

Gazette

No. GN 36, Wednesday, 16 September 2009

Published by the Commonwealth of Australia

GOVERNMENT NOTICES

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The date of publication of this Gazette is 16 September 2009

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Australian Government

Attorney-General's Department

Office of Legislative Drafting and Publishing

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

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

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

Through its responsibility for maintaining the Federal Register of Legislative Instruments (FRLI), OLDP plays an important role in the legislative process for Commonwealth legislative instruments.

OLDP prepares compilations of a range of Commonwealth legislation, arranges publication of Commonwealth legislation and legislative materials in hard copy form, and provides online access to Commonwealth legislation and legislative materials via the ComLaw (www.comlaw.gov.au) and the FRLI (www. frli.gov.au) websites.

OLDP's responsibilities

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

- providing ready public access to the law through ComLaw (www.comlaw.gov.au) and the Federal Register of Legislative instruments (www.frli.gov.au)
- ensuring that printed copies of Acts, select legislative instruments and related legislative material are available in 'as made' and compiled form

Other assistance

OLDP can provide advice on:

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

Other OLDP services

OLDP can provide a range of other services on a billable basis, including:

- arranging gazettal and tabling of other OLDP drafted non-legislative instruments.
- preparing compilations of legislative and nonlegislative instruments

How to contact us

First Assistant Secretary Office of Legislative Drafting and Publishing Attorney-General's Department 3-5 National Circuit Barton ACT 2600 Tel. (02) 6141 4300

Fax. (02) 6282 4352

THIS GAZETTE IS PRODUCED AS A CAMERA-READY PUBLICATION

QUALITY OF YOUR PUBLICATION

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

LODGMENT RATES

A lodgment fee of \$99.00 plus a charge of \$99.00 per page will apply to the submission of notices for this Gazette.

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

CLOSING TIMES

Copy for inclusion in this Gazette will be accepted by the Gazette Office until 10.00 am on Friday in the week before publication, unless an earlier closing time has been advised.

INQUIRIES

All inquiries should be directed to (02) 6141 4333.

Variation of closing times

Labour Day Holiday — Issue of 7 October 2009 (GN 39)

As Monday, 5 October 2009 is a public holiday, closing time for lodgment of all notices for publication in GN 39 will be:

Thursday, 1 October 2009 at 10.00 am.

General Information

GAZETTE INQUIRIES

Lodgment Inquiries: (02) 6141 4333 Subscriptions (Fax): (02) 6293 8388 Subscriptions (Tel): 1300 656 863

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

NOTICES FOR PUBLICATION and related correspondence can be lodged:

By hand: Gazette Office, 63 Denison Street, Deakin ACT

By post: Gazette Office, Attorney General's Department, 3-5 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.

Publication of hard copy notices

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

Publication of electronic notices

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

For further information contact the Gazette Office on (02) 6141 4333. Information is also available from the following Internet site: http://www.ag.gov.au/GNGazette/.

CLOSING TIMES FOR LODGMENT

All notices for publication must be lodged by the following times (except at holiday periods for which special advice of earlier closing times will be given).

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

Special Gazette Notices: by 9.30 am on the day of publication. Periodic Gazettes: as agreed but generally 7 working days prior to date of publication.

ADVERTISING RATES (GST inclusive)

Government Notices: a lodgment fee of \$99 plus a charge of \$99 per A4 page

Special Gazette notices:

- during business hours:a lodgment fee of \$297 plus a charge of \$99 per A4 page.
- outside normal business hours: a lodgment fee of \$495 plus a charge of \$99 per A4 page

Periodic Gazette notices: a lodgment fee of \$198 plus a charge of \$49.50 per A4 page.

A maximum charge of \$4,000 per notice will apply (\$16,000 per notice if published outside normal business hours). Other charges may apply, for further information please see the Lodging Notices section, More information at

http://www.ag.gov.au/GNGazette

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

Payment may be made by credit card, cheque, money order or customer account code (for account code customers only). **SUBSCRIPTIONS** are payable in advance and are accepted for a maximum period of one year. All subscriptions are on a firm basis and refunds for cancellations will not be given. Rates include surface postage in Australia and overseas. For further information about subscriptions telephone 1300 656 863.

AVAILABILITY

The *Gazette* may be purchased by mail order (Tel. 1300 889 873, Fax (02) 6293 8388) from CanPrint Communications, 16 Nyrang Street, Fyshwick ACT 2609. Over the counter sales are available from CanPrint Communications at the address above.

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

Adelaide: Service SA Government Legislation Outlet

108 North Terrace Adelaide SA 5000

Phone: 13 2324 Fax: (08) 8204 1909

Brisbane: Mail Order ONLY CanPrint Communications

PO Box 7456

Canberra MC ACT 2610

Phone: 1300 889 873 Fax: (02) 6293 8388 **Canberra:** CanPrint Communications

16 Nyrang Street Fyshwick ACT 2609

Phone: (02) 6295 4422 Fax: (02) 6293 8388 **Hobart:** Printing Authority of Tasmania

123 Collins Street Hobart TAS 7000

Phone: 1800 030 940 Fax: (03) 6216 4294

Melbourne: Information Victoria

505 Little Collins Street Melbourne VIC 3000

Phone: 1300 366 356 Fax: (03) 9603 9940

Perth: Mail Order ONLY CanPrint Communications

PO Box 7456

Canberra MC ACT 2610

Phone: 1300 889 873 Fax: (02) 6293 8388

Sydney: Mail Order ONLY CanPrint Communications PO Box 7456

Canberra MC ACT 2610

Phone: 1300 889 873 Fax: (02) 6293 8388

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, 3-5 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.

Gazette number	Date of Publication	Subject
P 1 27 March 2009		Great Barrier Reef Marine Park Act 1975 Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.06.08 to 31.02.09 and not Previously Gazetted
		Great Barrier Reef Marine Park Act 1975 Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.12.07 to 31.12.07 and not Previously Gazetted
		Great Barrier Reef Marine Park Act 1975 Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.5.08 to 31.5.08 and not Previously Gazetted
		Great Barrier Reef Marine Park Act 1975 Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.3.09 to 31.3.09 and not Previously Gazetted
P 2	4 August 2009	Environment Protection and Biodiversity Conservation Act 1999 Removal of places from the Commonwealth Heritage List
P 3	4 August 2009	Environment Protection and Biodiversity Conservation Act 1999 Inclusion of a place in the National Heritage List

Department of the Senate

Notification of disallowance

IT IS HEREBY NOTIFIED for general information that the Senate on 10 September 2009 passed a resolution disallowing the Aviation Transport Security Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 24 and made under the *Aviation Transport Security Act 2004* [F2009L00695].

HARRY EVANS Clerk of the Senate

Department of the House of Representatives

Acts of Parliament assented to

It is hereby notified, for general information, that Her Excellency the Governor-General, in the name of Her Majesty, assented on 7 September 2009 to the undermentioned Acts passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 77 of 2009—An Act to amend various Acts relating to law and justice, and for related purposes. (*Law and Justice (Cross Border and Other Amendments) Act 2009*).

No. 78 of 2009—An Act to amend the *Renewable Energy (Electricity) Act 2000*, and for related purposes. (*Renewable Energy (Electricity) Amendment Act 2009*).

No. 79 of 2009—An Act to increase the rate of renewable energy shortfall charge, and for related purposes. (*Renewable Energy (Electricity) (Charge) Amendment Act 2009*).

