Commonwealth of Australia **Gazette**

No. GN 37, Wednesday, 17 September 2008

Published by the Commonwealth of Australia

GOVERNMENT NOTICES

CONTENTS

Special Gazette Nos S179, S180, S181, S182, S183, S184, S185 and S186 are attached

The date of publication of this Gazette is 17 September 2008

319500 Cat. No. GN 3708
ISSN 0819-7105
Print Post approved PPL349157/00407

Australian Government

Attorney-General's Department

Office of Legislative Drafting and Publishing

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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.

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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 Any notice submitted without this information will not be published.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.

Variation of closing times

Labour Day — Issue of 8 October 2008 (GN 40)

As Monday, 6 October 2008 is a public holiday in the Australian Capital Territory, closing time for lodgment of all notices for publication in GN 40 will be:

Thursday, 2 October 2008 at 10.00 am.

General Information

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Subscriptions (Fax): (02) 6293 8388
Subscriptions (Tel): 1300 857 522

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NOTICES FOR PUBLICATION and related correspondence can be lodged:

By hand: Gazeete 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.

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.

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

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

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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.

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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.

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Melbourne VIC 3000
Phone: 1 300 366 356 Fax: (03) 9603 9920

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Hobart: Printing Authority of Tasmania
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Hobart TAS 7000
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Adelaide: Service SA Government Legislation Outlet
Ground Floor
101 Grenfell Street
Adelaide SA 5000
Phone: 13 2324 Fax: (08) 8207 1949

Sydney: NSW Government Information
Level 3, McKell Building
2-24 Rawson Place
Sydney NSW 2000
Phone: 1300 656 986 Fax: (02) 9372 8993

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 or Standards Australia outlets.

Gazette number	Date of Publication	Subject
P 9	20.12.07	*Great Barrier Reef Marine Park Act 1975* Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.09.07 to 31.10.07 and 1.08.07 to 31.08.07 and not previously gazetted
P 1	31.01.08	*Great Barrier Reef Marine Park Act 1975* Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.11.07 to 30.11.07 and not previously gazetted
P 2	27.02.08	*Great Barrier Reef Marine Park Act 1975* Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.12.07 to 31.12.07 and not previously gazetted
P 3	2.04.08	*Great Barrier Reef Marine Park Act 1975* Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.01.08 to 31.01.08 and not previously gazetted
P 4	16.04.08	*Great Barrier Reef Marine Park Act 1975* Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.02.08 to 29.02.08 and not previously gazetted
P 5	30.07.08	*Great Barrier Reef Marine Park Act 1975* Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.03.08 to 30.05.08 and not previously gazetted *Great Barrier Reef Marine Park Act 1975* Particulars of permissions granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.10.07 to 29.02.08 and not previously gazetted *Great Barrier Reef Marine Park Act 1975* Particulars of accreditations of traditional use of marine resources agreements granted, refused, suspended, reinstated, revoked or reconsidered for the period 1.06.08 to 29.06.08 and not previously gazetted

Government Departments

Attorney-General

Australian Government
Australian Customs Service

NOTICE UNDER

SECTION 234AA OF THE CUSTOMS ACT 1901

AIRPORT RESTRICTED AREAS

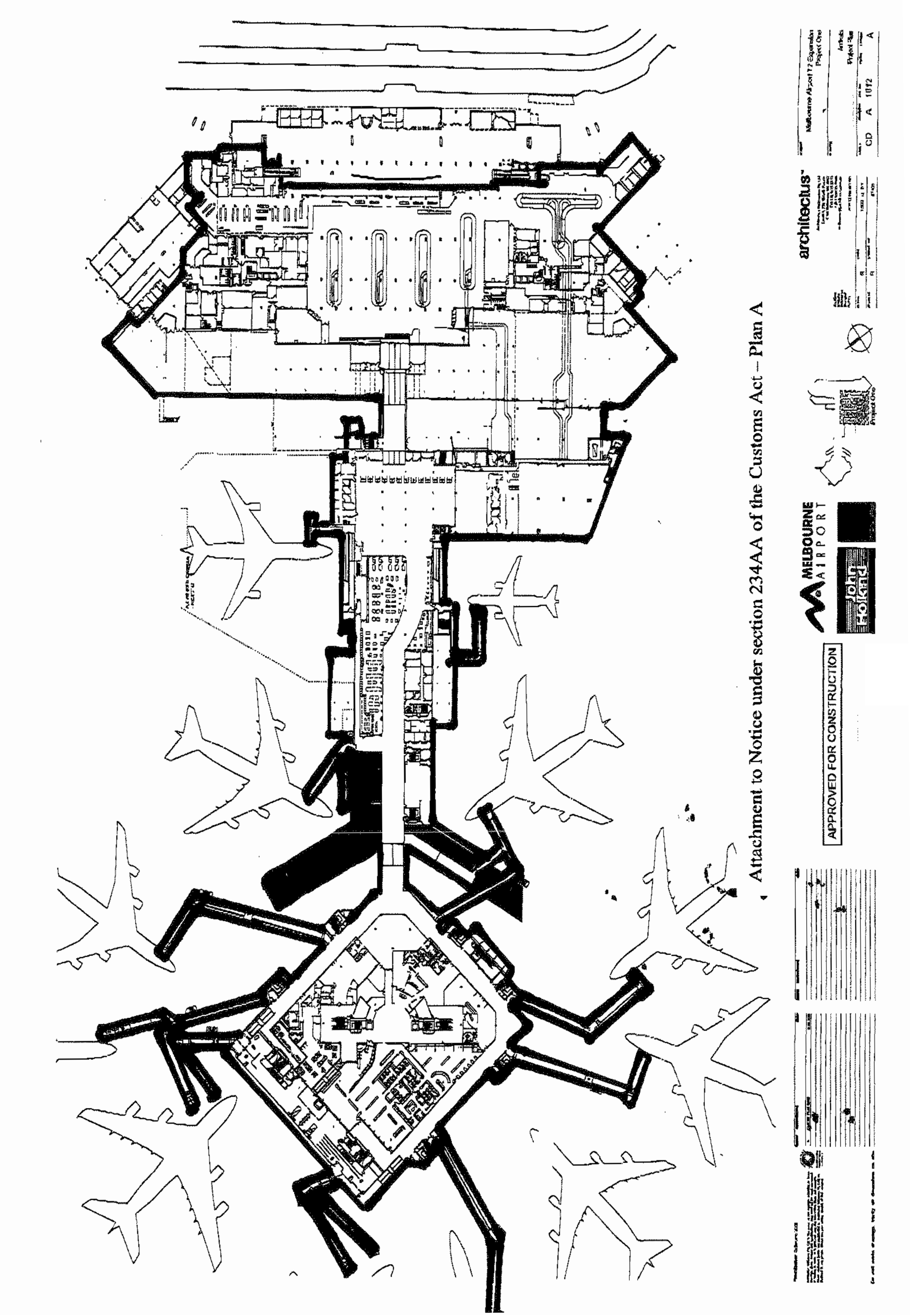
I, Michael Lewis, Director of Customs, under section 234AA of the Customs Act 1901 (the Act), specify as an area to which section 234AA applies, the areas in the International Terminal Building of Melbourne International Airport in the State of Victoria that are enclosed by a thick black line (___) in the attached plans A, B, C and D.

The attached Plan D indicates where the International Terminal Building is situated within Melbourne International Airport, for information only.

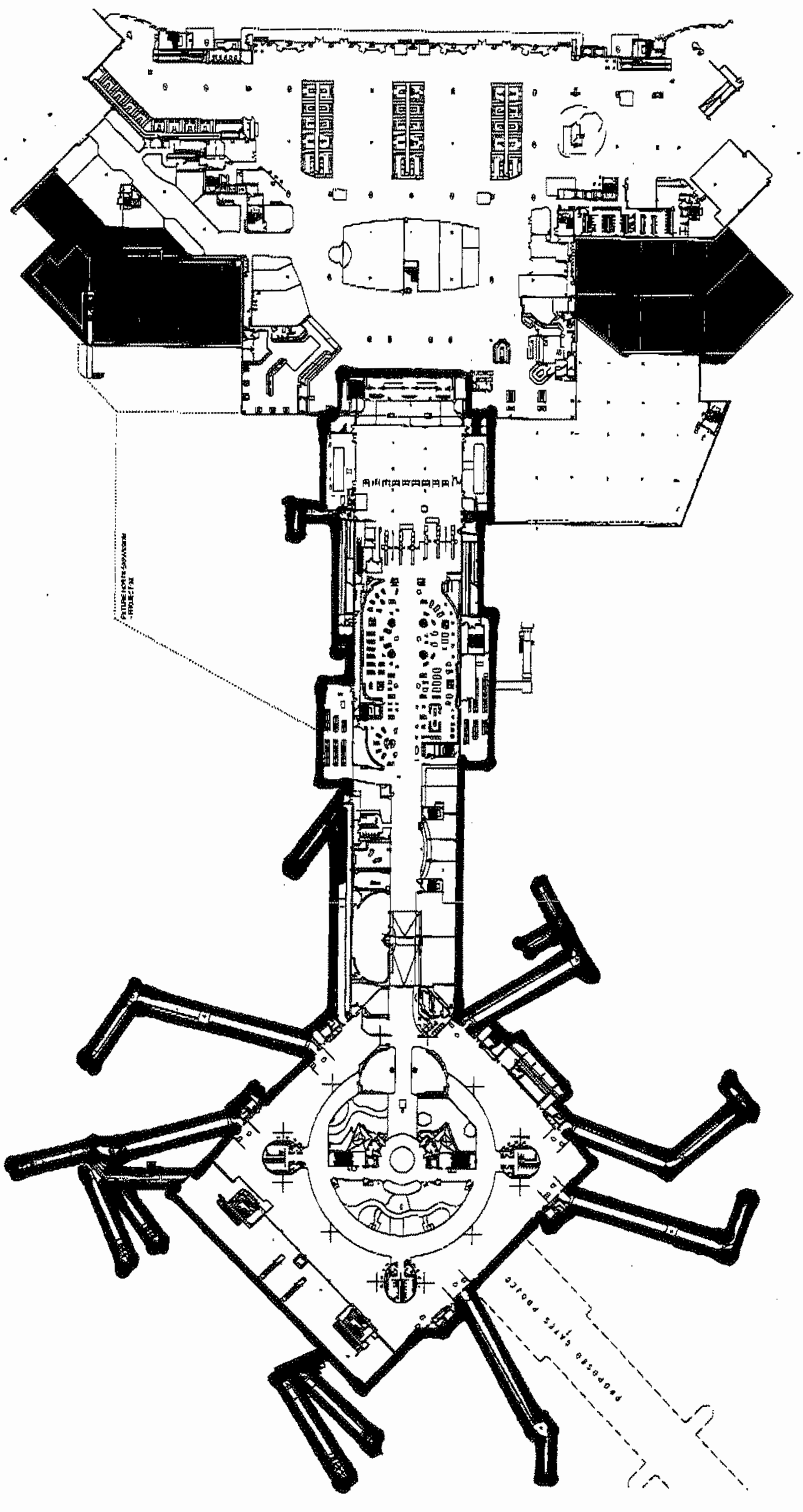
This instrument takes effect on and from 15 September 2008.

Dated: 12 September 2008.

