



**CONTENTS**

|                                                                              |             |
|------------------------------------------------------------------------------|-------------|
| <b>Christmas/New Year publication arrangements .....</b>                     | <b>3557</b> |
| <b>General Information .....</b>                                             | <b>3557</b> |
| <b>Government Departments.....</b>                                           | <b>3559</b> |
| Agriculture, Fisheries and Forestry .....                                    | 3559        |
| Attorney-General .....                                                       | 3563        |
| Defence .....                                                                | 3564        |
| Education, Employment and Workplace Relations.....                           | 3565        |
| Environment, Water, Heritage and the Arts .....                              | 3594        |
| Finance and Deregulation .....                                               | 3613        |
| Health and Ageing.....                                                       | 3614        |
| Infrastructure, Transport, Regional Development and Local<br>Government..... | 3618        |
| Treasury.....                                                                | 3623        |
| <b>Public Notices .....</b>                                                  | <b>3634</b> |
| <b>Special Gazettes Nos S258, S259, S260, S261 and S262 are<br/>attached</b> |             |

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**Australian Government**  
**Attorney-General's Department**  
Office of Legislative Drafting and Publishing

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

OLDP is a specialist professional drafter and the pre-eminent drafter of Commonwealth subordinate legislation.

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- drafting
- advising about drafting and interpreting instruments created under a statutory power
- maintaining the Federal Register of Legislative Instruments, registering legislative instruments and lodging registered instruments for tabling in Parliament
- preparing compilations of Acts and select legislative instruments

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- arranging gazettal and tabling of other OLDP drafted non-legislative instruments.
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**How to contact us**

First Assistant Secretary  
Office of Legislative Drafting and Publishing  
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Barton ACT 2600  
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Fax. (02) 6282 4352

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**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 \$143.00 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 10.00 am on Friday in the week before publication, unless an earlier closing time has been advised.

**INQUIRIES**

All inquiries should be directed to (02) 6203 9009.

## Christmas/New Year publication arrangements

The last Government Notices Gazette for 2007 will be published on **Wednesday, 19 December 2007**. Normal closing times will apply.

The first Government Notices Gazette for 2008 will be published on **Wednesday, 9 January 2008**.

Arrangements for publication of Special Gazettes over the Christmas/New Year period can be made by telephoning: (02) 6203 9009.

## General Information

### GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6203 9009

Subscriptions (Fax): (02) 6293 8388

Subscriptions (Tel): 1300 857 522

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: Gazette Office, 63 Denison Street, Deakin ACT 2600

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

By fax: (02) 6282 5140

By e-mail: [gazettes@ag.gov.au](mailto: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.

### 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. A copy of the original signed document should also be provided.

For further information contact the Gazette Office on (02) 6203 9009. 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 am in the week prior to publication.

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

*Periodic Gazettes*: as agreed but generally 7 working days prior to date of publication.

### ADVERTISING RATES (GST inclusive)

*Government Notices*: \$143 per A4 page — minimum charge one page.

*Special Gazette* notices:

- during business hours: \$264 per page.
- outside normal business hours: \$396 per page for the first two pages and \$264 for each subsequent page.

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

Other charges may apply, for further information please see the Lodging Notices section on the Gazettes website at <http://www.ag.gov.au/GNGazette>

Additional copies of Special and Periodic Gazettes can be provided at a cost of 2.75 cents per page per copy — minimum charge: \$5.50.

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 1300 857 522.

### AVAILABILITY

The *Gazette* may be purchased by mail order (Tel. 1300 857 522, Fax (02) 6293 8388) 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 outlets:

**Canberra:** CanPrint Communications

16 Nyrang Street

Fyshwick ACT 2609

Phone: 1300 857 522 Fax: (02) 6293 8388

**Melbourne:** Information Victoria

505 Little Collins Street

Melbourne VIC 3000

Phone: 1 300 366 356 Fax: (03) 9603 9940

**Hobart:** Printing Authority of Tasmania

2 Salamanca Place

Hobart TAS 7000

Phone: 1 800 030 940 Fax: (03) 6223 7638

**Adelaide:** Service SA Government Legislation Outlet

Ground Floor 101 Grenfell Street

Adelaide SA 5000

Phone: 13 2324 Fax: (08) 8207 1949

**Brisbane:** Mail Order Only

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Phone: (02) 6295 4422 Fax: (02) 6295 4473

**Sydney:** Mail Order Only

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**Perth:** Mail Order Only

CanPrint Information Services

Phone: (02) 6295 4422 Fax: (02) 6295 4473

### 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.

**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.

The *Gazette* may be purchased by mail order from CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609. Over the counter sales are available from CanPrint Communications and other outlets (see General Information for Details).

| Gazette number | Date of Publication | Subject                                                                                                                                                                                                                              |
|----------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| P 1            | 2.2.07              | <i>Great Barrier Reef Marine Park Act 1975</i><br>Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.11.06 to 31.12.06 and not previously gazetted                         |
| P 2            | 6.3.07              | <i>Great Barrier Reef Marine Park Act 1975</i><br>Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.1.07 to 31.1.07 and not previously gazetted                           |
| P 3            | 2.4.07              | <i>Great Barrier Reef Marine Park Act 1975</i><br>Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.2.07 to 28.2.07 and 1.1.07 to 31.1.07 and not previously gazetted     |
| P 4            | 14.5.07             | <i>Great Barrier Reef Marine Park Act 1975</i><br>Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.03.07 to 31.03.07 and not previously gazetted                         |
| P 5            | 4.6.07              | <i>Great Barrier Reef Marine Park Act 1975</i><br>Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.03.07 to 31.03.07 and 1.04.07 to 30.04.07 and not previously gazetted |
| P 6            | 7.9.07              | Approval of adoption of by-laws of The Institute of Chartered Accountants in Australia                                                                                                                                               |
| P 7            | 25.9.07             | <i>Great Barrier Reef Marine Park Act 1975</i><br>Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.05.07 to 31.07.07 and 1.04.07 to 30.04.07 and not previously gazetted |
| P 8            | 2.10.07             | <i>Great Barrier Reef Marine Park Act 1975</i><br>Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.08.07 to 31.08.07 and 1.07.07 to 30.07.07 and not previously gazetted |

## Government Departments

### Agriculture, Fisheries and Forestry

#### GEOGRAPHICAL INDICATIONS COMMITTEE

##### AUSTRALIAN WINE AND BRANDY CORPORATION

Industry House, National Wine Centre, Hackney Road, Adelaide, South Australia, 5000

Phone: (08) 8228 2000 Fax: (08) 8228 2022 Email: awbc@awbc.com.au

#### NOTICE OF FINAL DETERMINATION

### NEW ENGLAND AUSTRALIA

The Geographical Indications Committee (GIC) is a statutory committee established by the *Australian Wine and Brandy Corporation Act 1980* (the AWBC Act) to make determinations of geographical indications for wine in relation to regions and localities in Australia.

In accordance with section 40X of the AWBC Act, the Presiding Member of the GIC advises that a **FINAL DETERMINATION** of an Australian geographical indication has been made for the region of **NEW ENGLAND AUSTRALIA** as set out in this notice.

The maps associated with this determination may be inspected at the offices of the Australian Wine and Brandy Corporation during normal business hours. Further information may be obtained by contacting Jock Osborne on 08 8228 2003.

Subject to the *Administrative Appeals Tribunal Act 1975* (the AAT Act), any person whose interests are affected by this determination may apply to the Administrative Appeals Tribunal (AAT) for a review of the determination. Unless subsection 28(4) of the AAT Act applies, application may be made in accordance with section 28 of the AAT Act by or on behalf of that person for a statement in writing setting out the findings on material questions of fact, referring to the evidence or other material on which these findings are based and giving the reasons for the determination. Application may not be made to the AAT in respect of a decision made under section 40RC of the AWBC Act prior to the final determination, however an appeal may be made to the Federal Court under section 40RF of that act. Application to the AAT must be made within 28 days of the date of publication of this notice.

#### FINAL DETERMINATION

The **GEOGRAPHICAL INDICATIONS COMMITTEE**, having received an application from the Southern New England Vignerons Association and the New England Winegrowers Association, and having consulted with the Winemakers' Federation of Australia Inc (the declared winemakers organisation), Wine Grape Growers Australia Inc and other interested parties as required under section 40S of the *Australian Wine and Brandy Corporation Act 1980* (the AWBC Act), makes a **FINAL DETERMINATION** in accordance with section 40W of the AWBC Act as follows:

- (i) The geographical indication is to be called **NEW ENGLAND AUSTRALIA**;
- (ii) **NEW ENGLAND AUSTRALIA** may reasonably be regarded as a region as defined in the *Australian Wine and Brandy Corporation Regulations 1981*; and
- (iii) The boundaries of **NEW ENGLAND AUSTRALIA** are identified in the following **TEXTUAL DESCRIPTION OF BOUNDARY** that forms part of this Final Determination.

This **FINAL DETERMINATION** was made by unanimous resolution of the **GEOGRAPHICAL INDICATIONS COMMITTEE** at a meeting held on the 6<sup>th</sup> day of December 2007.

#### TEXTUAL DESCRIPTION OF BOUNDARY

The Geographical Indication **NEW ENGLAND AUSTRALIA** is a region located within the zone **NORTHERN SLOPES** which is within the State of **NEW SOUTH WALES**, Australia.

The official maps used to support the textual description of the boundary of the Geographical Indication **NEW ENGLAND AUSTRALIA** are:

**WARWICK TOPOGRAPHIC MAP** Queensland and New South Wales

Scale 1:250,000 (1cm to 2.5km)

Catalogue Number SH56-02 Edition 3

Produced by Geoscience Australia – National Mapping Division

PO Box 2 Belconnen ACT 2616

© Commonwealth of Australia 2002, Map 01/015

**GRAFTON TOPOGRAPHIC MAP** New South Wales and Queensland

Scale 1:250,000 (1cm to 2.5km)

Catalogue Number SH56-06 Edition 4

Produced by Geoscience Australia

PO Box 2, Belconnen ACT 2616

© Commonwealth of Australia 2004, GEOCAT: 45465

**ARMIDALE SPECIAL TOPOGRAPHIC MAP** New South Wales

Scale 1:250,000 (1cm to 2.5km)

Catalogue Number SH56-10 Edition 2

Produced by the Australian Surveying & Land Information Group Department of Industry, Science and Resources

PO Box 2, Belconnen ACT 2616

© Commonwealth of Australia 2001, Map 00/043

**HASTINGS TOPOGRAPHIC MAP** New South Wales

Scale 1:250,000 (1cm to 2.5km)

Catalogue Number SH56-14 Edition 3

Produced by the Australian Surveying & Land Information Group Department of Industry, Science and Resources

PO Box 2, Belconnen ACT 2616

© Commonwealth of Australia 2001, Map 00/042

**TAMWORTH TOPOGRAPHIC MAP** New South Wales

Scale 1:250,000 (1cm to 2.5km)

Catalogue Number SH56-13 Edition 3

Produced by the Australian Surveying & Land Information Group Department of Industry, Science and Resources

PO Box 2, Belconnen ACT 2616

© Commonwealth of Australia 2001, Map 00/041

**MANILLA TOPOGRAPHIC MAP** New South Wales

Scale: 1:250,000 (1cm to 2.5km)

Catalogue Number SH56-09 Edition 2

Produced by the Australian Surveying & Land Information Group Department of Industry, Science and Resources

PO Box 2, Belconnen ACT 2616

© Commonwealth of Australia 2002, Map 00/076

**INVERELL TOPOGRAPHIC MAP** New South Wales and Queensland

Scale 1:250,000 (1cm to 2.5km)

Catalogue Number SH56-05 Edition 3

Produced by the Australian Surveying & Land Information Group Department of Industry, Science and Resources

PO Box 2, Belconnen ACT 2616

© Commonwealth of Australia 2002, Map 00/075

The beginning point of the boundary is located on **Warwick map** (Sheet SH56-02) at grid reference LN953997 being the intersection of the Queensland/New South Wales border with the New England Highway at Wallangarra; then proceeds in a generally easterly direction along the Queensland/New South Wales border to grid reference MP025026 being the intersection of the Queensland/New South Wales border with the 152°00' E meridian of longitude; then due east in a straight line to grid reference MP268026 being a point on the 152°15' E meridian of longitude; then due south along the 152°15' E meridian of longitude to the edge of the map at grid reference MN269918; on to **Grafton map** (Sheet SH56-06) at grid reference MN269918; then due south along the 152°15' E meridian of longitude to grid reference MN275086 being the intersection of the 152°15' E meridian of longitude with the 29°45' S line of latitude; then due west along the 29°45' S line of latitude to grid reference MN113085; then due south in a straight line to grid reference MM113957; then due east in a straight line to grid reference MM275957 being a point on the 152°15' E meridian of longitude; then due south along the 152°15' E meridian of longitude to the edge of the map at grid reference MM276810; on to **Armidale map** (Sheet SH56-10) at grid reference MN276810; then due south along the 152°15' E meridian of longitude to grid reference MM280255 being the intersection of the 152°15' E meridian of longitude with the 30°30' S line of latitude; then due west along the 30°30' S line of latitude to grid reference MM184254; then due south in a straight line to grid reference ML184978 being a point on the 30°45' S line of latitude; then due west along the 30°45' S line of latitude to grid reference ML042977 being the intersection of the 30°45' S line of latitude with the 152°00' E meridian of longitude; then due south along the 152°00' E meridian of longitude to grid reference ML044825 being the intersection of the 152°00' E meridian of longitude with the boundary of Oxley Wild Rivers National Park; then east and generally south along the western boundary of Oxley Wild Rivers National Park to the edge of the map at grid reference LL989699; on to **Hastings map** (Sheet SH56-14) at grid reference LL989699; then generally south along the western boundary of Oxley Wild Rivers National Park to grid reference LL976638; then in a straight line to grid reference LL964605 being a point on the northern boundary of a section of the Oxley Wild Rivers National Park; then generally west along the northern boundary of a section of the Oxley Wild Rivers National Park to grid reference LL816638 being the intersection of the Oxley Wild Rivers National Park boundary with the Oxley Highway near Apsley Falls; then south-west in a straight line to grid reference LL658543 being the intersection of two unnamed roads; then generally south along the unnamed road to grid reference LL632274 being an intersection with another unnamed road; then west along the unnamed road to grid reference LL607272 being an intersection with an unnamed road; then west along the unnamed road to the edge of the map at grid reference LL574268; on to **Tamworth map** (Sheet SH56-13) at grid reference LL574268; then generally west then north-west along the unnamed road to grid reference LL393342 being an intersection with an unnamed road; then generally south-west along the unnamed road to the point of intersection with Dungowan Creek at Ogunbil at grid reference LL375310; then generally west-north-west downstream along Dungowan Creek to the junction with the Peel River at grid reference LL202450; then west-north-west downstream along the Peel River to grid reference LL190453 being the intersection of the Peel River with an unnamed road; then due north on the unnamed road to grid reference LL190456 being an intersection with an unnamed road; then generally west-north-west along the unnamed road to the point of intersection with the New England Highway at grid reference LL083549; then generally north-east along the New England Highway to grid reference LL110592 being an intersection with an unnamed road near Tintinhull; then generally west along the unnamed road to grid reference LL064624 being an intersection with an unnamed road; then generally north along the unnamed road to the point of intersection with an unnamed vehicle track at Upper Moore Creek at grid reference LL070730 being the edge of the map; on to **Manilla map** (Sheet SH56-09) at grid reference LL070730; then generally east-north-east in a straight line to grid reference LL198764 being the point of intersection of the New England Highway with an unnamed road; then generally north along the New England Highway to grid reference LL240824 being the point of intersection of the New England Highway with the Oxley Highway at Bendemeer; then generally north in a straight line to grid reference LM194236 being the point where an unnamed road crosses Stoney Batter Creek at Kingstown; then generally north along the unnamed road to its point of intersection with an unnamed road at grid reference LM174490; then generally north along the unnamed road to grid reference LM148598 being the point of intersection of the unnamed road with another unnamed road at Bundarra; then due west in a straight line to grid reference LM130598 being the point of intersection of Bundarra Road with an unnamed road; then north-west in a straight line to grid reference KM862794

being the point of intersection of Bundarra Road with an unnamed road; near the edge of the map; on to **Inverell map** (Sheet SH56-05) at grid reference KM862794; then due north in a straight line to grid reference KN850100 being the point of intersection of the Old Bingara Road with an unnamed track; then due north to grid reference KN846158 being the point of intersection of Dumboy Creek with an unnamed road; then generally north-east along the unnamed road to its intersection with the Gwydir Highway near Delungra at grid reference KN884182; then generally east along the Gwydir Highway to grid reference LN127058 being the intersection of the Gwydir Highway with an unnamed road just to the west of Inverell; then generally north along the unnamed road to grid reference LN129070; then due east in a straight line to grid reference LN150068 being a junction of two unnamed roads; then east along the unnamed road to grid reference LN168066 being its junction with another unnamed road; then generally north along the unnamed road to grid reference LN170080 being its intersection with an unnamed road; then generally north-west along the unnamed road towards Graman to grid reference LN101202 being its intersection with an unnamed track just south of Bannockburn; then generally north-east along the unnamed track to its intersection with another unnamed track at grid reference LN111222; then east along the unnamed track to its intersection with another unnamed track at grid reference LN126220; then north along the unnamed track to grid reference LN130242 being a sharp turn in the unnamed track; then generally north-east in a straight line to grid reference LN183324 being the intersection of the Inverell Bonshaw Road with an unnamed track just south of Bukkulla; then generally north on the Inverell Bonshaw Road through Bukkulla to grid reference LN148548 being the intersection of the Inverell Bonshaw Road with an unnamed road to Wallangra at Ashford; then due north in a straight line to grid reference LN162714 being the south-eastern corner of the Severn State Forest boundary; then generally north-north-west in a straight line to grid reference LN142792 being the point of intersection of two unnamed roads; then generally east and south along the unnamed road to its intersection with the Inverell Bonshaw Road at grid reference LN224735; then in a straight line to grid reference LN380716, being a point on the Queensland/ New South Wales border; then generally east and then north-east along the Queensland/ New South Wales border to the edge of the map at grid reference LN580964; on to **Warwick map** (Sheet SH56-02) at grid reference LN 580964 then generally east along the Queensland/ New South Wales border to its point of intersection with the New England Highway in Wallangarra at grid reference LN953997, being the starting point.