I C HARRIS Clerk of the House of Representatives

Government Departments

Attorney-General



Donald McDonald AC Director

Director Gordon and Gotch Private Bag 290 BURWOOD VIC 3125

rka Sii.

Notice to submit publication for classification within three days

I am writing to advise you that I have reviewed the following publication and that you are now required to submit an application for classification of this publication within three business days.

Title: Fiesta

Date of issue: Not marked Volume: Volume 35 Issue 10

Australian publisher/distributor: Gordon and Gotch

Number of pages: 140 Country of origin: England ISBN: (ISSN) 0265-1270

Modifications/ Comments: Includes a bonus booklet which is counted in the page count.

Under sub-section 46(1) of the Classification (Publications, Films and Computer Games) Enforcement Act 1995 (NSW), if:

- (a) the Director has reasonable grounds to believe that a publication is a submittable publication, and
- (b) the publication is being published in New South Wales, or the Director has reasonable grounds to believe that it will be published in New South Wales,

the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application under the Commonwealth Act for classification of the publication (or of subsequent issues of the publication).

'Submittable publication' is defined in section 5 of the Classification (Publications, Films and Computer Games) Act 1995 (Cth) (the Classification Act) to mean:

an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:

- (a) are likely to cause the publication to be classified RC; or
- (b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- (c) are unsuitable for a minor to see or read.

'Publish' is defined in section 5 of the Classification Act to include 'sell, offer for sale, let on hire, exhibit, display, distribute and demonstrate'.

It is an offence in Victoria to sell or deliver a submittable publication: subsection 25(1) of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic).

I have reasonable grounds to believe the above named publication is a submittable publication and I believe it has been published in NSW.

I have therefore decided to issue this notice requiring the publisher to submit an application for classification of the publication.

Information about how to apply, including the application form and fees, is available at www.classification.gov.au. You may also wish to contact David Emery, the Applications Manager, on (02) 9289 7100.

It is an offence not to comply within three business days after receiving this notice.

A notice of my decision will be published in the Commonwealth Gazette.

Donald McDonald

Director

September 2009



Donald McDonald AC
Director

Mr Pat Stella Manager P & O Distributors Pty Ltd Factory 25/ 283 Rex Road CAMPBELLFIELD VIC 3061

Den M. Stella

Notice to submit publication for classification within three days

I am writing to advise you that I have reviewed the following publication and that you are now required to submit an application for classification of this publication within three business days.

Title: Hawk

Date of issue: April 2005 Volume: Volume 14 Number 2

Australian publisher/distributor: P & O Distributors

Address: Factory 25/283 Rex Road Campbellfield VIC 3061

Number of pages: 116 Country of origin: Canada

ISSN: 1075-0797

Modifications/comments: two post print modification on cover.

Under sub-section 60(1) of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic), if:

- (a) the Director has reasonable grounds to believe that a publication is a submittable publication; and
- (b) the publication is being published in Victoria, or the Director has reasonable grounds to believe that it will be published in Victoria-

the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application for classification of the publication, or of subsequent issues of the publication, by the Board.

'Submittable publication' is defined in section 5 of the Classification (Publications, Films and Computer Games) Act 1995 (Cth) (the Classification Act) to mean:

an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:

- (a) are likely to cause the publication to be classified RC; or
- (b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- (c) are unsuitable for a minor to see or read.

'Publish' is defined in section 5 of the Classification Act to include 'sell, offer for sale, let on hire, exhibit, display, distribute and demonstrate'.

It is an offence in Victoria to sell or deliver a submittable publication: subsection 25(1) of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic).

I have reasonable grounds to believe the above named publication is a submittable publication and I believe it has been published in Victoria.

I have therefore decided to issue this notice requiring the publisher to submit an application for classification of the publication.

Information about how to apply, including the application form and fees, is available at www.classification.gov.au. You may also wish to contact David Emery, the Applications Manager, at david.emery@classification.gov.au or on (02) 9289 7100.

It is an offence not to comply within three business days after receiving this notice.

A notice of my decision will be published in the Commonwealth Gazette.

Donald McDonald

Director

September 2009



Donald McDonald AC Director

Mr Pat Stella Manager P & O Distributors Pty Ltd Factory 25/ 283 Rex Road CAMPBELLFIELD VIC 3061

Jean Mr Stella.

Notice to submit publication for classification within three days

I am writing to advise you that I have reviewed the following publication and that you are now required to submit an application for classification of this publication within three business days.

Title: High Society Pierced & Tattooed Date of production: January 2009

Volume: Volume 26 Number 1 special edition #222 Australian publisher/distributor: P & O Distributors

Address: Factory 25/283 Rex Road Campbellfield VIC 3061

Number of pages: 116 Country of origin: Canada

ISSN: 1079-4336

Modifications/comments: one post print modification on cover.

Under sub-section 60(1) of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic), if:

- (a) the Director has reasonable grounds to believe that a publication is a submittable publication; and
- (b) the publication is being published in Victoria, or the Director has reasonable grounds to believe that it will be published in Victoria-

the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application for classification of the publication, or of subsequent issues of the publication, by the Board.

'Submittable publication' is defined in section 5 of the Classification (Publications, Films and Computer Games) Act 1995 (Cth) (the Classification Act) to mean:

an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:

- (a) are likely to cause the publication to be classified RC; or
- (b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- (c) are unsuitable for a minor to see or read.

'Publish' is defined in section 5 of the Classification Act to include 'sell, offer for sale, let on hire, exhibit, display, distribute and demonstrate'.

It is an offence in Victoria to sell or deliver a submittable publication: subsection 25(1) of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic).

I have reasonable grounds to believe the above named publication is a submittable publication and I believe it has been published in Victoria.

I have therefore decided to issue this notice requiring the publisher to submit an application for classification of the publication.

Information about how to apply, including the application form and fees, is available at www.classification.gov.au. You may also wish to contact David Emery, the Applications Manager, at david.emery@classification.gov.au or on (02) 9289 7100.

It is an offence not to comply within three business days after receiving this notice.

A notice of my decision will be published in the Commonwealth Gazette.

Donald McDonald

Director

September 2009



Donald McDonald AC Director

Mr Pat Stella Manager P & O Distributors Pty Ltd Factory 25/ 283 Rex Road CAMPBELLFIELD VIC 3061

Dea nh Stilla,

Notice to submit publication for classification within three days

I am writing to advise you that I have reviewed the following publication and that you are now required to submit an application for classification of this publication within three business days.

Title: Real Babe presents Panty Play Date of issue: September 2008

Australian publisher/distributor: P & O Distributors

Address: Factory 25/283 Rex Road Campbellfield VIC 3061

Number of pages: 100 Country of origin: Canada

ISSN: 1094-9364

Modifications/comments: two post print modifications on cover.

Under sub-section 60(1) of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic), if:

- (a) the Director has reasonable grounds to believe that a publication is a submittable publication; and
- (b) the publication is being published in Victoria, or the Director has reasonable grounds to believe that it will be published in Victoria-

the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application for classification of the publication, or of subsequent issues of the publication, by the Board.

'Submittable publication' is defined in section 5 of the Classification (Publications, Films and Computer Games) Act 1995 (Cth) (the Classification Act) to mean:

an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:

- (a) are likely to cause the publication to be classified RC; or
- (b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- (c) are unsuitable for a minor to see or read.