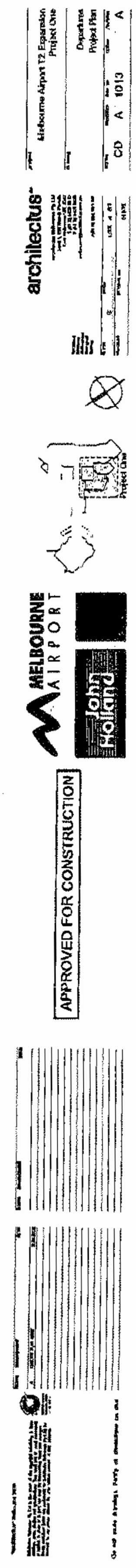
Michael Lewis
Director
Customs
Melbourne Airport
Victoria

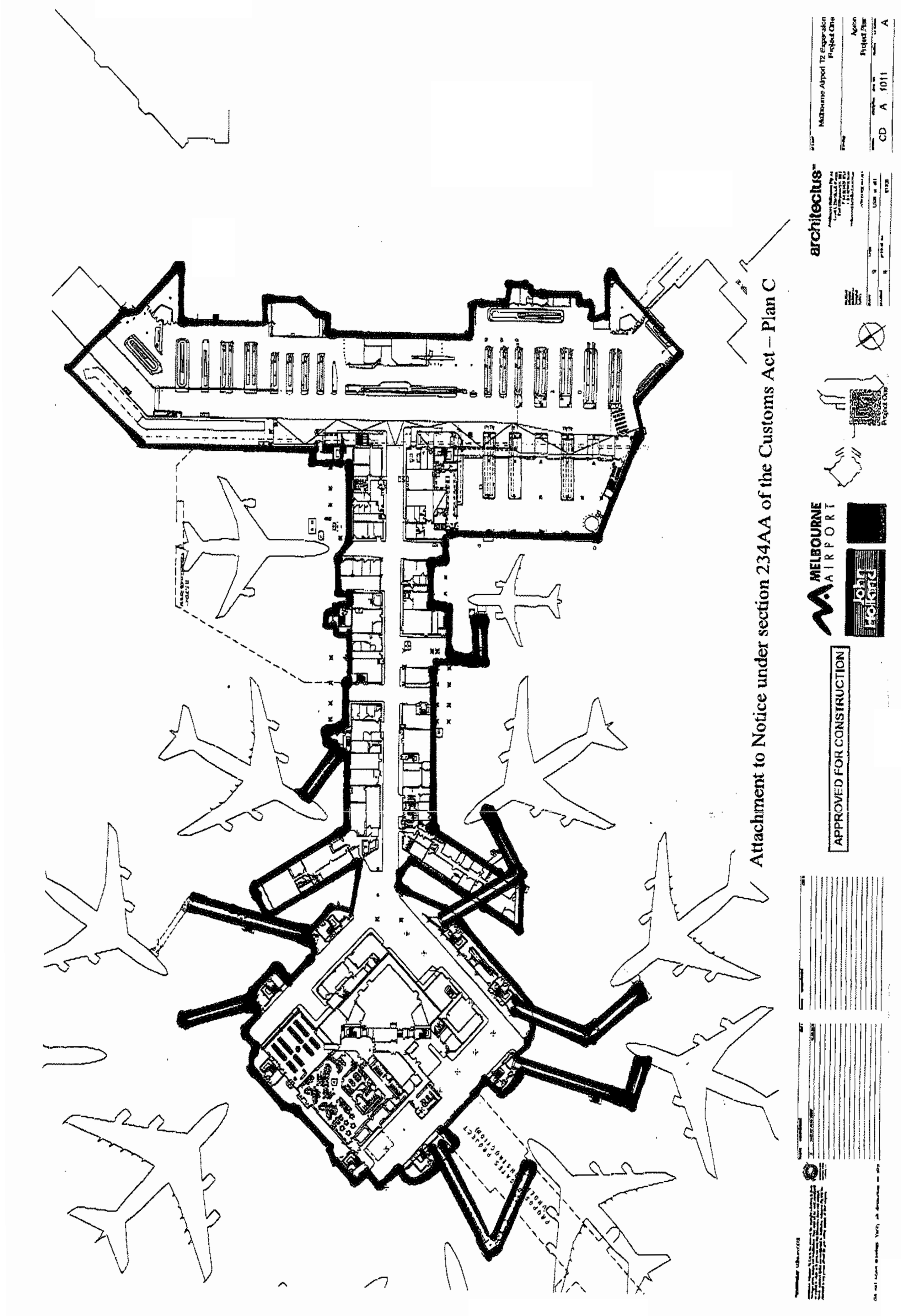


Attachment to Notice under section 234AA of the Customs Act – Plan A



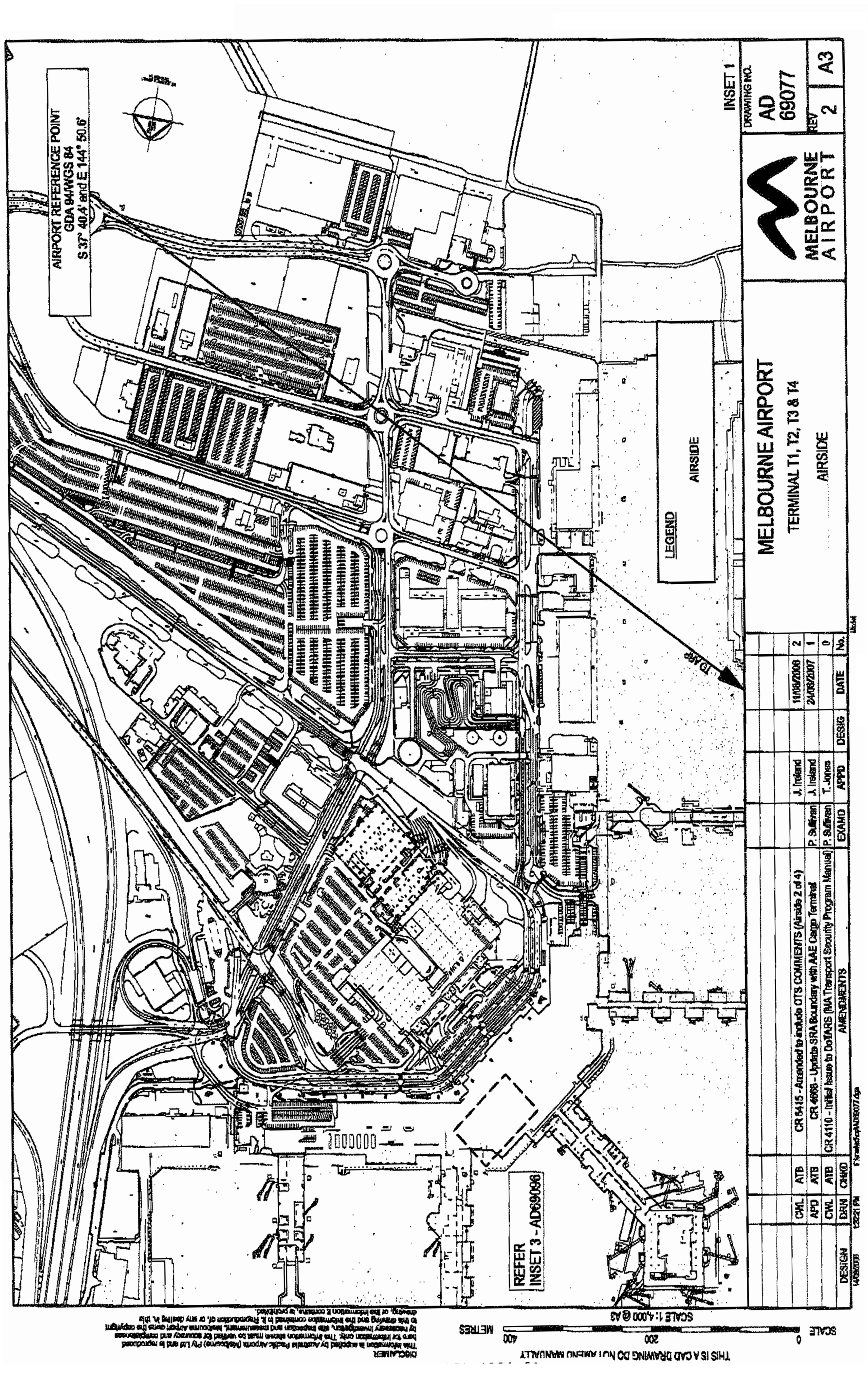
Attachment to Notice under section 234AA of the Customs Act – Plan B





Attachment to Notice under section 234AA of the Customs Act – Plan C

Attachment to Notice under section 234AA of the Customs Act – Plan D



COMMONWEALTH OF AUSTRALIA

CUSTOMS ACT 1901

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

I, John Fenning, 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 Currency	Column 3 03/09/2008	Column 4 04/09/2008	Column 5 05/09/2008	Column 6 06/09/2008	Column 7 07/09/2008	Column 8 08/09/2008	Column 9 09/09/2008
Brazil	Real	1.3964	1.3754	1.3972	1.4007	1.4007	1.4007	1.4334
Canada	Dollar	0.906	0.8884	0.8839	0.8728	0.8728	0.8728	0.8777
China, PR of	Yuan	5.7904	5.6809	5.6927	5.5871	5.5871	5.5871	5.6785
Denmark	Kroner	4.3363	4.2761	4.2847	4.2667	4.2667	4.2667	4.3053
European Union	Euro	0.5815	0.5734	0.5744	0.5724	0.5724	0.5724	0.5774
Fiji	Dollar	1.3537	1.3382	1.3439	1.3329	1.3329	1.3329	1.3533
Hong Kong	Dollar	6.6199	6.4876	6.5016	6.3823	6.3823	6.3823	6.486
India	Rupee	37.4775	36.8816	36.9705	36.2384	36.2384	36.2384	36.9889
Indonesia	Rupiah	7780	7651	7665	7601	7601	7601	7727
Israel	Shekel	3.0622	2.9896	2.9947	2.9258	2.9258	2.9258	2.9757
Japan	Yen	91.66	90.36	90.06	87.25	87.25	87.25	90.1
Korea, Republic of	Won	946.55	950.36	945.1	919.5	919.5	919.5	910.38
Malaysia	Ringgit	2.8961	2.8537	2.8603	2.818	2.818	2.818	2.8483
New Zealand	Dollar	1.2249	1.2198	1.2178	1.224	1.224	1.224	1.2185
Norway	Kroner	4.6329	4.5857	4.6092	4.5665	4.5665	4.5665	4.6143
Pakistan	Rupee	64.67	63.34	63.66	62.53	62.53	62.53	63.15
Papua New Guinea	Kina	2.1886	2.1442	2.1545	2.1179	2.1179	2.1179	2.1452
Philippines	Peso	39.3	38.58	38.83	38.26	38.26	38.26	38.57
Singapore	Dollar	1.2103	1.1919	1.1933	1.1752	1.1752	1.1752	1.1795
Solomon Islands	Dollar	6.5138	6.3817	6.3956	6.2933	6.2933	6.2933	6.3964
South Africa	Rand	6.5594	6.4554	6.5448	6.5609	6.5609	6.5609	6.5204
Sri Lanka	Rupee	91.37	89.51	89.66	88.07	88.07	88.07	89.58
Sweden	Krona	5.5013	5.4207	5.4483	5.4228	5.4228	5.4228	5.4564
Switzerland	Franc	0.9347	0.9208	0.9205	0.9076	0.9076	0.9076	0.9266
Taiwan Province	Dollar	26.83	26.4	26.44	26.04	26.04	26.04	26.28
Thailand	Baht	29.15	28.55	28.62	28.2	28.2	28.2	28.6
United Kingdom	Pound	0.4734	0.467	0.4693	0.4647	0.4647	0.4647	0.4643
USA	Dollar	0.8481	0.8309	0.8327	0.8175	0.8175	0.8175	0.8309

John Fenning
Delegate of the Chief Executive Officer of Customs
Canberra ACT
09/09/2008

Education, Employment and Workplace Relations

Safety Rehabilitation and Compensation Act 1988

Part VIII

JOHN HOLLAND PTY LTD

CORRIGENDUM TO NOTICE OF EXTENSION OF LICENCE

Notice No 37 of 2008

The Safety, Rehabilitation and Compensation Commission (the Commission) acknowledge that a typographical error in the preamble of the Notice No 22 of 2008 as gazetted in the Commonwealth of Australia Gazette No. GN 25 on 25 June 2008, needs to be corrected, to properly reflect the Commission's intention in the exercise of its powers on that day.

In paragraph 2 of the preamble of Notice No 22 of 2008, a reference to "John Holland Rail Pty Ltd" should, instead, be a reference to "John Holland Pty Ltd".

Notice No 22 of 2008, is correct in all other respects.