## Attorney-General

### COMMONWEALTH OF AUSTRALIA CUSTOMS ACT 1901

#### NOTICE OF RATES OF EXCHANGE - section 161J *CUSTOMS ACT 1901*

I, Matthew Bannon, delegate of the Chief Executive Officer of Customs, hereby specify, pursuant to section 161J of the *Customs Act 1901*, that the amounts set out in Columns 3 to 9 hereunder are the ruling rates of exchange, on the dates specified, for the purposes of ascertaining the value of imported goods under the provisions of Division 2 of Part VIII of the *Customs Act 1901*.

| SCHEDULE           |                      | (Foreign Currency = AUS \$1) |                        |                        |                        |                        |                        |                        |
|--------------------|----------------------|------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| Column 1           | Column 2<br>Currency | Column 3<br>05/12/2007       | Column 4<br>06/12/2007 | Column 5<br>07/12/2007 | Column 6<br>08/12/2007 | Column 7<br>09/12/2007 | Column 8<br>10/12/2007 | Column 9<br>11/12/2007 |
| Brazil             | Real                 | 1.5765                       | 1.5651                 | 1.5522                 | 1.5522                 | 1.5522                 | 1.5379                 | 1.5603                 |
| Canada             | Dollar               | 0.8819                       | 0.8818                 | 0.8857                 | 0.8857                 | 0.8857                 | 0.8802                 | 0.8916                 |
| China, PR of       | Yuan                 | 6.4386                       | 6.4453                 | 6.4978                 | 6.4978                 | 6.4978                 | 6.4693                 | 6.5445                 |
| Denmark            | Kroner               | 4.4                          | 4.4466                 | 4.4746                 | 4.4746                 | 4.4746                 | 4.4545                 | 4.4914                 |
| European Union     | Euro                 | 0.5901                       | 0.5963                 | 0.5999                 | 0.5999                 | 0.5999                 | 0.5971                 | 0.602                  |
| Fiji               | Dollar               | 1.3494                       | 1.3534                 | 1.3561                 | 1.3561                 | 1.3561                 | 1.3566                 | 1.3605                 |
| Hong Kong          | Dollar               | 6.7859                       | 6.7955                 | 6.8428                 | 6.8428                 | 6.8428                 | 6.8199                 | 6.9091                 |
| India              | Rupee                | 34.2615                      | 34.3163                | 34.5567                | 34.5567                | 34.5567                | 34.3929                | 34.8195                |
| Indonesia          | Rupiah               | 8086.0                       | 8061.0                 | 8122                   | 8122                   | 8122                   | 8100.0                 | 8214.0                 |
| Israel             | Shekel               | 3.3429                       | 3.3621                 | 3.401                  | 3.401                  | 3.401                  | 3.3885                 | 3.4615                 |
| Japan              | Yen                  | 95.8                         | 96.64                  | 97.7                   | 97.7                   | 97.7                   | 97.53                  | 99.02                  |
| Korea, Republic of | Won                  | 802.86                       | 803.27                 | 806.64                 | 806.64                 | 806.64                 | 804.4                  | 817.12                 |
| Malaysia           | Ringgit              | 2.9115                       | 2.9137                 | 2.9308                 | 2.9308                 | 2.9308                 | 2.9083                 | 2.9383                 |
| New Zealand        | Dollar               | 1.1429                       | 1.1294                 | 1.129                  | 1.129                  | 1.129                  | 1.1306                 | 1.132                  |
| Norway             | Kroner               | 4.7724                       | 4.8019                 | 4.8063                 | 4.8063                 | 4.8063                 | 4.7898                 | 4.8194                 |
| Pakistan           | Rupee                | 53.44                        | 53.37                  | 53.68                  | 53.68                  | 53.68                  | 53.54                  | 54.19                  |
| Papua New Guinea   | Kina                 | 2.4432                       | 2.4451                 | 2.4625                 | 2.4625                 | 2.4625                 | 2.4541                 | 2.4882                 |
| Philippines        | Peso                 | 36.67                        | 36.44                  | 36.69                  | 36.69                  | 36.69                  | 36.41                  | 36.59                  |
| Singapore          | Dollar               | 1.259                        | 1.2619                 | 1.2677                 | 1.2677                 | 1.2677                 | 1.2597                 | 1.2763                 |
| Solomon Islands    | Dollar               | 6.6287                       | 6.634                  | 6.6812                 | 6.6812                 | 6.6812                 | 6.6583                 | 6.7443                 |
| South Africa       | Rand                 | 5.9187                       | 5.8866                 | 5.8872                 | 5.8872                 | 5.8872                 | 5.8595                 | 5.8846                 |
| Sri Lanka          | Rupee                | 95.98                        | 94.88                  | 95.16                  | 95.16                  | 95.16                  | 94.61                  | 96.56                  |
| Sweden             | Krona                | 5.5293                       | 5.6032                 | 5.628                  | 5.628                  | 5.628                  | 5.6089                 | 5.6735                 |
| Switzerland        | Franc                | 0.9725                       | 0.9822                 | 0.9921                 | 0.9921                 | 0.9921                 | 0.9873                 | 0.999                  |
| Taiwan Province    | Dollar               | 28.1                         | 28.13                  | 28.32                  | 28.32                  | 28.32                  | 28.23                  | 28.61                  |
| Thailand           | Baht                 | 29.42                        | 29.45                  | 29.61                  | 29.61                  | 29.61                  | 29.47                  | 29.79                  |
| United Kingdom     | Pound                | 0.4233                       | 0.4295                 | 0.4333                 | 0.4333                 | 0.4333                 | 0.4306                 | 0.4328                 |
| USA                | Dollar               | 0.871                        | 0.8717                 | 0.8779                 | 0.8779                 | 0.8779                 | 0.8749                 | 0.8862                 |

Matthew Bannon  
Delegate of the Chief Executive Officer of Customs  
Canberra ACT  
12/12/2007

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**Defence**

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**Australian Government**  
**Repatriation Medical Authority****NOTICE OF INVESTIGATION****Section 196G of the**  
*Veterans' Entitlements Act 1986*

The Repatriation Medical Authority (the Authority) gives notice under section 196G of the *Veterans' Entitlements Act 1986* (the VEA) that it intends to carry out an investigation under section 196B(7) of the VEA to review the contents of Statements of Principles concerning **depressive disorder** (Instrument Nos. 17 and 18 of 2007).

The Authority invites the following persons and organisations to make written submissions to the Authority in respect of the investigation:

- any person eligible to make a claim for pension under Part II or Part IV of the *Veterans' Entitlements Act 1986*;
- any person eligible to make a claim for compensation under section 319 of the *Military Rehabilitation and Compensation Act 2004* (the MRCA);
- an organisation representing veterans, Australian mariners, members of the Forces, members of the Peacekeeping Forces, members within the meaning of the MRCA, or their dependants;
- the Repatriation Commission or the Military Rehabilitation and Compensation Commission; and
- any person having expertise in a field relevant to the investigation.

The Authority will hold its first meeting for the purposes of this investigation on **4 February 2008**.

Under the VEA, the Authority is required to find out whether there is new information available about how **depressive disorder** may be suffered or contracted, or death from **depressive disorder** may occur; and the extent to which **depressive disorder** or death from **depressive disorder** may be war-caused, defence-caused, a service injury, a service disease or a service death. Persons and organisations wishing to make a submission should obtain from the Repatriation Medical Authority Secretariat (at the address and phone number below) a copy of the *Repatriation Medical Authority Submission Guidelines*.

All submissions must be in writing and received by the Authority at the address below no later than **29 January 2008**.

The Common Seal of the  
Repatriation Medical Authority  
was affixed in the presence of )  
)  
)

KEN DONALD  
CHAIRPERSON 13/12/2007



The Repatriation Medical Authority  
8<sup>th</sup> Floor, 259 Queen Street [GPO Box 1014]  
BRISBANE, QLD 4001  
Telephone:(07) 3815 9404

## Education, Employment and Workplace Relations

### *Safety, Rehabilitation and Compensation Act 1988*

#### *Part VIII*

#### **CSL Limited**

#### **NOTICE OF VARIATION OF LICENCE**

#### **Notice No 22 of 2007**

#### **Part 1 – Grant and Scope of Licence**

*Note:* Under section 46(1) of the *Acts Interpretation Act 1901*, unless the contrary intention appears, expressions used in this instrument have the same meaning as in the *Safety, Rehabilitation and Compensation Act 1988*.

#### **Eligible applicant**

1. **CSL Limited**, ABN 99 051 588 348 ACN 051 588 348 (“**the Licensee**”) was declared to be eligible to be granted a licence under Part VIII of the *Safety, Rehabilitation and Compensation Act 1988* (“**the SRC Act**”) by legislative instrument dated 12 November 2002, published in Gazette 47 on 27 November, registered as F2006B00186 on the Federal Register of Legislative Instruments on 20 January 2006.

#### **Grant of licence**

2. The Safety, Rehabilitation and Compensation Commission (“**the Commission**”), acting under sections 103 and 104 of the SRC Act, grants a licence to the Licensee.

#### **Period of licence**

3. Subject to the SRC Act, this licence is for the period commencing on 1 July 2007 and ending on 30 June 2011 (“**the period of this licence**”).

#### **Scope of licence – acceptance of liability**

4. The Licensee is authorised to accept liability to pay compensation and other amounts under the SRC Act in respect of all injuries, loss or damage suffered by, or in respect of the death of, any of the employees of the Licensee where such injuries, loss, damage or death
  - (a) occur within the period of this licence, and
  - (b) occurred during a period for which a previous SRC Act licence was in force.

*Note:* “Employee” is defined in section 5 of the SRC Act.

**Scope of licence – management of claims**

5. Insurance Australia Limited trading as CGU Insurance Services, ACN 000 016 722 ("**the Claims Manager**") is authorised to manage, on behalf of the Licensee, claims under the SRC Act made by the employees of the Licensee who are covered by the scope of this licence so far as it relates to the Licensee's acceptance of liability in accordance with clause 4 of this licence.

*Note 1:* "Claim" is defined in section 99 of the SRC Act.

*Note 2:* "Manage", in relation to a claim for payment of compensation and other amounts under the SRC Act, is defined in section 99 of the SRC Act to include determinations, reconsiderations and subsequent administrative action.

*Note 3:* Subsection 108B(4) of the SRC Act provides that if a Licensee enters into a contract with another person for the management, on the Licensee's behalf, of the claims that the Licensee is authorised to manage, that contract does not come into force unless and until the Commission has varied the licence to note the identity of the person with whom the Licensee has contracted.

**Conditions**

6. This licence is granted subject to the conditions specified in Part 2.

**Part 2 – Conditions****Definitions**

7. In this Part *Licensee* includes, where the context permits, the Claims Manager.

**General conditions****Directions of Commission**

8. The Licensee must comply with any written directions, whether general or in respect of a particular matter or class of matters, given by the Commission to the Licensee with respect to the performance by the Licensee of its functions or the exercise of its powers under the SRC Act.

**Requirements**

9. The Licensee must comply with the requirements of
- (a) the SRC Act, its Regulations and any applicable guidelines issued by the Commission under section 73A of the SRC Act
  - (b) any applicable laws of the Commonwealth, States or Territories with respect to the safety, health and rehabilitation of employees, and
  - (c) the relevant Privacy legislation.
10. The Licensee must have regard to guidelines issued by the Privacy Commissioner under the *Privacy Act 1988* (Cth) and must comply with any such guidelines dealing with covert surveillance of employees.

### **Fees**

11. The Licensee must pay the licence fee notified in writing to the Licensee under section 104A of the SRC Act within one month of receiving the notification.

### **Manner of managing claims**

12. In managing claims, the Licensee
- (a) must be guided by equity, good conscience and the substantial merits of the case without regard to technicalities
  - (b) is not required to conduct a hearing, and
  - (c) is not bound by the rules of evidence.

### **Audits**

13. The Licensee must co-operate with, and give reasonable assistance to, the Commission or its representatives in respect of any audits and evaluations of the Licensee to be conducted by the Commission or its representatives.
14. The Licensee must
- (a) conduct at least once every year a Performance Audit of the Claims Management, Rehabilitation and OHS functions, as advised to Comcare, and
  - (b) report to the Commission as required in accordance with audit methodology as approved by the Commission or as otherwise required by the Commission.

### **Reviews and proceedings**

15. The Licensee must not cause, or permit to be made on its behalf, any submission to a court or tribunal in relation to the interpretation of a provision of the SRC Act or associated transitional or consequential provisions that Comcare or the Commission requests the Licensee not to make.
16. If the Licensee brings court proceedings in relation to a matter arising in respect of a claim under the SRC Act, the Licensee must inform Comcare as soon as practicable that the proceedings have been brought and give Comcare a copy of the initiating process.

*Note:* If proceedings are brought against the Licensee, section 108C(8) requires the Licensee to inform Comcare as soon as practicable.

### **Failure to comply with conditions or change in circumstances**

17. The Licensee must notify Comcare in writing as soon as practicable of any event or likely event that is relevant to the application of the SRC Act and the OHS Act to the Licensee, this may include but is not limited to

- (a) the Licensee has not complied with, or is likely to fail to comply with, a condition of this licence, or
- (b) any change that may impact on the Licensee's capacity to meet its liabilities under the SRC Act, including change to the licensee's underlying financial position, or
- (c) changes to its legal structure, ownership or control, or
- (d) any significant change in its employee numbers or significant change in the risk profile of the work undertaken by its employees.

#### **Information and reporting requirements**

18. On written request of the Commission, the Licensee must give to the Commission, within the timeframe specified in the request, such information relating to the Licensee's operations under the SRC Act or OHS Act in the form and at the place specified in the request.

*Note:* Information likely to be requested by the Commission includes information required for the Data Warehouse, the Commission's annual report, Commission Indicators, the CPM and the Return to Work Monitor.

#### **Specific Conditions**

##### **Claims Manager**

19. The Licensee must enter into and maintain a written contract with the Claims Manager and if requested to do so, give a copy of the contract to the Commission.
20. Responsibility for the reconsideration function under section 62 of the SRC Act will transfer from Comcare to the Claims Manager from 1 January 2008.
21. The Licensee must ensure that each of the obligations imposed by this licence on the Claims Manager are included in the contract between the Licensee and the Claims Manager and that the Claims Manager warrants, under the contract, to comply with the conditions imposed by this licence.
22. The Licensee is responsible for ensuring that the Claims Manager complies with the conditions in this licence.
23. In addition to other conditions in this licence which are applicable to the Claims Manager, the Claims Manager must
- (a) not do, or omit to do, anything which would put the Licensee in breach of any term or condition of this licence
  - (b) not undertake, or cause to be undertaken, any surveillance of an employee, unless it has the prior written approval of the Licensee
  - (c) implement appropriate structures and mechanisms to ensure the consistent application of policy and procedures in respect of the management of claims

- (d) when requested in writing by the Commission to provide information to it, to provide the information to the Commission in the timeframe specified in the request
- (e) provide the Commission or its representative with unrestricted access to documents and records in the possession or control of the Claims Manager in so far as the documents relate to matters arising under the SRC Act, and
- (f) inform the Licensee as soon as practicable after it becomes aware that the Claims Manager has done or omitted to do something which has the effect that the Licensee is, or is likely to be in breach of a term or condition of this licence.

*Note: "Documents" and "records" have the same meaning as in the Acts Interpretation Act 1901.*

- 24. The Licensee must be accountable for all claims management policies issued by the Claims Manager and the recording and forwarding of claims management data to Comcare as requested.
- 25. The Licensee must notify the Commission in writing as soon as practicable after it becomes aware that the Claims Manager has done, or omitted to do, something which has the effect that the Licensee is, or is likely to be, in breach of a term or condition of this licence.

**Prudential Conditions**

- 26. The Licensee must comply with the Prudential Conditions of Licence.

**Performance Conditions**

- 27. The Licensee must comply with the Performance Standards.

Dated the 12<sup>th</sup> day of December 2007.



Leslie Edward Taylor  
Chairman  
Safety, Rehabilitation and Compensation Commission

**Attachment A****PRUDENTIAL CONDITIONS OF LICENCE**

These conditions are "the Prudential Conditions".

**1. LICENSEE CERTIFICATION**

1.1 The principal officer of the Licensee must certify in writing to the Commission, by 30 September of each financial year, that the Licensee has:

- (a) arranged, in accordance with Prudential Condition 2, for the estimation of the liability of the Licensee to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence; and
- (b) made, in accordance with Prudential Condition 3, provision in its accounts, in accordance with the estimates in the Liability Report required by Prudential Condition 2, for meeting its liabilities; and
- (c) the capacity to meet any single claim up to the reinsurance policy retention amount (excess amount) determined in accordance with Prudential Condition 5.

**2. LIABILITY REPORT**

2.1 The Licensee must commission a written report ("the Liability Report") in respect of each financial year and calculated as at the end of that year.

2.2 The Liability Report:

- (a) must be prepared by a Fellow of the Institute of Actuaries of Australia (IAA), or any body substituted therefore, with at least five years' post-qualification experience as an actuary in general insurance; and
- (b) must be prepared by an actuary who is not an employee or a partner of the organisation which provides financial audit services to the licensee or who in any way has a material financial dependence on the auditor; and
- (c) be prepared drawing on any available expert advice and substantially using IAA professional standard P300, or any standard substituted therefore, as the basis of estimation, with any departure from this standard to be highlighted in the report; and
- (d) must be addressed by the actuary to the Commission; and
- (e) must be provided by the Licensee to the Commission by 31 August of the financial year to which it relates.

2.3 The Liability Report must:

- (a) estimate the liability of the Licensee to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence as follows:
  - (i) contain a recommendation for the level of provisions in the licensee's accounts which must be made to at least the 50<sup>th</sup> percentile (net central estimate); and
  - (ii) contain a valuation of current outstanding liability and the projected liability in one year's time; and

- (b) contain a recommendation of the maximum reinsurance policy retention amount (excess amount) referred to in Prudential Condition 5; and
- (c) make an assessment of the financial capacity of the Licensee to meet amounts, from the balance sheet, up to the excess amount recommended by the actuary; and
- (d) describe the arrangements for compliance with Prudential Condition 5 and provide an assessment by the actuary of whether the arrangements are appropriate to meet the Licensee's obligation under Condition 5.1.

*Note:* The Commission will have regard to the matters in (b) and (c) in determining the excess amount in accordance with Prudential Condition 5.

- 2.4 The Commission may at its discretion submit a Liability Report to a peer review process.

*Note:* The Commission will organise and pay for any such peer review process.

- 2.5 After receiving a peer review assessment of a Liability Report, the Commission may by written notice to the Licensee require a Second Liability Report by an actuary approved by the Commission.
- 2.6 The Commission may direct the date for provision of a Second Liability Report.
- 2.7 Unless the Commission directs otherwise, the licensee must pay for a Second Liability Report.
- 2.8 If the Commission receives a Second Liability Report, it replaces the original Liability Report and:
- (a) references in Prudential Conditions 3-5 to the 'Liability Report' are to be construed as references to the Second Liability Report; and
  - (b) references in Prudential Conditions 3-5 to the actuary who prepares the Liability Report are to be construed as references to the actuary who prepares the Second Liability Report.

### 3. YEARLY ACCOUNTS

- 3.1 The Licensee must:

- (a) lodge with the Commission a copy of:
  - (i) any report that it is required to prepare or obtain for a financial year under Division 1 of Part 2M.3 of the *Corporations Act 2001* (Cth) within 7 days after it is required to be lodged with the Australian Securities and Investments Commission or it is in fact lodged, whichever is the earlier;
  - (ii) any periodic financial information regarding the affairs of the Licensee for a financial year that it is required to give to any financial market as defined in the *Corporations Act 2001* (for example, in respect of the Australian Stock Exchange this would be information that must be given under Listing Rule 4.3B) within 7 days after it is required to be given to the financial market or it is in fact given, whichever is the earlier. For the avoidance of doubt this condition does not require the Licensed Corporation to provide information that is released to the financial market pursuant to the Licensed Corporation's continuous disclosure obligations;

- (iii) if the Licensee is not required to report in accordance with Division 1 of Part 2M.3 of the *Corporations Act 2001* because its parent company is required to report in accordance with Division 1 of Part 2M.3 of the *Corporations Act 2001*, then the Licensee must provide any report that the parent company is required to prepare or obtain for a financial year under Division 1 of Part 2M.3 of the *Corporations Act 2001* within 7 days after it is required to be lodged with the Australian Securities and Investments Commission or it is in fact lodged, whichever is the earlier;
  - (iv) if the Licensee (or its parent company) is not required to report in accordance with Division 1 of Part 2M.3 of the *Corporations Act 2001* and the parent company is a company not subject to the laws of Australia then the Licensee's parent company must prepare a financial report and directors' report as if it was required to comply with Division 1 of Part 2M.3 of the *Corporations Act 2001*, including having that report audited in accordance with that Part, and must give the report to the Commission within three months after the end of the Licensee's financial year;
- (b) include, and identify, in any report or information referred to in Prudential Condition 3.1(a), provision for meeting the Licensee's accrued and contingent liability as at the end of the accounting period for claims made under the Act in the accounting period.
- 3.2 The provision mentioned in 3.1(b) must be consistent with a written evaluation, by an actuary, of the Licensee's current and non current liability for the accounting period and the actuary's evaluation must be lodged with the Commission.
- 3.3 The Licensee's accounts must also make provision for the Licensee to meet its accrued and contingent liability as estimated by the actuary in accordance with Prudential Conditions 2.2 and 2.3.
- 3.4 It will be sufficient compliance with Prudential Condition 3.2 if the Licensee provides the Commission with a statement at the time of lodging its accounts that the actuary's written evaluation required by this Prudential Condition is contained in the Liability Report provided to the Commission, and identifying the location of the information in that Report.
- 3.5 For the purposes of Prudential Condition 3.2, "actuary" means the actuary who prepares the Liability Report referred to in Prudential Condition 2.1.
- 4. BANK GUARANTEE**
- 4.1 The Licensee must, for each financial year, obtain a bank guarantee for the due discharge of its liability to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence.
- 4.2 The bank guarantee in respect of each financial year must be:
  - (a) in the form and subject to the terms agreed in writing by the Commission; and
  - (b) for an amount calculated by the actuary in accordance with Prudential Condition 4 and specified in the Liability Report for that financial year; and
  - (c) obtained from a bank which has a credit rating of, or equivalent to, Standard and Poor's AA group or better.

- 4.3 The Licensee must provide the original of the bank guarantee to the Commission by 30 September of the financial year to which it relates.

For the purpose of this condition:

“Balance Date” means the last day of the financial year immediately before the year to which the bank guarantee relates.

“Outstanding Claims Liabilities” includes accrued and contingent liabilities.

- 4.4 The bank guarantee must be for an amount calculated by the actuary as the greater of:

- (a) the 95<sup>th</sup> percentile of Outstanding Claims Liabilities at the Balance Date and the addition of one reinsurance policy retention amount specified in Prudential Condition 5; or
- (b) the 95<sup>th</sup> percentile of projected Outstanding Claims Liabilities in 12 months time from the Balance Date and the addition of one reinsurance policy retention amount specified in Prudential Condition 5,

subject to a minimum amount of \$2,500,000.

*Note:* The liability estimates are to include an allowance for the cost of administering claims and be calculated net of reinsurance recoveries.

- 4.5 In preparing the level of bank guarantee, the Licensee must direct the actuary to:

- (a) calculate existing and projected estimates of Outstanding Claims Liabilities plus costs of administering claims to the 95<sup>th</sup> percentile and to include this result in the Liability Report; and
- (b) base the calculation on a full statistical analysis of data, trends and variability and according to any relevant IAA standards and guidelines on liability valuation for general insurance.

## 5. REINSURANCE

- 5.1 The Licensee shall maintain an appropriate level of reinsurance to limit its liability to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence for any single event in excess of an amount determined by the Commission (“excess amount”).

*Note:* The Commission will have regard to the maximum excess amount recommended by the actuary in the Liability Report.

- 5.2 The reinsurance policy must be with an insurance company granted an authority to carry on insurance business by the Australian Prudential Regulation Authority under the *Insurance Act 1973* (Cth).

- 5.3 The Licensee must:

- (a) provide a copy of the reinsurance policy to the actuary and the Commission within seven days of the issuing of the new policy; and
- (b) seek the prior approval of the Commission to any reinsurance amount which is in excess of the amount previously determined by the Commission under 5.1 above.