'Publish' is defined in section 5 of the Classification Act to include 'sell, offer for sale, let on hire, exhibit, display, distribute and demonstrate'.

It is an offence in Victoria to sell or deliver a submittable publication: subsection 25(1) of the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic).

I have reasonable grounds to believe the above named publication is a submittable publication and I believe it has been published in Victoria.

I have therefore decided to issue this notice requiring the publisher to submit an application for classification of the publication.

Information about how to apply, including the application form and fees, is available at www.classification.gov.au. You may also wish to contact David Emery, the Applications Manager, at david.emery@classification.gov.au or on (02) 9289 7100.

It is an offence not to comply within three business days after receiving this notice.

A notice of my decision will be published in the Commonwealth Gazette.

Donald McDonald

Director

September 2009



Donald McDonald AC Director

Mr Pat Stella Manager P & O Distributors Pty Ltd Factory 25/ 283 Rex Road CAMPBELLFIELD VIC 3061

Notice to submit films for classification within three days

I am writing to advise you that the following unclassified films have come to my attention and that you are now required to submit applications for classification of the following films within three business days. These films were sold with the publications listed below.

Title: Busty Babes

Country of origin: Unknown Year of Production: Unknown

Publisher: Paul Raymond Publication

Sold with: Hawk, April 2005, Volume 14 Number 2

Title: Escort UK Shaggers Country of origin: Unknown Year of Production: Unknown

Publisher: Paul Raymond Publication

Sold with: Hawk, April 2005, Volume 14 Number 2

Under sub-section 60A(1) of the *Classification(Publications, Films and Computer Games)* (Enforcement) Act 1995 (Vic), if the director has reasonable grounds to believe that:

- (a) an unclassified film is not an exempt film; and
- (b) a person (publisher) has published, or will publish, the film in Victoria,

the Director may, by written notice given to the publisher of the film, require the publisher to submit an application for its classification.

'Publish' is defined in section 5 of the Classification Act to include 'sell, offer for sale, let on hire, exhibit, display, distribute and demonstrate'.

It is an offence in Queensland to exhibit or sell unclassified films: ss 9 and 15 of the Classification(Publications, Films and Computer Games) (Enforcement) Act 1995 (Vic).

I have reasonable grounds to believe the above named unclassified films are not exempt films and I believe they have been published in Victoria.

I have therefore decided to issue this notice requiring the publisher to submit applications for classification of the films listed above.

Information about how to apply, including the application form and fees, is available at www.classification.gov.au. You may also wish to contact David Emery, the Applications Manager, on (02) 9289 7100 or david.emery@classification.gov.au.

It is an offence not to comply within three business days after receiving this notice.

A notice of my decision will be published in the Commonwealth Gazette.

Donald McDonald

Director

September 2009



Donald McDonald AC Director

Ms Jeanette Dickinson Amsota Pty Ltd PO Box 316 DRUMMOYNE NSW 2047

Jear Ms. Duchenson

Notice to submit publication for classification within three days

I am writing to advise you that I have reviewed the following publication and that you are now required to submit an application for classification of this publication within three business days.

Title: Whitehouse Date of issue: 2007

Issue: 324

Number of pages: 84

Country of origin: Printed in Poland

ISSN: N/A

Modifications/comments: No post print modifications. Page 6 contains text 'Sabrina, Leanne

and Lucy'

Under sub-section 46(1) of the Classification (Publications, Films and Computer Games) Enforcement Act 1995 (NSW), if:

- (a) the Director has reasonable grounds to believe that a publication is a submittable publication, and
- (b) the publication is being published in New South Wales, or the Director has reasonable grounds to believe that it will be published in New South Wales,

the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application under the Commonwealth Act for classification of the publication (or of subsequent issues of the publication).

'Submittable publication' is defined in section 5 of the Classification (Publications, Films and Computer Games) Act 1995 (Cth) (the Classification Act) to mean:

an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:

- (a) are likely to cause the publication to be classified RC; or
- (b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- (c) are unsuitable for a minor to see or read.

'Publish' is defined in section 5 of the Classification Act to include 'sell, offer for sale, let on hire, exhibit, display, distribute and demonstrate'.

It is an offence in NSW to sell or deliver a submittable publication: subsection 19(1) of the Classification (Publications, Films and Computer Games) Enforcement Act 1995 (NSW).

I have reasonable grounds to believe the above named publication is a submittable publication and I believe it has been published in New South Wales.

I have therefore decided to issue this notice requiring the publisher to submit an application for classification of the publication.

Information about how to apply, including the application form and fees, is available at www.classification.gov.au. You may also wish to contact David Emery, the Applications Manager, on (02) 9289 7100 or david.emery@classification.gov.au.

It is an offence not to comply within three business days after receiving this notice.

A notice of my decision will be published in the Commonwealth Gazette.

Donald McDonald

Director

9 September 2009



Customs Act 1901 Notice under Section 15

Notice of Revocation Revocation No. 2436

I, Brennan Fraser-Bell, delegate of the Chief Executive Officer of Customs, under Subsection 33(3) of the *Acts Interpretation Act 1901* and subsection 15(2) of the *Customs Act 1901* revoke the appointment of the following wharf:

The premises known as Iron Ore Wharf that was contained in Commonwealth of Australia Gazette number GN5 dated 4 February 1998.

Dated this 20th day of July 2009

Brennan Fraser-Bell

Manager Enforcement Operations

Darwin NT



Customs Act 1901 Notice under Section 15

Notice of Revocation Revocation No. 2453

I, Brennan Fraser-Bell, delegate of the Chief Executive Officer of Customs, under Subsection 33(3) of the *Acts Interpretation Act 1901* and subsection 15(2) of the *Customs Act 1901* revoke the appointment of the following wharf:

The premises known as Bulk Loading Jetty and Barge Jetty that was contained in Commonwealth of Australia Gazette number GN17 dated 02 May 2007.