Dated the 2nd day of September 2008.

Leslie Edward Taylor
Chair
Safety, Rehabilitation and Compensation Commission

Safety, Rehabilitation and Compensation Act 1988

Part VIII

BIS INDUSTRIES LIMITED

NOTICE OF GRANT OF LICENCE

Notice No 36 of 2008

BIS Industries Limited ABN 13 125 202 253, 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 16 October 2007, registered as F2007L04177 on the Federal Register of Legislative Instruments on 23 October 2007.

The Safety, Rehabilitation and Compensation Commission (the Commission), acting under sections 103 and 104 of the SRC Act, granted a licence to BIS Industries Limited on 3 September 2008 with a commencement date of 1 October 2008 at 12.01am (Australian Eastern Standard Time) and a cessation date of midnight (Australian Eastern Standard Time) on 30 June 2011.

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

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* (the SRC Act).

Eligible applicant

1. BIS Industries Limited ABN 13 125 202 253, 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 16 October 2007, registered as F2007L04177 on the Federal Register of Legislative Instruments on 23 October 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 Standard Time (AEST) on 1 October 2008 and ending on midnight AEST 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 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.

Scope of licence – reconsiderations

6. 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

   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.

Conditions

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

Part 2 – Conditions

Definitions

8. In this part Licensee includes, where context permits, the Claims Manager and the Reviewer.

General conditions

Communication

9. The licensee, when bringing employees under its self insurance licence, must provide information to those employees regarding the *Occupational Health and Safety Act, 1991* (the OHS Act) and SRC Act prior to those employees becoming employees of the licensee.

Directions of Commission

10. 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

11. 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, with a particular focus on the statutory requirements for genuine consultation with employees and their representatives; and
    (c) the relevant Privacy legislation.

12. 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

13. 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

14. 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

15. 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.

16. 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

17. Comcare must be informed as soon as practicable of court or tribunal proceedings in relation to a matter arising in respect of a claim managed by a licensee under the SRC Act.

18. 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.

    Note 1: If proceedings are brought against the Licensee, subsection 108C(8) requires the Licensee to inform Comcare as soon as practicable and the court or tribunal before which the proceedings have been brought must, on application by Comcare, join Comcare as a party to the proceedings.

    Note 2: Section 108D(1)(f) provides licences may include a condition that, in all circumstances or specified circumstances, the Licensee will not cause or permit to be made on its behalf to a court or tribunal any submission that Comcare or the Commission has requested the licensee not to make.

Failure to comply with conditions or change in circumstances

19. 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

20. 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

21. 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.

Ownership of mines

22. For the purposes of this licence, BIS Industries will not operate or have overall control or supervision of a mine or mining operations.

Prudential Conditions

23. The Licensee must comply with the Prudential Conditions of Licence at Attachment A.

Performance Conditions

24. The Licensee must comply with the Performance Standards at Attachment B.

Dated the THIRD day of SEPTEMBER 2008.

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 50th percentile (net central estimate); and

(ii) contain a valuation of current outstanding liability and the projected liability in 12/18/24* months time; and

**Note*: 12 months for Licensees in the 6th or more year of licence; 18 months for Licensees in the 4th-5th year of licence; 24 months for Licensees in the 1st-3rd year of licence.

(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^{th} 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^{th} 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^{th} 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 FOR LICENSEES

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

1. COMMITMENT AND CORPORATE GOVERNANCE

Sound corporate governance is the process by which organisations are directed, controlled and held to account. The Licensee's executive will provide stewardship for its prevention, rehabilitation and claims management systems and commit adequate resources to ensure continuous improvement.

The Licensee will document its commitment to prevention, rehabilitation and claims management. This documentation will benchmark the organisation's objectives, be used to formulate strategic direction and be reviewed to ensure it remains relevant to the Licensee and strives for continuous improvement. It will be endorsed and supported at the executive level and be relevant to the organisation's overall values, vision and business objectives.

1.1 Performance Standards

1.1.1 The Licensee will

(i) set the direction for its management systems through a documented commitment by senior executive
(ii) establish systems that
- recognise legislative obligations
- promote the principle of continuous improvement and provide for effective prevention, rehabilitation and workers' compensation arrangements
- promote communication of relevant information to employees
- provide for internal and external accountability
- put in place appropriate control structures to manage risk.

1.2 Performance Measures

1.2.1 There is evidence of

(i) communication of senior executive commitment to sound prevention, rehabilitation and claims management systems
(ii) the Licensee monitoring and satisfying legal requirements related to prevention, rehabilitation and workers' compensation
(iii) continuous improvement of the management systems

(iv) ongoing communication with employees regarding prevention, rehabilitation and workers' compensation
(v) an audit program for the prevention, rehabilitation and claims management systems.

2. PLANNING

In consultation with relevant stakeholders the Licensee develops plans to support its management systems.

2.1 Performance Standards

2.1.1 The Licensee's plans will

(i) provide for legislative compliance
(ii) include objectives, targets and performance measures,
(iii) provide for prevention programs including hazard management
(iv) provide for effective rehabilitation and equitable, efficient and effective claims management
(v) provide for appropriate training requirements.

2.2 Performance Measures

2.2.1 There is evidence that

(i) plans address legislative and regulatory compliance
(ii) plans identify the Licensee's core prevention, rehabilitation and claims management activities and provide direction regarding performance outcomes
(iii) training plans are consistent with identified requirements.

3. IMPLEMENTATION

The Licensee ensures that sufficient resources and supporting mechanisms are provided to achieve its strategic plans

3.1 Performance Standards

3.1.1 The Licensee will

(i) allocate adequate resources to support its programs
(ii) implement relevant training programs
(iii) define and communicate responsibilities to relevant stakeholders
(iv) ensure that employees are aware of their legislative rights and obligations
(v) maintain the relevant level of reporting, records and/or documentation to support the Licensee's programs and legislative compliance

(vi) maintain the confidentiality of information and apply legislative requirements
(vii) implement a hazard management process that includes identification evaluation and control
(viii) inform employees of the status of their claims
(ix) provide employees with a reasonable opportunity to provide information or comment when claims for ongoing liability are being assessed or reviewed
(x) ensure timely claim determinations and reviews, which are made accurately and guided by equity, good conscience and the substantial merits of each case without regard to technicalities
(xi) ensure consultation between all parties in regards to the prevention, claims management and rehabilitation process.

3.2 Performance Measures

3.2.1 There is evidence that

(i) health and safety, rehabilitation and claims management plans are implemented
(ii) incidents are investigated and appropriately documented, corrective actions implemented as required, including early assessment for rehabilitation
(iii) employees are informed of their rights in respect of health and safety, rehabilitation and claims
(iv) employees are kept informed of the status of their claim.

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) monitor planned objectives and performance measures for core prevention, rehabilitation and claims activities
(ii) establish an audit program to measure performance of its prevention, rehabilitation and claims management systems
(iii) ensure that these audits are performed by competent personnel
(iv) ensure audit outcomes are appropriately documented, actioned and reviewed at appropriate senior executive level
(v) ensure all audits are conducted in accordance with the requirements of the Commission
(vi) communicate to its employees on the outcomes and results of audits
(vii) provide the Commission with reports as requested.

4.2 Performance Measures

4.2.1 There is evidence of

(i) audits conducted by the Licensee and implementation of corrective actions
(ii) reporting against the Licensee's own internal and the Commission's performance indicators.

5. MANAGEMENT SYSTEMS REVIEW AND IMPROVEMENT

5.1 Performance Standards

The Licensee regularly reviews and continually improves its systems.

5.1.1 The Licensee will

(i) analyse performance outcomes against documented objectives to determine areas requiring improvement
(ii) promote continuous improvement strategies.

5.2 Performance Measures

5.2.1 There is evidence

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

Environment, Water, Heritage and the Arts

Australian Government

Department of the Environment, Water, Heritage and the Arts

ENVIRONMENT PROTECTION (SEA DUMPING) ACT 1981
MATTERS TO BE PUBLISHED IN THE *GAZETTE*

FOR THE PERIOD: 1 August 2008 – 31 August 2008

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

Applications received

- An application was received on 25 August 2008 from BHP Billiton Iron Ore, 225 St Georges Tce, Perth, WA, 6850, to load for the purposes of dumping, and to dump up to 3.9 million cubic metres of capital dredge material from Harriet Point, Port Hedland.
- An application was received on 11 August 2008 from Gladstone Ports Corporation, 19 Yarroon St, Gladstone, QLD, 4680, to load for the purposes of dumping, and to dump up to 100,000 cubic metres of maintenance dredge material from the Port of Gladstone.

Copies of relevant documentation may be obtained, upon request, from the Director, Ports and Marine Section, Department of the Environment, Water, Heritage and the Arts, GPO Box 787, CANBERRA, ACT 2601. Ph: 02 6274 2995, Fax: 02 6274 1620.

C Powell

Celeste Powell
Assistant Director
Ports and Marine Section
8 September 2008

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 Hydrodec Australia Pty Ltd, 90 Old Temora Road, Young, NSW 2594 to import up to 23,000 litres of waste transformer oil from ABB Limited, 83 Grafton Road, Auckland, New Zealand for re-refining or other reuses of previously used oil.

The waste will be packed in standard ISO stainless steel tank containers and loaded into a shipping container and transported by road from the storage facility to the Port of Nelson, New Zealand, loaded onto a ship and transported to the Port of Melbourne. From the Port of Melbourne the waste will be transported by road to Hydrodec Australia Pty Ltd, 90 Old Temora Road, Young, NSW 2594 (telephone 02 6384 1600, facsimile 02 6382 5043), where it will be disposed of by re-refining or other reuses of previously used oil.

The export would take place over a period of twelve months commencing from the date of the permit, if granted.

Dr Barry Reville
Assistant Secretary
Environment Protection Branch
September 2008

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 and type in the reference number in the Search box

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

Reference	Title	Controlling Provisions	Date
2008/4365	Metricon Qld Pty Ltd/Residential development/Cnr Coquette Point Rd & River Rd, Innisfail/QLD/179 lot Residential development and construction of artifical lake	• World Heritage Properties (section 12 & 15A) • National Heritage places (section 15B & 15C) • Listed threatened species and communities (sections 18 & 18A)	28-AUG-2008
2008/4323	Singleton Council/Natural Resources Management/Burdekin Park, George Street, Singleton /NSW/Relocation of Flying Foxes From Burdekin Park	• Listed threatened species and communities (sections 18 & 18A)	04-SEP-2008
2008/4387	Fremantle Ports & WA Department for Planning and Infrastructure/Transport - water/Anketell Rd & Rowley Rd, Cockburn Sound/WA/Development of Kwinana Quay port facility	• Listed threatened species and communities (sections 18 & 18A)	10-SEP-2008

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

Reference	Title	Date
2008/4381*	Shell Development (Australia) Pty Ltd/Exploration (mineral, oil and gas - marine)/Petroleum Permit Areas Wa-384-P, WA-385-P and WA-394-P,/WA/Guacamole 2D Marine Seismic Survey	08-SEP-2008
2008/4383*	Dept of the Environment, Water, Heritage and the Arts/Natural resources management/Christmas Island National Park/Christmas Island/Baiting Efficacy Trial of Feral Cat Bait and PAPP Toxicant	08-SEP-2008
2008/4315	Yarra Valley Water Ltd/Waste management (sewerage)/Horne Street Shaft site and Freeway Shaft Site Campbellfield/VIC/Sewerage Tunnel and Shafts Upgrade	09-SEP-2008

* 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

ASSESSMENT APPROACH (*EPBC Act* s.87)

Reference	Title	Assessment Approach	Date
2008/4365	Metricon Qld Pty Ltd/Residential development/Cnr Coquette Point Rd & River Rd, Innisfail/QLD/179 lot Residential development and construction of artifical lake	Assessment preliminary documentation	28-AUG-2008
2008/4363	Clarence Valley Council/Natural resources management/The Maclean Rainforest Reserve and adjacent gully area/NSW/Flying Fox Dispersal Action	Public environment report	05-SEP-2008

* If the Assessment Approach is an Accredited Assessment Process the process must also be identified

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

Reference	Title	Approval Decision	Date
2008/4366	Waratah Coal/Mining/Mine in Galilee Basin; Port south of Port Clinton; pipeline to Lake Dalrymple/QLD/Galilee Coal Project including development of coal mine, 495km railway, port and 285km pipeline	Clearly unacceptable	05-SEP-2008

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.

