Taxation Determination TD 95/15 was clarified in respect of assessments for the 1998-99 and later income years by <i>Tax Law Improvement Act (No. 1) 1998</i> . The Determination is withdrawn with effect from today in respect of assessments for the 1998-99 and later income years.
CR 2003/98	Income tax: capital reduction: Australand Holdings Limited	This Ruling is withdrawn and ceases to have effect after 30 June 2004.

CR 2003/99	Income tax: Approved Early Retirement Scheme – Department of Innovation, Industry and Regional Development	This Ruling is withdrawn and ceases to have effect after 31 January 2004.
PR 2003/65	Income tax: deductibility of interest incurred on borrowings in relation to The Macquarie Fusion Funds – December 2003 Offer	This Ruling is withdrawn and ceases to have effect after 30 June 2007.



COMMONWEALTH OF AUSTRALIA

Financial Sector (Shareholdings) Act 1998

Notice of Extension of Duration of Approval under section 15; and

Notice of Variation of Conditions of Approval under section 16(2)

WHEREAS:

- A. On 13 July 2000, approval was given to Standard Chartered Bank Australia Limited and other corporations mentioned in the Schedule to that approval to hold a 100 per cent stake in ANZ Grindlays Bank Limited ((ACN 073 230 190)).¹
- B. The 13 July approval was granted on two conditions, including the following condition:
“that ANZ Grindlays Bank Limited’s authority to carry on a banking business is revoked under section 9A of the *Banking Act 1959* by 1 November 2003”.
- C. The duration of the 13 July approval was specified to be the period “until such time as the authority to carry on banking business is revoked”.
- D. ANZ Grindlays Bank Limited has been renamed Standard Chartered Grindlays Bank Limited.

I, ROSS CAMERON, Parliamentary Secretary to the Treasurer,

1. Being satisfied that it is in the national interest, under subsection 15(4) of the *Financial Sector (Shareholdings) Act 1998*, extend the period during which the approval dated 13 July 2000 remains in force until 31 October 2004; and
2. Under paragraph 16(2)(b) of the *Financial Sector (Shareholdings) Act 1998*, vary the conditions specified in the approval dated 13 July 2000 by substituting the second condition specified in that approval with the following condition:

“that the authority to carry on banking business granted to Standard Chartered Grindlays Bank Limited (formally known as ANZ Grindlays Bank Limited) is revoked under section 9A of the *Banking Act 1959* by 1 November 2004”

A handwritten signature in black ink, appearing to read 'Ross Cameron'.

ROSS CAMERON
Parliamentary Secretary to the Treasurer

Dated: 24/10/2003

¹ The Notice of Approval and Schedule is contained in Commonwealth of Australia Gazette No. GN 29, 26 July 2000.



COMMONWEALTH OF AUSTRALIA

Financial Sector (Shareholdings) Act 1998

Notice of Approval under Subsection 14(1)

I, HELEN LLOYD COONAN, Minister for Revenue and Assistant Treasurer, being satisfied that it is in the national interest, under subsection 14(1) of the *Financial Sector (Shareholdings) Act 1998*, hereby approve Guinness Peat Group plc, and the associates mentioned in the attached Schedule, to increase its stake in Reinsurance Australia Corporation Limited to 20 per cent.

This approval remains in force indefinitely.

Dated 23 OCTOBER 2003

A handwritten signature in black ink, appearing to read 'Helen Coonan', with a long horizontal flourish extending to the right.

HELEN COONAN

Minister for Revenue and Assistant Treasurer

SCHEDULE

List of associates

- **GPG Australia Nominees Limited**
- **Guinness Peat Group International Holdings BV**
- **Guinness Peat Overseas Holdings Limited**
- **GPG (UK) Holdings plc**
- **Guinness Peat Group plc**
- **Trust International Management (T.I.M.) BV**
- **Blake Nixon**
- **Anne-Marie Kuijpers**
- **Trevor Beyer**
- **Guinness Peat Group Allied Services BV**
- **Guinness Peat Group Management BV**
- **GPG Investment Holdings (UK) Ltd**
- **Milton Crez NV**

Commissioner of Taxation

NOTICE OF A DATA MATCHING PROGRAM

The Australian Taxation Office (ATO) will electronically match taxpayers' income tax return information held on the ATO's tax return database with data to be supplied by the Dairy Adjustment Authority (DAA) regarding payments made under the Dairy Structural Adjustment Program (DSAP).

The objectives of the program are to ensure that:

- an entity that receives payments under DSAP includes those amounts as income in its income tax returns; and
- an entity that disposes of a payment right through a transfer of units includes any capital gain in the appropriate income tax return.

It is expected that records for approximately 29,000 entities will be matched under this program, more than 25,000 of whom are expected to be individuals.

A document describing this program has been prepared in consultation with the Office of the Privacy Commissioner. A copy of this document is available from:

ABN Compliance Team
Australian Taxation Office
GPO Box 200
Adelaide SA 5001

Telephone: (08) 7422 2309

The ATO complies with the Privacy Commissioner's *Guidelines on Data Matching in Commonwealth Administration* which includes standards for data matching to protect the privacy of individuals.

COMMONWEALTH OF AUSTRALIA

Income Tax Assessment Act 1997

NOTICE UNDER SUBSECTION 30-85(2)

I, Helen Coonan, the Minister for Revenue and Assistant Treasurer:

(a) Being satisfied that the following fund is established by an approved organisation, as defined in Division 30 of the *Income Tax Assessment Act 1997*, exclusively for the relief of persons in a certified country or certified countries declare by this notice published in the *Gazette* under subsection 30-85(2) of the Act the following fund to be an eligible fund for the purposes of item 9.1.1 of table 9 in subsection 30-80(1) of the Act:

Burnet Overseas Aid Fund

(b) specify for the purposes of subsection 30-85(3) of the *Income Tax Assessment Act 1997* the date on which this notice is published in the *Gazette* as the date on which this notice has effect.

Dated this 23 day of October 2003



HELEN COONAN
Minister for Revenue and Assistant Treasurer

Public Notices

Notice of Supplemental Royal Charter and Bye-Laws of the Australian Academy of Science

Supplemental Royal Charter

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her Other Realms and Territories, Head of the Commonwealth, GREETING:

WHEREAS Your Majesty Queen Elizabeth the Second on 16 February 1954 by Royal Charter (here called "the Original Charter") constituted a Body Corporate and Politic by the name of the "Australian Academy of Science" (here called "the Academy") with perpetual succession and a Common Seal:

AND WHEREAS on 8 December 1987 WE have assigned to Our Governor-General of the Commonwealth of Australia all our powers and functions in respect of the issuing of Letters Patent:

- (a) granting a Supplemental Charter to anyone in the Commonwealth of Australia to whom a Charter of incorporation has been granted by US or Our predecessors; or
- (b) revoking, amending, or adding to, any Charter of incorporation or Supplemental Charter granted to anyone in the Commonwealth of Australia by US or Our predecessors,

and have authorised the Governor-General to exercise any of those powers and functions in Our name and on Our behalf:

AND WHEREAS the Academy has made representation to US as follows:

That since the grant of the Original Charter the Academy has pursued the aims and objects of the Charter and has sought to promote, declare and disseminate scientific knowledge, establish and maintain standards of scientific endeavour and achievement in the natural sciences in Australia, and has recognised outstanding contributions to the advancement of science.

That it has done so by establishing and maintaining associations and relations between Australian scientists and the International Scientific Unions and other international groups, meetings and unions of scientists, and between Australian scientific activities and the activities of scientists in other countries, by administering or helping to administer funds for purposes of scientific research or projects of a scientific character, by arranging or joining in arranging meetings of scientists inside or outside Australia, holding symposia, and arranging for visits of scientists from other countries to Australia, by correlating and assisting in correlating the efforts of other scientific bodies, by suggesting ways in which scientific projects in Australia may be instituted, carried out or revised, by publishing or assisting in the publication of scientific knowledge, and by providing guidance to sources of scientific information.

That it is the belief of the Academy that certain amendments to its Original Charter would make its laws consistent with Australian law and would also assist in the better administration of its affairs.

AND WHEREAS the Academy has by that representation requested US to grant a Supplemental Charter for the above-mentioned purposes.

NOW THEREFORE WE do, by these Our Letters Patent issued in Our name by Our Governor-General of the Commonwealth of Australia, grant and declare as follows:

- 1 All of the provisions of the Original Charter, apart from clause 1 of the Original Charter, are hereby revoked, and the provisions of this Supplemental Royal Charter replace those provisions. Accordingly, the Academy shall continue to be a Body Corporate and Politic by the name of the "Australian Academy of Science" and by the same name shall and may sue and be sued in all Courts and in all manner of actions and suits and shall have power to do all other matters and things incidental or appertaining to a body corporate, including power to take and hold personal property and power to purchase, take on lease and hold lands tenements or hereditaments, or any interest in any lands tenements or hereditaments whatsoever, within Our Commonwealth of Australia for the purposes of the Academy and power to sell, let on lease, alienate or otherwise dispose of the same or any part thereof. Nothing in this revocation shall affect the validity or legality of the Bye-laws or of any act, deed or thing done or executed under or pursuant to the provisions of the Original Charter.
- 2 The income and property of the Academy, whencesoever derived, shall be applied solely towards the promotion of the objects of the Academy and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the persons who at any time are or have been members of the Academy or to any of them or to any person claiming through any of them: provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Academy or to any member thereof or other person in return for services actually rendered to the Academy or for goods supplied in the ordinary way of business nor prevent the payment of interest on money borrowed or the payment of rent for premises let to the Academy.
- 3 The objects and purposes of the Academy shall be:
 - (1) To promote, declare and disseminate scientific knowledge, to establish and maintain standards of scientific endeavour and achievement in the natural sciences in Australia; and to recognise outstanding contributions to the advancement of science.
 - (2) To establish and maintain associations and relations between Australian scientists and the International Scientific Unions and other international groups, meetings and unions of scientists; and between Australian scientific activities and the activities of scientists in other countries.
 - (3) To administer or help in administering funds for purposes of scientific research or projects of a scientific character.
 - (4) To arrange or join in arranging meetings of scientists inside or outside Australia, to hold symposia, and to arrange for visits of scientists to other countries to Australia.
 - (5) To correlate and assist in correlating the efforts of other scientific bodies.
 - (6) To suggest ways in which scientific projects in Australia may be instituted, carried out, or revised.
 - (7) To publish or assist in the publication of scientific knowledge.