Dated this 26th day of August 2009

Brennan Fraser-Bell

Manager Enforcement Operations NT



Customs Act 1901 Notice under Section 15

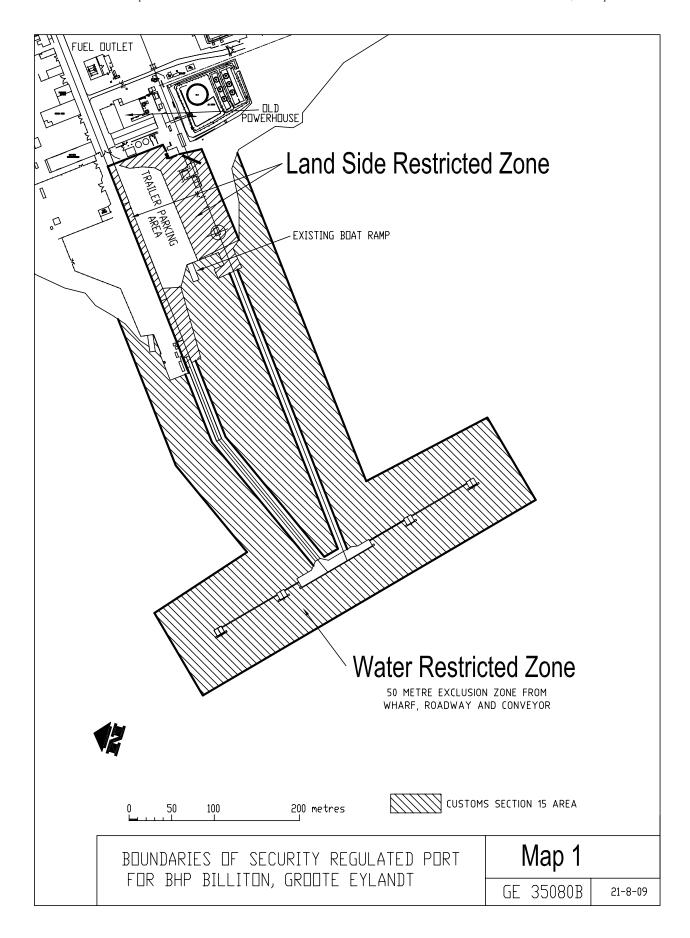
Wharf Appointment Appointment No. 2454

- I, Brennan Fraser-Bell, delegate of the Chief Executive Officer of Customs and Border Protection Service, under subsection 15(2) of the *Customs Act 1901* hereby:
- (a) Appoint as a wharf all those premises known as Bulk loading Jetty and Barge Jetty, Groote Eylandt on drawing number GE 35080B held on file by Customs and Border Protection Service, Darwin.
- (b) Fix the limits of this wharf, the bounds shown and described on the said drawing.

Dated the 26th Day of August 2009

Brennan Fraser-Bell

Manager Enforcement Operations NT



COMMONWEALTH OF AUSTRALIA CUSTOMS ACT 1901

NOTICE OF RATES OF EXCHANGE - section 161J $\it CUSTOMS\,ACT\,1901$

I, Wayne Baldwin, 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						(I	Foreign Currence	cy = AUS \$1)
Column 1	Column 2 Currency	Column 3 02/09/2009	Column 4 03/09/2009	Column 5 04/09/2009	Column 6 05/09/2009	Column 7 06/09/2009	Column 8 07/09/2009	Column 9 08/09/2009
Brazil	Real	1.5836	1.5867	1.5718	1.5608	1.5608	1.5608	1.569
Canada	Dollar	0.9207	0.9147	0.9208	0.9254	0.9254	0.9254	0.9239
China, PR of	Yuan	5.7529	5.6642	5.6961	5.7328	5.7328	5.7328	5.815
Denmark	Kroner	4.3718	4.3429	4.3521	4.3839	4.3839	4.3839	4.4269
European Union	Euro	0.5874	0.5833	0.5845	0.5888	0.5888	0.5888	0.5946
Fiji	Dollar	1.6801	1.6724	1.6766	1.6891	1.6891	1.6891	1.6963
Hong Kong	Dollar	6.5319	6.4314	6.4678	6.5088	6.5088	6.5088	6.603
India	Rupee	41.0345	40.7722	40.8404	41.0088	41.0088	41.0088	41.5378
Indonesia	Rupiah	8504	8398	8472	8499	8499	8499	8588
Israel	Shekel	3.1953	3.159	3.1738	3.1661	3.1661	3.1661	3.1976
Japan	Yen	78.38	77.01	76.93	77.78	77.78	77.78	79.32
Korea, Republic of	Won	1048.26	1034.53	1039.51	1042.98	1042.98	1042.98	1050.79
Malaysia	Ringgit	2.9716	2.9346	2.9516	2.9631	2.9631	2.9631	2.9986
New Zealand	Dollar	1.2259	1.2269	1.2361	1.2339	1.2339	1.2339	1.2362
Norway	Kroner	5.0568	5.0525	5.0763	5.079	5.079	5.079	5.1122
Pakistan	Rupee	69.73	68.48	68.87	69.4	69.4	69.4	70.43
Papua New Guinea	Kina	2.3027	2.2734	2.2863	2.3008	2.3008	2.3008	2.3342
Philippines	Peso	41.13	40.53	40.67	40.85	40.85	40.85	41.5
Singapore	Dollar	1.2143	1.1983	1.2029	1.21	1.21	1.21	1.2221
Solomon Islands	Dollar	6.7968	6.6919	6.7298	6.7726	6.7726	6.7726	6.871
South Africa	Rand	6.5393	6.5341	6.4952	6.4263	6.4263	6.4263	6.4811
Sri Lanka	Rupee	96.63	94.83	95.45	96.37	96.37	96.37	97.77
Sweden	Krona	5.9881	6.0337	6.0195	6.0666	6.0666	6.0666	6.0922
Switzerland	Franc	0.8905	0.8842	0.8849	0.8916	0.8916	0.8916	0.902
Taiwan Province	Dollar	27.67	27.24	27.39	27.58	27.58	27.58	27.95
Thailand	Baht	28.62	28.19	28.38	28.56	28.56	28.56	28.98
United Kingdom	Pound	0.5171	0.5133	0.5128	0.5141	0.5141	0.5141	0.5195
USA	Dollar	0.8428	0.8298	0.8345	0.8398	0.8398	0.8398	0.852

Wayne Baldwin Delegate of the Chief Executive Officer of Customs Canberra ACT 08/09/2009

Education, Employment and Workplace Relations

Fair Work (Registered Organisations) Act 2009

Fair Work Australia Terrace Tower Level 8, 80 William Street EAST SYDNEY NSW 2011

NOTICE OF APPLICATION FOR THE REGISTRATION OF AN ASSOCIATION OF EMPLOYERS

(D2009/111)

NOTICE is given that an application has been made under the *Workplace Relations Act 1996*, Schedule 1 (now the *Fair Work (Registered Organisations) Act 2009*) for the registration of an association called "Australian Security Industry Association Ltd" as an organisation of employers.

A copy of the application has been published on the website of Fair Work Australia at: http://www.fwa.gov.au (under "Registered Organisations", click on "Gazette Notices").

Alternatively, a copy of the application can be obtained on request from Fair Work Australia. Requests should be directed to David Vale, Fair Work Australia, Level 8, 80 William Street, East Sydney NSW 2011 (Fax: (02) 9380 6990 or E-mail: sydney@fwa.gov.au).

The proposed eligibility rules of the association are:

"5.0 ELIGIBILITY FOR MEMBERSHIP

5.1 Members of the Association

5.1.1 The business entities represented by the signatories to this Constitution and such other persons as the Board shall admit to Membership in accordance with this Constitution shall be members of the Association.

5.2 Classes of Membership

Membership in the Association shall be divided into and comprise at least four (4) classes as follows:

- (a) Corporate Membership means those Companies, and enterprises, which primarily are engaged in the provision of security products or services to the community for reward and as such are involved in the Private Security Industry.
- (b) Associate Membership means those Companies and enterprises, which primarily are not engaged in the provision of security products or services and/or if so engaged, do not do so to the community for reward.
- (c) Individual Membership means those individual persons who are engaged or have an interest in the provision of security products or services to the community. Individual Membership is an information service only.
- (d) Affiliate Membership means any company, enterprise or individual person whether in Australia or overseas not being eligible for Corporate, Associate or Individual Membership may apply for and may be awarded Affiliate Membership by the Board at its sole discretion.
- (e) Only Corporate Membership shall be entitled to:
 - A. Vote at general meetings of the Association;
 - B. Stand for any office or position within the Association;
 - C. Use the ASIAL logo; and
 - D. Be listed in any ASIAL Directory, whether print or electronic.