**Attachment B****PERFORMANCE STANDARDS AND MEASURES**

The Licensee's prevention, rehabilitation and claims management systems will be consistent with the Performance Standards set out below. The degree to which the Licensee meets the Standards will be judged against the Performance Measures, also set out below.

**1. COMMITMENT AND POLICY**

The Licensee develops its prevention, rehabilitation and claims management policies and objectives in consultation with its employees and, where requested by any member in the undertaking, their representative organisations.

**1.1 Performance Standards****1.1.1 Policies will:**

- (i) accept the requirement for compliance with legislation and regulations;
- (ii) promote the principle of continuous improvement;
- (iii) where appropriate, be integral with and relevant to the Licensee's management systems, activities and employees;
- (iv) identify responsibilities and accountabilities for relevant employees;
- (v) promote communication of relevant information to employees;
- (vi) recognise the Licensee's duty of care to all persons in the workplace;
- (vii) recognise a hazard management approach to prevention;
- (viii) recognise commitment to effective rehabilitation of injured employees; and
- (ix) provide for fair and equitable outcomes.

**1.2 Performance Measures****1.2.1 There is evidence:**

- (i) of policies which confirm the Licensee's commitment to effective management of health and safety, rehabilitation and claims;
- (ii) that these policies are communicated to employees;
- (iii) of prevention management systems which recognise continuous improvement and which are based upon a hazard management approach;
- (iv) of consultation in accordance with the licence conditions; and
- (v) that management plans for rehabilitation and claims management are designed to ensure effective rehabilitation of injured employees, and equitable, efficient and effective claims management.

## **2 PLANNING**

The Licensee develops plans to fulfil its policies and objectives.

### **2.1 Performance Standards**

2.1.1 The Licensee's plans will:

- (i) address compliance with relevant legislative and regulatory requirements;
- (ii) identify program objectives and appropriate performance measures where relevant;
- (iii) include programs to identify, evaluate and control hazards in the workplace;
- (iv) provide for corrective action identified through any incident investigation process;
- (v) include programs to identify the Licensee's core rehabilitation and claims management activities and to provide direction regarding performance outcomes; and
- (vi) identify appropriate training requirements and include relevant training plans.

### **2.2 Performance Measures**

2.2.1 There is evidence that:

- (i) health and safety plans for each workplace are risk based and take account of employee input;
- (ii) health and safety training plans for each workplace are consistent with health and safety plans; and
- (iii) plans identify the Licensee's core rehabilitation and claims management activities.

## **3 IMPLEMENTATION**

The Licensee demonstrates the capabilities and support mechanisms that are necessary to achieve its policies and objectives.

### **3.1 Performance Standards**

3.1.1 In implementing its plans the Licensee will:

- (i) allocate adequate resources to support its programs;
- (ii) implement relevant training programs;
- (iii) ensure that only rehabilitation service providers approved by Comcare under Part III of the SRC Act are utilised;
- (iv) communicate defined responsibilities to relevant employees and service providers;

- (v) implement arrangements to ensure that employees are aware of their rights and obligations under the SRC Act;
- (vi) maintain the relevant level of reporting, records and/or documentation to support the Licensee's programs and legislative compliance and to ensure an appropriate audit trail; and
- (vii) establish procedures to maintain the confidentiality of information and appropriately apply the requirements of the *Privacy Act 1988*.

3.1.2 In implementing its prevention plans the Licensee will implement:

- (i) a hazard management process that includes identification, evaluation and control;
- (ii) a relevant prevention training program;
- (iii) programs to meet the Licensee's duty of care for all persons in the workplace; and
- (iv) programs to ensure that work-related injuries and diseases and relevant incidents are promptly reported, investigated and action taken when appropriate, including early assessment for rehabilitation.

3.1.3 In implementing its claims management plans the Licensee will:

- (i) implement mechanisms to inform employees of the status of their claims;
- (ii) implement mechanisms to give employees a reasonable opportunity to provide information or comment when claims for ongoing liability are being assessed or reviewed;
- (iii) implement cost effective mechanisms for determinations and reviews in respect of claims to be made accurately and promptly and guided by equity, good conscience and the substantial merits of each case without regard to technicalities; and
- (iv) ensure consultation between persons responsible for managing claims, persons responsible for managing rehabilitation, and rehabilitation providers (as appropriate).

**3.2 Performance Measures**

3.2.1 There is evidence:

- (i) that health and safety plans for each workplace are appropriately actioned;
- (ii) that health and safety training plans are appropriately actioned;
- (iii) that rehabilitation management plans are appropriately actioned;
- (iv) that claims management plans are appropriately actioned;
- (v) that incidents are investigated and where appropriate have fully documented incident investigation reports and where appropriate corrective action is implemented; and
- (vi) of appropriate mechanisms for informing employees of their rights in respect of claims, and of the status of individual claims.

#### **4 MEASUREMENT AND EVALUATION**

The Licensee measures, monitors and evaluates its performance and takes prompt corrective action when necessary.

##### **4.1 Performance Standards**

4.1.1 The Licensee will:

- (i) maintain and monitor planned objectives and performance measures for key elements of its programs;
- (ii) conduct a program of internal audits to ensure performance of its prevention, rehabilitation and claims management systems and ensure that these audits are performed objectively by competent personnel;
- (iii) ensure that the outcomes of internal audits are appropriately documented and that necessary corrective actions are identified, prioritised and implemented;
- (iv) if granted self audit status, ensure all self audits are conducted in accordance with the requirements of the Commission by competent personnel;
- (v) if granted self audit status, ensure that self audit reports and corrective action plans are certified at an appropriate senior executive level;
- (vi) provide the Commission with accurate reports in relation to its performance in the form and at intervals as requested by the Commission; and
- (vii) report to its employees on outcomes and results of audits – both internal and external.

##### **4.2 Performance Measures**

4.2.1 Results of self-audits conducted by the Licensee during the relevant licence period.

4.2.2 Reporting against jurisdictional indicators adopted by the Commission.

#### **5 MANAGEMENT SYSTEMS REVIEW AND IMPROVEMENT**

##### **5.1 Performance Standards**

The Licensee regularly reviews its prevention, rehabilitation and claims management systems, with the objective of improving its overall performance.

5.1.1 The Licensee will:

- (i) analyse the level of achievement of documented objectives and performance measures to determine areas requiring corrective or preventive action and utilise the results to promote continuous improvement strategies; and
- (ii) review, at appropriate intervals, the scope and content of its policy statements and supporting policies and procedures to ensure their continued suitability and effectiveness.

**5.2 Performance Measures**

5.2.1 There is evidence that:

- (i) the results of reviews of the Licensee's performance against its policies and objectives are used to continually improve its prevention, rehabilitation and claims management systems.

*Safety, Rehabilitation and Compensation Act 1988*

*Part VIII*

**BORDER EXPRESS PTY LTD**

**NOTICE OF GRANT OF LICENCE**

**Notice No 23 of 2007**

**Border Express Pty Ltd**, ACN 000 533 880, was declared to be eligible to be granted a licence under Part VIII of the *Safety, Rehabilitation and Compensation Act 1988* (the SRC Act) by legislative instrument dated 18 July 2007, registered as F2007L02424 on the Federal Register of Legislative Instruments on 7 August 2007.

The Safety, Rehabilitation and Compensation Commission (the Commission), acting under sections 103 and 104 of the SRC Act, granted a licence to Border Express Pty Ltd on 12 December 2007 with a commencement date of 1 January 2008 at 12.01am (Australian Eastern Daylight Time) and a cessation date of midnight (Australian Eastern Standard Time) on 30 June 2010.

The scope and conditions of the licence are as set out below in this notice.

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**LICENCE**

**Part 1 – Grant and Scope of Licence**

*Note:* Under section 46(1) of the *Acts Interpretation Act 1901*, unless the contrary intention appears, expressions used in this instrument have the same meaning as in the *Safety, Rehabilitation and Compensation Act 1988*.

**Eligible applicant**

1. **Border Express Pty Ltd**, ACN 000 533 880 (“**the Licensee**”) was declared to be eligible to be granted a licence under Part VIII of the *Safety, Rehabilitation and Compensation Act 1988* (“**the SRC Act**”) by Notice No 3 of 2007, registered as F2007L02424 on the Federal Register of Legislative Instruments on 7 August 2007.

**Grant of licence**

2. The Safety, Rehabilitation and Compensation Commission (“**the Commission**”), acting under sections 103 and 104 of the SRC Act, grants a licence to the Licensee.

**Period of licence**

3. Subject to the SRC Act, this licence is for the period commencing on 12.01am Australian Eastern Daylight Time (AEDT) on 1 January 2008 and ending on midnight AEST on 30 June 2010 ("**the period of this licence**").

**Scope of licence – acceptance of liability**

4. The Licensee is authorised to accept liability to pay compensation and other amounts under the SRC Act in respect of all injuries, loss or damage suffered by, or in respect of the death of, any of the employees of the Licensee where such injuries, loss, damage or death occur within the period of this licence.

*Note:* "Employee" is defined in section 5 of the SRC Act.

**Scope of licence – management of claims**

5. The Licensee is authorised to manage claims under the SRC Act made by the employees of the Licensee who are covered by the scope of this licence so far as it relates to the Licensee's acceptance of liability in accordance with clause 4 of this licence.

*Note 1:* "Claim" is defined in section 99 of the SRC Act.

*Note 2:* "Manage", in relation to a claim for payment of compensation and other amounts under the SRC Act, is defined in section 99 of the SRC Act to include determinations, reconsiderations and subsequent administrative action.

*Note 3:* Management of reconsiderations under Part VI of the SRC Act are dealt with in Part 2 of this licence.

**Conditions**

6. This licence is granted subject to the conditions specified in Part 2.

**Part 2 – Conditions****Definitions**

7. In this Part *Licensee* includes, where the context permits, the Reviewer.

**General conditions****Directions of Commission**

8. The Licensee must comply with any written directions, whether general or in respect of a particular matter or class of matters, given by the Commission to the Licensee with respect to the performance by the Licensee of its functions or the exercise of its powers under the SRC Act.

### Requirements

9. The Licensee must comply with the requirements of
  - (a) the SRC Act, its Regulations and any applicable guidelines issued by the Commission under section 73A of the SRC Act
  - (b) any applicable laws of the Commonwealth, States or Territories with respect to the safety, health and rehabilitation of employees, and
  - (c) the relevant Privacy legislation.
10. The Licensee must have regard to guidelines issued by the Privacy Commissioner under the *Privacy Act 1988* (Cth) and must comply with any such guidelines dealing with covert surveillance of employees.

### Fees

11. The Licensee must pay the licence fee notified in writing to the Licensee under section 104A of the SRC Act within one month of receiving the notification.

### Manner of managing claims

12. In managing claims, the Licensee
  - (a) must be guided by equity, good conscience and the substantial merits of the case without regard to technicalities
  - (b) is not required to conduct a hearing, and
  - (c) is not bound by the rules of evidence.

### Audits

13. The Licensee must co-operate with, and give reasonable assistance to, the Commission or its representatives in respect of any audits and evaluations of the Licensee to be conducted by the Commission or its representatives.
14. The Licensee must
  - (a) conduct at least once every year a Performance Audit of the Claims Management, Rehabilitation and OHS functions, as advised to Comcare, and
  - (b) report to the Commission as required in accordance with audit methodology as approved by the Commission or as otherwise required by the Commission.

### Reviews and proceedings

15. The Licensee must not cause, or permit to be made on its behalf, any submission to a court or tribunal in relation to the interpretation of a provision of the SRC Act or associated transitional or consequential provisions that Comcare or the Commission requests the Licensee not to make.

16. If the Licensee brings court proceedings in relation to a matter arising in respect of a claim under the SRC Act, the Licensee must inform Comcare as soon as practicable that the proceedings have been brought and give Comcare a copy of the initiating process.

*Note:* If proceedings are brought against the Licensee, section 108C(8) requires the Licensee to inform Comcare as soon as practicable.

#### **Failure to comply with conditions or change in circumstances**

17. The Licensee must notify Comcare in writing as soon as practicable of any event or likely event that is relevant to the application of the SRC Act and the OHS Act to the Licensee, this may include but is not limited to
- (a) the Licensee has not complied with, or is likely to fail to comply with, a condition of this licence, or
  - (b) any change that may impact on the Licensee's capacity to meet its liabilities under the SRC Act, including change to the licensee's underlying financial position, or
  - (c) changes to its legal structure, ownership or control, or
  - (d) any significant change in its employee numbers or significant change in the risk profile of the work undertaken by its employees.

#### **Information and reporting requirements**

18. On written request of the Commission, the Licensee must give to the Commission, within the timeframe specified in the request, such information relating to the Licensee's operations under the SRC Act or OHS Act in the form and at the place specified in the request.

*Note:* Information likely to be requested by the Commission includes information required for the Data Warehouse, the Commission's annual report, Commission Indicators, the CPM and the Return to Work Monitor.

#### **Specific Conditions**

19. The Licensee must provide to the Commission, prior to commencement of the licence, written undertakings that it will not treat employees injured before the date of commencement of the licence less favourably than employees injured on or after that date as far as management of their claims and their rehabilitation is concerned.

#### **Reconsiderations**

20. For the purpose of any reconsiderations under Part VI of the SRC Act, except for reconsiderations of own motion of matters in respect of which the outcomes would be no less favourable to the employee than the original decisions, in respect of determinations made by the Licensee, the Licensee must arrange for the person specified below ("**the Reviewer**") to carry out any reconsiderations of determinations on behalf of the Licensee:

**The Reviewer: Monahan and Rowell ABN 27 698 119 366**

21. The Licensee is to enter into and maintain a written contract with the Reviewer for the performance of the Reviewer's reconsideration function and if requested to do so, give a copy of the contract to the Commission.

**Prudential Conditions**

22. The Licensee must comply with the Prudential Conditions of Licence.

**Performance Conditions**

23. The Licensee must comply with the Performance Standards.

Dated the 12<sup>th</sup> day of December 2007.



Leslie Edward Taylor  
Chairman  
Safety, Rehabilitation and Compensation Commission

## Attachment A

**PRUDENTIAL CONDITIONS OF LICENCE**

These conditions are "the Prudential Conditions".

**1. LICENSEE CERTIFICATION**

- 1.1. The principal officer of the Licensee must certify in writing to the Commission, by 30 September of each financial year, that the Licensee has:
- (a) arranged, in accordance with Prudential Condition 2, for the estimation of the liability of the Licensee to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence; and
  - (b) made, in accordance with Prudential Condition 3, provision in its accounts, in accordance with the estimates in the Liability Report required by Prudential Condition 2, for meeting its liabilities; and
  - (c) the capacity to meet any single claim up to the reinsurance policy retention amount (excess amount) determined in accordance with Prudential Condition 5.

**2. LIABILITY REPORT**

- 2.1. The Licensee must commission a written report ("the Liability Report") in respect of each financial year and calculated as at the end of that year.
- 2.2. The Liability Report:
- (a) must be prepared by a Fellow of the Institute of Actuaries of Australia (IAA), or any body substituted therefore, with at least five years' post-qualification experience as an actuary in general insurance; and
  - (b) must be prepared by an actuary who is not an employee or a partner of the organisation which provides financial audit services to the licensee or who in any way has a material financial dependence on the auditor; and
  - (c) be prepared drawing on any available expert advice and substantially using IAA professional standard P300, or any standard substituted therefore, as the basis of estimation, with any departure from this standard to be highlighted in the report; and
  - (d) must be addressed by the actuary to the Commission; and
  - (e) must be provided by the Licensee to the Commission by 31 August of the financial year to which it relates.
- 2.3. The Liability Report must:
- (a) estimate the liability of the Licensee to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence as follows:
    - (i) contain a recommendation for the level of provisions in the licensee's accounts which must be made to at least the 50<sup>th</sup> percentile (net central estimate); and

- (ii) contain a valuation of current outstanding liability and the projected liability in 24 months time; and
- (b) contain a recommendation of the maximum reinsurance policy retention amount (excess amount) referred to in Prudential Condition 5; and
- (c) make an assessment of the financial capacity of the Licensee to meet amounts, from the balance sheet, up to the excess amount recommended by the actuary; and
- (d) describe the arrangements for compliance with Prudential Condition 5 and provide an assessment by the actuary of whether the arrangements are appropriate to meet the Licensee's obligation under Condition 5.1.

*Note:* The Commission will have regard to the matters in (b) and (c) in determining the excess amount in accordance with Prudential Condition 5.

- 2.4 The Commission may at its discretion submit a Liability Report to a peer review process.

*Note:* The Commission will organise and pay for any such peer review process.

- 2.5 After receiving a peer review assessment of a Liability Report, the Commission may by written notice to the Licensee require a Second Liability Report by an actuary approved by the Commission.

- 2.6 The Commission may direct the date for provision of a Second Liability Report.

- 2.7 Unless the Commission directs otherwise, the licensee must pay for a Second Liability Report.

- 2.8 If the Commission receives a Second Liability Report, it replaces the original Liability Report and:

- (a) references in Prudential Conditions 3-5 to the 'Liability Report' are to be construed as references to the Second Liability Report; and
- (b) references in Prudential Conditions 3-5 to the actuary who prepares the Liability Report are to be construed as references to the actuary who prepares the Second Liability Report.

### 3. YEARLY ACCOUNTS

- 3.1. The Licensee must:

- (a) lodge with the Commission a copy of:
  - (i) any report that it is required to prepare or obtain for a financial year under Division 1 of Part 2M.3 of the *Corporations Act 2001* within 7 days after it is required to be lodged with the Australian Securities and Investments Commission or it is in fact lodged, whichever is the earlier;
  - (ii) any periodic financial information regarding the affairs of the Licensee for a financial year that it is required to give to any financial market as defined in the *Corporations Act 2001* (for example, in respect of the Australian Stock Exchange this would be information

that must be given under Listing Rule 4.3B) within 7 days after it is required to be given to the financial market or it is in fact given, whichever is the earlier. For the avoidance of doubt this condition does not require the Licensee to provide information that is released to the financial market pursuant to the Licensee's continuous disclosure obligations;

- (iii) if the Licensee is not required to report in accordance with Division 1 of Part 2M.3 of the *Corporations Act 2001* because its parent company is required to report in accordance with Division 1 of Part 2M.3 of the *Corporations Act 2001*, then the Licensee must provide any report that the parent company is required to prepare or obtain for a financial year under Division 1 of Part 2M.3 of the *Corporations Act 2001* within 7 days after it is required to be lodged with the Australian Securities and Investments Commission or it is in fact lodged, whichever is the earlier;
  - (iv) if the Licensee (or its parent company) is not required to report in accordance with Division 1 of Part 2M.3 of the *Corporations Act 2001* and the parent company is a company not subject to the laws of Australia then the Licensee's parent company must prepare a financial report and directors' report as if it was required to comply with Division 1 of Part 2M.3 of the *Corporations Act 2001*, including having that report audited in accordance with that Part, and must give the report to the Commission within three months after the end of the Licensee's financial year;
- (b) include, and identify, in any report or information referred to in Prudential Condition 3.1(a), provision for meeting the Licensee's accrued and contingent liability as at the end of the accounting period for claims made under the Act in the accounting period.
- 3.2. The provision mentioned in 3.1(b) must be consistent with a written evaluation, by an actuary, of the Licensee's current and non current liability for the accounting period and the actuary's evaluation must be lodged with the Commission.
- 3.3. The Licensee's accounts must also make provision for the Licensee to meet its accrued and contingent liability as estimated by the actuary in accordance with Prudential Conditions 2.2 and 2.3.
- 3.4. It will be sufficient compliance with Prudential Condition 3.2 if the Licensee provides the Commission with a statement at the time of lodging its accounts that the actuary's written evaluation required by this Prudential Condition is contained in the Liability Report provided to the Commission, and identifying the location of the information in that Report.
- 3.5. For the purposes of Prudential Condition 3.2, "actuary" means the actuary who prepares the Liability Report referred to in Prudential Condition 2.1.

#### 4. BANK GUARANTEE

- 4.1. The Licensee must, for each financial year, obtain a bank guarantee for the due discharge of its liability to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence.
- 4.2. The bank guarantee in respect of each financial year must be:
- (a) in the form and subject to the terms agreed in writing by the Commission; and
  - (b) for an amount calculated by the actuary in accordance with Prudential Condition 4 and specified in the Liability Report for that financial year; and
  - (c) obtained from a bank which has a credit rating of, or equivalent to, Standard and Poor's AA group or better.
- 4.3. The Licensee must provide the original of the bank guarantee to the Commission by 30 September of the financial year to which it relates.

For the purpose of this condition:

"Balance Date" means the last day of the financial year immediately before the year to which the bank guarantee relates.

"Outstanding Claims Liabilities" includes accrued and contingent liabilities.

- 4.4. The bank guarantee must be for an amount calculated by the actuary as the greater of:
- (a) the 95<sup>th</sup> percentile of Outstanding Claims Liabilities at the Balance Date and the addition of one reinsurance policy retention amount specified in Prudential Condition 5; or
  - (b) the 95<sup>th</sup> percentile of projected Outstanding Claims Liabilities in 24 months time from the Balance Date and the addition of one reinsurance policy retention amount specified in Prudential Condition 5,
- subject to a minimum amount of \$2,500,000.