- (8) To provide guidance to sources of scientific information.
 - (9) To do all such other lawful things as the Academy may think incidental or conducive to the attainment of its objects or any of them.
- 4 Subject to the Bye-laws of the Academy the members thereof (except Corresponding Members) shall be designated Fellows. Unless and until such Bye-laws otherwise provide:
- (a) there shall be two classes of members, namely Fellows and Corresponding Members;
 - (b) Fellows shall be Australian citizens or permanent residents of Australia; and
 - (c) Corresponding Members shall be persons, not normally resident in Australia, who are eminent in some branch of natural knowledge.
- 5 Subject to the Bye-laws, Fellows may be elected annually.
- 6 Subject to these Presents the qualifications and conditions of election of Fellows, the method of election, the privileges and obligations of Fellows including liability to expulsion or suspension, and the conditions of termination of membership, shall be such as the Bye-laws of the Academy from time to time prescribe.
- 7 The affairs of the Academy shall be managed by a body to be called "the Council" which shall be the governing body of the Academy.
- 8 Unless and until the Bye-laws of the Academy otherwise provide the Council shall consist of the President, the Treasurer, the Secretary (Physical Sciences), the Secretary (Biological Sciences), the Secretary (Science Policy), the Secretary (Education and Public Awareness), the Foreign Secretary and ten other members, all elected from the body of Fellows by the Fellows in general meeting. Members of the Council shall not be paid or receive any remuneration or fees for acting as such and no member of the Council shall be appointed to any salaried office of the Academy or any office of the Academy paid by fees.
- 9 The Council shall have the sole control, management and superintendence of the property, income, affairs and concerns of the Academy and may appoint such secretaries and officers as it deems necessary; and, if not contrary to or inconsistent with the provisions of this Our Charter or any Bye-laws made hereunder or the laws and statutes of Our Commonwealth of Australia or any State or Territory thereof, may do all such acts as may appear to it to be necessary or desirable for the purpose of carrying into effect the objects of the Academy and in particular and without prejudice to the foregoing powers the Council shall have the following powers: -
- (a) to accept any gift of property whether subject to any special trust or not for any of the objects of the Academy;
 - (b) to invest any moneys of or belonging to the Academy in such manner as may from time to time be prescribed by the Bye-laws of the Academy;
 - (c) to borrow, raise or secure the payment or repayment of moneys in such manner as it may think fit;
 - (d) to construct, maintain or alter any buildings or works necessary or convenient for the purposes of the Academy;

- (e) to sell, lease, mortgage, dispose of or otherwise deal with all or any part of the property of the Academy.
- 10 The Council may so far as it deems expedient delegate any of its powers (except this power of delegation) to committees including the Regional Advisory Committees for the time being of the Academy and any other committees established as hereinafter provided.
- 11 To enable the objects of the Academy to be carried out more effectually –
- (a) The Council may establish Regional Advisory Committees. Subject to the Bye-laws of the Academy, every Regional Advisory Committee shall be composed of Fellows normally resident within the region for which the Advisory Committee is established and such other persons as, by reason of their contributions to the advancement of science, are considered by the Council to be competent to act on the Advisory Committee;
- (b) the Council may also establish from time to time such other committees as it thinks expedient;
- (c) each Regional Advisory Committee (and each other committee) shall elect one of its number to be its Chairman;
- (d) unless and until otherwise provided by the Bye-laws of the Academy the Council shall appoint the members of the Regional Advisory Committees and other committees and may determine the terms for which the members thereof are respectively to hold office and make such rules for the conduct of their proceedings and otherwise regulate their activities as it thinks fit.
- 12 Unless and until the Bye-laws of the Academy otherwise provide, a general meeting, to be called the Annual General Meeting, shall be held at Canberra in the Australian Capital Territory in the second quarter in each year.
- Other general meetings of the Fellows of the Academy, to be called Special General Meetings, may be convened by the Council at any time, and shall be convened by the Council on the requisition of such number of Fellows as the Bye-laws of the Academy from time to time prescribe.
- Subject to the Bye-laws the Council may determine any question as to the notice to be given of or to any matter of procedure at any general meeting of the Fellows.
- The Council may submit any question to the vote of the Fellows of the Academy by means of a ballot to be conducted in such manner as the Council (subject to the Bye-laws) may decide, and the decision upon such a vote shall have the same force and effect as a resolution of the Fellows in general meeting.
- 13 A majority of not less than three-fourths of the Fellows present in person or by proxy and voting at a general meeting of the Fellows of the Academy specially called for the purpose of which due notice has been given or the like majority of the Fellows voting by means of a ballot as hereinafter provided shall have power from time to time to make such Bye-laws as shall seem requisite and convenient for the regulation, government and advance of the Academy its members and property and for the furtherance of its objects and purposes and from time to time to revoke or amend any Bye-laws or Bye-laws previously made but so that the same be not repugnant to these Presents or to the laws and statutes of Our Commonwealth of Australia or any State or Territory thereof; provided that no such Bye-law, revocation or amendment shall take effect until approved by Our

Governor-General of Our Commonwealth of Australia. The Academy shall cause all such Bye-laws when allowed with the formal allowance to be printed and published in the official Gazette published by Our Government of Our Commonwealth of Australia.

- 14 Unless and until rescinded, varied or added to in accordance with the preceding Articles, the Bye-laws appended to this Our Supplemental Charter shall constitute the Bye-laws of the Academy.

AND LASTLY WE do grant and declare for US, Our Heirs and Our Successors that this Our Supplemental Charter shall be in all things valid and effectual in law according to its true intent and meaning and shall be taken, construed and adjudged in the most favourable and beneficial sense for the best advantage of the Academy as well in Our Courts of Record as elsewhere by all judges, justices, officers, ministers and other subjects of US, Our Heirs, and Our Successors any non-recital, mis-recital or other omission defect or thing to the contrary notwithstanding

WITNESS under my hand and the }
Great Seal of Australia on }
18th September 2003. }



Michael Jeffery
Governor-General

BYE-LAWS

Adopted by a General Meeting on 12 November 1954 and approved by the Governor-General-in-Council on 6 April 1955. The dates of amendments made since 1987 are indicated in footnotes; the dates of amendments made prior to 1987 may be found in the *Year Book* for that year.

Chapter I: INTERPRETATION

In these Bye-Laws, unless the context indicates a contrary intention:

¹ words importing a gender include any other gender;

words importing the singular number include the plural, and *vice versa*;

'in writing' and 'written' includes printing, typing or any other means of reproducing words on paper;

'year' means calendar year;

The Secretaries' means the Secretary (Physical Sciences) and the Secretary (Biological Sciences);

² Persons may be deemed to be normally resident in Australia if their absence from Australia is due to their holding an academic or other appointment of a short-term or temporary character; and

³ Reference to Chair is a reference to the position described as Chairman in the Royal Charter.

Chapter II: MEMBERSHIP

- Persons eligible. **1** The Academy shall consist of Fellows and Corresponding Members, elected as hereinafter provided. Subject to Section 10 of this chapter, Fellows shall at the time of their election be normally resident in Australia and be eminent by reason of their scientific attainments and their researches in natural science. Corresponding Members shall be persons eminent by reason of their scientific attainments and discoveries but not normally resident in Australia.
- 2** At the date of the adoption of these Bye-Laws the Fellows of the Academy consist of the petitioners named in the first paragraph of the original⁴ Charter of Incorporation and the Fellows who have been elected in pursuance of the fifth clause of the original Charter.
- Ordinary Election of Fellows*
- 3a** The ordinary election of Fellows shall take place annually.⁵
- Number to be elected. **b** Subject to paragraph (a) of Section 8 and to paragraph (f) of Section 9 of this Chapter, the number of Fellows to be elected in each year shall be sixteen⁶ and up to an additional four in milestone anniversary years (generally every 25 years)⁷, until otherwise determined by an official election ballot⁸ passed by at least a two-thirds⁹ majority of Fellows voting. Such determination may be made from time to time and shall take effect immediately.¹⁰
- Sectional Committees. **4a** In order that the Council may be advised regarding the qualifications of candidates for election, it shall appoint, not later than the thirty-first day of July in each year, such number of Sectional Committees composed of Fellows as it thinks fit.
- b** The Council shall from time to time with respect to each committee:
- i** fix the number of Fellows of which it is to consist,
 - ii** prescribe its title and functions,
 - iii** propose a Fellow for election as its Chair, and
 - iv** give directions for its guidance if thought fit.
- c** Provided that:
- i** a Fellow who has been a member of any Sectional Committee for four consecutive years shall not be eligible for appointment to that committee for the next year;
 - ii** in exercising its powers under this Section the Council shall endeavour to ensure that the whole field of the natural sciences is adequately covered by Sectional Committees consisting of Fellows who are competent to assess the qualifications of candidates;

¹ 19 June 2002.

² 19 June 2002

³ 19 June 2002.

⁴ 18 September 2003.

⁵ Originally elections of ordinary Fellows took place at the Annual General Meeting, commencing with the Annual General Meeting in 1955.

⁶ Originally five in 1954, increased to six in 1958; to nine in 1970; to 12 in 1992; to 16 in 2000.

⁷ 18 September 2003.

⁸ 18 September 2003.

⁹ 2 February 2000.

¹⁰ 18 September 2003.

- iii any casual vacancy on any Sectional Committee may be filled by resolution of the Council at any time.
- Certificate of election.** 5 Candidates for election shall be proposed by means of certificates, and the following provisions shall apply:
- a certificates shall be in the form from time to time prescribed by the Council (subject to this Section);
- ¹¹b they shall specify the name, rank, professional position and usual residence of candidates, shall contain a statement in less than 100 words of their qualifications (hereinafter called 'the citation'), and shall be accompanied by a complete list of their publications;
- c they shall be signed by at least four Fellows, one of whom shall sign as proposer and one as seconder;
- d Fellows signing the certificate will be deemed thereby to certify that to the best of their knowledge and belief the candidate is qualified to become a Fellow;
- Duties of Proposers and Supporters.** e candidates and their work must be known personally to the proposer and seconder; and other Fellows signing the certificate shall signify whether they support candidates from personal knowledge or from general knowledge of their work. Fellows (other than the proposer and seconder) who desire to sign the certificate of a candidate but find it impracticable to do so before the date prescribed in paragraph (g) below, may in writing request The Secretaries or either of them to append their names to that certificate as supporting a candidate either from personal knowledge or from general knowledge of their work; and shall thereupon be deemed to have signed the certificate. Such letter of request shall be kept by The Secretaries during the validity of the certificate and be available for inspection at the Rooms of the Academy upon demand by any Fellow;
- f proposers shall obtain the consent of candidates to nomination and their agreement that, if elected, they will subscribe to the Obligation and pay the annual dues;
- g a certificate shall be in the hands of The Secretaries not later than the thirty-first day of July¹² immediately preceding the election;
- h the date of the receipt of a certificate by The Secretaries shall be entered by them in the Register of Candidates to be kept pursuant to Section 15 of this Chapter;
- i a certificate received by the date specified in paragraph (g) shall be valid for the next five annual elections; there may be attached to a certificate at any time supplementary information signed by the proposer and seconder named therein; corrections of fact may be made upon the certificate at any time if initialled by the proposer and seconder named therein and unmistakably marked as new matter, or, if either the proposer or seconder is unavailable by reason of death or otherwise, in their place by one of the other Fellows who signed the certificate;
- j a certificate may be withdrawn by the proposer and seconder before the date specified in paragraph (g) or after the next following election;
- k The Secretaries shall strike off the Register of Candidates any candidate who has been elected or whose certificate is no longer valid.
- ¹³l when a certificate for a candidate has expired after five annual elections, The Secretaries will not accept a new certificate until the second calendar year following the year of expiry.
- List of candidates to be sent to all Fellows.** 6 Not later than the first day of September in each year, The Secretaries shall send to each Fellow a list of candidates whose names appeared on the Register of Candidates on the preceding second day of August. Such list shall be in alphabetical order, shall contain with respect to candidates a copy of the citation appearing in their certificates, and the names of the Fellows who have signed the certificates (the proposer and seconder appearing first in that order) and shall specify the number of elections for which certificates in respect of them have been valid.
- Sectional Committee to receive classified list of candidates and make recommendations to Council** 7 Not later than the date prescribed in Section 6, The Secretaries shall send to each member of every Sectional Committee a complete list of candidates, in which candidates' names are placed under the heading or headings of the section or sections appropriate for their work. By the same date The Secretaries shall send to the members of the appropriate Sectional Committee or Committees lists of candidates' publications, also, with respect to candidates, the information, including supplementary information (if any), appearing in or attached to their certificates.