5.3 Corporate membership criteria

- 5.3.1 The minimum Corporate Membership entry criteria will be set down by the Board from time to time and shall comprise of the minimum requirements as outlined below which are to include but not limited to:
- (a) Active continual operation within the private security industry for at least two (2) years;
- (b) During the period of operation to not have received adverse reports from any licensing or other government agency;
- (c) Submission to Association compliance inspection requirements;
- (d) Having nil outstanding legitimate consumer complaints;
- (e) Hold statutory approved current public liability insurance cover; and
- (f) Being free of any unresolved probity or licence issues.

The Membership application form shall stipulate the Membership criteria.

- 5.3.2 Provisional Corporate Membership applies as follows:
- (a) Companies and enterprises not meeting the minimum Corporate Membership criteria can be provisionally accepted into this class of Corporate Membership subject to their fulfilling the criteria within two (2) years of written acknowledgement by the Association of acceptance of their application.
- (b) At the conclusion of 12 months but before the expiry of the two-year period, Members are required to apply for full Corporate Membership. Failure to obtain full Corporate Membership within the two-year period of Provisional Corporate Membership will result in the Provisional Corporate Member's status being reviewed. At the sole discretion of the Board the Provisional Corporate Member status may be extended on such terms as decided by the Board.
- (c) Companies or enterprises which qualify to be placed in the Provisional Corporate Membership category shall be entitled to receive all services and general notices sent out by the Association to its Corporate Members and to attend and speak at general meetings of the Association and generally to participate in the activities of the Association.
- 5.3.3 Provisional Corporate Members however shall not be entitled to:
- (a) Vote at general meetings of the Association;
- (b) Stand for any office or position within the Association;
- (c) Use the ASIAL logo;
- (d) Be listed in any ASIAL Directory, whether print or electronic; and
- (e) Make reference either orally or in writing that their Membership status is more than Provisional."

Any interested organisation registered under the Fair Work (Registered Organisations) Act 2009, association or person who desires to object to the application may do so by lodging with Fair Work Australia, marked to the attention of David Vale, a notice of objection accompanied by a written statement within thirty-five (35) days after the publication of this advertisement and by serving on the organisation, whose address for service is 41 Hume St, Crows Nest NSW 2065 within seven (7) days after the notice of objection has been lodged, copies of the notice of objection and written statement so lodged.

Tim Lee General Manager Fair Work Australia

Environment, Water, Heritage and the Arts



Australian Government

Department of the Environment, Water, Heritage and the Arts

NOTICE OF DECISION TO GRANT A PERMIT 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 on **?** September 2009 a permit was granted to Fuji Xerox Asia Pacific Pte Limited (Australian Business Number 26 103 964 629), 101 Waterloo Road, North Ryde, New South Wales, 2113 (telephone (02) 9856 5409, facsimile (02) 9856 5003). The permit is to export up to 2,500,000kg of waste electrical and electronic scrap to Fuji Xerox Eco-manufacturing Co. Ltd, 41/1 Moo 8, Tambon Bowin, Amphur Sriracha, Chonburi 20230, Thailand (telephone +66 (0) 38 345173, facsimile +66 (0) 38 345008).

The waste will be packed onto wooden pallets and loaded into shipping containers and transported by road to be loaded onto a ship at the Ports of Sydney, Melbourne, Adelaide, Perth and Brisbane, Australia to be off loaded at the port of Leam Chabang, Thailand. From there it will be transported by road to Fuji Xerox Eco-manufacturing Co. Ltd, Chonburi, Thailand, where it must be recycled by recovery operation R13 'accumulation of material intended for another disposal operation', R3 'recycling/reclamation of organic substances which are not used as solvents', R4 'recycling/reclamation of metals and metal compounds', R5 'recycling/reclamation of other inorganic compounds' and R1 'use as a fuel (other than by direct incineration) or by other means to generate energy''.

Movements will transit through Singapore.

The export will take place in up to one hundred and twenty (120) shipments until 31 July 2010.

Dr Barry Reville Assistant Secretary Environment Protection Branch

BA

Subject to the Administrative Appeals Tribunal Act 1975, a person or persons whose interests are affected by this decision may, within 28 days, make an application in writing to the Department of the Environment and Heritage requesting the reasons for the decision.

An application for independent review of the decision may be made to the Administrative Appeals Tribunal on payment of the relevant fee by the applicant within 28 days of receipt of the reasons for the decision, or within 28 days of this notice if the reasons for the decision are not sought. Applications should be made to the Deputy Registrar, Administrative Appeals Tribunal in your capital city, see under Commonwealth Government Section in the White Pages. Further information or enquiries should be directed to:

Director, Hazardous Waste Section
Department of the Environment, Water, Heritage and the Arts
GPO Box 787
CANBERRA ACT 2601

Telephone (02) 6274 1411, Facsimile (02) 6274 1164, or by E-mail at hwa@environment.gov.au.

COMMONWEALTH OF AUSTRALIA Environment Protection and Biodiversity Conservation Act 1999 REVOCATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, Neil Ellis, Acting Assistant Secretary, Wildlife Branch, as Delegate of the Minister for the Environment, Heritage and the Arts under the *Environment Protection and Biodiversity Conservation Act 1999* (the Act), am satisfied that an operation to breed Australian lungfish (*Neoceratodus forsteri*) by Mr Gordon Hides of Wildgrove Pty Ltd has ceased and no longer continues to meet the conditions of the original declaration. As Wildgrove Pty Ltd is no longer operating, under subsection 303FT(6) I revoke the declaration that Wildgrove Pty Ltd is an Approved Wildlife Trade Operation.

Dated this ninth day of September 2009

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

Mellis

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

Director, Wildlife Trade Assessments
Department of the Environment, Water, Heritage and the Arts
GPO Box 787
CANBERRA ACT 2601
Telephone: (02) 6274 2880 Facsimile: (02) 6274 1921

COMMONWEALTH OF AUSTRALIA Environment Protection and Biodiversity Conservation Act 1999 DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION

I, Neil Ellis, Acting Assistant Secretary, Wildlife Branch, as Delegate of the Minister for Environment, Heritage and the Arts under the *Environment Protection and Biodiversity Conservation Act 1999*, am satisfied that an operation to harvest and export Australian land hermit crabs (*Coenobita variabilis*) by Merv Cooper's Crazy Crabs, is a small-scale operation as defined by regulation 9A.20 under subsection 303FN(10). I declare under section 303FN(2) that Merv Cooper's Crazy Crabs is an Approved Wildlife Trade Operation.

This declaration has effect subject to the following conditions applied under S303FT:

- The operation is to be undertaken in accordance with the proposal submitted by Merv Cooper and exhibited for public comment on 10 June 2009.
- All specimens of Coenobita variabilis exported under this wildlife trade operation
 will be collected under a valid Western Australian Department of Fisheries
 Commercial Fishing Licence;
- 3. An annual report covering the period from 1 July to 30 June containing all harvest and export figures for *Coenobita variabilis* is to be provided to the Department of the Environment, Water, Heritage and the Arts by the proprietors of Merv Cooper's Crazy Crabs by 31 August each year; and
- 4. This declaration is valid from the date of gazettal until 31 January 2012.