THE WATER EFFICIENCY LABELLING AND STANDARDS REGULATOR

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

I, Dianne Deane, 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
CAROMA	Toilet suite	Addition to Family Name: Caroma 4 Star Trident Posh Solus Suite	R000008BM
NEWFORM	Tap	Addition to Family Name: Mixing tap type - 5 stars D-SIGN 62011Q, D-SIGN 62014Q, FORMA 60525Q, FORMA 60550Q, FORMA 60526Q, FORMA 60551Q, MOONY 3125Q, MOONY 3150Q, MORPHO 61812Q, MORPHO 61815Q, MORPHO 61811Q, MORPHO 61814Q	R001066E
NEWFORM	Tap	Addition to Family Name: Combination tap - 5 stars Q-B 5621Q, BASE 4005Q, BASE 4006Q	R001065A
NEWFORM	Tap	Addition to Family Name: BASIN MIXERS X-TREND 2211Q, D-RECT 61420Q, D-RECT 61421Q, D-RECT 61425Q, D-RECT 61430Q, X-T 4211Q, X-T 4214Q	R000120C
NEWFORM	Tap	Addition to Family Name: WALL BASIN GROUP X-TREND 2221Q	R000119B
NEWFORM	Tap	Addition to Family Name: WALL BASIN MIXERS Q-B 5630Q, Q-B 5631Q	R000117B
ELECTROLUX	Dishwasher	DX203SK/WK	R001647
TELMANN	Clothes Washer	XQB45-268GPS	R001648
LINSOL	Showers	Family Name: EURO SHOWER EUROJV, EUROCD, TERESAJV, TERESACD, DOMJV, DOMCD, DAMIANCD, QUATTROJV	R001649
LINSOL	Showers	Family Name: TERESA SHOWER TERESAJV, TERESACD, DOMJV, DOMCD, DAMIANCD, QUATTROJV, QUATTROCD, QUATTROLEVERCD	R001650
FOWLER	Toilet Suite	Addition to Family Name: Fowler 4 Star Seido BI WF Suite	R000041P
NEWFORM	Showers	Addition to Family Name: 0 star X-SENSE 62556Q	R001020J
MILDON	Tap and tap outlet set	Family Name: MILDON 4 STAR VABENE G/NECK, BOSTON G/NECK, ILLUSIONS G/NECK, CENTRA G/NECK	R001651
MILDON	Tap and tap outlet set	Family Name: MILDON 4 STAR FLINDERS, PACIFIC, MIRAGE, APOLLO, TRADE, ASPECT	R001652
CAROMA	WC cistern only	Addition to Family Name: Caroma 4 Star Midas 4S RH cistern	R000008BP
CAROMA	Toilet suite	Addition to Family Name: Caroma 4 Star Midas Link 4S RH SNV Suite	R000008BO
CAROMA	Toilet suite	Addition to Family Name: Caroma 4 Star Cosmo 4S S Suite	R000008BN
CAROMA	WC cistern only	Addition to Family Name: Caroma 4 Star	R000008BQ

		Invisi II 4.5/3L Cistern	
RAYMOR	Showers	Family Name: Raymor Showers Harvard	R001653
FARRAH INVESTMENTS PTY LTD	Tap	Addition to Family Name: FARRAH MIXER 5 STAR ANGOLO	R000061H
ABEY	Tap and tap outlet set	Addition to Family Name: Basin Mixer & Spout 5 Star MIMI 31200, MIMI 36103	R000386C
ABEY	Tap and tap outlet set	Addition to Family Name: 3 Piece Basin Set 4 Star RETTANGOLO 20101-C	R000773A
GESSI	Tap	Family Name: GESSI 5 Star Tap 23801 Monaco	R001654

Delegate of the Water Efficiency Labelling and Standards Regulator
17 September 2008

Finance and Deregulation

Health and Ageing

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 23 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* (“the Act “) gave his consent for Mundipharma Pty Ltd, Level 33, 50 Bridge Street, Sydney. NSW 2001 for the following

(a) the supply of the products – hydromorphone hydrochloride
Dilaudid tablet 2mg in bottle (Aust R 67353)
Dilaudid tablet 4mg in bottle (Aust R 67354)
Dilaudid tablet 8mg in bottle (Aust R 67355)
Dilaudid injection 2mg in 1mL ampoule (Aust R 67356)
Dilaudid – HP injection 10mg in 1mL ampoule (Aust R 67357)
Dilaudid - HP injection 50mg in 5mL ampoule (Aust R 67358)
Dilaudid - HP injection 5000mg in 50mL ampoule (Aust R 67359)
Dilaudid oral liquid 1mg/mL in 473ml bottle (Aust R 67360); AND

(b) for those products not conform with Therapeutic Goods Order No 69 (TGO 69) sub clause 3(2)(1) in that the old name, Abbott Australasia Pty Ltd, 32-34 Lord Street Botany, NSW appears on the label instead of Mundipharma Pty Ltd.

The conditions for this consent under section 15(1) of the Act are all of the following:

Pursuant to section 15(1) of the Act, my consent is subject to all of the following conditions:

1. The exemption applies until 31 January 2009.

2. No other changes have been made to the products.

3. The exempted labels to be used are those currently approved for the previous sponsor of the products.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

THERAPEUTIC GOODS ACT 1989

SECTIONS 14 and 14A NOTICE

On 14 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* ("the Act ") gave his consent to the following:

(a) the supply of the product - Synagis (palivizumab) 100 mg powder for injection and diluent ampoule composite pack [AUST R 68290] by Abbott (Australasia) Pty Ltd, of 32-34 Lord Street, Botany NSW ("the Company"); AND
(b) for that product not to conform with the standards set out in the *Therapeutic Goods Order No 69 (TGO 69).*

Pursuant to subsection 15(1) of the Act, the consent given by the delegate of the Secretary as described above is subject to the following conditions:

1. The vial of the product must be labelled with the applicable United Kingdom label and packed into cartons with the United Kingdom label instead of the required Australian labels;

2. The consent is restricted to the 300 doses of Batch No 51312TFJ; and

3. The carton will be overstickered with the Australian sponsor details and the AUST R and supplied with the Australian approved Product Information.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 18 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* (“the Act “) gave his consent to the following:

(a) the supply of the product - Technetium(^{99m}Tc) albumin aggregated powder for injection(pulmolite), multidose vial [AUST R 19148] by Radpharm Scientific, of 59 Oatley Court, Belconnen. ACT 2617 (“the Company”); AND
(b) for that product not to conform with the standards set out in the *Therapeutic Goods Order No 69 (TGO 69),* including details relating to the quantity of the goods, Australian approved names and storage temperature.

Pursuant to subsection 15(1) of the Act, the consent given by the delegate of the Secretary as described above is subject to the following conditions:

1. The consent is only given for a period of 6 months from **xx**;

2. The exempted labels are **xx;**

3. No other changes have been made to the product;

4. The cartons will be over labelled with the Australian sponsor address details and the AUSTR number with the following details **xx**;

5. The US product information will be removed and replaced with approved Australian product information; and

6. The relevant healthcare professionals will be made aware of the situation concerning the exempted product.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

THERAPEUTIC GOODS ACT 1989

SECTIONS 14 and 14A NOTICE

On 16 May 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* ("the Act ") gave his consent to the following:

(a) the supply of the product - Cystagon (cysteamine) (as bitartrate) 50mg and100 mg capsules [AUST R 60451, 60452] by Alphapharm Pty Ltd, of Chase Building2, Wentworth Park Road, Glebe, NSW ("the Company"); AND

(b) for those products not to conform with the standards set out in the *Therapeutic Goods Order No 69 (TGO 69),* in that the old sponsor (Orphan Australia Pty Ltd) details appear on the labels instead of those of Alphapharm Pty Ltd.

Pursuant to subsection 15(1) of the Act, the consent given by the delegate of the Secretary as described above is subject to the following conditions:

1. The exemption applies for a period of 6 months from the 16 May 2008.

2. The exempted labels are those provided with the Company's submission dated 15 May 2008.

3. No other changes have been made to the products.

4. Arrangements are in place for enquiries or complaints concerning the product to be forwarded promptly to the Company.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 18 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* (“the Act “) gave his consent to the following:

(a) the supply of the product - Technetium(^{99m}Tc) albumin aggregated powder for injection(pulmolite), multidose vial [AUST R 19148] by Radpharm Scientific, of 59 Oatley Court, Belconnen. ACT 2617 (“the Company”); AND
(b) for that product not to conform with the standards set out in the *Therapeutic Goods Order No 69 (TGO 69),* including details relating to the quantity of the goods, Australian approved names and storage temperature.

Pursuant to subsection 15(1) of the Act, the consent given by the delegate of the Secretary as described above is subject to the following conditions:

1. The consent is only given for a period of 6 months from **xx**;

2. The exempted labels are **xx;**

3. No other changes have been made to the product;

4. The cartons will be over labelled with the Australian sponsor address details and the AUSTR number with the following details **xx**;

5. The US product information will be removed and replaced with approved Australian product information; and

6. The relevant healthcare professionals will be made aware of the situation concerning the exempted product.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 14 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* ("the Act ") gave his consent to the following

(a) the supply of the product - Moxacin (amoxicillin trihydrate) 500mg capsules in blister pack [Aust R 58510] by Aspen Pharmacare Australia Pty Ltd, Suite1, First Floor, 34-36 Chandos Street, St Leonards, NSW, 2065 ("the Company"); AND

(b) for that product not to conform with the standards set out in the Therapeutic Goods Order No 69 (TGO 69) "General requirements for labels for medicines", specifically that the sponsor details on the labels are those of the previous sponsor CSL

The conditions for this consent under section 15(1) of the Act are all of the following:

1. The exemption applies to one batch only of the product [batch number 7101264, expiry date 01/2010, capsules printed with the text *'CSL'*].

2. The exempted labels are those supplied with the company letter dated 07 May 2008, having CSL's details on them.

3. No other changes have been made to the product (except for those approved above).

4. Arrangements are in place with the previous sponsor (CSL) for enquiries or complaints about the product to be promptly forwarded to the Company for attention.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 10 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* (“the Act “) gave his consent for the following

(a) the supply of the product – Zoladex (goserin) (as acetate) 3.6mg implant syringe [AUST R 24368] by AstraZeneca Pty Ltd, Alma Road, North Ryde, NSW 2113 (“the Company”); AND

(b) for that product not to conform with Therapeutic Goods Order No 69 (TGO 69) in relation to the absence of the trade name from the Syringe labels and instruction card, and lack of information on the foil pouch.

Pursuant to section 15(1) of the Act, my consent is subject to the following conditions:

1. The exemption applies to batch EB510 (998 units) only.

2. The exempted labels are those provided with the Company’s submission dated 17 June 2008.

3. No other changes have been made to the product.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 28 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* ("the Act ") gave his consent for the following

(a) the supply of the products – Douglas Piperacillin (piperacillin) 2g and 4g powder for injection [AUST R 63781, 63782] by Hospira Australia, Level 3, 390 St Kilda Road, Melbourne VIC ("the Company") AND

(b) for those products not to conform with Therapeutic Goods Order No 69 (TGO 69) in that the old name,
Mayne Pharma, appears on the label instead of Hospira Austtalia Pty Ltd.

Pursuant to section 15(1) of the Act, my consent is subject to the following conditions:

1. The exemption applies for a period of 12 months from 28 July 2008.

2. The exempted labels to be used are those provided with the company submission dated 27 June 2008.

3. No other changes have been made to the product

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 10 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* ("the Act ") gave his consent for the following

(a) the supply of the product – epirubicin hydrochloride injection in 100mL vial [AUST R 101583] by Hospira Australia Pty Ltd, Level 3, 390 St Kilda Road, Melbourne VIC ("the Company"); AND

(b) for that product not conform with Therapeutic Goods Order No 69 (TGO 69) sub clause 3(2)(1) in that the old name, Mayne Pharma Pty, appears on the label instead of Hospira Australia Pty Ltd.