¹¹ 16 November 1993.

¹² 18 September 2003.

¹³ 26 November 1997.

- Each Chair of a Sectional Committee shall ascertain, either at a meeting of the members thereof or by correspondence with them, their views as to the most eligible candidate within the purview of this committee, and as to any comment or recommendation with respect to any other candidate or candidates which should be submitted to the Council. Where necessary or desirable, Committee members may seek opinions from other recognized experts in Australia or overseas. The Chair shall deliver to the Executive Secretary a written report to the Council not later than the seventeenth day of February¹⁴ then next, setting out the names of the candidates recommended for consideration in order of merit and giving comments and recommendations with respect to them, in accordance with the opinions of the majority of the members of the Sectional Committee.
- Council to recommend candidates for election.**
- 8a** A meeting of the Council shall be held as soon as practicable after the first day of March in each year, at which the reports of the Sectional Committees shall be considered. At that or a subsequent meeting the Council shall resolve upon the names of candidates (from among those recommended by the Sectional Committees and corresponding in number to the number of Fellows to be elected as determined under paragraph (b) of Section 3) to be recommended by it for ordinary election under that paragraph as Fellow of the Academy; provided that, if the Council is of the opinion that the number of candidates whose scientific attainments and researches are such as to qualify them for membership of the Academy is less than the number so determined, it may resolve upon the names of a smaller number to be so recommended.
- b** in resolving upon its recommendations, the Council shall have regard to, amongst other things, the desirability of maintaining a just distribution of the membership of the Academy over the various branches of natural science.
- Election Ballot to be sent to all Fellows. Method of election.**
- c** An official election ballot¹⁵ containing the names recommended by the Council in alphabetical order shall be sent to each of the Fellows at least fourteen days before the Annual General Meeting.
- 16a** Fellows desiring to vote shall do so by sending to the Returning Officer an election ballot (being an election ballot sent in pursuance of paragraph (c) of the last preceding Section or one identical therewith). Before doing so, they may delete from the election ballot one or more of the names recommended by the Council; and may, if they think fit, replace any name so deleted by writing thereon the name of another of the candidates whose names appeared on the list sent to Fellows in pursuance of Section 6.
- b** An official election ballot on which the name of any candidate appears more than once shall be informal; and no name may be added except in replacement of a name recommended by the Council.
- c** Each Fellow who returns an official election ballot shall be deemed to cast one vote for each candidate whose name appears thereon and has not been deleted.
- d** Council shall appoint a Returning Officer who may determine any questions as to the procedure in the election and as to the validity or effect of any election ballot.
- e** The candidates, equal in number to the number recommended by the Council in the election ballot submitted by it, who receive the greatest number of votes shall be declared elected; provided that (subject to paragraph (f) hereunder) no candidate whose name appears on less than two-thirds of the official election ballots returned shall be declared elected.
- f** If two or more candidates for the last place or places to be filled receive an equal number of votes, a supplementary poll or polls shall be taken in such manner as the Returning Officer directs. Candidates shall not be declared elected as the result of any supplementary poll unless in the course of such poll, or on a resolution for their election, they have received the votes of not less than two-thirds of the Fellows voting.
- Royal Fellows*
- 9A** The Council may from time to time by resolution elect as a Royal Fellow of the Academy a Royal Prince or Princess who, in its opinion, is eminent in respect of his or her interest in science; provided that such resolution has been carried with at least nine votes cast in favour of the resolution.
- Special Election of Fellows*
- 10** From time to time the Council may deem it desirable that the Academy should elect to Fellowship a person
- Qualification for special**

¹⁴ 18 September 2003.¹⁵ 18 September 2003.¹⁶ 19 June 2002.

- election. who has rendered conspicuous service to the cause of science or whose election would be of signal benefit to the Academy and to the advancement of science. Accordingly the following provisions shall apply:
- Procedure for nomination. a At a meeting to be held as soon as practicable after the first day of March in each year¹⁷ the Council may nominate for special election as a Fellow a person who in its opinion is within the terms of the preamble to this Section; but no such nomination shall be made unless upon a ballot of the members of the Council at least nine votes have been cast in favour of the nomination being made. In determining the nomination, Council may interview the proposer of the person for nomination for special election.¹⁸
- b not more than two persons shall be specially elected in any three consecutive years, with the exception of milestone anniversary years (generally every 25 years) for the Academy in which up to three persons may be specially elected;¹⁹
- c nomination shall be by means of a certificate, and the provisions of paragraphs (a) to (d) inclusive of Section 5 of this Chapter shall apply thereto, except that no list of publications need be furnished;
- Procedure for election. d an official election ballot containing a resolution for the election of the person nominated for special election²⁰ along with particulars of any nomination, and the information contained in the certificate by means of which it is made, shall be sent to each Fellow at least fourteen days before the Annual General Meeting.
- e the nominee shall be declared elected if a resolution for his or her election be passed by a majority of not less than two-thirds of the Fellows voting.²¹
- ²²f Council shall appoint a Returning Officer who may determine any questions as to the procedure in the election and as to the validity or effect of any official election ballot and shall supervise the counting of votes.

Corresponding Members

- Election by Council. 11 The Council may from time to time by resolution elect as a Corresponding Member of the Academy a person who in its opinion is eminent in respect of scientific discoveries and attainments but who is not normally resident in Australia provided that:
- Number which may be elected. a not more than two persons may be elected in any year;
- b no such election shall be made if it would make the number of Corresponding Members for the time being exceed one-tenth of the number of Fellows for the time being;
- c such resolution has been carried with at least nine votes cast in favour of the resolution.
- Obligations and privileges of Corresponding Members. 12 A Corresponding Member shall not be required to pay any subscription, shall not be eligible for membership of Council or any Sectional Committee, and shall not be entitled to receive notice of or to vote at any General Meeting of the Academy.

Register of Members

- 13 The Secretaries shall keep a book called the Register of Members, in which shall be entered the name, address and date of election of each Fellow and Corresponding Member and such other particulars as the Council may from time to time determine.

Charter Book and Obligation

- Signing of Charter Book and Obligation. 14 There shall be a Charter Book and Fellows shall sign this and at the first General Meeting after the date of their election or within such period thereafter as the Council may permit. In signing they shall subscribe the following Obligation, which shall be written at the head of each page.

I hereby solemnly promise to promote, declare and disseminate scientific knowledge, and to serve the Academy according to its Charter and Bye-Laws, provided that whenever under my own hand I notify the President that I wish to resign from the Academy I shall be free from this obligation.

Corresponding Members shall sign the Charter Book at the first convenient opportunity after their election, but shall not be required to subscribe the Obligation.

¹⁷ 18 September 2003.

¹⁸ 18 September 2003.

¹⁹ 18 September 2003.

²⁰ 18 September 2003.

²¹ 18 September 2003.

²² 18 September 2003.

Register of Candidates

- 15 The Secretaries shall also keep a book, called the Register of Candidates, in which shall be entered the name and address of each candidate for ordinary election as a Fellow in respect of whom a certificate of proposal for membership in accordance with Section 5 of this Chapter is received, the date of receipt of the certificate, and such other particulars as the Council may from time to time determine.

Subscriptions

- 16 Fellows shall pay, for the year in which they are elected and for each calendar year thereafter while they remain Fellows, a subscription of such amount as is prescribed from time to time by the Council. The subscription for each year shall become payable one month after the Annual General Meeting. In exceptional circumstances the Council may remit all or part of a Fellow's subscription for any year or years.

Termination of Membership

- 17 Fellows shall cease to be members of the Academy upon the happening of any of the following events:
- a if they resign by notice in writing to the President;
 - b if they are in default for two consecutive years in the payment of the subscription and the Council resolves that they shall cease to be a member; provided that, on payment of all arrears of subscriptions, a Fellow may be reinstated as a member by resolution of the Council;
 - c if a resolution is passed by ballot of the members of the Council to the effect that in its opinion they have been guilty of conduct detrimental to the Academy; and the following provisions shall apply with respect to any such resolution:
 - i before it is submitted to such ballot, the Fellow shall be informed of the conduct complained of and given a reasonable opportunity to show cause against his or her expulsion; and
 - ii if less than nine members of the Council vote in favour of it, it shall be deemed to have lapsed.

Chapter III: THE COUNCIL AND OFFICERS

The Council

- | | | |
|----------------------------|-----------------|--|
| Constitution. | 1a | The affairs of the Academy shall be managed by a Council consisting of: <ul style="list-style-type: none"> ²³i seven Officers, namely, the President, the Treasurer, The Secretaries, the Secretary (Science Policy), the Secretary (Education and Public Awareness) and the Foreign Secretary, ii five ordinary members representing physical sciences, and iii five ordinary members representing biological sciences. |
| Making of Standing Orders. | c | The Council may regulate the affairs of the Academy by means of Standing Orders, provided that such orders are not contrary to the Charter or the Bye-Laws of the Academy. Such Standing Orders may be made, amended or repealed at any Council meeting, provided that notice of the proposed new Standing Order, amendment, or repeal has been given at the preceding Council meeting. |
| Election of Council. | d | Subject to Section 8 of this chapter, members of Council shall be elected at an Annual General Meeting and shall hold office until the conclusion of the Annual General Meeting in the year in which their term of office expires. |
| Retirement of members. | ²⁴ e | The term of office of the President, Treasurer, The Secretaries, the Secretary (Science Policy), the Secretary (Education and Public Awareness) and Foreign Secretary shall be four years. The term of office of an ordinary member of Council shall be three years. Fellows shall not be eligible for re-election to Council in the same capacity in the year in which they complete their term of office. |
| Nominations to Council. | f | Subject to paragraphs (a), (e) and (g) of this Section, any Fellow may be nominated for any vacancy on Council by any four other Fellows. Before the nomination is made, the consent of the nominee must be obtained by the proposers. A Fellow shall not accept nomination for more than one vacancy. |
| | g | Not later than the 14th day of September in each year, Council shall cause to be sent to each Fellow a paper setting out the number of vacancies to be filled at the succeeding Annual General Meeting. The paper shall specify the title of each vacancy for Officer and the number of vacancies for ordinary members (physical sciences) and ordinary members (biological sciences). The paper shall include a list |

²³ Increased from six to seven Officers, 19 June 2002.

²⁴ 19 June 2002.