Dated this ainth day of September 2009

Mellis

Delegate of the Minister for Environment, Heritage and the Arts

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

Director, Wildlife Trade Assessments
Department of the Environment, Water, Heritage and the Arts
GPO Box 787
CANBERRA ACT 2601
Telephone: (02) 6274 2880 Facsimile: (02) 6274 1921



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 Dodd and Dodd Group Pty Ltd of 11 Kennedy Street, Maylands, WA, 6051 for the export of up to 4,000 tonnes of used lead acid batteries (ULABs) to Korea Zinc Company Ltd, Onsan Complex, 505 Daejung-Ri Onsan-Eup, Ulju-Kun, Ulsan, in the Republic of Korea.

The material is destined for recycling and reclamation of metals and metal compounds. The waste would be shipped from Fremantle, Australia and be transported by sea transiting Port Kelang in Malaysia on the way to the port of Busan in the Republic of Korea. The waste will then be transported by road or rail to the disposal facility, Korea Zinc Company Ltd, Onsan Complex, 505 Daejung-Ri Onsan-Eup, Ulju-Kun, Ulsan, in the Republic of Korea.

If granted an export permit, transport of the waste to the Republic of Korea would take place over a twelve (12) month period.

Dr Barry Reville Assistant Secretary Environment Protection Branch September 2009

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
2009/5031	Main Roads Western Australia/Transport - land/Kwinana	Listed threatened species and	7-Sep-2009
	Freeway to Stock Road/WA/Roe Highway extension,	communities (sections 18 & 18A)	
	Kwinana Freeway to Stock Road, WA	Listed migratory species (sections	
		20 & 20A)	

ASSESSMENT APPROACH (EPBC Act s.87)

Reference	Title	Assessment Approach	Date
2009/5002	Roads and Traffic Authority of NSW/Transport -	Referral Information	2-Sep-2009
	land/Glenugie/NSW/Proposed Upgrade of the Pacific Highway		
	between Franklins Road and Eight Mile Lane, Glenugie, NSW		

^{*} 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
2008/4161	Stockland Highlands Pty Ltd/Residential development/25km north of	Approved with conditions	3-Sep-2009
	Melbourne/VIC/Residential Development Craigieburn		

VARIATION OF CONDITIONS OF APPROVAL (EPBC Act s.143)

Reference	Title	Date
2008/3959	Property Projects NQ Pty Ltd/Residential development/Lot 2 RP732964, West of Tully-Mission Beach	
	Rd, Mission Beach/QLD/Tully-Mission Beach Road 40 Lot Residential Subdivision	
2008/4123	Denis Gillen/Residential development/Valley Drive, Cannonvale, Shire of Whitsunday/QLD/Lot 6	9-Sep-2009
	Residential Subdivision - 59 lots	

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.

NOTICE OF EXEMPTION FROM A PROVISION OF PART 3 AND CHAPTER 4 (EPBC Act s.158(7))

Pursuant to paragraph 158(7)(a) of the Environment Protection and Biodiversity Conservation Act 1999 and paragraph 16.02(1)(a) of the Environment Protection and Biodiversity Conservation Regulations 2000, notice is hereby given that the Minister for the Environment, Heritage and the Arts, has decided that the following person is exempted from the application of the following provision of the Environment Protection and Biodiversity Conservation Act 1999 in relation to the following action.

A copy of the Minister's decision notice and a statement of reasons for this decision are publicly available at the following internet address: http://www.environment.gov.au/epbc/notices/exemptions.html

Commonwealth of Australia

Exemption under section 158 of the Environment Protection and Biodiversity Conservation Act 1999

I, Peter Garrett, Minister for the Environment, Heritage and the Arts, being satisfied that it is in the national interest to do so, hereby exempt, under section 158 of the *Environment Protection and Biodiversity Conservation Act 1999*, the persons specified in this notice, from the application of all of the provisions of Part 3 and Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999* in relation to the action specified in this notice.

Specified persons

- PTTEP Australasia (Ashmore Cartier) Pty Ltd (ACN: 004 210 164); and
- any person authorised, directed or requested by PTTEP Australasia (Ashmore Cartier)
 Pty Ltd to take the specified action.

Specified action

The drilling of a relief well (and all associated activities) in production licence AC/L7 or AC/L8 to stop the current uncontrolled flow of oil, gas and condensate from the Montara H1 well including but not limited to:

- drilling a relief well in an appropriate location (anticipated to be approximately 2km from the Montara Well Head Platform) using the West Triton drilling rig, taking currents, winds and well geometry into account;
- designing the relief well to have good formation strength near the intercept point with the Montara H1 well, approximately 2500m below the sea bed surface;
- · drilling to a secure point above this target point;
- using precision technology to drill into the Montara H1 well;
- pumping mud into the well to stop the flow of oil, gas and condensate;
- cleaning up the West Atlas rig and making it safe to tow away from the Montara well head platform.

This exemption	on takes effect on the	e date of this notice.	
	MW/	A	
Minister	for the Environmen	t, Heritage and the Arts	6 A)
Dated this		day of_	\$ 10 Kg600



Australian Government

Department of the Environment, Water, Heritage and the Arts

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

Notice of an application for protection of two areas at Lake Benanee near **Euston, New South Wales – invitation to make representations**

I, Peter Willis, hereby give notice as follows:

The Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, who is responsible for the administration of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (the Act), has received an application made under section 10 of the Act seeking to protect two areas on the north-eastern shore at Lake Benanee near Euston in New South Wales. The application claims that the area is significant in accordance with Aboriginal tradition and it is under threat of injury and desecration from access by vehicle and operation of a pumping station by officers of the NSW National Parks & Wildlife Service, Department of Environment and Climate Change and a landowner. Details of the application are outlined below.

The applicant

The application has been lodged by Mr Brendan Kennedy as Chairperson of the Tati Tati Aboriginal Corporation.

The area sought to be protected

The application relates to two areas located about 12 kilometres from Robinvale, Victoria. The two areas are about 500 and 600 metres south of the Sturt Highway respectively. They are 30 meter radius from points 54673365E / 6178103N and 54673301E / 6178032N. The attached map identifies the area sought to be protected.

Claimed nature of significance

The applicant states that the areas being sought to be protected are of particular significance to the Tati Tati and Muthi Muthi people. The applicant states the area contains Aboriginal cultural heritage sites including burial sites, hearths, stone artifacts and other occupation sites.

The applicant also states:

"Lake Benanee is an ancient lake that has continued to be integral part of our culture, the Tati Tati lived, camped, hunted, fished, held ceremonies, danced, sang songs and told stories of ancient ancestral beings and gave birth and performed sacred rituals and burials on the shores of the lake, this water source also contains not only our links to our ancestor's but will continue to sustain our tribes indefinably, our burial sites... [have] to be protected and preserved so as the Tati Tati can continue [to] care for our country knowing that we have not neglected our cultural responsibilities – rights – traditions and customs and maintain our spiritual connection to the burials at lake benanee."

Claimed threat of injury or desecration

The applicant states that the areas specified above are under threat of injury and desecration because:

"It is our strong belief that our areas will be used and treated in a manner inconsistent with Tati Tati Tradition and therefore destroying our ability to further practice our culture."

• "These highly significant sites have recently been desecrated and disturbed from land development and are constantly under threat of destruction from the landowner."

The applicant states that passage over and entry to the areas are inconsistent with Tati Tati Tradition. The application claims the maintenance and operation of the pumping station as well as access by vehicle and use of equipment is desecrating and destroying cultural sites. These activities are said to be impacting on the Tati Tati's ability to preserve their cultural practices and adversely affects their beliefs and educational resources that they depend on to maintain and pass on cultural practices. The applicant also claims that the disturbance to ancestral burials constitutes the most significant destruction of Aboriginal lore and custom.