The conditions for this consent under section 15(1) of the Act are all of the following:

Pursuant to section 15(1) of the Act, my consent is subject to all of the following conditions:

1. The exemption applies for a period of 12 months from 10 July 2008.

2. No other changes have been made to the product.

3. The exempted labels to be used are those provided with the Company's submission dated 18 June 2008.

Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 and 14A NOTICE

On 7 July 2008, the delegate of the Secretary of the Department of Health and Ageing for the purposes of subsection 14 and 14A of the *Therapeutic Goods Act 1989* ("the Act ") gave his consent for the following

(a) the supply of the product – Skelid (tiludronic acid) (present as tiludronate disodium) 20mg tablet in blister packs [AUST R 54569] by Hospira Australia, Level 3, 390 St Kilda Road, Melbourne VIC ("the Company") AND

(b) for that product not to conform with Therapeutic Goods Order No 69 (TGO 69) in that the old name,
Faulding Pharmaceuticals, appears on the label instead of Hospira Austtalia Pty Ltd .

Pursuant to section 15(1) of the Act, my consent is subject to the following conditions:

1. The exemption applies for a period of 12 months from 7 July 2008.

2. No other changes have been made to the product.

3. The exempted labels to be used are those provided with the Company's submission dated 6 June 2008.

GAZETTAL NOTICE

THERAPEUTIC GOODS ACT 1989

AUSTRALIAN DRUG EVALUATION COMMITTEE

RECOMMENDATIONS

The 259th (2008/4) meeting of the Australian Drug Evaluation Committee (ADEC) (1st August 2008) resolved to advise the Parliamentary Secretary to the Minister for Health and Ageing and the Secretary, Department of Health and Ageing, that the following medicines should be approved for registration, subject to the resolution of all outstanding matters to the satisfaction of the Committee and the Therapeutic Goods Administration. These recommendations for approval may be subject to specific conditions.

RESOLUTION 9200

There should be no objection to approval of the submission from Schering-Plough Pty Limited to register Product Information changes to include the clinical trial results of the IMPACT-2 study for REMICADE powder for injection containing infliximab 100 mg.

RESOLUTION 9201

The submission from Wyeth Australia Pty Limited to register Product Information changes to TYGACIL Powder for Injection containing tigecycline 50 mg to include data in relation to *Methicillin-Resistant Staphylococcus Aureus* (MRSA), *Vancomycin-Resistant Enterococcus* (VRE) and Resistant Gram-Negative Pathogens but not Rapidly Growing Mycobacterial Infections should be included in the PI.

RESOLUTION 9203

There should be no objection to approval of the submission from Sanofi-Aventis Australia Pty Ltd to register a new dose regimen for TAXOTERE powder for injection containing docetaxel 40 mg/mL (when reconstituted) for use:

> ***in combination with cisplatin and fluorouracil as induction treatment prior to chemoradiotherapy, for the treatment of patients with locally advanced, squamous cell carcinoma of the head and neck, who have low probability of surgical cure, require organ preservation or where the tumour is technically unresectable.***

The new dosage regimen is:

- **Docetaxel: 75 mg / m^2 on day 1**
- **Cisplatin: 100 mg / m^2 on day 1**
- **Fluorouracil 1000 mg / m^2 / day on days 1 to 4 (continuous infusion)**

Treatment is continued for three 21 day cycles.

RESOLUTION 9206

There should be no objection to approval of the submission from Roche Products Pty Ltd to register AVASTIN solution for injection containing bevacizumab 25 mg/mL for the new indication:

> ***AVASTIN (bevacizumab), in combination with carboplatin and paclitaxel, is indicated for first-line treatment of patients with unresectable advanced, metastatic or recurrent, non-squamous, non-small cell lung cancer.***

RESOLUTION 9207

There should be no objection to approval of the submission from CSL Limited to register BIOSTATE powder for injection containing Human Coagulation Factor VIII (250 IU or 500 IU per vial) and Human von Willebrand Factor (500 IU or 1000 IU per vial) for the new indication:

> ***The treatment of bleeding episodes including surgical bleeding in patients with von Willebrand's disease when desmopressin treatment is ineffective or contraindicated.***

Australian Drug Evaluation Committee
21 August 2008

GAZETTAL NOTICE

THERAPEUTIC GOODS ACT 1989

AUSTRALIAN DRUG EVALUATION COMMITTEE

AMENDMENT TO RECOMMENDATION

This notice corrects the wording of the recommendation concerning NPLATE (romiplostim) published in the Commonwealth of Australia Gazette, No. GN 29 on the 23rd July 2008. The units used to describe the presentations were incorrectly referred to as milligrams (mg). This has been amended to correctly refer to the units as micrograms (µg).

The 258th (2008/3) meeting of the Australian Drug Evaluation Committee (ADEC) (6 June 2008) resolved to advise the Parliamentary Secretary to the Minister for Health and Ageing and the Secretary, Department of Health and Ageing that the following medicine should be approved for registration, subject to the resolution of all outstanding matters to the satisfaction of the Committee and the Therapeutic Goods Administration. This recommendation for approval may be subject to specific conditions.

RESOLUTION 9191

There should be no objection to approval of the submission from Amgen Australia Pty Ltd to register NPLATE powder for injection containing the new biological entity romiplostim 375 µg and 625 µg for the indication:

For the treatment of thrombocytopaenia in adult patients with chronic immune (idiopathic) thrombocytopaenic purpura (ITP)

- ***who are non-splenectomised and have had an inadequate response, or are intolerant, to both corticosteroids and immunoglobulins;***
- ***who are splenectomised and have had an inadequate response to splenectomy.***

Australian Drug Evaluation Committee
23 August 2008

Infrastructure, Transport, Regional Development and Local Government

Form 6 **Permit for unlicensed ship - continuing**
(regulation 6)

No: 5465

Navigation Act 1912
PERMIT FOR UNLICENSED SHIP - CONTINUING

I, Andrew Wilson, 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 18/09/2008 to 17/12/2008

Details about ship

Name of ship: OOCL Freedom	Port of registry: Hong Kong
IMO No. of ship: 8400323	Name of Owner: Orient Overseas Container Line Ltd

Name of ports for which permit issued

From Melbourne to Adelaide. From Melbourne to Fremantle. From Adelaide to Fremantle.

Permit conditions

1. That the Department is notified, within 14 days after every sailing, of the date of the voyage and the cargo carried by the ship.
2. This permit is issued on condition that the ship named in the permit leaves Australia and travels to a port outside Australia at least once in any three (3) month period.
3. General Cargo; may only be carried.
4. The cargo may only be carried from the ports outlined in the section 'Name of ports for which permit issued'.
5. If there is a change in schedule the Department must be advised before the vessel sails.
6. This permit is issued on condition that the ship named in the permit complies with all the standards of safety and marine environment protection of international conventions and agreements to which Australia is party.
7. This permit must be produced to Customs for clearance at each port of loading or discharge, prior to taking on board or discharging any cargo or passengers carried under permit.
8. This permit is subject to the condition that coastal cargo is carried by the permit holder only if:
   (a) there is no licensed ship available for that carriage; or
   (b) the service offered by an available licensed ship is, in the opinion of the Minister or the Minister's delegate, not adequate for the proposed carriage;
   and in the opinion of the Minister's delegate, it is in the public interest for the permit holder to carry the coastal cargo.
9. The permit holder must check the availability of relevant licensed vessels on routes serviced by licensed operators with those operators before accepting coastal cargo for those routes, and before each sailing must send to the Department documentary evidence that it has done so.
   Contact details of relevant licensed operators are available on request from the Department.

Signature of delegate: Date: 07 September 2008

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

r308/2008022

Australian Government

Department of Infrastructure, Transport, Regional Development and Local Government

Aviation Transport Security Regulations 2005

EXEMPTION FROM DISPLAYING AN ASIC IN AN AIRSIDE AREA

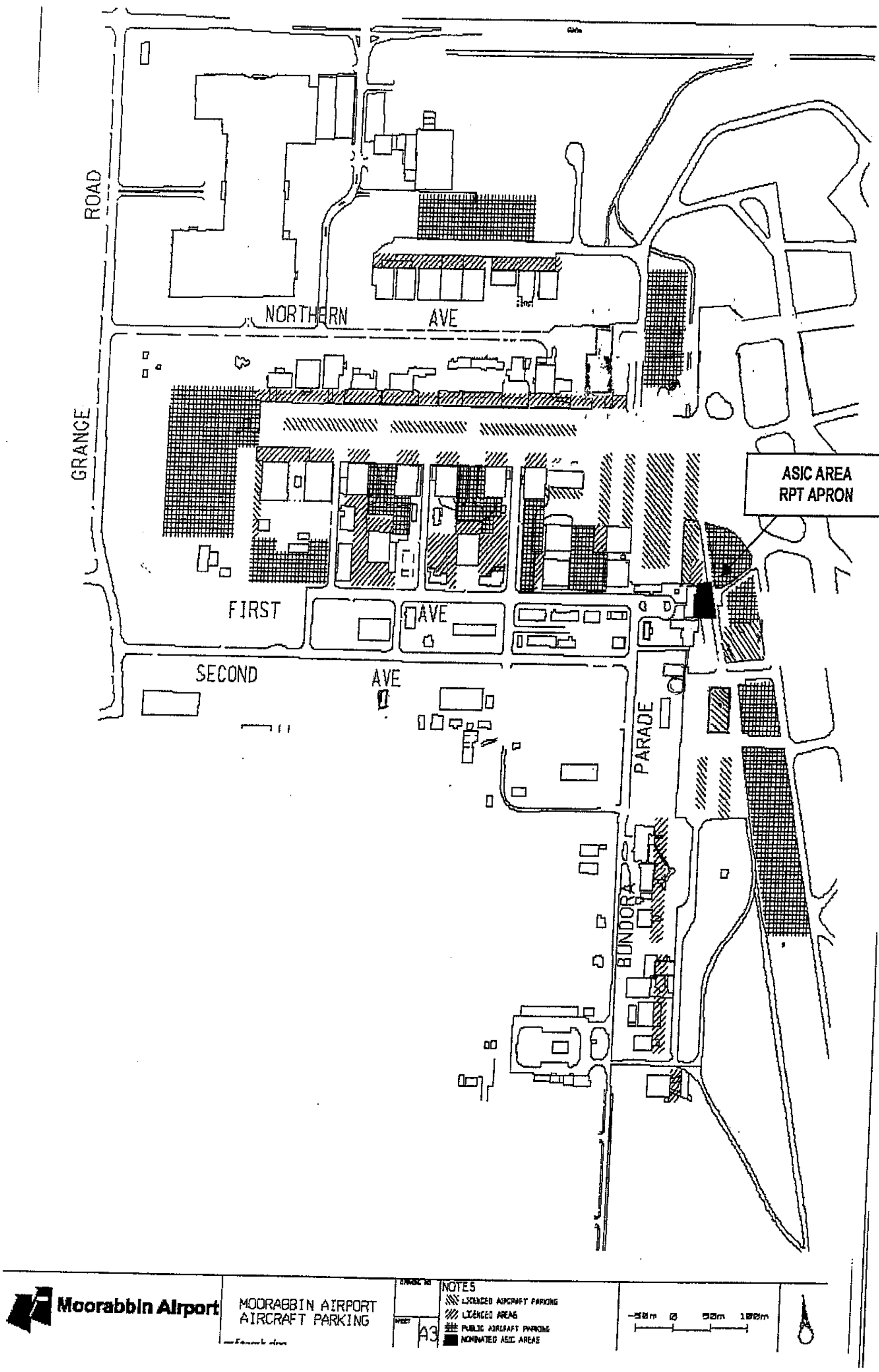
I, **JACQUELINE THERESE RAYNOR**, Section Head, Regulatory Management, Aviation Security Operations Branch, Office of Transport Security, Department of Infrastructure, Transport, Regional Development and Local Government, under regulation 3.08 of the Aviation Transport Security Regulations 2005, GIVE an exemption from displaying an ASIC to all persons in the airside area of Moorabbin Airport, except for those in the Regular Public Transport Apron area as shown on the attached map.