- of names of Fellows, one for each vacancy, nominated by Council. In accordance with paragraph (e) of this Section, Fellows may submit further nominations for the vacancies, in writing, to The Secretaries not later than the 1st day of November.
- Council Election Ballot Method of voting in elections of Council.** ²⁵2 Not later than the fourteenth day of November in each year the Council shall cause to be sent to each Fellow an official election ballot containing all the nominations for the vacant seats on Council.
- 3a** If only one nomination for any vacant office has been made, the Fellow nominated shall be declared elected.
- b** If the number of nominations for ordinary members representing physical sciences equals the number of vacancies, then the Fellows nominated shall be declared elected; with a similar provision in respect of ordinary members representing biological sciences.
- c** If there is more than one nomination for a post of Officer, or if there are more nominations than vacancies for ordinary members representing physical sciences or biological sciences, then the following voting procedure shall apply:
Fellows wishing to vote shall do so by writing against the name of each candidate for a particular office a number indicating their order of preference for that candidate, commencing with the number 1 for the most preferred candidate and continuing until consecutive numbers have been assigned to all those candidates for whom it is desired to vote. An official election ballot on which not all candidates have been assigned consecutive numbers shall be valid only to the first omitted number.
- d** Fellows wishing to vote shall do so by completing the official election ballot in accordance with instructions provided with the ballot and returned²⁶ to The Secretaries no later than the 1st day of February. Election ballots received after this date shall not be valid except that The Secretaries may, for good reason, extend the date for acceptance of election ballots by not more than 4 weeks, by notice posted in the office of the Academy before the 1st day of February. Counting of votes shall not commence before this closing date.
- e** Before each election the Council shall appoint a Returning Officer who shall determine any question as to procedure in the election and as to the validity or effect of any election ballot, and shall supervise the counting of votes.
- f** Upon the first counting of election ballots votes shall be distributed among the candidates in accord with the first preferences (indicated by the number 1). The candidate receiving the least number of first preferences shall be eliminated and his or her votes distributed among the remaining candidates in accord with their indication of second preference. The candidate now holding the smallest total number of votes shall again be eliminated and his or her votes distributed among the remaining candidates ranking next in preference on each individual election ballot. This procedure shall be continued until the number of candidates remaining is equal to the number of vacancies. The remaining candidates shall then be declared elected.
- g** If there is an equality of votes among the least favoured candidates at any stage of this procedure, then the candidate having the least number of votes before the immediately preceding distribution of preferences shall be eliminated. If this procedure does not resolve the difference then the preceding distribution stage shall be similarly considered and so on. If these procedures fail to resolve the matter then the candidate to be eliminated shall be determined by lot.
- h** For the purpose of determining the term of office in accordance with Section 1 (d), members of Council on the 1st day of May 1974, shall be deemed to have served the number of years elapsing since their first election to that office or seat on or after the Annual General Meeting in 1970.
- Two Vice-Presidents to be appointed.** **4** At the first meeting of the Council after the Annual General Meeting the Council, on the nomination of the President, shall appoint two of its members as Vice-Presidents, to hold office as such until the conclusion of the next Annual General Meeting.
- Procedure for Meetings of Council.** **5a** Meetings of the Council may be convened by the President or The Secretaries.
- b** Except as otherwise decided by the Council, or in special circumstances, by the President, meetings shall be held in Canberra.
- c** The Council shall meet at least four times in each year, and at intervals no longer than four months.
- Quorum to be eight.** **d** Unless otherwise determined by resolution of the Fellows in General Meeting, the quorum for a meeting of the Council shall be eight. No business shall be transacted at any meeting unless a quorum is present at the commencement of the meeting;

²⁵ 6 September 1983.

²⁶ 18 September 2003.

- provided that the decisions (not requiring any specified number or majority of votes) of a meeting at which a quorum is not so present shall be valid if ratified by the resolution of a subsequent meeting at which a quorum is present, or by the written approval of a sufficient number of members of the Council to constitute a quorum.
- e Except as otherwise provided by the Charter or the Bye-Laws, all questions before the Council shall be decided by a majority of votes, the Chair having a deliberative, and, in the case of an equality of voting, a casting vote.
- f Voting at meetings of the Council shall be upon the voices or by show of hands, unless the Charter or Bye-Laws require a ballot, or a ballot is demanded by a member before the declaration of the result of a vote upon the voices or by a show of hands or immediately thereafter and before the Council proceeds to the next business.
- g A ballot shall be taken in such manner as the Chair directs.
- h The President, if present, shall take the Chair at every meeting of the Council. In his or her absence, the meeting shall elect one of the Vice-Presidents, or, if neither of them is present, one of the other members, to act as Chair thereof.
- 6 A resolution in writing signed by all the members of the Council who are for the time being in Australia shall be as valid and effectual in all respects as if it had been passed at a meeting of the Council duly convened.
- 7 Members of the Council who fail to attend two consecutive meetings of the Council without leave of absence from one or both of them having been granted to them shall cease to be a member of the Council unless it otherwise determines.
- Filling of casual vacancies. 8 Any casual vacancy occurring in any office or seat on the Council shall be filled by resolution of the Council, and the Fellow so appointed shall hold office until the conclusion of the next Annual General Meeting. Such tenure of office by the appointee shall not be taken into account for the purpose of paragraph (e) of Section 1 of this Chapter.
- 9 A report on every meeting of the Council shall be sent to each Fellow as soon as practicable after the meeting.
- The President*
- 10 The President shall preside at every general meeting of the Academy and meeting of the Council at which he or she is present.
- The Secretaries*
- ²⁷11 The Secretaries shall be responsible for recording the proceedings of the Academy, for the keeping of the minutes of general meetings of the Academy and of the meetings of the Council, for the conduct of the Academy's correspondence, for the keeping of its records, for its publications, and for all other business except that relating to finance, science policy, education and public awareness and international relations.
The Secretaries or one of them or in emergency a Fellow appointed by the President to act in their stead shall attend all general meetings of the Academy and meetings of the Council.
- The Foreign Secretary*
- 11a The Foreign Secretary shall be responsible, subject to the direction of the Council, for the international relations of the Academy and for the conduct of the relevant correspondence.
- The Secretary (Science Policy)*
- ²⁸11b The Secretary (Science Policy) shall be responsible, subject to the direction of the Council, for the Academy's relations with government and other bodies on matters of science policy.
- The Secretary (Education and Public Awareness)*
- ²⁹11c The Secretary (Education and Public Awareness) shall be responsible, subject to the direction of Council, for the Academy's relations with national organisations concerned with science education, including mathematics, and public awareness.
- The Treasurer and the Finance Committee*
- Responsibilities 12a The Treasurer shall be responsible for the receipt

²⁷ 19 June 2002.²⁸ 19 June 2002.²⁹ 19 June 2002.

- of Treasurer. and payment into a banking account of the Academy of all moneys payable to the Academy; for the disbursement of all sums due from or payable by the Academy; for the keeping of proper accounts of all such receipts and payments; and for the custody of the books of account and the securities and other property of the Academy.
- b With the approval of Council, the Treasurer may appoint a deputy, to whom any of his or her duties or powers may be delegated from time to time.
- c If the Treasurer dies or becomes, in the opinion of the President, incapable of performing his or her duties, or unfit to act, the President may appoint a member of Council to act as Treasurer until a new Treasurer is appointed by Council.
- Finance 13a At its first meeting after the Annual General
Committee to be Meeting in each year the Council shall appoint a
appointed. Finance Committee, consisting of the Officers, and three other members, one of whom shall be a Fellow.
- b The Finance Committee shall meet at least twice in each year, provided that a meeting need not be held if all members of the Committee who are for the time being in Australia so agree in writing. Meetings may be convened by the Treasurer or either of The Secretaries.
- c The Treasurer shall preside at every meeting of the Finance Committee, but in his or her absence the Committee shall elect one of its members to act as Chair of the meeting.
- d A quorum of a meeting of the Finance Committee shall be three.
- e The function of the Finance Committee shall be to advise Council concerning the financial affairs of the Academy. It may submit budgets and estimates of receipts and expenditure and advise as to the investment of funds. The Council may delegate to it, subject to such conditions (if any) as the Council thinks fit, the power to manage the investment of funds, including the power to select, purchase, sell and otherwise deal with investments.

Chapter IV: FINANCES AND ACCOUNTS

Expenditure of Funds

- Authority for 1a Subject to this Section, no expenditure by or on
Expenditure. behalf of the Academy or of the funds of the Academy shall be incurred or made without the authority of the Council.³⁰
- Authorising 1b The Council may delegate to any committee the
Committee may power to authorise expenditure to be incurred or
be appointed. made, provided that particulars of expenditure so authorised shall be submitted by the Chair of the Committee to the next meeting of the Council after it is authorised.
- c Any such delegation may be made subject to such conditions, and to such restrictions as to amount, locality, subject matter or otherwise as the Council from time to time prescribes.
- d Any such committee may, if the Council so decides, include a Fellow who is not a member of the Council.
- e Bye-Law omitted.³¹

Banking Accounts and Disbursements of Funds

- Signing of 3 Cheques and other negotiable instruments drawn
cheques. made or accepted on behalf of the Academy shall be signed by the Treasurer or his or her deputy and by such other person (whether a member of the Council or not) as the Council from time to time determines.³²
- 4 Cheques and other negotiable instruments for collection and crediting to a banking account of the Academy may be endorsed by any member of the Council or by the Executive Secretary or by such other person as the Council from time to time prescribes.
- 5 No banker or other person paying or dealing with any cheque or negotiable instrument signed in accordance with Sections 3 and 4 of this chapter shall be concerned to inquire whether any of the provisions of Section I have been complied with.

³⁰ 18 September 2003.

³¹ 18 September 2003. Bye-Law regarding Running Expenses Account removed as no longer in keeping with practice.

³² 18 September 2003.

*Investments*³³

- 6a The funds of the Academy shall be invested according to the policy determined by Council and embodied in a Standing Order titled 'Investment Policy'.
- b No investment of the funds of the Academy or of any trust moneys under its control shall be made except in the manner specified in the Standing Order.

Annual Accounts

- 7a The Council shall cause to be laid before the Annual General Meeting in each year a balance sheet and a statement of income and expenditure, together with statements showing the position of each trust fund, all made up to the previous thirtieth day of June.
- b Such balance sheet and statement shall be prepared by the Treasurer and submitted for the consideration of the Council at a meeting held in October next before the General Meeting to which they are to be presented.
- c Before being so submitted they shall be audited and their correctness ascertained.
- d By the thirty-first day of October in each year copies of such balance sheet and statements shall be sent to every Fellow.

Audit

- 8 Once at least in every year the accounts of the Academy shall be examined and the correctness of the balance sheet and financial statements ascertained by an Auditor.
- 9 The Auditor shall be elected at the Annual General Meeting. Any casual vacancy in the office of Auditor shall be filled by appointment by the Council, and the Auditor so appointed shall hold office until the conclusion of the next Annual General Meeting.
- 10 An Auditor shall not be a Fellow of the Academy or a candidate for election as such.
- 11 The remuneration of the Auditor shall be fixed by the Annual General Meeting, or, if it so decides, may be left for the determination of the Council.