The Minister will consider a report submitted to him under section 10 of the Act in relation to the area identified for protection before deciding whether to make a declaration under section 10 of the Act in relation to that area. The report will deal with:

- (a) the particular significance of the area to Aboriginals;
- (b) the nature and extent of the threat of injury to, or desecration of, the area;
- (c) the extent of the area that should be protected;
- (d) the prohibitions and restrictions to be made with respect to the area;
- (e) the effects the making of a declaration may have on the proprietary or pecuniary interests of persons other than the Aboriginal or Aboriginals on whose behalf the application is made;
- (f) the duration of any declaration; and
- (g) the extent to which the areas are or may be protected by or under a law of the State of New South Wales, and the effectiveness of any remedies available under any such law.

I have been nominated by the Minister to prepare a report for the purposes of section 10 of the Act in relation to the area identified for protection.

Invitation to make representations

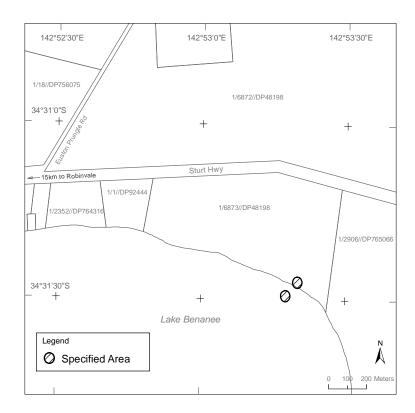
Interested persons are invited to furnish representations in connection with my report to:

Mr Peter Willis c/- Clerk G, Owen Dixon Chambers 205 William Street MELBOURNE VIC 3000

Telephone: (03) 9225 8558 Fax: (03) 9225 6633

Representations must be made in writing by close of business on 16 October 2009.

To satisfy legal requirements of procedural fairness, your representations may be made available to other persons with a particular interest in the outcome of the application. If you wish to claim confidentiality for any part of your representations, you should discuss this matter with me directly. All representations will be attached to the report and provided to the Minister for the Environment, Heritage and the Arts along with my report. **You should not send your representations to the Minister.**





Australian Government

Department of the Environment, Water, Heritage and the Arts

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

Notice of an application for protection of an area of land and water on the Murray River at Robinvale, Victoria – invitation to make representations

I, Peter Willis, hereby give notice as follows:

The Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM MP, who is responsible for the administration of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (the Act), has received an application made under section 10 of the Act seeking to protect an area of land and water situated on the Murray River at Robinvale in Victoria. The application claims that the area is significant in accordance with Aboriginal tradition and it is under threat of injury and desecration from the intended construction of a pipeline and pump station by Lower Murray Water. Details of the application are outlined below.

The applicant

The application has been lodged by Mr Brendan Kennedy as Chairperson of the Tati Tati Aboriginal Corporation.

The area sought to be protected

This place is located about 4 kilometres from Robinvale. The attached map identifies the area sought to be protected.

Claimed nature of significance

The applicant states that the area being sought to be protected is an area of particular significance to the people. The applicant states that the Murray River is a spiritual being that flows through Tati Tati country. The applicant also states:

- 'all water is cultural heritage to my people, we are river people and the ancient river is our spiritual entity because the waters were created by Ancestral Beings from the beginning of time.'
- 'The river bank is where we *gupilapa* (drink) *gadini* (water) and we derive our culture, our languages, our *barimbu* totem animals, our *wanilada* (songs), our strength, *wariba* our dances, our *raug* (campsites), our shelters, our rituals, our heritage, our customs, our traditions, our lore, our stories, our sustainance, our resources, our *nundu* (ceremonies), our *luni* (burial sites), *daraiamu* (corroboree), buned (rushes) *bugu* (shade) our lifestyle from the river bank and water, the river bank is where we go to be with our river and make sure that our "*Gadini*" is alright and cared for.'
- The area is where knowledge and ancestral stories and songs (*waniladan*) are passed on and that Tati Tati people access and use the river system in accordance with their traditions and customs.
- 'The area contains an ancient Tati Tati Burial area ...'
- The area contains Aboriginal cultural heritage sites including, stone artefacts, shell middens, hearths and scar trees.

Claimed threat of injury or desecration

The applicant states that the area specified above is under threat of injury and desecration because:

- Water is Aboriginal cultural heritage and it is being treated and used in a manner that is not in accordance with Aboriginal tradition in that the water is going to be pumped out of our ancient "Gadini" Water way through the Lower Murray Water Pump station and into and through its pipeline, therefore creating new water-ways that can be interpreted and observed by the Traditional owner's to be the formation of new creeks and tributaries.
- The construction of the pump station and pipeline Lower Murray Water will clear native vegetation and will undertake mass excavation or trenching of the river bank and this will result in the use of the river bank in a manner inconsistent with Tati Tati traditions, customs, lore's and culture.

The Minister will consider a report submitted to him under section 10 of the Act in relation to the area identified for protection before deciding whether to make a declaration under section 10 of the Act in relation to that area. The report will deal with:

- (a) the particular significance of the area to Aboriginals;
- (b) the nature and extent of the threat of injury to, or desecration of, the area;
- (c) the extent of the area that should be protected;
- (d) the prohibitions and restrictions to be made with respect to the area;
- (e) the effects the making of a declaration may have on the proprietary or pecuniary interests of persons other than the Aboriginal or Aboriginals on whose behalf the application is made;
- (f) the duration of any declaration; and
- (g) the extent to which the areas are or may be protected by or under a law of the State of Victoria, and the effectiveness of any remedies available under any such law.

I have been nominated by the Minister to prepare a report for the purposes of section 10 of the Act in relation to the area identified for protection.

Invitation to make representations

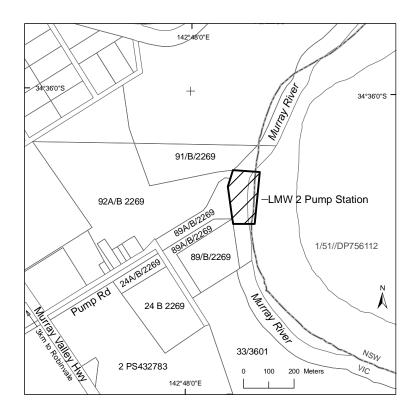
Interested persons are invited to furnish representations in connection with my report to:

Mr Peter Willis c/- Clerk G, Owen Dixon Chambers 205 William Street MELBOURNE VIC 3000

Telephone: (03) 9225 8558 Fax: (03) 9225 6633

Representations must be made in writing by close of business on 16 October 2009.