*Note:* The liability estimates are to include an allowance for the cost of administering claims and be calculated net of reinsurance recoveries.

- 4.5. In preparing the level of bank guarantee, the Licensee must direct the actuary to:
- (a) calculate existing and projected estimates of outstanding claims liabilities plus costs of administering claims to the 95<sup>th</sup> percentile and to include this result in the Liability Report; and
  - (b) base the calculation on a full statistical analysis of data, trends and variability and according to any relevant IAA standards and guidelines on liability valuation for general insurance.

#### 5. REINSURANCE

- 5.1 The Licensee shall maintain an appropriate level of reinsurance to limit its liability to pay compensation and other amounts under the SRC Act in accordance with the scope of this licence for any single event in excess of an amount determined by the Commission ("excess amount").

*Note:* The Commission will have regard to the maximum excess amount recommended by the actuary in the Liability Report.

- 5.2 The reinsurance policy must be with an insurance company granted an authority to carry on insurance business by the Australian Prudential Regulation Authority under the *Insurance Act 1973*.
- 5.3 The Licensee must:
- (a) provide a copy of the reinsurance policy to the actuary and the Commission within seven days of the issuing of the new policy; and
  - (b) seek the prior approval of the Commission to any reinsurance amount which is in excess of the amount previously determined by the Commission under 5.1 above.

## Attachment B

### PERFORMANCE STANDARDS AND MEASURES

The Licensee's prevention, rehabilitation and claims management systems will be consistent with the Performance Standards set out below. The degree to which the Licensee meets the Standards will be judged against the Performance Measures, also set out below.

#### 1. COMMITMENT AND POLICY

The Licensee develops its prevention, rehabilitation and claims management policies and objectives in consultation with its employees and, where requested by any member in the undertaking, their representative organisations.

##### 1.1 Performance Standards

###### 1.1.1 Policies will:

- (i) accept the requirement for compliance with legislation and regulations;
- (ii) promote the principle of continuous improvement;
- (iii) where appropriate, be integral with and relevant to the Licensee's management systems, activities and employees;
- (iv) identify responsibilities and accountabilities for relevant employees;
- (v) promote communication of relevant information to employees;
- (vi) recognise the Licensee's duty of care to all persons in the workplace;
- (vii) recognise a hazard management approach to prevention;
- (viii) recognise commitment to effective rehabilitation of injured employees; and
- (ix) provide for fair and equitable outcomes.

##### 1.2 Performance Measures

###### 1.2.1 There is evidence:

- (i) of policies which confirm the Licensee's commitment to effective management of health and safety, rehabilitation and claims;
- (ii) that these policies are communicated to employees;
- (iii) of prevention management systems which recognise continuous improvement and which are based upon a hazard management approach;
- (iv) of consultation in accordance with the licence conditions; and
- (v) that management plans for rehabilitation and claims management are designed to ensure effective rehabilitation of injured employees, and equitable, efficient and effective claims management.

**2. PLANNING**

The Licensee develops plans to fulfil its policies and objectives.

**2.1 Performance Standards****2.1.1** The Licensee's plans will:

- (i) address compliance with relevant legislative and regulatory requirements;
- (ii) identify program objectives and appropriate performance measures where relevant;
- (iii) include programs to identify, evaluate and control hazards in the workplace;
- (iv) provide for corrective action identified through any incident investigation process;
- (v) include programs to identify the Licensee's core rehabilitation and claims management activities and to provide direction regarding performance outcomes; and
- (vi) identify appropriate training requirements and include relevant training plans.

**2.2 Performance Measures****2.2.1** There is evidence that:

- (i) health and safety plans for each workplace are risk based and take account of employee input;
- (ii) health and safety training plans for each workplace are consistent with health and safety plans; and
- (iii) plans identify the Licensee's core rehabilitation and claims management activities.

**3. IMPLEMENTATION**

The Licensee demonstrates the capabilities and support mechanisms that are necessary to achieve its policies and objectives.

**3.1 Performance Standards****3.1.1** In implementing its plans the Licensee will:

- (i) allocate adequate resources to support its programs;
- (ii) implement relevant training programs;
- (iii) ensure that only rehabilitation service providers approved by Comcare under Part III of the SRC Act are utilised;
- (iv) communicate defined responsibilities to relevant employees and service providers;
- (v) implement arrangements to ensure that employees are aware of their rights and obligations under the SRC Act;

- (vi) maintain the relevant level of reporting, records and/or documentation to support the Licensee's programs and legislative compliance and to ensure an appropriate audit trail; and
- (vii) establish procedures to maintain the confidentiality of information and appropriately apply the requirements of the *Privacy Act 1988*.

3.1.2 In implementing its prevention plans the Licensee will implement:

- (i) a hazard management process that includes identification, evaluation and control;
- (ii) a relevant prevention training program;
- (iii) programs to meet the Licensee's duty of care for all persons in the workplace; and
- (iv) programs to ensure that work-related injuries and diseases and relevant incidents are promptly reported, investigated and action taken when appropriate, including early assessment for rehabilitation.

3.1.3 In implementing its claims management plans the Licensee will:

- (i) implement mechanisms to inform employees of the status of their claims;
- (ii) implement mechanisms to give employees a reasonable opportunity to provide information or comment when claims for ongoing liability are being assessed or reviewed;
- (iii) implement cost effective mechanisms for determinations and reviews in respect of claims to be made accurately and promptly and guided by equity, good conscience and the substantial merits of each case without regard to technicalities; and
- (iv) ensure consultation between persons responsible for managing claims, persons responsible for managing rehabilitation, and rehabilitation providers (as appropriate).

**3.2 Performance Measures**

3.2.1 There is evidence:

- (i) that health and safety plans for each workplace are appropriately actioned;
- (ii) that health and safety training plans are appropriately actioned;
- (iii) that rehabilitation management plans are appropriately actioned;
- (iv) that claims management plans are appropriately actioned;
- (v) that incidents are investigated and where appropriate have fully documented incident investigation reports and where appropriate corrective action is implemented; and
- (vi) of appropriate mechanisms for informing employees of their rights in respect of claims, and of the status of individual claims.

#### **4. MEASUREMENT AND EVALUATION**

The Licensee measures, monitors and evaluates its performance and takes prompt corrective action when necessary.

##### **4.1 Performance Standards**

###### **4.1.1 The Licensee will:**

- (i) maintain and monitor planned objectives and performance measures for key elements of its programs;
- (ii) conduct a program of internal audits to ensure performance of its prevention, rehabilitation and claims management systems and ensure that these audits are performed objectively by competent personnel;
- (iii) ensure that the outcomes of internal audits are appropriately documented and that necessary corrective actions are identified, prioritised and implemented;
- (iv) if granted self audit status, ensure all self audits are conducted in accordance with the requirements of the Commission by competent personnel;
- (v) if granted self audit status, ensure that self audit reports and corrective action plans are certified at an appropriate senior executive level;
- (vi) provide the Commission with accurate reports in relation to its performance in the form and at intervals as requested by the Commission; and
- (vii) report to its employees on outcomes and results of audits – both internal and external.

##### **4.2 Performance Measures**

4.2.1 Results of self-audits conducted by the Licensee during the relevant licence period.

4.2.2 Reporting against jurisdictional indicators adopted by the Commission.

#### **5. MANAGEMENT SYSTEMS REVIEW AND IMPROVEMENT**

##### **5.1 Performance Standards**

The Licensee regularly reviews its prevention, rehabilitation and claims management systems, with the objective of improving its overall performance.

###### **5.1.1 The Licensee will:**

- (i) analyse the level of achievement of documented objectives and performance measures to determine areas requiring corrective or preventive action and utilise the results to promote continuous improvement strategies; and
- (ii) review, at appropriate intervals, the scope and content of its policy statements and supporting policies and procedures to ensure their continued suitability and effectiveness.

**5.2 Performance Measures**

**5.2.1** There is evidence that:

- (i) the results of reviews of the Licensee's performance against its policies and objectives are used to continually improve its prevention, rehabilitation and claims management systems.

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**Environment, Water, Heritage and the Arts**

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**Australian Government****Department of the Environment, Water, Heritage and the Arts****NOTICE OF APPLICATION RECEIVED UNDER THE *HAZARDOUS WASTE  
(REGULATION OF EXPORTS AND IMPORTS) ACT 1989***

Pursuant to Section 33 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*, notice is given that an application has been received from SIMS Group Ltd, 41 McLaren Street, North Sydney, NSW 2060 for renewal of special permit to export 6,000,000kg of waste CRT glass cullet to Mirec B.V., St. Janskamp 7, 6101 AG Echt in the Netherlands for recycling and recovery operations.

The waste would be transported in fully enclosed containers by road and loaded onto a ship at the ports of Melbourne, Sydney, Brisbane, Adelaide and Perth in Australia to be offloaded at Rotterdam in the Netherlands. From there, it would be transported by road to the recycling facility.

The waste would transit Auckland and Napier in New Zealand, the Panama Canal, Manzanillo in Mexico, Savannah and Philadelphia in the USA, and Tilbury in the United Kingdom, on its sea voyage to Rotterdam in the Netherlands.

The export would take place in three hundred and sixty (360) shipments over a period of twelve months commencing from the date of the permit, if granted.

A handwritten signature in blue ink, appearing to read 'BJR' followed by a horizontal line.

Dr Barry Reville  
Assistant Secretary  
Environment Protection Branch  
7 December 2007



**COMMONWEALTH OF AUSTRALIA**

*Environment Protection and Biodiversity Conservation Act 1999*

**VARIATION TO DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, ANDREW MCNEE, Assistant Secretary, Marine Environment Branch, as Delegate of the Minister for the Environment, Heritage and the Arts, hereby vary under section 303FT(7b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the Declaration of an Approved Wildlife Trade Operation dated 21 December 2006 for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Southern and Eastern Scalefish and Shark Fishery, as defined in the *Southern and Eastern Scalefish and Shark Management Plan 2003*, made under the *Fisheries Management Act 1991*:

1. Revoke condition b. and the Schedule (dated December 2006):  
is subject to the conditions applied under section 303FT specified in the Schedule;
2. Include a new condition b. and Schedule (dated December 2007):  
is subject to the conditions applied under section 303FT specified in the December 2007 Schedule.

Dated this 12<sup>th</sup> day of December 2007

A handwritten signature in dark ink, appearing to read 'A. Mcnee'.

.....  
Delegate of the Minister for the Environment, Heritage and the Arts

SCHEDULE  
December 2007**Declaration of the Harvest Operations of the Southern and Eastern Scalefish and Shark Fishery (SESSF) as an approved Wildlife Trade Operation****ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the SESSF.

1. Operation of the fishery will be carried out in accordance with the *Southern and Eastern Scalefish and Shark Management Plan 2003*.
2. Australian Fisheries Management Authority (AFMA) will inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any changes to the *Southern and Eastern Scalefish and Shark Management Plan 2003* or other significant policy documents to enable DEWHA to evaluate any impact on the ecological sustainability of the fishery.
3. Reports to be produced and presented to the DEWHA annually, and to include:
  - a. a statement of the extent to which the performance criteria of the *Southern and Eastern Scalefish and Shark Management Plan 2003* were met in the year; and
  - b. information sufficient to allow assessment of the progress of AFMA in implementing the recommendations made in the *Assessment of the Southern and Eastern Scalefish and Shark Fishery December 2006*.
4. AFMA by the end of 2007 to ensure a defined process for expanding fishing effort in each sector of the SESSF to new areas and/or new species is implemented within the formal management arrangements for the SESSF.
5. Consistent with the *Commonwealth Fisheries Harvest Strategy Policy*, AFMA to develop and implement rebuilding strategies for all SESSF species below their limit reference point (B-Lim). Priority is to be given to finalising rebuilding strategies for eastern gemfish and school shark to be completed by 21 December 2007, and blue warehou by 21 December 2008.
6. AFMA to finalise the SESSF Bycatch Action Plan (BAP) by June 2007. The BAP should include specified targets for bycatch reduction across all sectors, with the aim of minimisation, along with measures to address bycatch mitigation and performance measures to evaluate effectiveness of the various bycatch reduction measures.

**THE WATER EFFICIENCY LABELLING AND STANDARDS REGULATOR**

**NOTICE UNDER SUBSECTION 28(1) OF THE WATER EFFICIENCY LABELLING AND STANDARDS ACT 2005**

I, Susan Levett, pursuant to section 25 of the *Water Efficiency Labelling and Standards Act 2005* (the WELS Act), register the following WELS product(s) under subsection 28(1) of the WELS Act. WELS registrations are subject to the conditions set out in subsections 4.5, 4.6 and 4.7 of AS/ANZ 6400:2005 *Water efficient Products – Rating and labelling*.

**Registered WELS products**

| Brand Name     | Product Type        | Family Name / Product Name / Model Reference                                                                                                                                                                       | Registration Number |
|----------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| ARISTON        | Dishwasher          | LI640 A, ,                                                                                                                                                                                                         | R001373             |
| ASTIVITA       | Tap Equipment       | Family Name: Astivita basin<br>ASBAC, BEBAC, BOBAC, DIBAC, ECBAC, ELBAC, ENBAC, GEBAC, GIBAC, ISBAC, MEBAC, TOBAC                                                                                                  | R001364             |
| ASTIVITA       | Tap Equipment       | Addition to Family Name: Astivita basin<br>ASTOBAC, BETOBAC, BOTOBAC, DITOBAC, ECTOBAC, ELTOBAC, ENTOBAC, GETOBAC, GITOBAC, ISTOBAC, METOBAC, TOTOBAC                                                              | R001364A            |
| ASTIVITA       | Tap Equipment       | Family Name: ASTIVITA SINK<br>ASVEGC, BEVEGC, BOVEGC, DIVEGC, ECVEGC, ELVEGC, ENVEGC, GEVEGC, GIVEGC, ISVEGC, MEVEGC, TOVEGC                                                                                       | R001365             |
| ASTIVITA       | Tap Equipment       | Addition to Family Name: ASTIVITA SINK<br>ASGOSC, BEGOSC, BOGOSC, DIGOSC, ECGOSC, ELGOSC, ENGOSC, GEGOSC, GIGOSC, ISGOSC, MEGOSC, TOGOSC                                                                           | R001365A            |
| ASTIVITA       | Tap Equipment       | Addition to Family Name: ASTIVITA SINK<br>ASLAC, BELAC, BOLAC, DILAC, ECLAC, ELLAC, ENLAC, GELAC, GILAC, ISLAC, MELAC, TOLAC                                                                                       | R001365B            |
| ASTIVITA       | Tap Equipment       | Addition to Family Name: ASTIVITA SINK<br>ASSIC, BESIC, BOSIC, DISIC, ECSIC, ELSIC, ENSIC, GESIC, GISIC, ISSIC, MESIC, TOSIC                                                                                       | R001365C            |
| BOSSINI S.P.A. | Shower              | Addition to Family Name: Bossini Showers<br>B 00092 Petra, B 00096 Compact, B 00250 Doccia Zen Cromo, B 00252 Slim, B 00253 Doccia Slim-Rain, B 00255 Cube, B 00260 Doccia Ellittica Cromata/oval, I 00023 Toprain | R001303F            |
| BREWERS        | Shower              | Family Name: Brewers 3 Star 7.5 shower<br>TMHS, TMWBC                                                                                                                                                              | R001367             |
| CAROMA         | Lavatory Equipment  | Addition to Family Name: Caroma 4 Star<br>Slimline Cistern                                                                                                                                                         | R000008BA           |
| DORF IND       | CLARK Tap Equipment | Family Name: Taps Pillar-5S<br>Dorf - Belmore, Dorf - Booster, Dorf - Ezy Clean MKII, Irwell - IFS, Irwell - Project MKII, Irwell - Tasman, Caroma -Trident2                                                       | R001369             |
| DORF IND       | CLARK Tap Equipment | Addition to Family Name: Taps Pillar-5S<br>Caroma - G Series - ULTRA4                                                                                                                                              | R001369A            |
| DORF IND       | CLARK Tap Equipment | Family Name: Taps 4S-GNT<br>Irwell - Builders Choice, Irwell - Tasman, Irwell - Vista H Series                                                                                                                     | R001370             |
| DORF IND       | CLARK Tap Equipment | Addition to Family Name: Taps 4S-GNT<br>Irwell - IFS (150mm), Irwell - IFS (235mm), Irwell - IFS (300mm), Irwell - Stayfast (Telescopic 450mm)                                                                     | R001370A            |
| DORF IND       | CLARK Tap Equipment | Addition to Family Name: Taps 4S-GNT<br>Irwell - IFS                                                                                                                                                               | R001370B            |

|             |       |                       |                                                                                                                                                                                        |          |
|-------------|-------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| DORF<br>IND | CLARK | Tap<br>Equipment      | Family Name: Taps 4S-G38<br>Irwell - Retro (Hob), Caroma - Leda, Irwell - Metro (Hob)                                                                                                  | R001371  |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Family Name: Taps 4S-M24<br>Dorf - Booster, Irwell - IFS, Irwell - Project MKII                                                                                                        | R001372  |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Dorf - Booster (Hob & Wall)                                                                                                                    | R001372A |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Irwell - Project MKII (Hob)                                                                                                                    | R001372B |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Irwell - Project MKII                                                                                                                          | R001372C |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Dorf - Adelphi, Dorf - Eclipse, Dorf - Flickmixers, Dorf - Kytin (SGL LVR)                                                                     | R001372D |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Irwell - IFS (180mm), Irwell - Tasman (Hob), Caroma - Trident (Hob)                                                                            | R001372E |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Dorf - Kytin (DBL LVR), Dorf - Kytin (SGL LVR)                                                                                                 | R001372F |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Irwell - Vista H Series (F/Bowl)                                                                                                               | R001372G |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Irwell - Builders Choice, Irwell - Solus (Hob), Irwell - Tasman (Hob), Caroma<br>Trident2 (Hob)                                                | R001372H |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Dorf - El Toro (Hob), Ezy Clean (Hob), Dorf - Manor House (Hob-CROSS HDL)                                                                      | R001372I |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Irwell - Square Pin                                                                                                                            | R001372J |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Dorf - El Toro (Wall), Dorf - Manor House (Wall)                                                                                               | R001372K |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Dorf - El Toro (Wall), Dorf - Manor House (Wall-CROSS HDL), Caroma - Trident<br>(Wall), Caroma Trident2 (Wall), Irwell - Vista H Series (Wall) | R001372L |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Dorf - Belmore (Wall)                                                                                                                          | R001372M |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Ezy Clean (Wall), Irwell - IFS (Wall 180mm), Caroma - Trident (Hob)                                                                            | R001372N |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Caroma - Nordic (150mm), Caroma - Nordic (240mm), Caroma - Opus (150mm<br>S/CLOSE), Caroma - Opus (Cast - S/CLOSE)                             | R001372O |
| DORF<br>IND | CLARK | Tap<br>Equipment      | Addition to Family Name: Taps 4S-M24<br>Caroma - Acqua, Dorf - Avanti, Irwell - Neptune (LOOP HDL), Dorf - Serene, Irwell -<br>Tasman (200mm), Caroma - Azuro (Cast)                   | R001372P |
| KERAMAG     |       | Lavatory<br>Equipment | Family Name: Keramag 3<br>Vitalis, Visit, Flow, Renova, Cassini                                                                                                                        | R001366  |
| KERAMAG     |       | Lavatory<br>Equipment | Addition to Family Name: Keramag 3<br>Opus, Vivano, Joop, Cleo, Vitelle, Flow, Renova                                                                                                  | R001366A |
| KERAMAG     |       | Lavatory<br>Equipment | Addition to Family Name: Keramag 3<br>Opus, Vivano, Joop, Cleo, Vitelle, Flow, Renova                                                                                                  | R001366B |
| KERAMAG     |       | Lavatory<br>Equipment | Addition to Family Name: Keramag 3<br>Vivano, 4U, Virto, Renova, Flow                                                                                                                  | R001366C |
| KERAMAG     |       | Lavatory              | Addition to Family Name: Keramag 3                                                                                                                                                     | R001366D |

|          |                       |                                                                                                                |          |
|----------|-----------------------|----------------------------------------------------------------------------------------------------------------|----------|
|          | Equipment             | Opus, Preciosa, Joly, Joop, Virto, Kind                                                                        |          |
| OMEGA    | Dishwasher            | Addition to Family Name 26096<br>PL2006, ,                                                                     | R000293A |
| PHOENIX  | Shower                | Addition to Family Name: Shower Four<br>AZTEX shower                                                           | R000574C |
| PHOENIX  | Tap<br>Equipment      | Addition to Family Name: Tap sink<br>AZTEX sink range                                                          | R000549F |
| PHOENIX  | Tap<br>Equipment      | Addition to Family Name: Tap Basin<br>AZTEX basin range                                                        | R000547G |
| PHOENIX  | Tap<br>Equipment      | Addition to Family Name: TAP MIXER C<br>MIA basin mixer, MIA vessel mixer, LIDO basin mixer, LIDO vessel mixer | R000692D |
| PHOENIX  | Tap<br>Equipment      | Addition to Family Name: TAP MIXER A<br>NOSTALGIA sink mixer range, NOSTALGIA basin mixer range                | R000548G |
| PHOENIX  | Tap<br>Equipment      | Addition to Family Name: TAP MIXER C<br>MIA Wall Basin Outlet, LIDO Wall Basin Outlet                          | R000692C |
| PHOENIX  | Tap<br>Equipment      | Addition to Family Name: Tap Basin<br>VIVID Pin Lever basin range, PACE Pin Lever basin range                  | R000547H |
| SCHOLTES | Dishwasher            | LVTI 12-67,                                                                                                    | R001374  |
| SIMPSON  | Clothes<br>Washer     | 22S950M,                                                                                                       | R001368  |
| SMEG     | Dishwasher            | Addition to Family Name 26097<br>SA8210, PL8210, SA683-2,                                                      | R000286A |
| STYLUS   | Lavatory<br>Equipment | Addition to Family Name: Stylus 4 Star<br>Symphony                                                             | R001080D |
| STYLUS   | Lavatory<br>Equipment | Addition to Family Name: Stylus 4 Star<br>Tasman                                                               | R001080E |

*Stewt.*

**Delegate of the Water Efficiency Labelling and Standards Regulator  
19 December 2007**



**MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS**

***FUEL QUALITY STANDARDS ACT 2000***

**GRANT OF APPROVAL – SECTION 13**

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts, pursuant to section 13 of the *Fuel Quality Standards Act 2000* (the Act), having consulted with the Fuel Standards Consultative Committee as required by section 24A of the Act, hereby grant this approval to Caltex Australia Petroleum Pty Ltd (the approval holder).