Chapter V: GENERAL MEETINGS

- | | | |
|--|---|--|
| Annual General Meetings. | 1 | An Annual General Meeting of the Academy shall be held not more than fifteen months after the holding of the last preceding Annual General Meeting and at such time and place as the Council decides. Unless for special reasons the Council otherwise determines, each Annual General Meeting shall be held in Canberra before the last Thursday in May. ³⁴ |
| Special Meetings. | 2 | A Special General Meeting of the Academy may be convened by the Council at any time, and the Council shall convene such a meeting on the written requisition of ten Fellows, and in this case the meeting shall be convened for a date not later than sixty days after the receipt of the requisition. |
| Notice of meetings. | 3 | Not less than twenty-one days' notice of every general meeting specifying the place, day and hour of meeting and, in the case of special business, the general nature thereof, shall be sent to each of the Fellows: provided that the accidental omission to give notice of any meeting to or the non-receipt of any notice by any of the Fellows shall not invalidate the proceedings of any meeting. |
| Ballot in lieu of vote at a General Meeting. | 4 | The Council may submit any question to the vote of the Fellows by means of an official election ballot to be conducted in such manner as the Council decides, and the decision upon such a vote shall have the same force and effect as a resolution of the Fellows in general meeting. |
| Business of the Annual General Meetings. | 5 | The business of the Annual General Meeting shall be: <ul style="list-style-type: none"> a to receive and consider the Report of the Council; b to receive and consider the balance sheet, statement of receipts and expenditure, and other financial statements (if any), and the Auditor's Report. c to receive and consider reports from Regional Advisory Committees; d to elect Auditors, and, if so decided, to fix their remuneration; e to elect a President, Treasurer, The Secretaries, the Secretary (Science Policy), the Secretary (Education and Public Awareness), the Foreign Secretary³⁵ and Ordinary Members of the Council in accordance with the provisions of Chapter III; and |

³³ 2 February 2000.³⁴ 18 September 2003.

- f to transact any other business which may, consistently with the Charter and Bye-Laws, be transacted at a general meeting.
- Notice of special business to be given. 6 All business transacted at the Annual General Meeting other than that specified in paragraphs (a) to (f) of the last preceding Section, and all business transacted at a Special General Meeting, shall be deemed special. No special business shall be brought forward at the Annual General Meeting unless at least fourteen days' notice of it has been given in writing to The Secretaries or the Council has approved of its submission to the meeting. No business shall be transacted at a Special General Meeting other than that the general nature of which has been set out in the notice convening the meeting.
- Quorum. 7 Fifteen Fellows personally present shall be a quorum for a general meeting. No business shall be transacted unless a quorum is present at the commencement of business.
- Chair. 8 The President shall be entitled to take the chair at every general meeting at which he or she is present; but in his or her absence from any general meeting may nominate one of the Vice-Presidents who shall be entitled to take the chair thereat; but if neither of the Vice-Presidents has been so nominated, the Fellows present shall choose a Vice-President, or, if neither of the Vice-Presidents be present, one of the other members of the Council, as Chair of the meeting.
- Adjournments. 9 The Chair of a general meeting may, with the consent of the meeting, adjourn it from time to time for an agreed period but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for more than six days notice of the adjourned meeting shall be given to the Fellows; but in case of a shorter adjournment no notice need be given to any Fellow.
- Procedure and Voting. 10 Except as otherwise provided by the Charter or Bye-Laws, all questions before a general meeting shall be decided by a majority of the votes of the Fellows present, the Chair having a deliberative, and, in the case of an equality of voting, a casting vote.
- 11 Every question submitted to a general meeting shall be decided upon the voices or by a show of hands, unless the Charter or Bye-Laws require a ballot, or a ballot is demanded by one of the Fellows present either before the declaration of the result of a vote upon the voices or by a show of hands or immediately thereafter and before the meeting proceeds to the next business.
- 12 A ballot, if so required or demanded, shall be taken in such manner as the Chair of the meeting directs.
- 13 On a show of hands and on a ballot, each Fellow present shall have one vote, subject to Section 10 of this Chapter.

Chapter VI: COMMITTEES

- 1 The Council may from time to time appoint such Committees as it thinks expedient for any of the purposes of the Academy.
- 2 The Council shall appoint Sectional Committees for the purpose of Section 4 of Chapter II of these Bye-Laws, and to advise it generally on sectional matters.
- Regional Advisory Committees. 3 The Council may appoint Regional Advisory Committees, composed as provided by paragraph (a) of Clause 12 of the Charter. Persons who are not Fellows may be nominated by notice in writing to the Council by a Fellow who has personal knowledge of their qualifications.
- 4 (Repealed)
- Terms of Membership. 5 The Council shall determine from time to time the terms for which the members of Committees are to hold office and may make rules for the conduct of their proceedings.
- Annual Report. 6 Chair of each Regional Advisory Committee and of each Standing Committee shall make an annual report to the Council upon its activities for the consideration of the Annual General Meeting of the Academy.
- 7 A meeting of a committee may be convened at any time by its Chair, and shall be convened by the Chair thereof within thirty days after a requisition for such meeting, signed by any three of its members, or signed by one of The Secretaries, or the Executive Secretary under the direction of the Council, has been received by such Chair. Any such requisition may specify a matter which the Committee concerned is required to consider, and the Committee shall consider the same and make a report thereon to the Council.

- 8 Each Regional Advisory Committee shall meet at least once in every year.

Chapter VII: GENERAL AND ADMINISTRATIVE

Non-disclosure of Confidential Business

- 1 Unless otherwise determined by the Council, all business transacted at a general meeting of the Academy, or at a meeting of the Council or any Committee, shall be treated as confidential to the members of the Academy and the other members (if any) of the committee.

Minutes

- 2 The Council shall cause minutes to be made in books provided for the purpose of all resolutions and proceedings of every general meeting and of every meeting of the Council, and any such minutes if signed by the Chair of the meeting to which they relate or at which they are read shall be received as conclusive evidence of the facts therein stated.

Executive Secretary

- 3a The Council may appoint an Executive Secretary and determine his or her remuneration and conditions of employment.
- b No Fellow shall be appointed to or hold the position of Executive Secretary.
- ³⁶c The Executive Secretary shall be responsible to the President.
- d Subject to paragraph (c) of this Section, and to the directions of the Council, the Executive Secretary shall administer the affairs of the Academy, control its staff, offices and library and have the care of its records and archives. Unless otherwise provided by The Secretaries, the Executive Secretary shall attend the meetings of the Council and of all committees appointed by it and shall take minutes of the proceedings thereof and submit them for the approval of The Secretaries.

Common Seal

- 4a The Executive Secretary shall be responsible for the safe custody of the Common Seal of the Academy.
- b Every instrument to which the Common Seal is to be affixed shall normally be passed and sealed in Council but when urgency demands an instrument may be passed and sealed by order of the President or a Vice-President in the intervals between meetings of the Council. Every such occasion of urgency shall be reported at the next meeting of the Council. Every instrument to which the Common Seal is affixed shall be signed by any two of the Officers of the Academy.

Chapter VIII: REVOCATION OF, AMENDMENTS, OR ADDITIONS TO BYE-LAWS

Each proposal to change or repeal a Bye-Law, or to make a new Bye-Law shall be given to The Secretaries in writing and shall specify exactly the alterations proposed. The next two meetings of Council shall consider the proposed alteration, and Council shall recommend that the alterations be (a) approved or (b) rejected or (c) approved with amendment. Council shall then submit the proposal together with its recommendations to Fellows, either at a Special General Meeting convened as in Chapter V, or by a ballot as Council determines. If the proposed alteration receives the affirmative votes of not less than three-fourths of the Fellows voting as specified in Clause 14 of the Charter, it shall be submitted for the approval of the Governor-General³⁷, and shall take effect from the date of formal allowance as published in the official Gazette of the Commonwealth of Australia.

³⁶ 19 June 2002.

³⁷ 18 September 2003.



**Commonwealth
of Australia**

Gazette

No. S 392, Monday, 27 October 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 27 October 2003:

Part 105 - Aircraft

AD/CESSNA 525/3 Amdt 1 - Electric Pitch Trim System

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)



Notification of the making of Statutory Rules

The following Statutory Rules have been made and copies may be purchased at CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609. Telephone: 1300 656 863.

Copies may also be obtained from the following internet sites:

scaleplus.law.gov.au

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>Crimes Act 1914</i>	Crimes Amendment Regulations 2003 (No. 3)	2003 No. 265
<i>Extradition Act 1988</i>	Extradition (Republic of Croatia) Regulations 2003	2003 No. 266
<i>Nuclear Non-Proliferation (Safeguards) Act 1987</i>	Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2003 (No. 1)	2003 No. 267
<i>Health Insurance Act 1973</i>	Health Insurance (Diagnostic Imaging Services Table) Regulations 2003	2003 No. 268
<i>Air Navigation Act 1920</i>	Air Navigation Amendment Regulations 2003 (No. 3)	2003 No. 269
<i>International Air Services Commission Act 1992</i>	International Air Services Commission Amendment Regulations 2003 (No. 1)	2003 No. 270



Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2003

I, JENNIFER GORDON, delegate of the Secretary of the Department of Agriculture, Fisheries and Forestry, make this Order under section 17 of the *Australian Meat and Live-stock Industry Act 1997*.

Dated 27th October 2003

National Manager
Animal and Plant Programs
Department of Agriculture, Fisheries and Forestry

- 1 Name of Order**
This Order is the *Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2003*.
- 2 Commencement**
This Order commences on gazettal.
- 3 Revocation of Australian Meat and Live-stock Industry (Live Sheep and Goat Exports to Saudi Arabia) Order 2002**
The *Australian Meat and Live-stock Industry (Live Sheep and Goat Exports to Saudi Arabia) Order 2002* is revoked.

Section 4

4 Definitions

In this Order:

export licence has the meaning given by section 7 of the *Australian Meat and Live-stock Industry Act 1997*.

Saudi Arabia means the Kingdom of Saudi Arabia.

5 Prohibition of export of live-stock to Saudi Arabia

- (1) The holder of an export licence must not export Australian live-stock to Saudi Arabia.
- (2) For subsection (1), *export* includes:
 - (a) exporting or causing to be exported (whether directly or indirectly); and
 - (b) assisting in, or in any way knowingly being a party to or being concerned with, the importation of Australian live-stock into Saudi Arabia.



**Australian Meat and Live-stock Industry
(Export of Cattle) Amendment Order 2003
(No. 1)**

I, JENNIFER GORDON, delegate of the Secretary of the Department of Agriculture, Fisheries and Forestry, make this Order under section 17 of the *Australian Meat and Live-stock Industry Act 1997*.

Dated 28TH OCTOBER 2003

National Manager
Animal and Plant Programs
Australian Quarantine and Inspection Service
Department of Agriculture, Fisheries and Forestry

1 Name of Order

This Order is the *Australian Meat and Live-stock Industry (Export of Cattle) Amendment Order 2003 (No. 1)*.

2 Commencement

This Order commences on gazettal.

3 Amendment of *Australian Meat and Live-stock Industry (Export of Cattle) Order 2003*

Schedule 1 amends the *Australian Meat and Live-stock Industry (Export of Cattle) Order 2003*.

Schedule 1 Amendments

Schedule 1 Amendments
(section 3)

[1] **Section 5, heading**
substitute

5 Export of cattle to Middle East

[2] **Subsection 5 (1)**
substitute

(1) This section applies to the export of cattle to a port mentioned in subsection (1A).

(1A) A licensee must not, without the written consent of the Secretary, export cattle from a port in Australia to a port in any of the following places:

- (a) Algeria;
- (b) Bahrain;
- (c) Egypt;
- (d) Israel;
- (e) Jordan;
- (f) Kuwait;
- (g) Lebanon;
- (h) Libya;
- (i) Oman;
- (j) Palestine;
- (k) Qatar;
- (l) Saudi Arabia;
- (m) United Arab Emirates;
- (n) Yemen.

(1B) While the *Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2003* is in force, subsection (1A) has effect as if paragraph (l) were omitted.

[3] Subsection 5 (2), except the notes

substitute

- (2) At the same time as the licensee lodges a notice of intention to export a consignment of cattle under Order 6 of the Export Control (Animals) Orders as amended, the licensee must submit to AQIS a consignment management plan for the export of cattle.