This Notice revokes Notice R308/2008020 issued on Wednesday 10 September 2008.

This exemption operates from Friday 12 September 2008 to Monday 8 December 2008.

Date: 12 September 2008

Jacqueline Raynor
Delegate of the Secretary of the
Department of Infrastructure, Transport, Regional Development and Local Government


ROAD
GRANGE
NORTHERN AVE
FIRST AVE
SECOND AVE
BUNDORA PARADE
ASIC AREA
RPT APRON
Moorabbin Airport
MOORABBIN AIRPORT
AIRCRAFT PARKING
A3
NOTES
LICENCED AIRCRAFT PARKING
LICENCED AREAS
PUBLIC AIRCRAFT PARKING
NOMINATED ASIC AREAS
-50m 0 50m 100m

Innovation, Industry, Science and Research

Pooled Development Funds Act 1992

Innovation Australia (the Board) advises that the following are no longer pooled development funds because their registration declaration was **revoked** pursuant to *s46(3)* of the *Pooled Development Funds Act 1992*, as amended.

RESOURCE EQUITIES LIMITED [ACN 067 748 109] on 8August 2008
GREEN INVEST LIMITED [ACN 119 031 462] on 4 September 2008

Brian Watson
Co-Chair
Venture Capital Committee

Prime Minister and Cabinet

Australian Government

Department of the Prime Minister and Cabinet

GOVERNOR-GENERAL ACT 1974

MAJOR GENERAL MICHAEL JEFFERY AC CVO MC (Retd)

I, TERRY MORAN, Trustee of the Scheme constituted by Section 4 of the *Governor-General Act 1974* for the provision of retirement and other benefits to or in relation to Major General Michael Jeffery, hereby determine for the purposes of the S*uperannuation Contributions Tax (Assessment and Collection) Act 1997* that, in accordance with section 4(3C) of the *Governor-General Act 1974* and advice received from the Australian Government Actuary, a conversion factor of 17.660 is applicable for the purpose of working out, in relation to Major General Jeffery, the yearly amount that would have to be paid to discharge a liability equal to Major General Jeffery's surcharge deduction amount.

Terry Moran
Trustee of the Scheme

4 September 2008

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**
PR 2008/64	Income tax: deductibility of interest incurred on borrowings in relation to Macquarie Fusion Funds – November 2008 Offer	This Ruling applies to Investors who are accepted to participate in the scheme specified in this Ruling on or after 17 September 2008 and who execute the relevant Agreements on or before 28 November 2008 for the purpose of investing in a Macquarie Fusion Fund. This Ruling applies prospectively from 17 September 2008.
CR 2008/58	Income tax: payment of dividend by MediHerb Holdings Limited	This Ruling applies to holders of ordinary shares in MediHerb Holdings Limited, an Australian resident company, who will receive the dividend of $10 per share pursuant to the Arrangement described in this Ruling. This Ruling applies from 1 July 2007 to 30 June 2008.
CR 2008/59	Income tax: tax treatment of Commercial Horse Assistance Payments to primary carers of commercial horses affected by the equine influenza quarantine	This Ruling applies to primary carers of commercial horses who received a Commercial Horse Assistance Payment from the Australian Government through racing and harness organisations during the equine influenza outbreak and resulting quarantine standstill. This Ruling applies from 1 July 2007 to 30 June 2008.

NOTICE OF ERRATUM		
Ruling Number	**Subject**	**Brief Description**
TD 2008/22	Income tax: capital gains: does CGT event C2 happen as a result of the satisfaction of an investor's rights under a Deferred Purchase Agreement warrant, an investment product offered by financial institutions, by the delivery of the Delivery Assets?	This Erratum corrects TD 2008/22 to amend the case citation of *Lend Lease Custodian Pty Ltd v. Deputy Commissioner of Taxation* [2006] FCA 1790; 2007 ATC 4041; 65 ATR 455.

Revocation of Authority to carry on banking business

Banking Act 1959

SINCE

A. on 2 May 2008 Orana Credit Union Ltd ACN 087 650 468 (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 1 September 2008.

Dated 1 September 2008

[Signed]

Brandon Kong Leong Khoo
Executive General Manager
Specialised Institutions Division

Interpretation

Document ID: 162903

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).

Approval to hold the transferring business of a financial sector company

Financial Sector (Shareholdings) Act 1998

TO: New England Credit Union Ltd ABN 21 087 650 360 (the applicant)

SINCE

A. the applicant and Orana Credit Union Limited ABN 32 087 650 468 (the Company) are financial sector companies within the meaning of the *Financial Sector (Shareholdings) Act 1998* (the Act);

B. 100% of the gross assets and liabilities of the Company are proposed to be transferred to the applicant as a voluntary transfer of business under the *Financial Sector (Business Transfer and Group Restructure) Act 1999* (the FS (BTaGR) Act) ;

C. the applicant has applied to the Treasurer under section 13A of the Act to hold the transferring business; and

D. I am satisfied that it is in the national interest to approve the applicant holding the transferring business,

I, Brandon Kong Leong Khoo, a delegate of the Treasurer, under subsection 14(1) of the Act, APPROVE the applicant holding the transferring business.

This approval has effect from the date it is signed and remains in force indefinitely.

Dated 23 June 2008

[Signed]

Brandon Kong Leong Khoo
Executive General Manager
Specialised Institutions Division

Interpretation

In this Notice

financial sector company has the meaning given in section 3 of the Act.

Note 1 Regulation 6 of the Financial Sector (Transfers of Business) Regulations 1999 provides that, for subsection 43(4) of the FS (BTaGR) Act, the provisions of the Act apply in relation to a transfer of business as if section 13A were inserted after section 13 of the Act. Section 13A provides that a financial sector company to which more than 15% of the gross assets and liabilities of another financial sector company (the ***transferring business***) is to be transferred under the Act must apply to the Treasurer for approval to hold the transferring business and that Division 3 of Part 2 of the Act applies to the application as if the transferring business were a separate financial sector company.

Note 2 Under section 14 of the Act, the Treasurer must give written notice of the approval to the applicant and arrange for a copy of the notice to be published in the *Gazette* and given to the Company.

Consent to disposal of business of an authorised deposit-taking institution

Banking Act 1959

TO: Orana Credit Union Limited ABN 32 087 650 468 (Orana CU)

SINCE:

A. Orana CU is an ADI within the meaning of the *Banking Act 1959* (the Act);

B. Orana CU proposes to enter into an arrangement for disposal of its business to New England Credit Union Ltd ABN 21 087 650 360 (NECU); and

C. I have taken into account the national interest,

I, Brandon Kong Leong Khoo, a delegate of the Treasurer, under paragraph 63(1) of the Act, CONSENT to Orana CU entering into the arrangement for disposal of its business to NECU.

Dated 23 June 2008

[Signed]

Brandon Kong Leong Khoo
Executive General Manager
Specialised Institutions Division

Interpretation

In this Notice

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

Note Under subsection 63(1AA) of the Act, the Treasurer must arrange for notice of the consent to be published in the *Gazette* as soon as practicable.

Public Notices

The Gazette Notice

The notice must use the following wording:

SHIPPING REGISTRATION ACT 1981

NOTICE OF INTENTION TO APPLY FOR REGISTRATION

Notice is hereby given of the intention of (full name)...ROBERT HENRY NUGENT... of (address) C/o 44 YAPPAR St KARUMBA, Q4891, P.O. BOX 221... to apply, after the expiration of the period of thirty days commencing on the date of publication of this notice, for the registration under the abovenamed Act of the ship particulars of which are set out below. Objections to the registration of the ship in the name of the abovementioned person, by persons claiming a legal proprietary right in respect of the ship, should, together with any relevant documents that will verify the claim be delivered to the Registrar of Ships at the Australian Shipping Registration Office, Level 2 Allan Woods Building, 25 Constitution Avenue, Canberra City ACT 2601 or sent by properly prepaid post to the Registrar of Ships at the Australian Maritime Safety Authority, GPO Box 2181, Canberra City ACT 2601, before the expiry of the period referred to above.

Particulars of Ship

Present name: "LONGBUOY"

Former name: —

Present whereabouts: KARUMBA QLD 4891

Length: 17.45 M

Principal material of construction: FERRO CEMENT

Type of ship: PLEASURE CRAFT — MOTOR SAILING KETCH

Commonwealth of Australia **Gazette**

No. S179, Tuesday, 9 September 2008

Published by the Commonwealth of Australia

SPECIAL

Elizabeth R

AUSTRALIA

Letters Patent

Relating to the Office of Governor-General

of the Commonwealth of Australia

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

Greeting:

WHEREAS, by the Constitution of the Commonwealth of Australia, certain powers, functions and authorities are vested in a Governor-General appointed by The Queen to be Her Majesty's representative in the Commonwealth:

AND WHEREAS, by Letters Patent dated 21 August 1984, as amended, provision was made in relation to the office of Governor-General:

AND WHEREAS, by section 4 of the Constitution of the Commonwealth, the provisions of the Constitution relating to the Governor-General extend and apply to the Governor-General for the time being, or such person as The Queen may appoint to administer the Government of the Commonwealth:

AND WHEREAS We are desirous of revising the provisions relating to the office of Governor-General and for persons appointed to administer the Government of the Commonwealth:

NOW THEREFORE, by these Letters Patent under Our Sign Manual and the Great Seal of Australia –

Cat. No. S17908

ISSN 1032-2345

I. We revoke the Letters Patent dated 21 August 1984, as amended.

II. We declare that –

(a) the appointment of a person to the office of Governor-General shall be during Our pleasure by Commission under Our Sign Manual and the Great Seal of Australia; and

(b) before assuming office, a person appointed to be Governor-General shall take the Oath or Affirmation of Allegiance and the Oath or Affirmation of Office in the presence of the Chief Justice or another Justice of the High Court of Australia.

III. We declare that –

(a) the appointment of a person to administer the Government of the Commonwealth under section 4 of the Constitution of the Commonwealth shall be during Our pleasure by Commission under Our Sign Manual and the Great Seal of Australia;

(b) the powers, functions and authorities of the Governor-General shall, subject to this Clause, vest in any person so appointed from time to time by Us to administer the Government of the Commonwealth only in the event of the absence out of Australia, or the death, incapacity or removal of the Governor-General for the time being, or in the event of the Governor-General having absented himself or herself temporarily from office for any reason;

(c) a person so appointed shall not assume the administration of the Government of the Commonwealth –

(i) in the event of the absence of the Governor-General out of Australia - except at the request of the Governor-General or the Prime Minister of the Commonwealth;

(ii) in the event of the absence of the Governor-General out of Australia and of the death, incapacity or absence out of Australia of the Prime Minister of the Commonwealth - except at the request of the Governor-General, the Deputy Prime Minister or the next most senior Minister of State for the Commonwealth who is in Australia and available to make such a request;

(iii) in the event of the death, incapacity or removal of the Governor-General, or in the event of the Governor-General having absented himself or herself temporarily from office for any reason - except at the request of the Prime Minister of the Commonwealth; or

(iv) in the event of the death, incapacity or removal of the Governor-General, or in the event of the Governor-General having absented himself or herself temporarily from office for any reason, and of the death, incapacity or absence out of Australia of the Prime Minister of the Commonwealth - except at the request of the Deputy Prime Minister or the next most Senior Minister of State for the Commonwealth who is in Australia and available to make such a request;

(d) a person so appointed shall not assume the administration of the Government of the Commonwealth unless he or she has taken on that occasion or has previously taken the Oath or Affirmation of Allegiance and the Oath or Affirmation of Office in the presence of the Chief Justice or another Justice of the High Court of Australia;

(e) a person so appointed shall cease to exercise and perform the powers, functions and authorities of the Governor-General vested in him or her when a successor to the Governor-General has taken the prescribed oaths or affirmations and has entered upon the duties of his or her office, or the incapacity or absence out of Australia of the Governor-General for the time being has ceased, or the Governor-General has ceased to absent himself or herself from office, as the case may be; and

(f) for the purposes of this clause, a reference to absence out of Australia is a reference to absence out of Australia in a geographical sense but does not include absence out of Australia for the purpose of visiting a Territory that is under the administration of the Commonwealth of Australia.