This approval varies the fuel standard for petrol set out in the *Fuel Standard (Petrol) Determination 2001* in respect of supplies by the approval holder, or by another person specified in Annexure 1, so that petrol with an olefin content up to a maximum of 25% by volume will be taken to comply with the olefin parameter specified in the Determination.

Approval is granted subject to the conditions specified in section 17 of the Act and in Annexure 2 of this approval.

This Approval comes into force on the date this approval instrument is signed and remains in force until 17 February 2008.

Dated: RM December, 2007

A large, stylized handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

.....  
Minister for the Environment, Heritage and the Arts

## **Annexure 1**

The following are regulated persons under section 13(1)(b) of the *Fuel Quality Standards Act 2000*:

All persons that:

1. supply petrol for sale or resale under the Caltex brand; and
2. supply petrol for sale or resale where that petrol was supplied to them by Caltex Australia Petroleum Pty Ltd namely:

BP Australia Pty Ltd

The Shell Company of Australia Ltd

Mobil Oil Australia Pty Ltd

Woolworths Ltd

Liberty Oil Corporation Pty Ltd

**Annexure 2****Conditions of approval**

This approval is subject to the following conditions:

1. Under this approval the approval holder may supply up to 90 million litres of petrol with an olefin content up to 25% by volume;
2. This approval covers only petrol supplied from the Caltex Kurnell Refinery and not imported petrol or petrol from other Australian refineries;
3. Petrol with a maximum olefin content of up to 25% by volume may only be supplied from the Caltex Kurnell Refinery from the date the instrument of approval is signed until either seven (7) days after the Rheniformer unit at the Caltex Kurnell refinery becomes operational or 31 December 2007, whichever comes first;
4. To ensure residual supplies of the higher olefin petrol are fully expended before the expiry of the approval, petrol with a maximum olefin content of up to 25% by volume may be supplied by regulated persons from the date the instrument of approval is signed until 17 February 2008 (inclusive);
5. While the approval is in force, the approval holder will report weekly to the Department the volumes and olefin content of unleaded petrol and premium unleaded petrol supplied under this approval with the first report due on the first Monday after the approval is granted;
6. While the approval is in force, the approval holder will report weekly to the Department on progress with repairs to the refinery and efforts to source alternative supplies of compliant petrol with the first report due on the first Monday after the approval is granted;
7. The approval holder will report to the Department within 24 hours of the Rheniformer returning to service if this occurs before 31 December 2007;
8. The approval holder is required to advise all its suppliers, consistent with section 17 of the Act that fuel supplied under this approval may contain up to 25% olefins by volume, and that the Minister for the Environment, Heritage and the Arts has granted an approval under section 13 of the *Fuel Quality Standards Act 2000* for the supply of this fuel until 17 February 2008; and
9. The approval holder is required to place 29cm x 4 column (approx A4 size) advertisements on the first Saturday and Sunday following supply of petrol under this approval in the early general news section of the Sydney Morning Herald, the Daily Telegraph, The Canberra Times, the Newcastle Herald, the Illawarra Mercury (Wollongong), the Weekend Advertiser (Wagga), the Sun-Herald, the Sunday Telegraph and the Sunday Canberra Times displaying the text specified in Annexure 3.

### **Annexure 3**

#### **TEXT FOR ADVERTISEMENT**

**[CALTEX LOGO]**

Due to an unplanned shutdown of a key process unit at the Caltex refinery at Kurnell and a lack of petrol available for purchase in Australia and the region, it is possible that petrol supplies by Caltex in NSW and the ACT may be affected.

Caltex is seeking to limit any disruptions to the supply of petrol and has approached the Australian Government for a temporary variation to the Australian fuel quality standard for petrol.

The Minister for the Environment, Heritage and the Arts has agreed to a short term variation to the fuel quality standard for petrol so that the Kurnell refinery may supply petrol with up to 25% olefins until 17 February 2008. The normal limit for olefins in petrol is 18% by volume.

As the Kurnell refinery currently supplies about 50% of the state's petrol, the affected fuel may be supplied through many Caltex and other service stations in NSW and the ACT.

Both unleaded and premium unleaded petrol supplies may be affected.

It is expected that short term supply of higher olefin petrol will not have any significant adverse effects on the environment or vehicle operability.

The Kurnell refinery will be working to limit the amount of petrol it produces with higher olefins and hopes to resume normal supplies by late December 2007. There may be residual supplies of the fuel at service stations until the middle of February 2008.

Caltex apologises for any inconvenience this may cause.



## MINISTER FOR THE ENVIRONMENT, HERITAGE AND THE ARTS

### NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000* CONCERNING A DECISION UNDER SECTION 13 OF THAT ACT TO GRANT AN APPROVAL FOR A VARIATION OF THE *FUEL STANDARD (PETROL) DETERMINATION 2001*.

I, Peter Robert Garrett, Minister for the Environment, Heritage and the Arts provide the following information concerning my decision to grant an approval under section 13 of the *Fuel Quality Standards Act 2000* (the Act).

#### **Name of approval holder**

The approval has been granted to Caltex Australia Petroleum Pty Ltd (the approval holder).

#### **Period of operation**

The approval operates from the date the approval instrument is signed until 17 February 2008. A copy of the approval instrument is attached to this Notice.

#### **Details of the Approval**

The approval varies the fuel standard for petrol set out in *Fuel Standard (Petrol) Determination 2001* in relation to supplies of petrol by the approval holder from the Kurnell Refinery by increasing the permitted olefin content of petrol up to 25% by volume.

The approval is subject to conditions set out in Annexure 2 to the approval instrument and in Section 17 of the Act. A copy of Annexure 2 to the approval instrument is attached to this Notice.

#### **Background**

Section 15 of the Act provides that the Minister must have regard to the following when deciding whether or not to grant an approval:

- (a) the protection of the environment;
- (b) the protection of occupational and public health and safety;
- (c) the interests of consumers; and
- (d) the impact on economic and regional development.

I may also have regard to any other matters I consider relevant.

Section 24A of the Act provides that I must consult, and have regard to, the recommendations of the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval I consulted with the Committee and had regard to its recommendation to me dated 11 December 2007.

### **Findings on material questions of fact**

#### **(a) Protection of the environment**

This variation to olefin standard of petrol is not expected to result in any significant adverse environmental impacts.

#### **(b) Protection of occupational and public health and safety**

Additional olefins in petrol are expected to exacerbate the formation of ozone in the Sydney greater metropolitan region. I note that the approval holder has voluntarily agreed to provide funding to the NSW Environmental Trust to offset the impacts of additional emissions arising from petrol supplied under this approval. As the higher olefin petrol will only be used in a portion of the NSW vehicle fleet, and then only for a short period, health problems are not expected.

#### **(c) Interests of consumers**

The interests of consumers in NSW may be adversely affected by petrol shortages should this approval not be granted.

Conversely, the interests of consumers in NSW may also be adversely affected should engine operability issues arise from use of petrol with an olefin content up to 25% by volume. Increased olefin levels can cause additional gumming in the engine's intake system. In extreme cases this can cause engine operability problems. While this is unlikely for newer vehicles, older high mileage engines may be susceptible to operability issues. As the olefin content of petrol supplied under this approval will be 'diluted' by existing stocks of petrol in underground storage tanks at service stations and by residual fuel in consumer vehicle petrol tanks, it is not expected that the interests of consumers will be adversely affected by the short term supply of petrol with an olefin content up to 25% by volume.

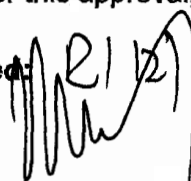
On balance, the consequences of a shortage of petrol in the Sydney and Newcastle metropolitan areas would have a greater adverse impact on consumers.

#### **(d) Impact on economic and regional development**

It is expected that the short term supply of petrol with an olefins content up to 25% would not have an adverse impact on economic and regional development. Conversely, a shortage of petrol in the Sydney and Newcastle metropolitan areas would have a greater adverse impact on economic and regional development.

### **Reasons for Granting the Approval**

In making my decision to grant the approval I have weighed the limited environmental, vehicle operability and public health and safety impacts with the serious implications of a fuel supply shortfall on the interests of consumers and economic and regional development. In addition, noting that the applicant has voluntarily agreed to provide funding to the NSW Environmental Trust to offset the impacts of additional emissions arising from petrol supplied under this approval, I am satisfied that the approval is warranted.

Dated:  2007

.....  
**Minister for the Environment, Heritage and the Arts**

# DEPARTMENT OF THE ENVIRONMENT, WATER, HERITAGE AND THE ARTS

## *Environment Protection and Biodiversity Conservation Act 1999*

*For further information see referrals list at  
<http://www.environment.gov.au/epbc/notices>*

### ACTIONS DETERMINED AS REQUIRING APPROVAL (*EPBC Act s.75*)

| Reference | Title                                                                               | Relevant Protected Matters                                     | Date        |
|-----------|-------------------------------------------------------------------------------------|----------------------------------------------------------------|-------------|
| 2007/3772 | Wagner Investments Pty Ltd/Mining/Gold Coast City /QLD/Ormeau Hills Quarry          | •Listed threatened species and communities (sections 18 & 18A) | 12-DEC-2007 |
| 2007/3785 | Anglo Coal (Grosvenor) Pty Ltd /Mining/Moranbah/QLD/The Grosvenor Coal Mine Project |                                                                | 14-NOV-2007 |

### ACTIONS DETERMINED AS NOT REQUIRING APPROVAL (*EPBC Act s.75*)

| Reference  | Title                                                                                                                                                                                      | Date        |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 2007/3734* | Canberra Estates Consortium No. 19 Pty Ltd /Residential development/Macgregor/ACT/Brindabella Residential Development                                                                      | 23-NOV-2007 |
| 2007/3745  | Nexus Energy Limited/Exploration (mineral, oil and gas - marine)/Joseph Bonaparte Gulf/NT/Nexus Drilling Program NT-P66                                                                    | 08-NOV-2007 |
| 2007/3767  | Santos Ltd/Exploration (mineral, oil and gas - marine)/Otway Basin /VIC/VIC-P44 Stage 2 Gas Field Development                                                                              | 09-NOV-2007 |
| 2007/3771  | Coffs Harbour City Council /Natural resources management/Coffs Harbour /NSW/Rehabilitation and Re-sculpting of Coffs Creek Flying Fox Camp and Adjacent Reserve                            | 08-NOV-2007 |
| 2007/3773  | Queensland Rail/Transport - land/Near Calliope, Mount Larcom, Aldoga and Yarwun/QLD/Moura Link - Aldoga Rail Project                                                                       | 06-DEC-2007 |
| 2007/3774  | Apache Energy Ltd/Exploration (mineral, oil and gas - marine)/Territory of Ashmore Cartier/Commonwealth Marine/AC/P37 3D Seismic Survey Ashmore Cartier                                    | 08-NOV-2007 |
| 2007/3810  | State Water Corporation/Natural resources management/Macquarie Marshes Nature Reserve/NSW/Northern Marsh Bypass Channel Remedial Works                                                     | 12-DEC-2007 |
| 2007/3817* | Santos Ltd /Exploration (mineral, oil and gas - marine)/Sorell Basin, off the west and northwest coast of Tasmania/Commonwealth Marine/Southern Margins T/35P and T/36P 3D Seismic Surveys | 10-DEC-2007 |
| 2007/3824  | Brisbane City Council/Transport - land/Brisbane/QLD/Northern Link Parallel Road Tunnels Project                                                                                            | 30-NOV-2007 |
| 2007/3835  | EnergyAustralia/Natural resources management/Rookwood Cemetery Lot 485 DP48201/NSW/Bushfire risk reduction works Rookwood Cemetery                                                         | 10-DEC-2007 |
| 2007/3836  | VicRoads (Northern Region)/Transport - land/West of Boort in Northern Victoria/VIC/Boort-Wycheproof Road Rehabilitation and Widening Project - Stage 2                                     | 07-DEC-2007 |
| 2007/3843  | Queensland Construction Materials Pty Ltd/Mining/12.5 km south east of Dunwich on North Stradbroke Island/QLD/Removal and transport of sand tailings from mining operations                | 07-DEC-2007 |

\* Actions which are not controlled actions provided they are undertaken in a particular manner. Further information on provision and manner specified is available from [www.environment.gov.au/epbc/notices](http://www.environment.gov.au/epbc/notices)

### DECISION ON APPROVAL (*EPBC Act s.133*)

| Reference | Title                                                                                                                                          | Approval Decision        | Date        |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------|
| 2003/1011 | Queensland Transport/Land transport/Townsville/QLD/Townsville Port Access Project (Road and Rail)                                              | Approved with conditions | 28-NOV-2007 |
| 2006/3208 | Mary Donald Nominees Pty Ltd/Residential development/Yalyalup/WA/Residential/Industrial subdivision, Lot 18, Vasse Highway, Shire of Busselton | Approved with conditions | 03-DEC-2007 |

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 the Environment, Water, Heritage and the Arts, or may not meet timeframes for notification. The Department of the Environment, Water, Heritage and the Arts 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 the Environment, Water, Heritage and the Arts 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.

## COMMONWEALTH OF AUSTRALIA

### *Environment Protection and Biodiversity Conservation Act 1999* Subsection 327(1) (b) and (c)

Restriction and extension of the boundaries of wetlands included in the List of Wetlands of International Importance kept under the Ramsar Convention.

I, CHRISTINA DEBORAH SCHWEIZER, Assistant Secretary, Environmental Water and Natural Resources Branch, delegate for the Minister of the Environment, Heritage and the Arts, hereby give notice, pursuant to paragraphs 327(1)(b) and (c) of the *Environment Protection and Biodiversity Conservation Act 1999*, of the restriction and extension on **11 September 2007** of the boundaries of a wetland included on the List of Wetlands of International Importance kept under the Convention on Wetlands of International Importance especially as Waterfowl Habitat, done at Ramsar on 2 February 1971 ('Ramsar Convention'):

#### **29. 'Riverland'**

The boundary of the Ramsar site has been restricted to the 1956 flood line west and south-west from the NSW border at point A (Lat -33° 55' 50" Long 141° 00' 10") through to the western side of Ral Ral creek at point B (Lat -34° 3' 56" Long 140° 42' 4"), with the following exception. The boundary of the Ramsar site has been extended to the line of the 1956 flood where that flood-line crosses into the property of Calperum Station. The boundary of Ramsar site has been restricted to the 1956 flood line from point C (Lat -34° 9' 59" Long 140° 46' 45") east to point D (Lat -33° 59' 12" Long 140° 57' 49") where it meets the Victorian border.

The 1956 flood line is defined as the River Murray Flood Zone by the following Development Plans under the South Australian Development Act 1993.

Northern section of 1956 flood line reference – Land not within a Council Area (Riverland) Development Plan 25<sup>th</sup> Sept 2003. Maps LNWCA (R) 8-11.

Southern section of 1956 flood line reference – Renmark Paringa District Council Development Plan 8<sup>th</sup> March 2007. Maps RePa/4-6, 8 & 9.

Dated this 12<sup>th</sup> day of December 2007



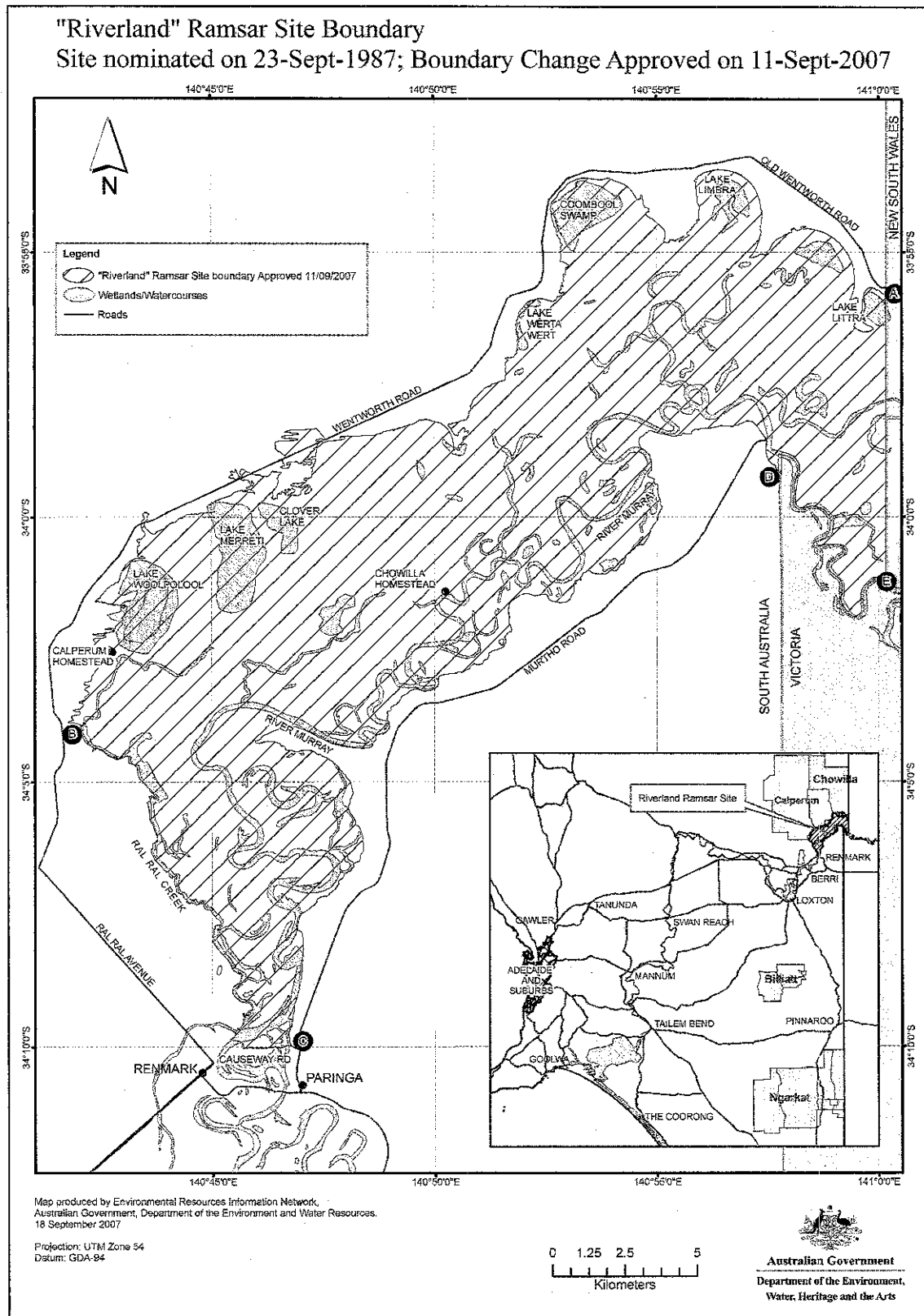
Christina Deborah Schweizer  
Assistant Secretary  
Environmental Water and Natural Resources Branch

#### Notes:

The map in the Annex has been reduced for the purposes of publication. Copies of the map and further information can be obtained from:

Nerida Sloane, Wetlands Section, Department of the Environment, Water, Heritage and the Arts, GPO Box 787 Canberra 2601, (02) 6274 1962 or at

<http://www.environment.gov.au/water/wetlands/bulletin/index.html>



## COMMONWEALTH OF AUSTRALIA

### *Environment Protection and Biodiversity Conservation Act 1999* Subsection 327(1)

Designation of wetlands for inclusion in the List of Wetlands of International Importance kept under the Ramsar Convention.

I, CHRISTINA DEBORAH SCHWEIZER, Assistant Secretary, Environmental Water and Natural Resources Branch, delegate for the Minister of the Environment, Heritage and the Arts, hereby give notice, pursuant to paragraph 327(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999*, of the designation on **13 September 2007** of the following wetland for inclusion in the List of Wetlands of International Importance kept under the Convention on Wetlands of International Importance especially as Waterfowl Habitat, done at Ramsar on 2 February 1971 ('Ramsar Convention'):

#### **65. Paroo River Wetlands**

being The Nocolèche Nature Reserve boundary, as gazetted on 21 September 1979 and the north-eastern portions of Paroo-Darling National Park as gazetted on 31 March 2000, as identified in the maps entitled Paroo River Wetlands Ramsar Site (Maps 1 to 3), at Annex 1.