Australian Meat and Live-stock Industry (Export of Live Sheep and Goats to the Middle East) Amendment Order 2003 (No. 1)

I, JENNIFER GORDON, delegate of the Secretary of the Department of Agriculture, Fisheries and Forestry, make this Order under section 17 of the *Australian Meat and Live-stock Industry Act 1997*.

Dated 28TH OCTOBER 2003



National Manager
Animal and Plant Programs
Australian Quarantine and Inspection Service
Department of Agriculture, Fisheries and Forestry

1 Name of Order

This Order is the *Australian Meat and Live-stock Industry (Export of Live Sheep and Goats to the Middle East) Amendment Order 2003 (No. 1)*.

2 Commencement

This Order commences on gazettal.

3 Amendment of Australian Meat and Live-stock Industry (Export of Live Sheep and Goats to the Middle East) Order 2003

Schedule I amends the *Australian Meat and Live-stock Industry (Export of Live Sheep and Goats to the Middle East) Order 2003*.

Schedule 1 Amendments

Schedule 1 Amendments

(section 3)

[1] Subsection 5 (1)

substitute

- (1) This Order applies to the export of live sheep and goats.

[2] After subsection 5 (2)

insert

- (2A) While the *Australian Meat and Live-stock Industry (Export of Live-stock to Saudi Arabia) Order 2003* is in force, subsection (2) has effect as if paragraph (1) were omitted.

[3] Subsection 5 (5)

omit

For each consignment of live sheep or goats the floor area

insert

For each consignment of live sheep or goats exported during May, June, July, August, September or October, the floor area

[4] After subsection 5 (5)

insert

- (6) For each consignment of live sheep or goats exported during November, December, January, February, March and April, the floor area per head (excluding hospital pens) in an area of the ship where animals are housed must be at least the floor area required by the following table (for weights between those shown in the table, the minimum pen area per head is to be calculated by linear interpolation):

Average weight per head of sheep or goats (kg)	Minimum floor area per head (m ²)	Average weight per head of sheep or goats (kg)	Minimum floor area per head (m ²)
28	0.261	33	0.273
29	0.263	34	0.275
30	0.265	35	0.278
31	0.268	36	0.280
32	0.270	37	0.283

Amendments Schedule 1

Average weight per head of sheep or goats (kg)	Minimum floor area per head (m ²)	Average weight per head of sheep or goats (kg)	Minimum floor area per head (m ²)
38	0.285	56	0.342
39	0.288	57	0.347
40	0.290	58	0.351
41	0.293	59	0.356
42	0.295	60	0.360
43	0.298	61	0.367
44	0.300	62	0.374
45	0.303	63	0.380
46	0.305	64	0.387
47	0.308	65	0.394
48	0.310	66	0.401
49	0.313	67	0.408
50	0.315	68	0.415
51	0.320	69	0.422
52	0.324	70	0.429
53	0.329	75	0.465
54	0.333	80	0.502
55	0.338	90	0.575



**Commonwealth
of Australia**

Gazette

No. S 396, Wednesday, 29 October 2003

SPECIAL

Published by the Commonwealth of Australia

COMMONWEALTH OF AUSTRALIA

National Health Act 1953

**NOTIFICATION OF DETERMINATION UNDER
PARAGRAPH (bj) of SCHEDULE 1, (PHS22/2003) AND SCHEDULE 3 (PHS23/2003)**

The delegate of the Minister for Health and Ageing, has, with effect from 1 November 2003 amended the Determination made on 30 June 1999 under paragraph (bj) of Schedule 1 to the *National Health Act 1953*, by omitting Schedules 1 and 3 and substituting new Schedule 1 (PHS22/2003) and Schedule 3 (PHS23/2003). Schedule 1 (overnight accommodation) and Schedule 3 (same day accommodation) amend benefit levels in regard to privately insured admitted patients for overnight stay and same day services.

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



Commonwealth
of Australia

Gazette

No. S 397, Thursday, 30 October 2003

Published by the Commonwealth of Australia

SPECIAL



Australian Fisheries Management Authority

PUBLIC COMMENT INVITED

Comments on the draft Small Pelagic Fishery Assessment Report

The Australian Fisheries Management Authority (AFMA) has prepared a draft assessment report for the Small Pelagic Fishery to meet assessment requirements under the *Environment Protection and Biodiversity Conservation Act 1999*.

AFMA seeks public comments on the draft environmental assessment from interested persons by **28 November 2003**. Comments should be directed to:

John Adams
Environment Section
Australian Fisheries Management Authority
PO Box 7051
Canberra Business Centre ACT 2610

or fax to: (02) 6272 5167

or e-mail to: john.adams@afma.gov.au

Copies of the draft assessment report are available on AFMA's website (www.afma.gov.au), by writing to AFMA at the above address or by contacting John Adams at AFMA on (02) 6272 4208.



COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

DETERMINATION PURSUANT TO SUBSECTION 5D(1)

(PHS 22/2003)

The Delegate of the Minister for Health and Ageing has determined from 1 November 2003 and shall remain in force until and including 30 April 2004 the following outreach service for the purposes of the definition of outreach services in subsection 4(1) *National Health Act 1953*.

- Pinelodge Clinic Private Hospital Dandenong Outreach Service, Dandenong, Victoria

Copies of the Determination can be obtained from the office of the Australian Government Department of Health and Ageing, GPO Box 9848, Canberra, ACT 2611 or by telephoning (02) 6289 9853 – 24 hour answering machine.

COMMONWEALTH OF AUSTRALIA

NATIONAL HEALTH ACT 1953

DETERMINATION PURSUANT TO SUBSECTION 5D(1)

(PHS 23/2003)

The Delegate of the Minister for Health and Ageing has determined from 1 November 2003 and shall remain in force until and including 31 October 2004 the following outreach service for the purposes of the definition of outreach services in subsection 4(1) of the *National Health Act 1953*.

- Delmont Private Hospital Outreach Services, Melbourne, Victoria.
- Ramsay Health Care Australia Pty Ltd Outreach Services, Adelaide, South Australia
- Toowong Private Hospital Outreach Services, Toowong, Queensland
- Calvary Health Care ACT Inc Outreach Services Program, Canberra, Australian Capital Territory
- Belmont Private Hospital Outreach Services, Carina, Queensland
- The Hobart Clinic Outreach Services, Hobart, Tasmania

Copies of the Determination can be obtained from the office of the Australian Government Department of Health and Ageing, GPO Box 9848, Canberra, ACT 2611 or by telephoning (02) 6289 9853 – 24 hour answering machine.



Notification of the making of Statutory Rules

The following Statutory Rules have been made and copies may be purchased at CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609. Telephone: 1300 656 863.

Copies may also be obtained from the following internet sites:

scaleplus.law.gov.au

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>Federal Magistrates Act 1999</i>	Federal Magistrates Court Amendment Rules 2003 (No. 1)	2003 No. 272
<i>Federal Magistrates Act 1999</i>	Federal Magistrates Court (Delegation to Registrars) Repeal Rules 2003	2003 No. 273



**Commonwealth
of Australia**

Gazette

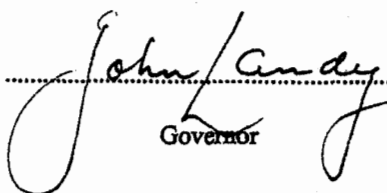
No. S 400, Friday, 31 October 2003

Published by the Commonwealth of Australia

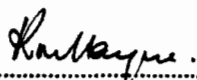
SPECIAL



I, JOHN MICHAEL LANDY, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law.


Governor

Affirmed and subscribed by
John Michael Landy, at Melbourne
in the State of Victoria
in my presence on 29 October 2003


.....

Justice of the High Court of Australia



I, JOHN MICHAEL LANDY, do solemnly and sincerely affirm and declare that I will well and truly serve Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law, in the administration of the Government of the Commonwealth of Australia and will do right to all manner of people after the laws and usages of the Commonwealth of Australia, without fear or favour, affection or ill will.

John Landy

Governor

Affirmed and subscribed by
John Michael Landy, at Melbourne
in the State of Victoria
in my presence on 29 October 2003

Karbyne

Justice of the High Court of Australia



CIVIL AVIATION
SAFETY AUTHORITY
AUSTRALIA

**NOTIFICATION OF DIRECTIONS AND CIVIL AVIATION ORDER
UNDER THE CIVIL AVIATION REGULATIONS 1988**

On 24 October 2004, the Civil Aviation Safety Authority (CASA) issued the following instruments:

- (1) Civil Aviation Amendment Order (No. 8) 2003 which amends Part 40, section 40.0 of the Civil Aviation Orders. The commencement date for these amendments is 31 October 2003;
- (2) directions under regulation 5.55 of the *Civil Aviation Regulations 1988* relating to helicopter mustering operations (Instrument Number CASA 441/03). The commencement date for these directions is 1 November 2003.

Copies of these instruments are available from:

**The Manager, Information and Production
CASA Office of Legal Counsel
Level 3 Novell House
71 Northbourne Avenue
Canberra ACT**

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



Australian Fisheries Management Authority

FISHERIES MANAGEMENT ACT 1991
SOUTHERN BLUEFIN TUNA FISHERY
MANAGEMENT PLAN 1995
2003/04 SBT FINAL TAC
DETERMINATION

I, Frank McFarlane Meere, Managing Director of the Australian Fisheries Management Authority, as delegate make the following determination under subclause 17.2 of the *Southern Bluefin Tuna Fishery Management Plan 1995*.

Dated 30 October 2003

Frank Meere
Managing Director
Australian Fisheries Management Authority

Citation

1. This determination may be cited as the 2004 SBT Final TAC Determination.

Commencement

2. This determination commences on gazettal.

Interpretation

3. A term used in this determination that is defined for the purposes of the *Southern Bluefin Tuna Fishery Management Plan 1995* has the same meaning in this determination as it has in that Plan.

- [Notes:
1. Terms defined in the *Fisheries Management Act 1991* have the same meanings in this determination.
 2. Terms defined in the *Southern Bluefin Tuna Fishery Management Plan* include "Southern Bluefin Tuna Fishery".]

Determination of Australia's national catch allocation

4. Australia's national catch allocation for the season in the Southern Bluefin Tuna Fishery which will commence on 1 December 2003 and which will end on 30 November 2004 is 5,265,000 kilograms.



Family Assistance (Vaccination Schedules) Determination 2003

I, LARRY ANTHONY, Minister for Children and Youth Affairs, make this Determination under section 4 of the *A New Tax System (Family Assistance) Act 1999*.

Dated *29th October* 2003

Minister for Children and Youth Affairs

Contents

Part 1	Preliminary	
	1 Name of Determination	2
	2 Commencement	2
	3 Definitions	2
	4 Revocation	2
Part 2	Vaccination schedules	
	5 Standard vaccination schedule	3
	6 Catch up vaccination schedule	3
Schedule 1	Standard vaccination schedule	4

Part 1 Preliminary

1 Name of Determination

This Determination is the *Family Assistance (Vaccination Schedules) Determination 2003*.

2 Commencement

This Determination is taken to have commenced on 19 September 2003.

3 Definitions

In this Determination:

Act means the *A New Tax System (Family Assistance) Act 1999*.

Australian Register of Therapeutic Goods means the register maintained under section 9A of the *Therapeutic Goods Act 1989*.

Hib means *Haemophilus influenzae* type b.