IV. In pursuance of section 126 of the Constitution of the Commonwealth of Australia –

(a) We authorise the Governor-General for the time being, by instrument in writing, to appoint any person, or any persons jointly or severally, to be his or her deputy or deputies within any part of the Commonwealth, to exercise in that capacity, during the Governor-General's pleasure, such powers and functions of the Governor-General as he or she thinks fit to assign to that person or those persons or them by the instrument, but subject to the limitations expressed in this clause; and

(b) We declare that a person who is so appointed to be deputy of the Governor-General shall not exercise a power or function of the Governor-General assigned to him or her on any occasion –

(i) except in accordance with the instrument of appointment;

(ii) except at the request of the Governor-General or the person for the time being administering the Government of the Commonwealth that he or she exercise that power or function on that occasion; and

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(iii) unless he or she has taken on that occasion or has previously taken the Oath or Affirmation of Allegiance in the presence of the Governor-General, the Chief Justice or another Justice of the High Court of Australia or the Chief Judge or another Judge of the Federal Court of Australia or of the Supreme Court of a State or Territory of the Commonwealth.

V. For the purposes of these Letters Patent –

(a) a reference to the Oath or Affirmation of Allegiance is a reference to the Oath or Affirmation in accordance with the form set out in the Schedule to the Constitution of the Commonwealth of Australia; and

(b) a reference to the Oath or Affirmation of Office is a reference to an Oath or Affirmation swearing or affirming well and truly to serve Us, Our heirs and successors according to law in the particular office and to do right to all manner of people after the laws and usages of the Commonwealth of Australia, without fear or favour, affection or illwill.

VI. We direct that these Letters Patent, each Commission appointing a Governor-General or person to administer the Government of the Commonwealth of Australia and each instrument of appointment of a deputy of the Governor-General shall be published in the official gazette of the Commonwealth of Australia.

VII. We further direct that these Letters Patent shall take effect without affecting the efficacy of any Commission or appointment given or made before the date hereof or of anything done in pursuance of any such Commission or appointment, or of any oath or affirmation taken before that date for the purpose of any such Commission or appointment.

VIII. We reserve full power from time to time to revoke, alter or amend these Letters Patent as We think fit.

Given at Our Court

(L.S.) at Balmoral Castle

on 21 August 2008

By Her Majesty's Command,

Prime Minister

Commonwealth of Australia Gazette

No. S180, Wednesday, 10 September 2008 SPECIAL

Published by the Commonwealth of Australia

APPOINTMENT OF PROFESSOR MARIE BASHIR AC CVO, AS DEPUTY OF THE GOVERNOR-GENERAL

I, QUENTIN ALICE LOUISE BRYCE, Governor-General of the Commonwealth of Australia, hereby appoint PROFESSOR MARIE BASHIR AC CVO, GOVERNOR OF THE STATE OF NEW SOUTH WALES, to be my deputy within any part of the Commonwealth.

In her capacity as my deputy, and upon receipt of a request from me and in accordance with the terms of that request, PROFESSOR MARIE BASHIR is authorised to exercise the following powers and perform the following functions of the Governor-General:

(a) To make recommendations with respect to the appropriation of revenue or moneys by message to a House of the Parliament and to communicate other matters to a House of the Parliament;

(b) When a proposed law passed by both Houses of the Parliament is presented for The Queen's assent –

(i) to declare, according to her discretion, but subject to the Constitution, that she assents in The Queen's name, or that she withholds assent or that she reserves the law for The Queen's pleasure; or

(ii) except in the case of a proposed law to alter the Constitution, to return the proposed law to the House in which it originated and to transmit therewith any amendments which she may recommend;

(c) To make, sign or issue any proclamation, order, regulation, ordinance, appointment, instrument, or document in accordance with the advice of the Federal Executive Council;

(d) To administer such oaths or affirmations as may be necessary to be taken or made by any person in respect of his or her having been chosen or summoned to be a member of the Federal Executive Council or appointed to administer a Department of State;

(e) To grant to convicted offenders pardons and to remit fines, penalties (including sentences) and forfeitures;

(f) In accordance with the *Commonwealth Prisoners Act 1967* (to the extent that any operation of that Act has been preserved, in particular by the *Crimes Legislation Amendment Act (No 2) 1989*), to direct, by order, that a person be released from prison on parole and to amend or revoke an order under that Act, directing that a prisoner be released from prison on parole;

Cat. No. S18008
ISSN 1032-2345

(g) In accordance with section 8A of the *Removal of Prisoners (Territories) Act 1923*, to grant to a person a licence to be at large or to vary or revoke a licence granted to a person under the Act;

(h) To sign any correspondence with which it is necessary to deal urgently.

Dated 8th September 2008

Quentin Bryce

Governor-General

By Her Excellency's Command

K Rudd

Prime Minister

APPOINTMENT OF PROFESSOR DAVID DE KRETSER AC, AS DEPUTY OF THE GOVERNOR-GENERAL

I, QUENTIN ALICE LOUISE BRYCE, Governor-General of the Commonwealth of Australia, hereby appoint PROFESSOR DAVID DE KRETSER AC, GOVERNOR OF THE STATE OF VICTORIA, to be my deputy within any part of the Commonwealth.

In his capacity as my deputy, and upon receipt of a request from me and in accordance with the terms of that request, DAVID DE KRETSER is authorised to exercise the following powers and perform the following functions of the Governor-General:

(a) To make recommendations with respect to the appropriation of revenue or moneys by message to a House of the Parliament and to communicate other matters to a House of the Parliament;

(b) When a proposed law passed by both Houses of the Parliament is presented for The Queen's assent –

(i) to declare, according to his discretion, but subject to the Constitution, that he assents in The Queen's name, or that he withholds assent or that he reserves the law for The Queen's pleasure; or

(ii) except in the case of a proposed law to alter the Constitution, to return the proposed law to the House in which it originated and to transmit therewith any amendments which he may recommend;

(c) To make, sign or issue any proclamation, order, regulation, ordinance, appointment, instrument, or document in accordance with the advice of the Federal Executive Council;

(d) To administer such oaths or affirmations as may be necessary to be taken or made by any person in respect of his or her having been chosen or summoned to be a member of the Federal Executive Council or appointed to administer a Department of State;

(e) To grant to convicted offenders pardons and to remit fines, penalties (including sentences) and forfeitures;

(f) In accordance with the *Commonwealth Prisoners Act 1967* (to the extent that any operation of that Act has been preserved, in particular by the *Crimes Legislation Amendment Act (No 2) 1989*), to direct, by order, that a person be released from prison on parole and to amend or revoke an order under that Act, directing that a prisoner be released from prison on parole;

(g) In accordance with section 8A of the *Removal of Prisoners (Territories) Act 1923*, to grant to a person a licence to be at large or to vary or revoke a licence granted to a person under the Act;

(h) To sign any correspondence with which it is necessary to deal urgently.

Dated 8th September. 2008

Governor-General

By Her Excellency's Command

Prime Minister

Commonwealth of Australia **Gazette**

No. S181, Wednesday, 10 September 2008

Published by the Commonwealth of Australia

SPECIAL

Elizabeth R

COMMISSION

Passed under the Royal Sign Manual and the Great Seal of Australia appointing

QUENTIN ALICE LOUISE BRYCE AC

to be the Governor-General of the Commonwealth of Australia

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth: To Quentin Alice Louise Bryce, Companion of the Order of Australia,

Greeting:

Cat. No. S18108
ISSN 1032-2345

WE DO, by this Our Commission under Our Sign Manual and the Great Seal of Australia, appoint you, Quentin Alice Louise Bryce, to be, during Our pleasure, Our Governor-General of the Commonwealth of Australia.

AND WE DO authorise, empower and command you to exercise and perform all and singular the powers and directions contained in the Letters Patent dated 21 August 2008, relating to the office of Governor-General or in future Letters Patent relating to that office, according to such instructions as Our Governor-General for the time being may have received or may in future receive from Us, and according to such laws as are from time to time in force.

AND WE DO declare that the powers conferred by this Our Commission include any further powers that may in future be assigned to the Governor-General in accordance with section 2 of the Constitution of the Commonwealth of Australia.

L.S.

Given at Our Court

at Balmoral Castle

on 21 August 2008

By Her Majesty's Command,

Prime Minister

OATH OF ALLEGIANCE

I, QUENTIN ALICE LOUISE BRYCE, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law. SO HELP ME GOD!

Sworn, declared and subscribed by the abovenamed Quentin Alice Louise Bryce at Canberra in the Australian Capital Territory before me on 5 September 2008

Chief Justice of Australia

OATH OF OFFICE

I, QUENTIN ALICE LOUISE BRYCE, do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law, in the office of Governor-General of the Commonwealth of Australia, and I will do right to all manner of people after the laws and usages of the Commonwealth of Australia, without fear or favour, affection or ill will. SO HELP ME GOD!

Sworn, declared and subscribed by the abovenamed Quentin Alice Louise Bryce at Canberra in the Australian Capital Territory before me on 5 September 2008

Chief Justice of Australia

PROCLAMATION

WHEREAS Her Majesty Queen Elizabeth the Second has been graciously pleased by Commission under Her Royal Sign Manual and the Great Seal of Australia dated 21 August 2008 to appoint me, Quentin Alice Louise Bryce, Companion of the Order of Australia, to be Governor-General of the Commonwealth of Australia:

NOW THEREFORE I proclaim that I have this day made the prescribed oath of allegiance and the prescribed oath of office of the Governor-General of the Commonwealth of Australia before the Honourable the Chief Justice of Australia, and that I have assumed that office accordingly.

Signed and sealed with the
Great Seal of Australia
on 5 September 2008.

L.S.

Governor-General

By Her Excellency's Command

Prime Minister

Commonwealth of Australia Gazette

No. S182, Wednesday, 10 September

SPECIAL

Published by the Commonwealth of Australia

Customs Tariff (Safeguard Goods) Notice (No. 2) 2008[1]

Customs Tariff Act 1995

I, TONY BURKE, Minister for Agriculture, Fisheries and Forestry, make this Notice under subsection 16A (1) of the *Customs Tariff Act 1995*.

Dated 27. 8 2008

Tony Burke

Minister for Agriculture, Fisheries and Forestry

1 Name of Notice

This Notice is the *Customs Tariff (Safeguard Goods) Notice (No. 2) 2008*.

2 Commencement

This Notice commences on the day after it is registered.

3 Definitions

Act means the *Customs Tariff Act 1995*.

safeguard goods has the meaning given in subsection 16A (7) of the Act.

0817913A-080731Z (2) 7/08/2008 10:35 AM

Cat. No. S18208
ISSN 1032-2345

4 Specified safeguard goods

This Notice specifies safeguard goods that are classified under subheading 1604.14.00 in Schedule 3 to the Act.

Note Subheading 1604.14.00 is the subheading for prepared or preserved tunas, skipjack and bonito (*Sarda spp.*).

5 Quantity of safeguard goods

The quantity of the specified safeguard goods imported into Australia during the 2008 calendar year exceeds the quantity applicable for that year.

Note Column 3 of item 1 of the table in subsection 16A (1) of the Act sets out the quantity of prepared or preserved tunas, skipjack and bonito (*Sarda spp.*) that may be imported before the Minister may make a notice.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See http://www.frli.gov.au.