Dated this 12<sup>th</sup> day of December 2007



Christina Deborah Schweizer  
Assistant Secretary  
Environmental Water and Natural Resources Branch

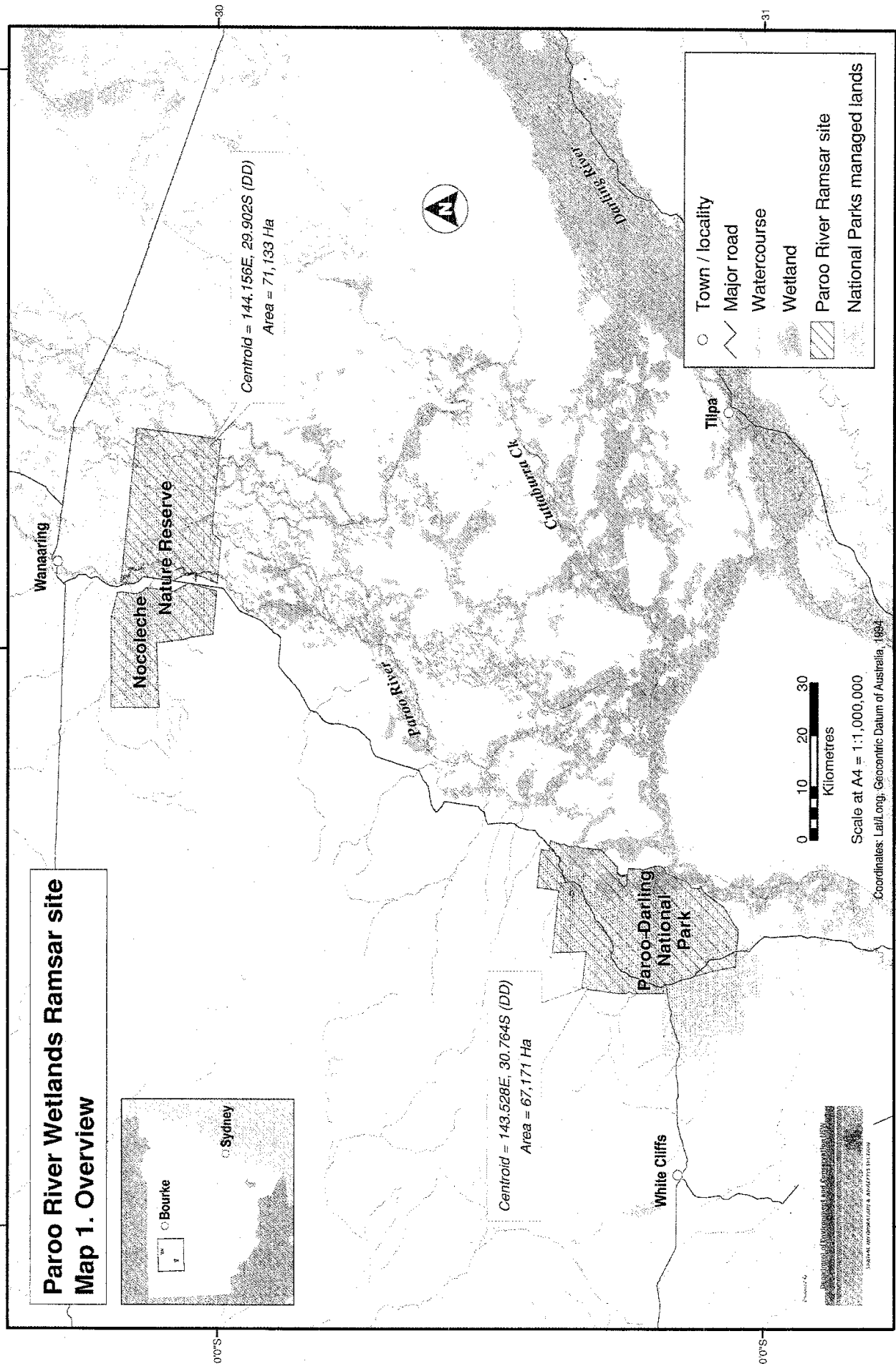
#### Notes:

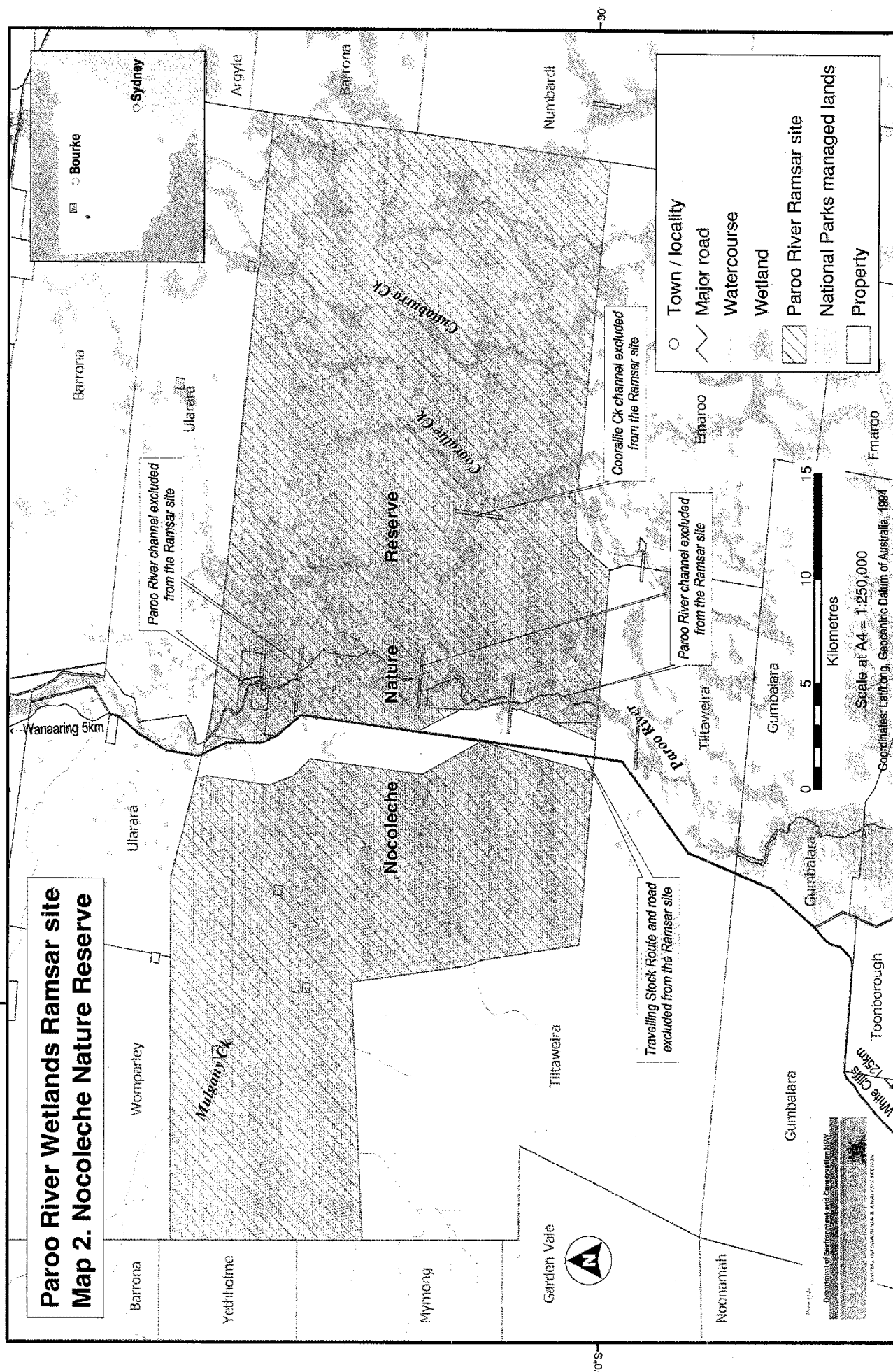
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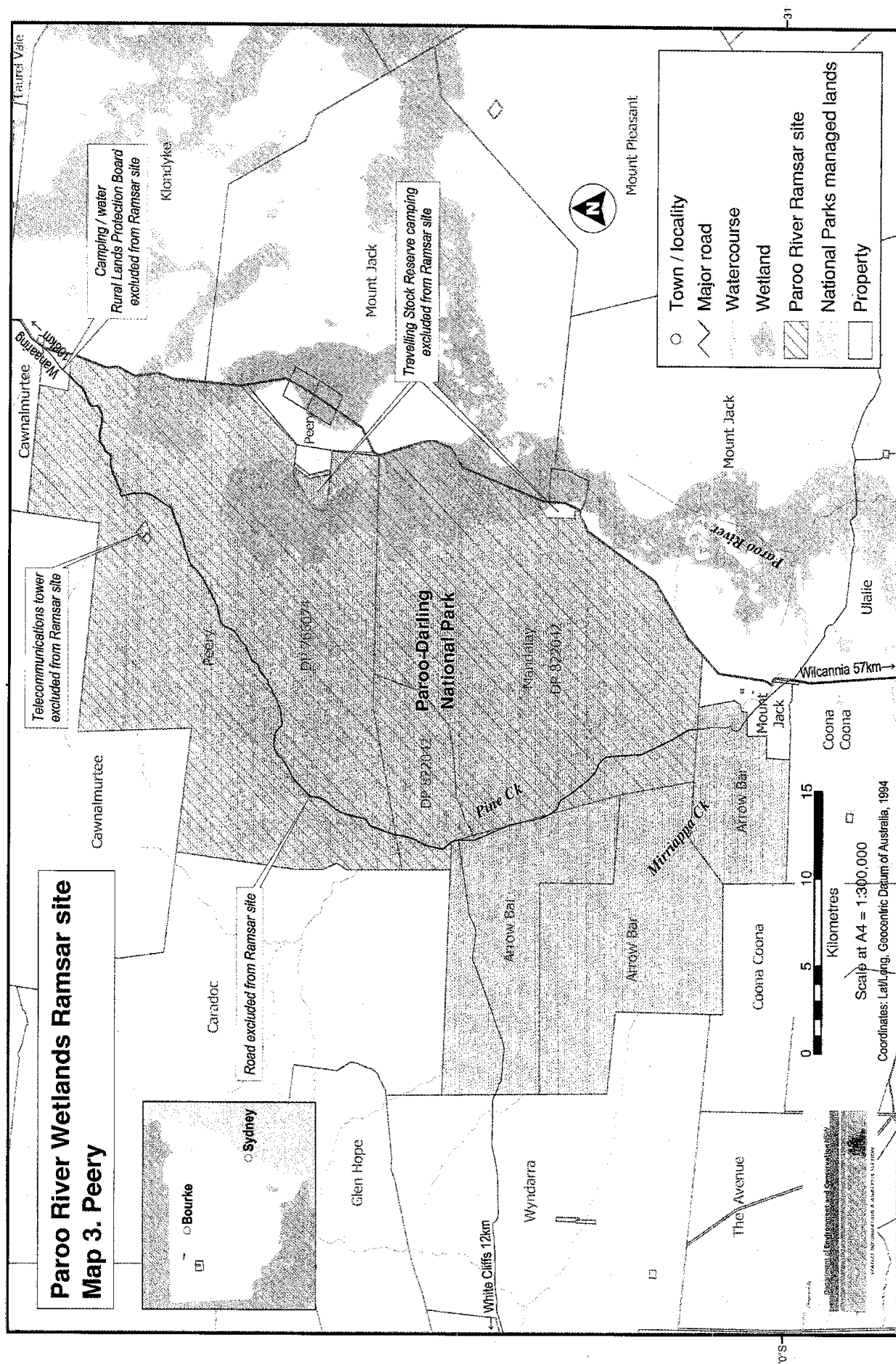
Copies of the map and further information can be obtained from:

Ian Krebs, Wetlands Section, Department of the Environment, Water, Heritage and the Arts, GPO Box 787 Canberra 2601, (02) 6274 2526 or at <http://www.environment.gov.au/water/wetlands/bulletin/index.html>

The Department of the Environment, Water, Heritage and the Arts has allocated a number to the new wetland to assist in recording the details of its designation. This number is indicated before the name of the wetland in this notice.







## Finance and Deregulation



**Australian Government**  
**Child Support Agency**

***Child Support (Assessment) Act 1989***

**Notice pursuant to Section 155**

I, Matt Miller, Child Support Registrar, hereby notify, pursuant to Section 155 of the *Child Support (Assessment) Act 1989* that the following amounts apply in relation to all child support periods beginning in the calendar year 2008:

- (a) the yearly equivalent of the relevant EAWE amount is \$45,505.00;
- (b) the relevant annual partnered rate of Social Security pension is, per person, \$11,676.60;
- (c) the relevant annual unpartnered rate of Social Security pension is \$13,980.20; and
- (d) the amounts referred to in paragraph 39(2)(b) are as follows:

The Standard Family Tax Benefit for a child who is under 13 years of age is \$3,792.35 per year.

The Standard Family Tax Benefit for a child who is between 13 and 15 years of age is \$4,927.50 per year.

The base rate of Family Tax Benefit is \$1,222.75 per year.

Additional amount for a relevant dependant child under 13 years of age is \$2,570 per year

Additional amount for a relevant dependant child between 13 and 15 years of age is \$3,705 per year

- (e) the minimum annual rate of child support is \$339.00

A handwritten signature in blue ink, appearing to read 'Matt Miller'.

Matt Miller  
CHILD SUPPORT REGISTRAR  
19 December 2007

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## Health and Ageing

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### NATIONAL DRUGS AND POISONS SCHEDULE COMMITTEE

#### PRE-FEBRUARY 2008 SCHEDULING MEETING NOTICE

##### Notice under Regulation 42ZCU of the *Therapeutic Goods Regulations 1990*

The Chair of the National Drugs and Poisons Schedule Committee (NDPSC) hereby gives notice that the next scheduling meeting of the NDPSC will be held on 19-21 February 2008. Substances to be considered for scheduling by the NDPSC are open for public comment.

Accordingly, public submissions are invited on those substances mentioned below which are to be considered for scheduling at the February 2008 meeting. Public submissions must address a matter mentioned in section 52E of the *Therapeutic Goods Act 1989* ("the Act") and be received by the closing date. Public submissions must also include the name of the person making the submission and a contact address. Persons making a submission in regard to a substance where a Schedule 3 classification may be an outcome are invited to provide additional comment on inclusion of that substance in Appendix H - *Schedule 3 Poisons Permitted to be Advertised*. Inclusion in Appendix H may be a consequential consideration of the Committee following a decision to include a substance in Schedule 3.

The NDPSC is moving to an E-agenda and is increasingly using electronic documents at its meetings. Persons making public submissions to the Committee are strongly encouraged to lodge submissions in electronic format (word or unsecured PDF is preferred) via the NDPSC email address. Accordingly, public submissions, **preferably in electronic format**, should be made to:

The Secretary  
National Drugs and Poisons Schedule Committee  
GPO Box 9848  
CANBERRA ACT 2601  
e-mail [NDPSC@health.gov.au](mailto:NDPSC@health.gov.au). Facsimile 02-6160 3299

The closing date for submissions is **23 January 2008**.

The NDPSC, in making a decision in relation to the classification and scheduling of a substance, must consider all public submissions made by the closing date that address a matter mentioned in section 52E of the Act. Public submissions that reserve the right to comment on a scheduling proposal or are made after the closing date need not be considered by the NDPSC.

The post-February 2008 meeting notice will invite further public submissions on substances that are the subject of an amendment to the Schedules at the February 2008 meeting. Regulation 42ZCY of the *Therapeutic Goods Regulations 1990*, however, restricts this invitation to those persons who made a valid public submission in relation to the substance in response to this pre-meeting notice.

Further information may be obtained from the NDPSC Secretariat on 02-6160 3200 during business hours or by e-mailing [NDPSC@health.gov.au](mailto:NDPSC@health.gov.au)

## SUBSTANCES TO BE CONSIDERED FOR SCHEDULING

### 1 FORESHADOWED DECISIONS FROM THE PREVIOUS MEETING

(Please refer to the October 2007 Record of the Reasons for further information and the proposed SUSDP amendment. The Record of Reasons can be accessed through <http://www.tga.gov.au/ndpsc>.)

- 1.1 Lead compounds in inks – consideration of inclusion in Appendix C (see item 2.4.1 <http://www.tga.gov.au/ndpsc/record/rr200710.htm>).
- 1.2 The Uniform Paint Standard (Appendix I) – consideration of a review (see item 2.4.1 <http://www.tga.gov.au/ndpsc/record/rr200710.htm>).
- 1.3 Metribuzin – consideration of rescheduling to Schedule 6 (see item 6.1 <http://www.tga.gov.au/ndpsc/record/rr200710.htm>).
- 1.4 Kava (*piper methysticum*) – consideration of the Schedule 4 entry (see item 12.1.4 <http://www.tga.gov.au/ndpsc/record/rr200710.htm>).
- 1.5 Dienestrol – consideration of inclusion in Appendix D, in Part 3 paragraph 45 and in Appendix F (see item 14.2 <http://www.tga.gov.au/ndpsc/record/rr200710.htm>).
- 1.6 Ribavirin – consideration of inclusion in Part 3 paragraph 45 and in Appendix F (see item 14.2 <http://www.tga.gov.au/ndpsc/record/rr200710.htm>).

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### 2 SUBSTANCES REFERRED BY THE AUSTRALIAN PESTICIDES AND VETERINARY MEDICINES AUTHORITY

- 2.1 2,4-D (see item 4.5 of the June 2007 Record of Reasons <http://www.tga.gov.au/ndpsc/record/rr200706.htm>).
- 2.2 Chlorantraniliprole – consideration of scheduling.
- 2.3 Dirlotapide – consideration of scheduling.
- 2.4 Esfenvalerate – consideration of scheduling including a proposal for a cut-off from Schedule 6 to Schedule 5 for low concentrations of esfenvalerate.
- 2.5 Methiocarb – consideration of scheduling including a proposal to amend the Schedule 7 to Schedule 6 cut-off.
- 2.6 Spinetoram – consideration of scheduling.
- 2.7 Pyroxsulam – consideration of scheduling.

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### 3 OTHER AGRICULTURAL/VETERINARY, INDUSTRIAL AND DOMESTIC CHEMICALS

- 3.1 Pyrethrin zinc – Consideration of scheduling including a proposal to allow an exception from scheduling when used in paints containing  $\leq 0.5\%$  pyrethrin zinc.
- 3.2 Phenylenediamine and toluenediamine – Consideration of scheduling including the following proposals for use in eyelash/brow tints:
  - Restrict non-professional supply of eyelash/brow tinting products containing phenylenediamines or toluenediamine to  $\leq 5$  mL.
  - Limit non-professional supply of eyelash/brow tinting products to those in a “complete kit form” (i.e. supplying all relevant reagents).
- 3.3 1,4 butanediol – Consideration of scheduling including a proposal to include in Appendix C.
- 3.4 Veterinary virus vaccines – Consideration of the scope of the current Schedule 4 entry.

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### 4 SUBSTANCES REFERRED BY THE REGISTRATION PROCESSES FOR PRESCRIPTION MEDICATIONS

- 4.1 Methoxy polyethylene-glycol epoetin beta rch (ADEC August 07) – consideration of scheduling including possible inclusion in Appendix D.
  - 4.2 Panitumumab (ADEC August 07) – consideration of scheduling
-

**5. OTHER PHARMACEUTICALS**

- 5.1 Non- phenothiazine sedating antihistamines (brompheniramine, chlorpheniramine, dexchlorpheniramine, diphenhydramine, diphenylpyraline, doxylamine, pheniramine and triprolidine) – Consideration of scheduling when indicated for children under 2 years of age (See item 11.1 in the June 2007 Record of Reasons <http://www.tga.gov.au/ndpsc/record/rr200706.htm>).
- 5.2 Fluorides – Consideration of the scheduling of fluorides for human use, including specific proposals from the October 2007 NDPSC Meeting summarised below (See item 1.8.2 in the October 2007 Record of Reasons <http://www.tga.gov.au/ndpsc/record/rr200710.htm>). Please note that the Committee is not limiting itself to only these proposals, as additional options may emerge through the consultation process.

|                                                                  | UNSCHEDULED                                                                                                                                                                                     | S2                                                                                                               | S3                                    | S4                           |
|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------|------------------------------|
| General<br><b>Proposal 1</b>                                     | <ul style="list-style-type: none"> <li>≤ 15 mg/kg</li> <li>Supply to dental professionals</li> </ul>                                                                                            |                                                                                                                  |                                       |                              |
| Oral supplements<br>• <b>Proposal 2a</b><br>• <b>Proposal 2b</b> | General<br>General                                                                                                                                                                              | Nil<br>≤ 0.5 mg                                                                                                  | Nil<br>Nil                            | Parent entry<br>Parent entry |
| Non-liquid<br>• <b>Proposal 3a</b>                               | ≤ 1000mg/kg                                                                                                                                                                                     | Nil                                                                                                              | ≤ 5500 mg/kg                          | Parent entry                 |
| • <b>Proposal 3b</b>                                             | <ul style="list-style-type: none"> <li>1000 &lt; fluoride ≤ 1500 mg/kg when labelled – “Do not swallow”; &amp; “Do not use in children 6 years of age or less”</li> <li>≤ 1000 mg/kg</li> </ul> | >1000 and ≤ 1500 mg/kg not labelled.                                                                             | ≤5500 mg/kg                           | Parent entry                 |
| • <b>Proposal 3c</b>                                             | As above                                                                                                                                                                                        |                                                                                                                  | Vary above - conditional on labelling | Parent entry                 |
| • <b>Proposal 3d</b>                                             | ≤ 1000 mg/kg                                                                                                                                                                                    | 1000 < fluoride ≤ 1500 mg/kg when labelled – “Do not swallow”; & “Do not use in children 6 years of age or less” | As above                              | Parent entry                 |
| Liquid<br>• <b>Proposal 4a</b>                                   | ≤ 220 mg/kg & ≤ 120 mg total fluoride with CRC and labelled – “Do not swallow”; & “Do not use in children 6 years of age or less”                                                               | ≤ 1000 mg/kg with CRC                                                                                            | ≤ 5500 mg/kg                          | Parent entry                 |
| • <b>Proposal 4b</b>                                             | Vary above - total fluoride ion reduced to ≤ 100 mg                                                                                                                                             | ≤ 1000mg/kg with CRC                                                                                             | ≤ 5500 mg/kg                          | Parent entry                 |
| • <b>Proposal 4c</b>                                             | One of the above                                                                                                                                                                                | Vary above - conditional on labelling                                                                            | Vary above - conditional on labelling | Parent entry                 |

- 5.3 Paracetamol in preparations for parenteral use – consideration of a proposal to include paracetamol for parenteral use in Schedule 4 of the SUSDP.
- 5.4 Zolpidem – consideration of scheduling including a proposal to reschedule to Schedule 8.