National Health and Medical Research Council means the council established by section 6 of the *National Health and Medical Research Council Act 1992*.

Path A means vaccination using PRP-T and HbOC Hib vaccines.

Path B means vaccination using PRP-OMP Hib vaccines.

4 Revocation

The *Family Assistance (Vaccination Schedules) Determination 2000* is revoked.

Part 2 Vaccination schedules

5 Standard vaccination schedule

- (1) Subject to subsections (2) to (5), the standard vaccination schedule is the schedule set out in Schedule 1, under which a child born in a period mentioned in a column of the table must be vaccinated against a disease or antigen mentioned in an item in that column at the age mentioned in that item.
- (2) A child is not taken to be overdue for a vaccination under the standard vaccination schedule until:
 - (a) if the vaccination is due when the child turns 2 months, 4 months, 6 months, 12 months or 18 months — 1 month after the vaccination is due; or
 - (b) if the vaccination is due at age 4 years — 1 year after the vaccination is due.
- (3) A vaccine used to vaccinate a child against an antigen or disease mentioned in Schedule 1 must be registered as a vaccine on the Australian Register of Therapeutic Goods.
- (4) For Hib, a child may be vaccinated in accordance with either Path A or Path B.
- (5) A child born on or after 1 May 2000 may receive the child's third vaccination against Hepatitis B at either age 6 months or age 12 months.

6 Catch up vaccination schedule

- (1) The catch up vaccination schedule is the catch up vaccination schedule published by the National Health and Medical Research Council in the Australian Immunisation Handbook in September 2003.
- (2) However, a child is not taken to be overdue for a vaccination under the catch up vaccination schedule until:
 - (a) unless paragraph (b) applies — 1 month after the vaccination is due; or
 - (b) if the vaccination is due on or after the day the child turns 4 years — the later of the following:
 - (i) the day the child turns 5 years;
 - (ii) 1 month after the vaccination is due.

Schedule 1 Standard vaccination schedule

Schedule 1 Standard vaccination schedule

(subsection 5 (1))

Item	Age	Children born 1 January 1995 to 17 September 1999	Children born 18 September 1999 to 30 April 2000	Children born 1 May 2000 to 31 December 2003	Children born on or after 1 January 2004
1	2 months	Diphtheria	Diphtheria	Hepatitis B	Hepatitis B
		Tetanus	Tetanus	Diphtheria	Diphtheria
		Pertussis	Pertussis	Tetanus	Tetanus
		Hib (Path A or B)	Hib (Path A or B)	Pertussis	Pertussis
		Poliomyelitis	Poliomyelitis	Hib (Path A or B)	Hib (Path A or B)
			Poliomyelitis	Poliomyelitis	
2	4 months	Diphtheria	Diphtheria	Hepatitis B	Hepatitis B
		Tetanus	Tetanus	Diphtheria	Diphtheria
		Pertussis	Pertussis	Tetanus	Tetanus
		Hib (Path A or B)	Hib (Path A or B)	Pertussis	Pertussis
		Poliomyelitis	Poliomyelitis	Hib (Path A or B)	Hib (Path A or B)
			Poliomyelitis	Poliomyelitis	
3	6 months	Diphtheria	Diphtheria	Hepatitis B (or at 12 months)	Hepatitis B (or at 12 months)
		Tetanus	Tetanus	Diphtheria	Diphtheria
		Pertussis	Pertussis	Tetanus	Tetanus
		Hib (Path A)	Hib (Path A)	Pertussis	Pertussis
		Poliomyelitis	Poliomyelitis	Poliomyelitis	Poliomyelitis
			Hib (Path A)	Hib (Path A)	
4	12 months	Hib (Path B)	Hib (Path B)	Hepatitis B (or at 6 months)	Hepatitis B (or at 6 months)
		Measles	Measles	Hib (Path B)	Hib (Path A or B)
		Mumps	Mumps	Measles	Measles
		Rubella	Rubella	Mumps	Mumps
			Rubella	Rubella	

Standard vaccination schedule Schedule 1

Item	Age	Children born 1 January 1995 to 17 September 1999	Children born 18 September 1999 to 30 April 2000	Children born 1 May 2000 to 31 December 2003	Children born on or after 1 January 2004
5	18 months	Diphtheria Tetanus Pertussis Hib (Path A)	Hib (Path A)	Hib (Path A)	
6	4 years	Diphtheria Tetanus Pertussis Poliomyelitis Measles Mumps Rubella	Diphtheria Tetanus Pertussis Poliomyelitis Measles Mumps Rubella	Diphtheria Tetanus Pertussis Poliomyelitis Measles Mumps Rubella	Diphtheria Tetanus Pertussis Poliomyelitis Measles Mumps Rubella



Family Assistance (Meeting the Immunisation Requirements) Amendment Determination 2003 (No. 1)

I, LARRY ANTHONY, Minister for Children and Youth Affairs, make this Determination under subsection 7 (2) of the *A New Tax System (Family Assistance) Act 1999*.

Dated *29th October* 2003

Minister for Children and Youth Affairs

1 Name of Determination

This Determination is the *Family Assistance (Meeting the Immunisation Requirements) Amendment Determination 2003 (No. 1)*.

2 Commencement

This Determination is taken to have commenced on 19 September 2003.

3 Amendment of *Family Assistance (Meeting the Immunisation Requirements) Determination 2003*

Schedule 1 amends the *Family Assistance (Meeting the Immunisation Requirements) Determination 2003*.

Schedule 1 Amendments

(section 3)

[1] **After section 2**

insert

2A Definitions

In this Determination:

catch up vaccination schedule means the catch up vaccination schedule determined in the *Family Assistance (Vaccination Schedules) Determination 2003*.

recognised immunisation provider — see subsection 3 (1) of the *A New Tax System (Family Assistance) Act 1999*.

relevant authority means a person or organisation that a Commonwealth, State or Territory health authority has authorised to make declarations for the purpose of paragraph 4 (1) (a).

standard vaccination schedule means the standard vaccination schedule determined in the *Family Assistance (Vaccination Schedules) Determination 2003*.

[2] **After section 3**

insert

4 Temporary unavailability of vaccine

- (1) A child who has not received a vaccination that the child is required to receive at a particular age meets the immunisation requirements if:
 - (a) a recognised immunisation provider, or a relevant authority, declares, in writing, that the vaccine for that vaccination is, or all of the vaccines for that vaccination are, temporarily unavailable; and
 - (b) the child has received all other vaccinations that the child is required to have received by that age.
- (2) Subsection (1) applies only until the vaccine, or one of the vaccines, becomes available.

5 Children vaccinated overseas

A child who has received vaccinations in another country meets the immunisation requirements if a recognised immunisation provider declares, in writing, that:

- (a) the vaccinations have provided the same level of immunisation that would have been acquired if the child had been immunised in accordance with the standard vaccination schedule; or
- (b) the vaccinations have provided the same level of immunisation that would have been acquired if the child had been immunised in accordance with the catch up vaccination schedule.



Family Assistance (Exemption from Immunisation Requirements) Determination 2003

I, LARRY ANTHONY, Minister for Children and Youth Affairs, make this Determination under subsection 7 (1) of the *A New Tax System (Family Assistance) Act 1999*.

Dated *29th October* 2003

Minister for Children and Youth Affairs

1 Name of Determination

This Determination is the *Family Assistance (Exemption from Immunisation Requirements) Determination 2003*.

2 Commencement

This Determination is taken to have commenced on 19 September 2003.

3 Revocation

The following Determinations are revoked:

- *Family Assistance (Immunisation Requirements Exemption) Determination 2000*
- *Family Assistance (Immunisation Requirements Exemption) Amendment Determination 2002 (No. 1)*.

Section 4

4 Exemption from immunisation requirements

- (1) A child is exempt from the requirement to be immunised if:
- (a) an officer of the Church of Christ, Scientist declares, in writing, that a person in relation to whom the child is an FTB child, or the partner of such a person, is a practising member of that Church; and
 - (b) a copy of the declaration is given to an agency.

Note for paragraph (a) FTB child is defined in subsection 3 (1) of the A New Tax System (Family Assistance) Act 1999.

- (2) In this section:
- agency* has the meaning given by subsection 3 (1) of the A New Tax System (Family Assistance) (Administration) Act 1999.



COMMONWEALTH OF AUSTRALIA
National Health Act 1953
PHARMACEUTICAL BENEFITS
DECLARATION UNDER SUBSECTION 85(2)
No. PB 16 of 2003

I, JOAN CORBETT, Assistant Secretary, Pharmaceutical Benefits Branch, Department of Health and Ageing and Delegate of the Minister for Health and Ageing, pursuant to subsection 85(2) of the *National Health Act 1953*, hereby make the following Declaration:

1. This Declaration commences on 1 November 2003.
2. Declaration No. PB 14 of 2003 under subsection 85(2) of the *National Health Act 1953* made on 13 October 2003 with effect from 1 November 2003 is, in this Declaration, referred to as the Principal Declaration.
3. Schedule 1 to the Principal Declaration is amended:

(a) by inserting, after the details in respect of the pharmaceutical benefit Acitretin, the following details:

Column 1 – Name of pharmaceutical benefit:

Adrenaline

Column 2 – Circumstances (if any) specified for the purposes of section 88A of the Act:

In compliance with authority procedures set out in subparagraph 14 (d):

Initial supply for anticipated emergency treatment of acute allergic reactions with anaphylaxis in a patient who has been assessed to be at significant risk of anaphylaxis by, or in consultation with, a clinical immunologist or allergist, where the name of the specialist consulted is included in the authority application

Continuing supply for anticipated emergency treatment of acute allergic reactions with anaphylaxis, where the patient has previously been issued with an authority prescription for this drug

(b) by inserting, after the details in respect of the pharmaceutical benefit Pindolol, the following details:

Column 1 – Name of pharmaceutical benefit:

Pioglitazone Hydrochloride

Column 2 – Circumstances (if any) specified for the purposes of section 88A of the Act:

In compliance with authority procedures set out in subparagraph 14 (d):

First supply for initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and in whom combination therapy with metformin hydrochloride plus a sulfonylurea is contraindicated or not tolerated; and where the following conditions apply:

patients must be taking either metformin hydrochloride or a sulfonylurea as monotherapy and have a contraindication or demonstrated intolerance which precludes the use of these drugs in combination;

the authority application includes the Hb A1c level prior to treatment with pioglitazone hydrochloride, the date of measurement and details of the contraindication or intolerance to either metformin hydrochloride or a sulfonylurea;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Second supply for continuation of initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and in whom combination therapy with metformin hydrochloride plus a sulfonylurea is contraindicated or not tolerated; where the patient has previously been issued with an authority prescription for initial treatment with this drug and where approval of the application would enable the patient to complete a period of initial treatment of not more than 10 months of uninterrupted therapy

First supply for initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and where patients are on combination therapy with metformin hydrochloride and a sulfonylurea but where the combination is being continued despite the development of intolerance or contraindication to either agent; and where the following conditions apply:

the authority application includes the Hb A1c level prior to treatment with pioglitazone hydrochloride, the date of measurement and details of the contraindication or intolerance to either metformin hydrochloride or a sulfonylurea;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Second supply for continuation of initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and where patients are on combination therapy with metformin hydrochloride and a sulfonylurea but where the combination is being continued despite the development of intolerance or contraindication to either agent; where the patient has previously been issued with an authority prescription for initial treatment with this drug and where approval of the application would enable the patient to complete a period of initial treatment of not more than 10 months of uninterrupted therapy