0817913A-080731Z (2) 7/08/2008 10:35 AM

Commonwealth of Australia Gazette

No. S183, Wednesday, 10 September 2008

Published by the Commonwealth of Australia

SPECIAL

s28/2008046

Australian Government

Department of Infrastructure, Transport, Regional Development and Local Government

Aviation Transport Security Act 2004

NOTICE OF REVOCATION/DECLARATION OF SECURITY CONTROLLED AIRPORT AND AIRSIDE AREAS –MOORABBIN AIPORT

I, JAMES BENJAMIN COLLETT, General Manager, Aviation Security Operations Branch, Office of Transport Security, Department of Infrastructure, Transport, Regional Development and Local Government,

REVOKE the declaration of Moorabbin (GA) Airport and Moorabbin (RPT) Airport as security controlled airports as listed in the *Gazette (No. GN 8, 2 March 2005)* under section 28 of the *Aviation Transport Security Act* (the Act); and

DECLARE that Moorabbin Airport is a security controlled airport under section 28 of the Act.

In accordance with section 29 of the Act, this notice **ESTABLISHES,** an airside area for Moorabbin Airport being that area indicated as the airside area on the attached map.

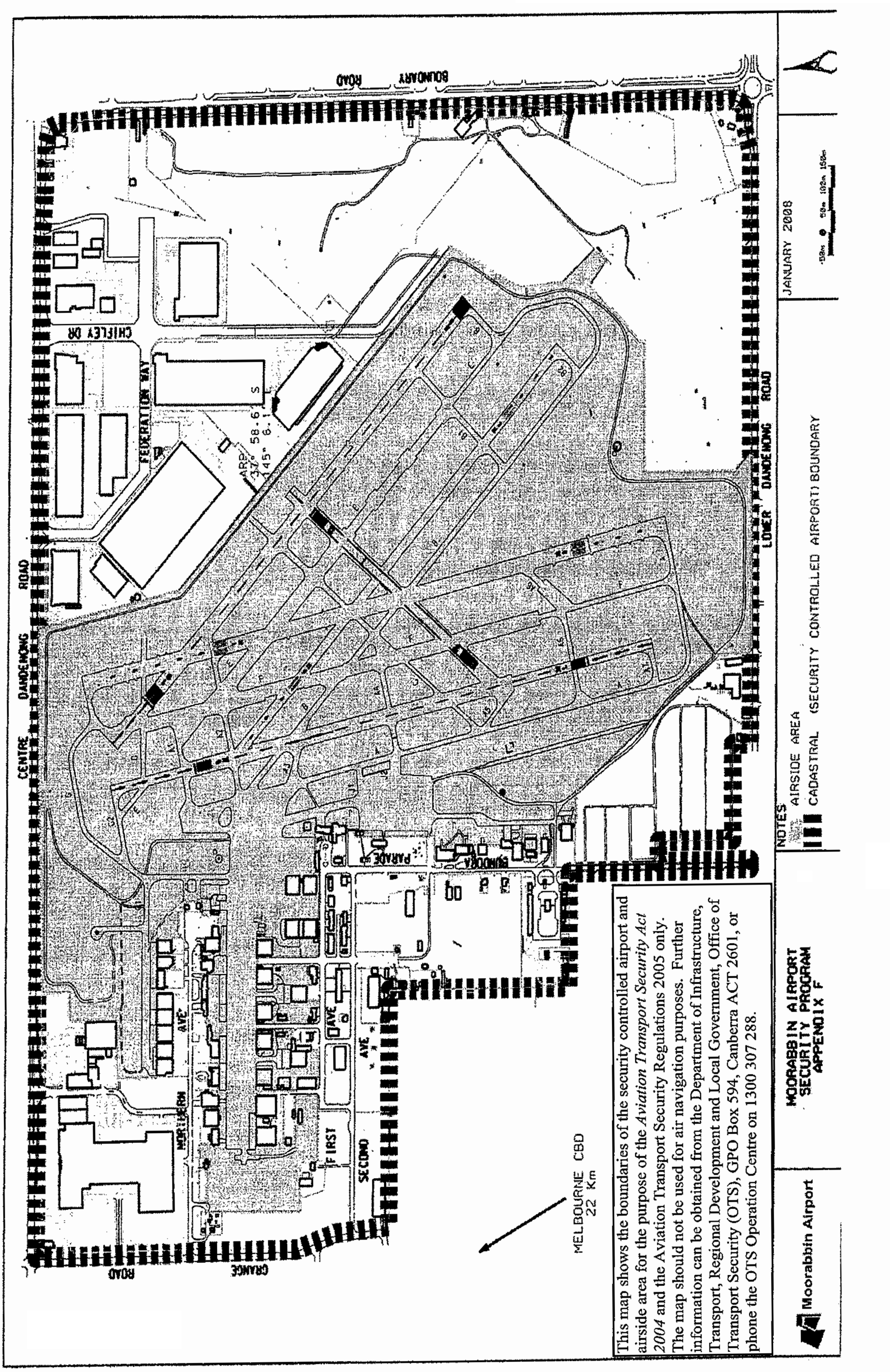
This Notice commences upon Gazettal.

Date: 8 September 2008

James B Collett

James Benjamin Collett
Delegate of the Secretary of the
Department of Infrastructure, Transport, Regional Development and
Local Government

Cat. No. S18308
ISSN 1032-2345


BOUNDARY ROAD
CENTRE DANDENONG ROAD
CHIFLEY DR
FEDERATION WAY
LOWER DANDENONG ROAD
GRANGE ROAD
NORTHERN AVE
FIRST AVE
SECOND AVE
PARADE
ARP 37° 58.6 145° 6.1
MELBOURNE CBD 22 Km
JANUARY 2008
NOTES
AIRSIDE AREA
CADASTRAL (SECURITY CONTROLLED AIRPORT) BOUNDARY
This map shows the boundaries of the security controlled airport and airside area for the purpose of the *Aviation Transport Security Act 2004* and the Aviation Transport Security Regulations 2005 only. The map should not be used for air navigation purposes. Further information can be obtained from the Department of Infrastructure, Transport, Regional Development and Local Government, Office of Transport Security (OTS), GPO Box 594, Canberra ACT 2601, or phone the OTS Operation Centre on 1300 307 288.
MOORABBIN AIRPORT SECURITY PROGRAM APPENDIX F
Moorabbin Airport

Commonwealth of Australia
Gazette

No. S184, Thursday, 11 September 2008 SPECIAL

Published by the Commonwealth of Australia

Government House
Canberra ACT 2600

3 September 2008

It is notified for general information that the Governor-General has approved the following Declaration and Determination regarding the award of the Police Overseas Service Medal.

DECLARATION AND DETERMINATION UNDER THE POLICE OVERSEAS SERVICE MEDAL REGULATIONS 2007

I, **PHILIP MICHAEL JEFFERY**, Governor-General of the Commonwealth of Australia, pursuant to the Police Overseas Service Medal (POSM) Regulations 2007 contained in the Letters Patent dated 5 October 2007, (the Regulations), and on the recommendation of the Minister for Home Affairs, **hereby;**

1. **declare,** under regulation 3 of the Regulations, the period of overseas peacekeeping service undertaken by members of the Australian Federal Police Detachment to Timor Leste, being a period commencing not earlier than 20 May 2005, be prescribed service for the purpose of the Regulations:

2. **determine,** under regulation 4(2) of the Regulations, that the conditions for the award for prescribed service in Timor Leste are that the medal may be awarded to a member of an Australian police force, or a person included in a class of persons determined by the Minister in accordance with regulation 4(4)(b), who rendered prescribed service for:

   (a) a period of 30 days;
   (b) 2 or more periods that amount to 30 days; or
   (c) a period lesser than 30 days if;
      (i) the prescribed service was terminated because of the death of the member or person, illness or injury, or other disability due to service; or
      (ii) the prescribed service was terminated for Government or police department reasons.

3. Subject to regulation 4(3) of the Regulations, those members or persons qualifying under regulation 4(4) shall be awarded the Medal with the Clasp "TIMOR LESTE".

Dated 3 Sep 2008

Governor-General

By His Excellency's Command

BOB DEBUS
Minister for Home Affairs

Cat. No. S18408
ISSN 1032-2345

Commonwealth of Australia **Gazette**

No. S185, Thursday, 11 September 2008 **SPECIAL**

Published by the Commonwealth of Australia

Government House
Canberra ACT 2600

3 September 2008

It is notified for general information that the Governor-General has approved the following Declaration and Determination regarding the award of the Police Overseas Service Medal.

DECLARATION AND DETERMINATION UNDER THE POLICE OVERSEAS SERVICE MEDAL REGULATIONS 2007

I, **PHILIP MICHAEL JEFFERY**, Governor-General of the Commonwealth of Australia, pursuant to the Police Overseas Service Medal (POSM) Regulations 2007 contained in the Letters Patent dated 5 October 2007, (the Regulations), and on the recommendation of the Minister for Home Affairs, **hereby;**

1. **declare,** under regulation 3 of the Regulations, the period of overseas peacekeeping service undertaken by members of the Australian Federal Police Detachment to Sudan, being a period commencing no earlier than 9 March 2006, be prescribed service for the purpose of the Regulations:

2. **determine,** under regulation 4(2) of the Regulations, that the conditions for the award of the Police Overseas Service Medal for prescribed service in the Sudan are that the medal may be awarded to a member of an Australian police force, or a person included in a class of persons determined by the Minister in accordance with regulation 4(4)(b), who rendered prescribed service for:

   (a) a period of 30 days;
   (b) 2 or more periods that amount to 30 days; or
   (c) a period lesser than 30 days if;
      (i) the prescribed service was terminated because of the death of the member or person, illness or injury, or other disability due to service; or
      (ii) the prescribed service was terminated for Government or police department reasons.

3. Subject to regulation 4(3) of the Regulations, those members or persons qualifying under regulation 4(4) shall be awarded the Medal with the Clasp "SUDAN".

Dated 3 Sep 2008

Governor-General

By His Excellency's Command

BOB DEBUS
Minister for Home Affairs

Cat. No. S18508
ISSN 1032-2345

Commonwealth of Australia Gazette

No. S186, Thursday 11 September 2008 SPECIAL

Published by the Commonwealth of Australia

Government House
Canberra ACT 2600

3 September 2008

It is notified for general information that the Governor-General has approved the following Declaration and Determination regarding the award of the Police Overseas Service Medal.

DECLARATION AND DETERMINATION UNDER THE POLICE OVERSEAS SERVICE MEDAL REGULATIONS 2007

I, **PHILIP MICHAEL JEFFERY**, Governor-General of the Commonwealth of Australia, pursuant to the Police Overseas Service Medal Regulations 2007 contained in the Letters Patent dated 5 October 2007, (the Regulations), and on the recommendation of the Minister for Home Affairs, **hereby;**

1. **declare,** under regulation 3 of the Regulations, the period of overseas peacekeeping service undertaken by members of the Australian Federal Police Detachment to East Timor, being a period commencing on 25 October 1999 and ceasing on 20 May 2005, be prescribed service for the purpose of the Regulations:

2. **determine,** under regulation 4(2) of the Regulations, that the conditions for the award for prescribed service in East Timor are that the medal may be awarded to a member of an Australian police force, or a person included in a class of persons determined by the Minister in accordance with regulation 4(4)(b), who rendered prescribed service for:

   (a) a period of 30 days;
   (b) 2 or more periods that amount to 30 days; or
   (c) a period lesser than 30 days if;
      (i) the prescribed service was terminated because of the death of the member or person, illness or injury, or other disability due to service; or
      (ii) the prescribed service was terminated for Government or police department reasons.

3. Subject to regulation 4(3) of the Regulations, those members or persons qualifying under regulation 4(4) shall be awarded the Medal with the Clasp "EAST TIMOR".

Dated 3 Sep 2008

Governor-General

By His Excellency's Command

BOB DEBUS
Minister for Home Affairs

Cat. No. S18608
ISSN 1032-2345

Australian Government
Attorney General's Department

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Hobart	Printing Authority of Tasmania 2 Salamanca Place, Hobart TAS 7000	1 800 030 940	(03) 6223 7638
Adelaide	Service SA Government Legislation Outlet Ground Floor, 101 Grenfell Street, Adelaide SA 5000	13 2324	(08) 8207 1949
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