**6. SUBSTANCES REFERRED BY THE NEW ZEALAND MEDICINES CLASSIFICATION COMMITTEE (MCC).**

- 6.1 Boron consideration of scheduling (see item 16.3 of the June 2007 Record of Reasons <http://www.tga.gov.au/ndpsc/record/rr200706.htm>).

**Infrastructure, Transport, Regional Development and Local Government****Form 6 Permit for unlicensed ship - continuing**

(regulation 6)

No: 861

*Navigation Act 1912***PERMIT FOR UNLICENSED SHIP - CONTINUING**

I, Cheryl Johnson, in exercise of the power delegated to me by the Minister under section 9 of the Navigation Act 1912, grant, under section 286 of the Act, permission for the ship specified in this permit to carry passengers or cargo or both between the ports specified, subject to any conditions set out on this permit.

This permit remains in force from 12/12/2007 to 11/03/2008

**Details about ship**

|                          |                                      |
|--------------------------|--------------------------------------|
| Name of ship: Yosu Gas   | Port of registry: Yeosu, Korea       |
| IMO No. of ship: 9016739 | Name of Owner: GS Caltex Corporation |

**Name of ports for which permit issued**

Devonport, Hobart, Westernport, Botany Bay, Brisbane, Gladstone, Townsville and Cairns.

**Permit conditions (see attached)**

Signature of delegate:



Date: 06 December 2007



## Form 6 Permit for unlicensed ship - continuing

(regulation 6)

No: 855

*Navigation Act 1912*

### PERMIT FOR UNLICENSED SHIP - CONTINUING

I, Cheryl Johnson, in exercise of the power delegated to me by the Minister under section 9 of the Navigation Act 1912, grant, under section 286 of the Act, permission for the ship specified in this permit to carry passengers or cargo or both between the ports specified, subject to any conditions set out on this permit.

This permit remains in force from 18/12/2007 to 17/03/2008

#### Details about ship

|                          |                                          |
|--------------------------|------------------------------------------|
| Name of ship: Namhae Gas | Port of registry: Yeosu                  |
| IMO No. of ship: 9006693 | Name of Owner: MC Cormorant Shipping Ltd |

#### Name of ports for which permit issued

Devonport, Hobart, Westernport, Botany Bay, Brisbane, Gladstone, Townsville & Cairns.

#### Permit conditions (see attached)

Signature of delegate:



Date: 06 December 2007



S28/2007038



**Australian Government**

**Department of Infrastructure, Transport,  
Regional Development and Local Government**

## ***Aviation Transport Security Act 2004***

### **NOTICE OF AMENDMENT OF DECLARATION OF SECURITY CONTROLLED AIRPORTS AND ESTABLISHMENT OF AIRSIDE AREAS**

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I, **DARREN STUART CROMBIE**, General Manager, Aviation Security Operations Branch, Office of Transport Security, Department of Infrastructure, Transport, Regional Development and Local Government **AMEND** the Notice of Amendment of Declaration of Security Controlled Airports and Establishment of Airside Areas published under section 28 of the *Aviation Transport Security Act 2004* (the Act) in the *Gazette* (No. S 68, Wednesday, 11 April 2007), as follows:

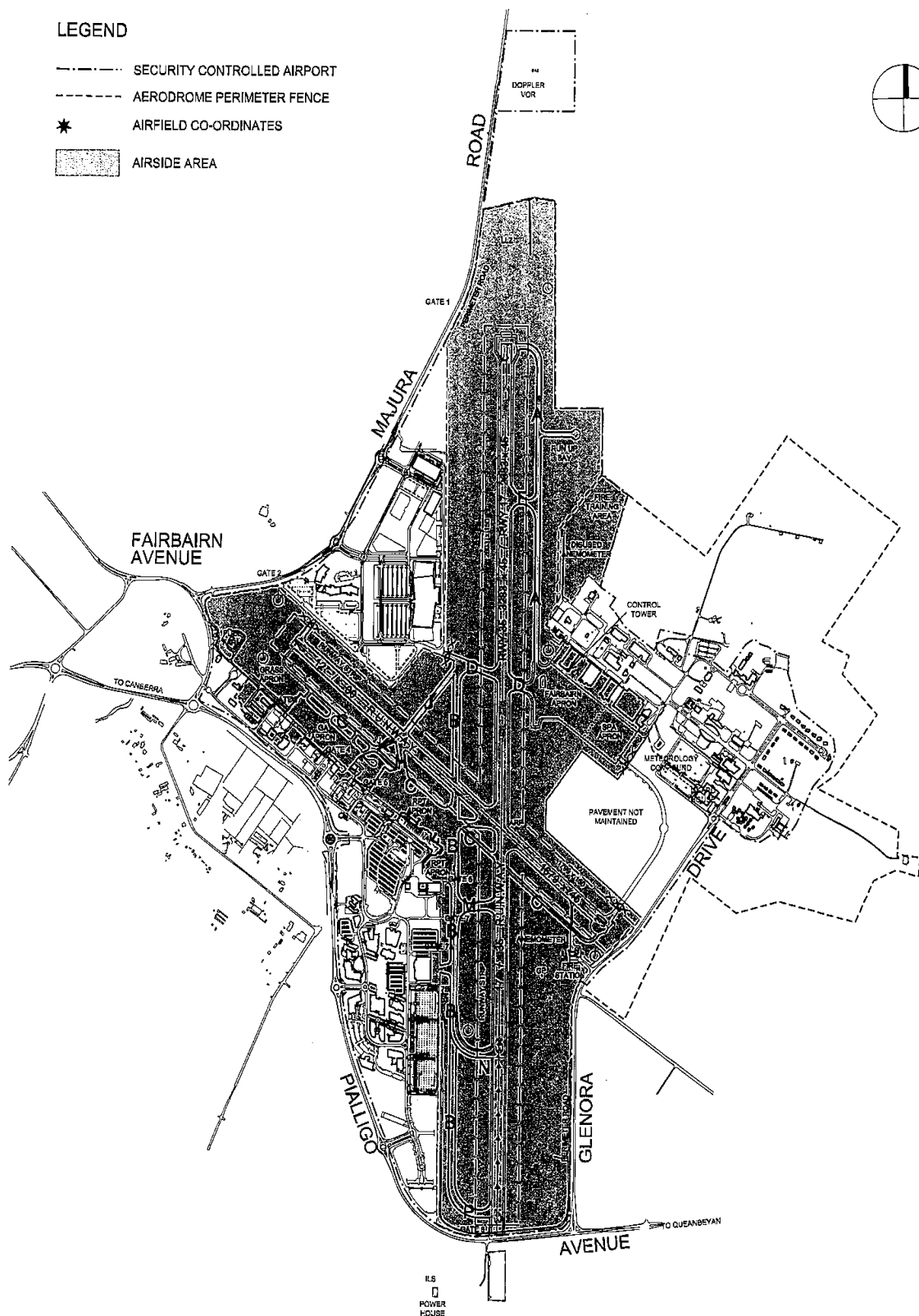
1. Omit the map identified as **MAP 10F CANBERRA AIRPORT**; and
2. Insert the map identified as **CANBERRA INTERNATIONAL AIRPORT MAP 10G**, as attached to this Notice of Amendment to ESTABLISH in accordance with section 29 of the Act, an airside area for Canberra International Airport, being that area marked as the airside area on the map.

This Notice of Amendment commences upon Gazettal.

Date: 7 December 2007

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

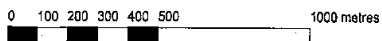
Darren Crombie  
Delegate of the Secretary of the  
Department of Infrastructure, Transport, Regional Development and  
Local Government



AIRFIELD  
BASE  
INFORMATION

OCTOBER 2007

CANBERRA INTERNATIONAL AIRPORT  
MAP 10G



**CANBERRA**  
INTERNATIONAL AIRPORT



## Treasury

### COMMISSIONER OF TAXATION

The Commissioner of Taxation, Michael D'Ascenzo, gives notice of the following Rulings, copies of which can be obtained from Branches of the Australian Taxation Office or at <http://law.ato.gov.au>.

| NOTICE OF RULINGS |                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ruling Number     | Subject                                                                                                                                                                                                                                                                                                                                                       | Brief Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>TR 2007/10</b> | Income tax: the treatment of shipping and aircraft leasing profits of United States and United Kingdom enterprises under the deemed substantial equipment permanent establishment provision of the respective Taxation Conventions                                                                                                                            | This Ruling applies to: enterprises of United States (US) residents for the purposes of the 1982 Tax Convention with the United States as amended by the 2001 Protocol (the US Convention); and enterprises of United Kingdom (UK) residents for the purposes of the 2003 Taxation Convention with the United Kingdom (the UK Convention), that lease out ship(s) or aircraft where the leasing of the ship(s) or aircraft may result in these enterprises having a substantial equipment permanent establishment in Australia in accordance with Article 5(4)(b) of the US Convention or Article 5.3(b) of the UK Convention (Schedules 2 and 1 respectively of the <i>International Tax Agreements Act 1953</i> ).<br>This Ruling applies in relation to the shipping and aircraft leasing payments and profits to which: the US Convention has effect, being payments made and profits derived both before and after this Ruling's date of effect; and the UK Convention has effect, being payments made on or after 1 July 2004 and profits derived during the 2004-2005 years of income and subsequent years of income. |
| <b>TR 2007/11</b> | Income tax: withholding tax and related implications for a non-resident head lessor or hire-purchase provider of substantial equipment where the equipment is obtained by another non-resident entity that subleases, subprovides or leases it for use in Australia                                                                                           | This Ruling considers whether withholding tax or tax on an assessment basis applies to all or part of a payment a non-resident lessor (the head lessor) receives from leasing substantial equipment to another non-resident (the sublessor) who subleases the equipment to an entity who operates the equipment in Australia (the sublessee).<br>This Ruling applies to years of income commencing after 29 April 2005, being the date of the <i>McDermott Industries (Aust) Pty Ltd v. Federal Commissioner of Taxation</i> [2005] FCAFC 67 decision.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>TR 2007/12</b> | Fringe benefits tax: minor benefits                                                                                                                                                                                                                                                                                                                           | This Ruling sets out the Commissioner's views on the application of the minor benefits exemption in section 58P of the <i>Fringe Benefits Tax Assessment Act 1986</i> (FBTAA); clarifying that a minor benefit that satisfies the 'less than \$300' threshold criterion contained in paragraph 58P(1)(e) of the FBTAA is not necessarily an exempt benefit.<br>This Ruling applies to FBT years commencing both before and after its date of issue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>TR 2007/13</b> | Income tax: application of the transferor trust and controlled foreign company measures where property or services are transferred to a non-resident company in which a non-resident trustee has a direct or indirect ownership interest                                                                                                                      | This Ruling considers situations where the transfer of property or services by a resident entity to a non-resident company in which a non-resident trustee has a direct or indirect ownership interest falls for consideration under Division 6AAA of Part III (the transferor trust provisions) or Part X (controlled foreign company (CFC) provisions) of the <i>Income Tax Assessment Act 1936</i> .<br>This Ruling applies to years of income commencing both before and after its date of issue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>TD 2007/31</b> | Income tax: is a non-resident enterprise that under a hire-purchase agreement hires out substantial equipment to another entity that uses the equipment in Australia deemed to have a permanent establishment in Australia under Article 4(3)(b) of the tax treaty between Australia and Singapore or equivalent provisions in other Australian tax treaties? | This Determination concludes that a non-resident enterprise is not deemed to have a permanent establishment in Australia under Article 4(3)(b) of the tax treaty between Australia and Singapore (Schedule 5 to the <i>International Tax Agreements Act 1953</i> ) or equivalent provisions in other Australian tax treaties if it hires out substantial equipment under a hire-purchase agreement to an entity that uses the equipment in Australia.<br>This Determination applies to income years commencing both before and after its date of issue.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| NOTICE OF RULINGS   |                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ruling Number       | Subject                                                                                                                                                                                                                   | Brief Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>SMSFD 2007/1</b> | Self Managed Superannuation Funds: when is a dividend or trust distribution 'received' before the end of 30 June 2009 for the purposes of paragraph 71D(d) of the <i>Superannuation Industry (Supervision) Act 1993</i> ? | This Determination concludes that a dividend or trust distribution is 'received' before the end of 30 June 2009 for the purposes of paragraph 71D(d) of the <i>Superannuation Industry (Supervision) Act 1993</i> if the dividend or trust distribution is paid to the self managed superannuation fund (SMSF) by the company or trust respectively on or before 30 June 2009. A dividend or trust distribution is not received by an SMSF if the SMSF is only entitled to the dividend or trust distribution.<br>This Determination applies both before and after its date of issue. |
| <b>PR 2007/101</b>  | Income tax: deductibility of interest incurred on borrowings under the Leveraged Equities Share Protection Plan                                                                                                           | This Ruling applies to Investors who are accepted to participate in the scheme specified in this Ruling on or after 19 December 2007 and who execute the relevant agreements on or before 30 June 2010 to use a loan to purchase shares or units from a list of companies listed on the Australian Securities Exchange specified by Leveraged Equities Limited.<br>This Product Ruling applies prospectively from 19 December 2007.                                                                                                                                                   |
| <b>PR 2007/102</b>  | Income tax: Great Southern 2008 Almond Income Project                                                                                                                                                                     | This Ruling applies to Growers that are accepted to participate in the scheme specified in this Ruling on or from 19 December 2007 and who execute the relevant Project Agreements on or before 30 June 2008 for the commercial growing, cultivation and harvesting of almonds for sale.<br>This Product Ruling applies prospectively from 19 December 2007.                                                                                                                                                                                                                          |
| <b>PR 2007/103</b>  | Income tax: WA Blue Gum Project 2008 (Joint Venture Growers)                                                                                                                                                              | This Ruling applies to Growers that are accepted as initial participants in the scheme specified in this Ruling on or from 19 December 2007 and who execute the relevant Project Agreements on or before 30 June 2008 for the commercial growing and cultivation of Tasmanian blue gum trees for the purpose of harvesting and selling timber for woodchips.<br>This Product Ruling applies prospectively from 19 December 2007.                                                                                                                                                      |
| <b>PR 2007/104</b>  | Income tax: WA Blue Gum Project 2008 (Growers not in Joint Venture)                                                                                                                                                       | This Ruling applies to Growers that are accepted as initial participants in the scheme specified in this Ruling on or from 19 December 2007 and who execute the relevant Project Agreements on or before 30 June 2008 for the commercial growing and cultivation of Tasmanian blue gum trees for the purpose of harvesting and selling timber for woodchips.<br>This Product Ruling applies prospectively from 19 December 2007.                                                                                                                                                      |
| <b>PR 2007/105</b>  | Income tax: 2008 Timbercorp Olive Project                                                                                                                                                                                 | This Ruling applies to Growers that are accepted to participate in the scheme specified in this Ruling on or from 19 December 2007 and who execute the relevant Project Agreements on or before 15 June 2008 for the commercial growing and cultivation of olive trees for the purpose of processing the olives into olive oil.<br>This Product Ruling applies prospectively from 19 December 2007.                                                                                                                                                                                   |
| <b>CR 2007/117</b>  | Income tax: capital gains: amendment of trust constitution: ConnectEast Holding Trust                                                                                                                                     | This Ruling applies to unitholders of the ConnectEast Holding Trust, which is a public trading trust for the purposes of Division 6C of Part III of the <i>Income Tax Assessment Act 1936</i> (ITAA 1936), who are either residents of Australia as that term is defined in subsection 6(1) of the ITAA 1936 or foreign residents, where the units held are taxable Australian property for the purposes of Division 855 of the <i>Income Tax Assessment Act 1997</i> .<br>This Ruling applies from 1 July 2007 to 30 June 2008.                                                      |
| <b>CR 2007/118</b>  | Income tax: capital gains: amendment of trust constitution: ConnectEast Investment Trust                                                                                                                                  | This Ruling applies to unitholders of the ConnectEast Investment Trust who are either residents of Australia as that term is defined in subsection 6(1) of the <i>Income Tax Assessment Act 1936</i> or foreign residents, where the units held are taxable Australian property for the purposes of Division 855 of the <i>Income Tax Assessment Act 1997</i> .<br>This Ruling applies from 1 July 2007 to 30 June 2008.                                                                                                                                                              |

| NOTICE OF RULINGS  |                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ruling Number      | Subject                                                                                                                        | Brief Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>CR 2007/119</b> | Income tax: conversion of The Bega Co-operative Society Limited to a company registered under the <i>Corporations Act 2001</i> | This Ruling applies to members of The Bega Co-operative Society Limited (Bega Co-op) who are: existing members in Bega Co-op who will be issued with shares when Bega Co-op is registered as a company under the <i>Corporations Act 2001</i> (the Corporations Act) under the arrangement as described in the Ruling, and who are residents of Australia within the meaning of that expression in subsection 6(1) of the <i>Income Tax Assessment Act 1936</i> (ITAA 1936); and former members of Bega Co-op who acquire a right to participate in the conversion under paragraph 139(2)(b) of the <i>Co-operatives Act 1992</i> (NSW) and are issued with shares when Bega Co-op is registered as a company under the Corporations Act, and who are residents of Australia within the meaning of that expression in subsection 6(1) of the ITAA 1936. This Ruling applies from 19 December 2007 to 30 June 2008. |
| <b>CR 2007/120</b> | Income tax: proposed return of capital: Centennial Coal Company Limited                                                        | This Ruling applies to ordinary shareholders of Centennial Coal Company Limited who are registered on the Centennial share register on the Record Date, being the date for determining entitlements to the proposed return of capital described in this Ruling. This Ruling applies from 1 July 2007 to 30 June 2008.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| NOTICES OF WITHDRAWAL |                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ruling Number         | Subject                                                                                                                                                                                                                                                    | Brief Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>TD 93/19</b>       | Income tax: if the Australian Taxation Office (ATO) approves an application to vary tax instalment deductions from salary and wages for a taxpayer who has invested in a negatively geared plan, does this also mean the investment plan has ATO approval? | TD 93/19 is withdrawn with effect from 19 December 2007. TD 93/19 relates to the Commissioner's discretion under section 221D of the <i>Income Tax Assessment Act 1936</i> to vary the amounts of tax instalment deductions under the Pay As You Earn (PAYE) system from the salary or wages of an employee to meet the special circumstances of any case or class of cases. The Pay As You Go withholding system replaced the PAYE system for the 2000-2001 income year and later income years. Accordingly, this Taxation Determination is no longer current. |
| <b>PR 2007/59</b>     | Income tax: deductibility of interest incurred on borrowings under the Leveraged Equities Share Protection Plan                                                                                                                                            | PR 2007/59 is withdrawn with effect from 19 December 2007. PR 2007/59 applies to investors who are accepted to participate in the scheme specified in this Ruling to use a loan to purchase shares from companies listed on the Australian Securities Exchange specified by Leverage Equities Limited. PR 2007/59 is withdrawn due to changes made to the features of the product which alters the scheme that is described in the Ruling. PR 2007/59 will continue to apply to those investors who entered into the scheme before its withdrawal.              |



## **Superannuation Industry (Supervision) exemption No. A17 of 2007**

### ***Superannuation Industry (Supervision) Act 1993***

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I, Stephen Edward Glenfield, a delegate of APRA, under section 328 of the *Superannuation Industry (Supervision) Act 1993* (the Act), EXEMPT Industry Funds Investments Ltd ABN 17 006 883 227, RSE licence L0000413 (the RSE licensee), from compliance with regulation 13.17A of the Regulations in relation to the superannuation entity Australia's Unclaimed Super Fund R1000795 (Fund).

Under subsection 330(2) of the Act this exemption is subject to the conditions specified in the Schedule attached to this instrument.