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;
the authority application includes the Hb A1c levels and the dates of measurement;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

First supply for initial treatment, in combination with insulin, of insulin-treated type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite concomitant use of insulin plus oral anti-diabetic agents or where metformin hydrochloride is contraindicated; and where the following conditions apply:

the authority application includes the Hb A1c level prior to treatment with pioglitazone hydrochloride, the date of measurement and details of the contraindication to metformin hydrochloride;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Second supply for continuation of initial treatment, in combination with insulin, of insulin-treated type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite concomitant use of insulin plus oral anti-diabetic agents or where metformin hydrochloride is contraindicated; where the patient has previously been issued with an authority prescription for initial treatment with this drug and where approval of the application would enable the patient to complete a period of initial treatment of not more than 10 months of uninterrupted therapy

Continuing treatment, in combination with insulin, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;

the authority application includes the Hb A1c levels and the dates of measurement;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with insulin, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

- (c) by inserting, after the details in respect of the pharmaceutical benefit Rofecoxib, the following details:

Column 1 – Name of pharmaceutical benefit:

Rosiglitazone Maleate

Column 2 – Circumstances (if any) specified for the purposes of section 88A of the Act:

In compliance with authority procedures set out in subparagraph 14 (d):

First supply for initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and in whom combination therapy with metformin hydrochloride plus a sulfonylurea is contraindicated or not tolerated; and where the following conditions apply:

patients must be taking either metformin hydrochloride or a sulfonylurea as monotherapy and have a contraindication or demonstrated intolerance which precludes the use of these drugs in combination;

the authority application includes the Hb A1c level prior to treatment with rosiglitazone maleate, the date of measurement and details of the contraindication or intolerance to either metformin hydrochloride or a sulfonylurea;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Second supply for continuation of initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and in whom combination therapy with metformin hydrochloride plus a sulfonylurea is contraindicated or not tolerated; where the patient has previously been issued with an authority prescription for initial treatment with this drug and where approval of the application would enable the patient to complete a period of initial treatment of not more than 10 months of uninterrupted therapy

First supply for initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and where patients are on combination therapy with metformin hydrochloride and a sulfonylurea but where the combination is being continued despite the development of intolerance or contraindication to either agent; and where the following conditions apply:

the authority application includes the Hb A1c level prior to treatment with rosiglitazone maleate, the date of measurement and details of the contraindication or intolerance to either metformin hydrochloride or a sulfonylurea;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Second supply for continuation of initial treatment, in combination with either metformin hydrochloride or a sulfonylurea, of type 2 diabetic patients whose blood glucose concentrations are inadequately controlled, defined as glycosylated haemoglobin (Hb A1c) greater than 7%, despite diet, exercise and maximal tolerated doses of metformin hydrochloride or sulfonylureas, and where patients are on combination therapy with metformin hydrochloride and a sulfonylurea but where the combination is being continued despite the development of intolerance or contraindication to either agent; where the patient has previously been issued with an authority prescription for initial treatment with this drug and where approval of the application would enable the patient to complete a period of initial treatment of not more than 10 months of uninterrupted therapy

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with rosiglitazone maleate;

the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;

the authority application includes the Hb A1c levels and the dates of measurement;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with rosiglitazone maleate;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

4. Schedule 6 to the Principal Declaration is amended by inserting "Infliximab" after "Indinavir Sulfate".

Dated this thirtieth day of October 2003.

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

COMMONWEALTH OF AUSTRALIA
National Health Act 1953
PHARMACEUTICAL BENEFITS
DETERMINATIONS UNDER SECTIONS 85, 85A AND 88

I, JOAN CORBETT, Assistant Secretary, Pharmaceutical Benefits Branch, Department of Health and Ageing and Delegate of the Minister for Health and Ageing, pursuant to sections 85, 85A and 88 of the *National Health Act 1953*, hereby make the following Determinations:

1. These Determinations commence on 1 November 2003.
2. The Determinations under sections 85, 85A and 88 of the *National Health Act 1953* made on 13 October 2003 with effect from 1 November 2003 are, in these Determinations, referred to as the Principal Determinations.
3. The First Schedule — Part 1 to the Principal Determinations is amended:

(a) by inserting, after the details in respect of the pharmaceutical benefit Acitretin, the following details:

Name of pharmaceutical benefit: Adrenaline
Form (strength, type, size, etc.): I.M. injection 150 micrograms in 0.3 mL single dose syringe auto-injector
Manner of administration: Injection
Maximum quantity: 1
Maximum number of repeats: ..
Brand: CS

Name of pharmaceutical benefit: Adrenaline
Form (strength, type, size, etc.): I.M. injection 300 micrograms in 0.3 mL single dose syringe auto-injector
Manner of administration: Injection
Maximum quantity: 1
Maximum number of repeats: ..
Brand: CS

(b) by inserting, after the details in respect of the pharmaceutical benefit Pindolol, the following details:

Name of pharmaceutical benefit: Pioglitazone Hydrochloride
Form (strength, type, size, etc.): Tablet equivalent to 15 mg pioglitazone
Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 4
Brand: LY

Name of pharmaceutical benefit: Pioglitazone Hydrochloride
Form (strength, type, size, etc.): Tablet equivalent to 30 mg pioglitazone
Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 4
Brand: LY

Name of pharmaceutical benefit: Pioglitazone Hydrochloride
Form (strength, type, size, etc.): Tablet equivalent to 45 mg pioglitazone
Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 4
Brand: LY

(c) by inserting, after the details in respect of the pharmaceutical benefit Rofecoxib, the following details:

Name of pharmaceutical benefit: Rosiglitazone Maleate
Form (strength, type, size, etc.): Tablet equivalent to 4 mg rosiglitazone
Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 4
Brand: GK

Name of pharmaceutical benefit: Rosiglitazone Maleate
Form (strength, type, size, etc.): Tablet equivalent to 8 mg rosiglitazone
Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 4
Brand: GK

4. The First Schedule — Part 2 to the Principal Determinations is amended:

(a) by inserting, after the details in respect of the pharmaceutical benefit Aciclovir, the following details:

Name of pharmaceutical benefit: Adrenaline
Form (strength, type, size, etc.): I.M. injection 150 micrograms in 0.3 mL single dose syringe auto-injector
Purposes: In compliance with authority procedures set out in subparagraph 11 (d):
 Initial supply for anticipated emergency treatment of acute allergic reactions with anaphylaxis in a patient aged less than 17 years who has been assessed to be at significant risk of anaphylaxis by, or in consultation with, a clinical immunologist or allergist, where a quantity of 2 adrenaline auto-injectors is necessary to ensure 1 is on hand at all times, and where the name of the specialist consulted is included in the authority application
 Continuing supply for anticipated emergency treatment of acute allergic reactions with anaphylaxis in a patient aged less than 17 years, where a quantity of 2 adrenaline auto-injectors is necessary to ensure 1 is on hand at all times, and where the patient has previously been issued with an authority prescription for this drug
Manner of administration: Injection
Maximum quantity: 2
Maximum number of repeats: ..
Brand: CS

Name of pharmaceutical benefit: Adrenaline
Form (strength, type, size, etc.): I.M. injection 300 micrograms in 0.3 mL single dose syringe auto-injector
Purposes: In compliance with authority procedures set out in subparagraph 11 (d):
 Initial supply for anticipated emergency treatment of acute allergic reactions with anaphylaxis in a patient aged less than 17 years who has been assessed to be at significant risk of anaphylaxis by, or in consultation with, a clinical immunologist or allergist, where a quantity of 2 adrenaline auto-injectors is necessary to ensure 1 is on hand at all times, and where the name of the specialist consulted is included in the authority application
 Continuing supply for anticipated emergency treatment of acute allergic reactions with anaphylaxis in a patient aged less than 17 years, where a quantity of 2 adrenaline auto-injectors is necessary to ensure 1 is on hand at all times, and where the patient has previously been issued with an authority prescription for this drug
Manner of administration: Injection
Maximum quantity: 2
Maximum number of repeats: ..
Brand: CS

(b) by inserting, after the details in respect of the pharmaceutical benefit Phenoxymethylpenicillin Potassium, the following details:

Name of pharmaceutical benefit: Pioglitazone Hydrochloride
Form (strength, type, size, etc.): Tablet equivalent to 15 mg pioglitazone
Purposes: In compliance with authority procedures set out in subparagraph 11 (d):
Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;
the authority application includes the Hb A1c levels and the dates of measurement;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission
Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission
Continuing treatment, in combination with insulin, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;
the authority application includes the Hb A1c levels and the dates of measurement;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission
Continuing treatment, in combination with insulin, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission
Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 5
Brand: LY

Name of pharmaceutical benefit: Pioglitazone Hydrochloride
Form (strength, type, size, etc.): Tablet equivalent to 30 mg pioglitazone
Purposes: In compliance with authority procedures set out in subparagraph 11 (d):
Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;
the authority application includes the Hb A1c levels and the dates of measurement;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with insulin, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;

the authority application includes the Hb A1c levels and the dates of measurement;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with insulin, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 5
Brand: LY

Name of pharmaceutical benefit: Pioglitazone Hydrochloride
Form (strength, type, size, etc.): Tablet equivalent to 45 mg pioglitazone
Purposes:

In compliance with authority procedures set out in subparagraph 11 (d):

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;

the authority application includes the Hb A1c levels and the dates of measurement;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Continuing treatment, in combination with insulin, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:

the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;

the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;

Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with rosiglitazone maleate;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

<i>Manner of administration:</i>	Oral
<i>Maximum quantity:</i>	28
<i>Maximum number of repeats:</i>	5
<i>Brand:</i>	GK

Dated this thirtieth day of October 2003.

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

the authority application includes the Hb A1c levels and the dates of measurement;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission
Continuing treatment, in combination with insulin, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with pioglitazone hydrochloride;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 5
Brand: LY

(c) by inserting, after the details in respect of the pharmaceutical benefit Rofecoxib, the following details:

Name of pharmaceutical benefit: Rosiglitazone Maleate
Form (strength, type, size, etc.): Tablet equivalent to 4 mg rosiglitazone
Purposes: In compliance with authority procedures set out in subparagraph 11 (d):
Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with rosiglitazone maleate;
the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;
the authority application includes the Hb A1c levels and the dates of measurement;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission
Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with an authority prescription for continuing treatment with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with rosiglitazone maleate;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

Manner of administration: Oral
Maximum quantity: 28
Maximum number of repeats: 5
Brand: GK

Name of pharmaceutical benefit: Rosiglitazone Maleate
Form (strength, type, size, etc.): Tablet equivalent to 8 mg rosiglitazone
Purposes: In compliance with authority procedures set out in subparagraph 11 (d):
Continuing treatment, in combination with either metformin hydrochloride or a sulfonylurea, of patients who have previously been issued with authority prescriptions for 10 months of initial therapy with this drug; and where the following conditions apply:
the patient's glycosylated haemoglobin (Hb A1c) level has not deteriorated since the commencement of treatment with rosiglitazone maleate;
the patient's Hb A1c level is less than 8.5% on at least 2 occasions within 10 months of commencement of initial therapy;
the authority application includes the Hb A1c levels and the dates of measurement;
pathology reports, from accredited laboratories, are available with patients' records for audit by the Health Insurance Commission