Dated 10 December 2007

[Signed]

Stephen Edward Glenfield  
General Manager  
Specialised Institutions Division

## Interpretation

Document ID: 148838

In this instrument

**APRA** means the Australian Prudential Regulation Authority.

**Regulations** means the *Superannuation Industry (Supervision) Regulations 1994*.

*Note 1* Under section 336 of the Act, a copy of this exemption must be published in the *Gazette*.

*Note 2* Under subsection 333(1) of the Act, a person must not, without reasonable excuse, contravene a condition of this exemption. The penalty is 5 penalty units. This is an offence of strict liability.

*Note 3* Under subsection 331(2) of the Act, if a person has contravened a condition of this exemption, the Court may, on the application of APRA, order the person to comply with the condition.

*Note 4* Under paragraph (z) of the definition of **reviewable decision** in subsection 10(1) of the Act, the decision to make this exemption is a reviewable decision. If you are dissatisfied with this decision, you may request APRA to reconsider it in accordance with subsection 344(1) of the Act. The request for reconsideration must be made in writing, must set out the reasons for making the request, and must be given to APRA within 21 days after the day on which you first received notice of this decision, or within such further period as APRA allows. If you are dissatisfied with the outcome of APRA's reconsideration of the decision, you may, subject to the Administrative Appeals Tribunal Act 1975, apply to the Administrative Appeals Tribunal for review of the reconsidered decision.

*Note 5* The address where written notice specified in this Notice may be given to APRA is Level 21, 2 Lonsdale Street, Melbourne. Vic. 3000.

## **Schedule of conditions**

1. The RSE licensee must not increase its shareholding in Industry Super Holdings Pty Ltd ABN 71 119 748 060 above the number of shares it holds as at the date of this Exemption.



## Revocation of Authority to carry on banking business

### *Banking Act 1959*

---

SINCE

- A. on 6 November 2007 Queensland Community Credit Union Limited ACN 087 651 018 (the ADI) applied in writing to APRA under subsection 9A(1) of the *Banking Act 1959* (the Act), to revoke its authority to carry on banking business in Australia (the Authority); and
- B. I am satisfied that revocation of the Authority:
- (i) would not be contrary to the national interest; and
  - (ii) would not be contrary to the interests of the depositors of the ADI;

I, Brandon Kong Leong Khoo, a delegate of APRA, under subsection 9A(1) of the Act, REVOKE the Authority with effect from 3 December 2007.

Dated 3 December 2007

[Signed]

Brandon Kong Leong Khoo  
Executive General Manager  
Specialised Institutions Division

### Interpretation

Document ID: 152117

In this Notice

**APRA** means the Australian Prudential Regulation Authority.

**ADI** is short for authorised deposit-taking institution and has the meaning given in subsection 5(1) of the Act.

**banking business** has the meaning given in subsection 5(1) of the Act.

*Note 1* Under subsection 9A(6) of the Act, APRA must publish a copy of this Notice in the *Gazette* and may cause notice of the revocation to be published in any other way it considers appropriate.

*Note 2* Under subsection 8(1) of the Act, a body corporate is guilty of an offence if the body corporate carries on banking business in Australia and the body corporate is not the Reserve Bank and the body corporate is not an ADI and there is no order in force under section 11 of the Act determining that subsection 8(1) does not apply to the body corporate. A maximum penalty of 200 penalty units applies or by virtue of subsection 4B(3) of the *Crimes Act 1914* in the case of a body corporate, a maximum penalty not exceeding 1,000 penalty units. By virtue of subsection 8(2) of the Act, an offence against subsection 8(1) is an indictable offence. Under subsection 8(3) of the Act, if a body corporate commits an offence against subsection 8(1), the body corporate is guilty of an offence against that subsection in respect of the first day on which the offence is committed and each subsequent day (if any) on which the circumstances that gave rise to the body corporate committing the offence continue (including the day of conviction for any such offence or any later day).

# Notice of name change of general insurer

## *Insurance Act 1973*

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I, Leigh McMahon, a delegate of APRA, under subsection 29(3) of the *Insurance Act 1973* (the Act), am satisfied that Converium Ltd ARBN 098 315 176, which was given an authorisation under section 12 of the Act (the Authorisation) on 21 June 2002, has changed its name to SCOR Switzerland Ltd ARBN 098 315 176.

Under subsection 29(4) of the Act, the Authorisation has effect after the publication of this Notice in the *Gazette* as if it had been given to SCOR Switzerland Ltd.

Dated 12 December 2007

[Signed]

Leigh McMahon  
Senior Manager  
Diversified Institutions Division

### **Interpretation**

In this Notice

**APRA** means the Australian Prudential Regulation Authority.



## Revocation of Authority to carry on banking business

*Banking Act 1959*

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SINCE

- A. on 4 December 2007 Discovery Credit Union Ltd ACN 087 650 977 (the ADI) applied in writing to APRA under subsection 9A(1) of the *Banking Act 1959* (the Act), to revoke its authority to carry on banking business in Australia (the Authority); and
- B. I am satisfied that revocation of the Authority:
  - (i) would not be contrary to the national interest; and
  - (ii) would not be contrary to the interests of the depositors of the ADI;

I, Brandon Kong Leong Khoo, a delegate of APRA, under subsection 9A(1) of the Act, REVOKE the Authority.

Dated 11 December 2007

[Signed]

Brandon Kong Leong Khoo  
Executive General Manager  
Specialised Institutions Division

### Interpretation

Document ID: 152457

In this Notice

**APRA** means the Australian Prudential Regulation Authority.

**ADI** is short for authorised deposit-taking institution and has the meaning given in subsection 5(1) of the Act.

**banking business** has the meaning given in subsection 5(1) of the Act.

*Note 1* Under subsection 9A(6) of the Act, APRA must publish a copy of this Notice in the *Gazette* and may cause notice of the revocation to be published in any other way it considers appropriate.

*Note 2* Under subsection 8(1) of the Act, a body corporate is guilty of an offence if the body corporate carries on banking business in Australia and the body corporate is not the Reserve Bank and the body corporate is not an ADI and there is no order in force under section 11 of the Act determining that subsection 8(1) does not apply to the body corporate. A maximum penalty of 200 penalty units applies or by virtue of subsection 4B(3) of the *Crimes Act 1914* in the case of a body corporate, a maximum penalty not exceeding 1,000 penalty units. By virtue of subsection 8(2) of the Act, an offence against subsection 8(1) is an indictable offence. Under subsection 8(3) of the Act, if a body corporate commits an offence against subsection 8(1), the body corporate is guilty of an offence against that subsection in respect of the first day on which the offence is committed and each subsequent day (if any) on which the circumstances that gave rise to the body corporate committing the offence continue (including the day of conviction for any such offence or any later day).

## Public Notices

### Notice of intention to make an application under Part III, Division 3A of the Insurance Act 1973 (Cth) by MMIA Pty Limited and QBE Insurance (Australia) Limited

MMIA Pty Limited (MMIA) (formerly Mercantile Mutual Insurance (Australia) Limited) and QBE Insurance (Australia) Limited (QIA) will make an application to the Federal Court of Australia in Sydney on 6 March, 2007 at 10:15am, or on such later date or time as the Court appoints, for confirmation of a scheme for the insurance business of MMIA to be transferred to and amalgamated with the insurance business of QIA.

A copy of the scheme, the transfer agreement and the actuarial report of Mr Benoit Laganieri, FIAA, upon which the scheme will be based, will be open for public inspection, and may be obtained free of charge by any policyholder of MMIA or QIA, between the hours of 9.00am and 5.00pm every day (except weekends and public holidays) for a period of at least 15 business days from 19 December, 2007 at the offices of QIA at the following addresses:

| New South Wales                                    | Victoria                                      | Queensland                                    |
|----------------------------------------------------|-----------------------------------------------|-----------------------------------------------|
| Ground Floor<br>85 Harrington Street<br>Sydney NSW | Level 8<br>628 Bourke Street<br>Melbourne VIC | Level 16<br>100 Edward Street<br>Brisbane QLD |
| Western Australia                                  | South Australia                               | Tasmania                                      |
| Level 18<br>200 St George's Terrace<br>Perth WA    | Level 13<br>45 Pirie Street<br>Adelaide SA    | Level 7<br>85 Macquarie Street<br>Hobart TAS  |
| Australian Capital Territory                       | Northern Territory                            |                                               |
| Level 7<br>220 Northbourne Avenue<br>Canberra ACT  | Level 2<br>43 Mitchell Street<br>Darwin NT    |                                               |

The scheme may also be viewed on QBE's website at [www.qbe.com.au](http://www.qbe.com.au).

Further enquiries can be made by calling the QIA's Customer Service Centre on 1800 335 302 toll free anywhere in Australia, during the hours of 9.00am and 5.00pm (Sydney time).

Policyholders affected by the scheme may attend the Court hearing and request to be heard by the Court on the application for confirmation of the scheme. Any person who wishes to appear before the Court is requested to advise Mr Peter Smiles of QBE Group Legal, Level 2, 82 Pitt Street, Sydney NSW 2000 (Ph: (02) 9375 4322) at least seven (7) days prior to the hearing date specified above.



**Australian Government**  
**Department of Health and Ageing**  
**Therapeutic Goods Administration**

**NATIONAL DRUGS AND POISONS SCHEDULE COMMITTEE**

**Notice of the Preparation of a New Poisons Standard**

A new Poisons Standard has been prepared by the National Drugs and Poisons Schedule Committee under paragraph 52D(2)(b) of the *Therapeutic Goods Act 1989*, consisting of

- (a) Part 1-Standard for the Uniform Scheduling of Drugs and Poisons No 22 published by the Committee in 2007; and
- (b) Part 2-Standard for the Uniform Scheduling of Drugs and Poisons No 22, Consolidated Amendment.

The Standard for the Uniform Scheduling of Drugs and Poisons (the SUSDP) No 22, Consolidated Amendment will soon be available for purchase from National Mailing and Marketing Pty Ltd, telephone (02) 6269 1035 (or using the subscription order form available at the following webpage <http://www.tga.gov.au/ndpsc/susdp.htm>). The SUSDP No 22 has been available for purchase from National Mailing and Marketing Pty Ltd or using the subscription form, since July 2007

This new Poisons Standard will come into effect on 1 January 2008, except for Part D of the Standard for the Uniform Scheduling of Drugs and Poisons No 22, Consolidated Amendment, which will commence on 1 January 2009.



S28/2007031



Australian Government

Department of Infrastructure, Transport,  
Regional Development and Local Government

## ***Aviation Transport Security Act 2004***

### NOTICE OF AMENDMENT OF DECLARATION OF SECURITY CONTROLLED AIRPORTS AND ESTABLISHMENT OF AIRSIDE AREAS

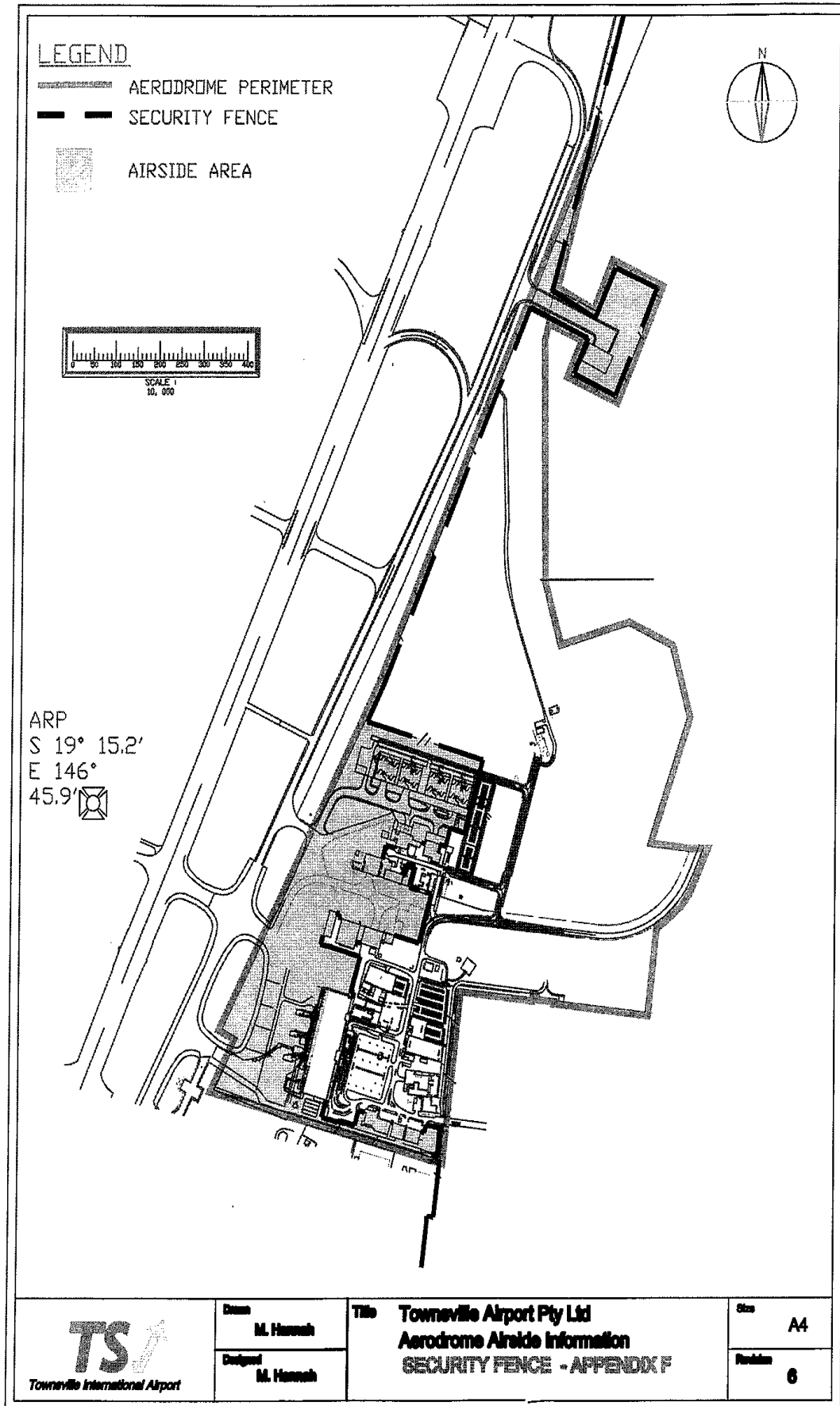
I, **DARREN STUART CROMBIE**, General Manager, Aviation Security Operations Branch, Office of Transport Security, Department of Infrastructure, Transport, Regional Development and Local Government, **AMEND** the Notice of Amendment of Declaration of Security Controlled Airports and Establishment of Airside Areas published under section 28 of the *Aviation Transport Security Act 2004* (the Act) in the *Gazette* (S12, Thursday 18 January 2007), as follows:

1. Omit the map identified as **MAP 36A TOWNSVILLE AIRPORT**; and
2. Insert the map identified as **MAP 36B TOWNSVILLE AIRPORT**, as attached to this Notice of Amendment to ESTABLISH in accordance with section 29 of the Act, an airside area for Townsville Airport, being that area marked as the airside area on the map.

This Notice of Amendment commences upon Gazettal.

Date: 7 December 2007

Darren Crombie  
Delegate of the Secretary of the  
Department of Infrastructure, Transport, Regional Development and  
Local Government



MAP 36B TOWNSVILLE AIRPORT



COMMONWEALTH OF AUSTRALIA

*Environment Protection and Biodiversity Conservation Act 1999*

**VARIATION TO DECLARATION OF APPROVED WILDLIFE TRADE OPERATION**

I, PETER GARRETT, Minister for the Environment, Heritage and the Arts, hereby vary under subsection 303FT(7b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Declaration of an Approved Wildlife Trade Operation dated 27 July 2006 for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than species listed under Part 13 of the EPBC Act, taken in the New South Wales Ocean Trap and Line Fishery, as defined in Schedule 1 of the New South Wales *Fisheries Management Act 1994*:

1. Revoke condition a):  
Is valid until 14 December 2007.
2. Include a new condition a):  
Is valid until 30 June 2008.
3. Revoke condition b) and the Schedule (July 2006):  
Is subject to the conditions applied under section 303FT specified in the Schedule.
4. Include a new condition b) and Schedule (dated December 2007):  
Is subject to the conditions applied under section 303FT specified in the December 2007 Schedule.

Dated this Tenth day of December 2007

Minister for the Environment, Heritage and the Arts

SCHEDULE  
December 2007

**Declaration of the Harvest Operations of the New South Wales (NSW) Ocean Trap and Line Fishery (OTLF) as an approved Wildlife Trade Operation**

**ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the NSW Ocean Trap and Line Fishery.

1. Operation of the fishery will be carried out in accordance with the restricted entry management regime in force under the NSW *Fisheries Management Act 1994*.
2. The NSW Department of Primary Industries (DPI) to advise the Department of the Environment, Water, Heritage and the Arts of any intended amendments to the OTLF management arrangements that may affect the criteria on which EPBC Act decisions are based.
3. A report to be produced and presented to the Department of the Environment, Water, Heritage and the Arts by 16 May 2008, and to include:
  - a) information sufficient to allow assessment of the progress of NSW DPI in implementing the conditions and recommendations made; and
  - b) the status of the OTLF performance indicators compared to the trigger points.
4. NSW DPI, in conjunction with OTLF stakeholders, to continue to develop and implement:
  - a) further measures to cap active effort in the OTLF; and
  - b) a strategy, including effort targets, milestones and associated trigger points, for reducing the level of fishing effort for each sector of the fishery.
5. By 16 May 2008, NSW DPI, in conjunction with OTLF stakeholders, to:
  - a) develop and implement fishery closures of appropriate area for grey nurse sharks at the following sites:
    - Fish Rock and Green Island (off South West Rocks);
    - Manta Arch (off South Solitary Island); and
    - the Steps/Anenome Bay (off North Solitary Island).
  - b) provide a report which analyses the information collected as part of the scientific observer program in the line fishing sector and fishery-dependent logbooks on grey nurse shark interactions.

**Australian Electoral Commission**

**DIRECTION TO COMMENCE REDISTRIBUTION OF THE STATE OF  
WESTERN AUSTRALIA**

Pursuant to subsection 59(2) and under subsection 59(1) of the *Commonwealth Electoral Act 1918*, the Australian Electoral Commission hereby directs that a redistribution of the State of Western Australia into 15 Electoral Divisions commence.

James Burchett QC  
Chairperson

Ian Campbell  
Electoral Commissioner

Brian Pink  
Commissioner

14 December 2007



COMMONWEALTH OF AUSTRALIA

*Public Service Act 1999*

**Determination under Section 61: Secretaries' remuneration**

I, KEVIN MICHAEL RUDD, Prime Minister, under section 61 of the *Public Service Act 1999*, having taken advice from the Remuneration Tribunal, determine that, with effect on and from 3 December 2007:

1. In this Determination, the Determination of 6 October 2001 as amended is referred to as the Principal Determination.
2. The Schedule to the Principal Determination is omitted and replaced by the Schedule attached to this Determination.

Dated <sup>an</sup>December 2007

Prime Minister

**SCHEDULE**

| <b>SECRETARY</b>                                                                   | <b>Base Salary<br/>per annum</b> | <b>Total Remuneration<br/>per annum</b> |
|------------------------------------------------------------------------------------|----------------------------------|-----------------------------------------|
| Department of Defence                                                              | \$328,710                        | \$410,890                               |
| Department of the Prime Minister and Cabinet                                       | "                                | "                                       |
| Department of the Treasury                                                         | "                                | "                                       |
| Department of Agriculture, Fisheries and Forestry                                  | \$307,540                        | \$384,420                               |
| Attorney-General's Department                                                      | "                                | "                                       |
| Department of Broadband, Communications and the Digital Economy                    | "                                | "                                       |
| Department of Climate Change                                                       | "                                | "                                       |
| Department of Education, Employment and Workplace Relations                        | "                                | "                                       |
| Department of the Environment, Water, Heritage and the Arts                        | "                                | "                                       |
| Department of Families, Housing, Community Services and Indigenous Affairs         | "                                | "                                       |
| Department of Finance and Deregulation                                             | "                                | "                                       |
| Department of Foreign Affairs and Trade                                            | "                                | "                                       |
| Department of Health and Ageing                                                    | "                                | "                                       |
| Department of Human Services                                                       | "                                | "                                       |
| Department of Immigration and Citizenship                                          | "                                | "                                       |
| Department of Infrastructure, Transport, Regional Development and Local Government | "                                | "                                       |
| Department of Innovation, Industry, Science and Research                           | "                                | "                                       |
| Department of Resources, Energy and Tourism                                        | "                                | "                                       |
| Department of Veterans' Affairs                                                    | "                                | "                                       |





**Australian Government**  
**Attorney General's Department**

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|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
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| <b>Melbourne</b> | Information Victoria<br><a href="#">505 Little Collins Street, Melbourne VIC 3000</a>                                                                       | 1 300 366 356  | (03) 9603 9940 |
| <b>Hobart</b>    | Printing Authority of Tasmania<br><a href="#">2 Salamanca Place, Hobart TAS 7000</a>                                                                        | 1 800 030 940  | (03) 6223 7638 |
| <b>Adelaide</b>  | Service SA Government Legislation Outlet<br><a href="#">Ground Floor, 101 Grenfell Street, Adelaide SA 5000</a>                                             | 13 2324        | (08) 8207 1949 |
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