To satisfy legal requirements of procedural fairness, your representations may be made available to other persons with a particular interest in the outcome of the application. If you wish to claim confidentiality for any part of your representations, you should discuss this matter with me directly. All representations will be attached to the report and provided to the Minister for the Environment, Heritage and the Arts along with my report. **You should not send your representations to the Minister.**





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 Typ		Family Name / Product Name / Model Reference	Registration Number	
DUNNINGS	Tap outlet only	Addition to Family Name: Dunnings 3 Star Tap Equipment Dunnings Basix	R000551B	
CASA LUSSO	Toilet suite	Family Name: Allure CT-1277	R001901	
V-ZUG	Dishwashers	Family Name: Adora Adora 60SL	R001902	
HANSA	Tap only	Addition to Family Name: Hansa 6* taps HansaMix-E	R000964A	
ASTIVITA	Tap only	Addition to Family Name: ASTIVITA SINK ASBAC, BEBAC, BOBAC, DIBAC, ECBAC, ELBAC, ENBAC, GEBAC, GIBAC, ISBAC, MEBAC, TOBAC, ASTOBAC, ASTOBAC, BETOBAC, BOTOBAC, DITOBAC, ECTOBAC, ELTOBAC, ENTOBAC, GETOBAC, GITOBAC, ISTOBAC, METOBAC, TOTOBAC	R001365D	
ASTIVITA	Tap only	Addition to Family Name: Astivita basin ECSIC, GISIC, ASVEGC, BEVEGC, BOVEGC, MEVEGC, TOVEGC, ASGOSC, BEGOSC, BOGOSC, DIGOSC, ECGOSC, ELGOSC, ENGOSC, GEGOSC, GIGOSC, ISGOSC, MEGOSC, TOGOSC, ASLAC, BELAC, BOLAC, DILAC, ECLAC, ENLAC, GELAC, ELLAC, GILAC, ISLAC, MELAC, TOLAC, ASSIC, BESIC, BOSIC, DISIC, ELSIC, ENSIC, GESIC, ISSIC, MESIC, TOSIC, DIVEGC, ECVEGC, ELVEGC, ENVEGC, GEVEGC, GIVEGC, ISVEGC	R001364B	
CAROMA	WC pan only	Addition to Family Name: Caroma 4 Star Pearl WF CC 4S Pan	R000008EA	
ARDA	Clothes Washing Machine	Family Name: RVP60RC RVP60RC	R001903	
STALBERG	Showers	Family Name: A-11 and A12 A-11	R001904	
J.88	Showers	Addition to Family Name: J.88 hand held shower S5 0604	R001181B	
J.88	Showers	Addition to Family Name: J.88 hand held shower S5 H010	R001181C	
DAEWOO	Clothes Washing Machine	Family Name: DW-900C DW-900C	R001905	
SUSSEX TAPS	Tap and tap outlet set	Addition to Family Name: Tap-1 Voda Basin Set	R000242B	
SUSSEX TAPS	Tap and tap outlet set	Addition to Family Name: Tap-2 Voda Hob Sink Set, Voda Wall Sink Set	R000240B	
THE SINK WAREHOUSE	Showers	Family Name: Sinkware house 0 Showers ROBO803, SB 1120	R001906	
J.88	Showers	Addition to Family Name: J.88 Rain shower S4 2216, S4 3002, S4 H038	R001182B	

Brand Name	Product Type	Family Name / Product Name / Model Reference	Registration Number
J.88	Showers	Addition to Family Name: J.88 Rain shower S2 0801, S2 R0601, S2 R0803, S2 R0812, S2 Y0812	R001182C
J.88	Showers	Addition to Family Name: J.88 Rain shower S2 S0610, S2 S1201, S2 Z0801	R001182D
ELECTROLUX	Dishwashers	Addition to Family Name: Electrolux ESL66010B	R001879A



Delegate of the Water Efficiency Labelling and Standards Regulator 16 September 2009

Finance and Deregulation





REGISTER OF POLITICAL PARTIES

Notice of change to the Register of Political Parties

As delegate of the Australian Electoral Commission and pursuant to the provisions of Part XI of the Commonwealth Electoral Act 1918, on 8 September 2009 I approved an application from the Australian Shooters Party (ASP) to change the Register of Political Parties by changing:

the party's registered name to: **Shooters and Fishers Party**

the party's registered abbreviation to: **Shooters and Fishers**

Sue Sayer Director Funding and Disclosure Delegate of the Australian Electoral commission

Health and Ageing



Australian Government

Department of Health and Ageing Therapeutic Goods Administration

THERAPEUTIC GOODS ACT 1989

THERAPEUTIC GOODS REGULATIONS 1990

DESIGNATION OF HUMAN HEPATITIS B IMMUNOGLOBULIN [HEPATECT CP] AS AN ORPHAN DRUG

I, Dr Ruth Lopert, Delegate of the Secretary for the purposes of 16J of the *Therapeutic Goods Regulations 1990* ("the Regulations"), acting under sub-regulation 16J(2) of the Regulations, designate human hepatitis B immunoglobulin (HEPATECT CP) as an orphan drug on 27 August 2009 for prophylaxis against re-infection of a transplanted liver in patients who carry the surface antigen of the hepatitis B virus.

The dose form of human hepatitis B immunoglobulin (HEPATECT CP) is solution for intravenous infusion.

The sponsor of human hepatitis B immunoglobulin (HEPATECT CP) is Link Medical Products Pty Ltd.

(Signed)

Dr Ruth Lopert Principal Medical Adviser Delegate of the Secretary

Dated this 28th Day of August 2009



THERAPEUTIC GOODS ACT 1989

CANCELLATION OF ENTRIES FROM THE AUSTRALIAN REGISTER OF THERAPEUTIC GOODS

I, Larry Kelly, delegate of the Secretary to the Department of Health and Ageing for the purposes of section 41GP of the Therapeutic Goods Act 1989 (the Act), hereby publish details of the following entry that has been cancelled from the Australian Register of Therapeutic Goods under subsection 41GN(1) of the Act.

Hanza Trading Sponsor:

ARTG name of goods: Hot/Cold compress

ARTG number: 119198

Date cancelled: 3 September, 2009

Reason: The Secretary is satisfied that the certification, or part of a certification, under Section 41FD of the Act in relation to the application for inclusion of ARTG number 119198, in the Register is incorrect or is no longer correct in a material particular.

Signed by Dr Larry Kelly

Dr Larry Kelly Delegate of the Secretary to the Department of Health and Ageing

8 September 2009



THERAPEUTIC GOODS ACT 1989

SECTION 14 AND 14A NOTICE

I, a delegate of the Secretary of the Department of Health and Ageing for the purposes of sections 14, 14A and 15 of the *Therapeutic Goods Act 1989* ("the Act"), hereby give my consent, pursuant to sections 14 and 14A of the Act for Hospira P/L, Level 3, 390 St Kilda Rd, Melbourne, Vic 3004, to supply Granocyte 13 (lenograstim rch) 105µg powder for injection vial (AustR 79436) with labels which do not comply with the requirements of Therapeutic Goods Order No 69 - "General Requirements for Labels for Medicines".

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

- 1. the company may distribute stock with labels bearing the previous name of the sponsor (Mayne Pharma P/L) instead of the current name (Hospira P/L);
- 2. until current stock is used or until 31 Oct 2009 whichever is sooner.

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

(signed by)
Kevin Grant
Delegate of the Secretary
Office of Laboratories and Scientific Services
9 Sep 2009



Australian Government

Australian Radiation Protection and Nuclear Safety Agency

NOTIFICATION OF APPLICATION AND INTENTION TO MAKE A DECISION FOR A FACILITY LICENCE PURSUANT TO THE AUSTRALIAN RADIATION PROTECTION AND NUCLEAR SAFETY ACT 1998

I, Peter Anthony Burns, Acting CEO of the Australian Radiation Protection and Nuclear Safety Agency, intend to make a decision under section 32 of the Australian Radiation Protection and Nuclear Safety Act 1998 in relation to the following application for a facility licence:

Application No. A0213 by the Australian Defence Force and Department of Defence to possess and control a prescribed radiation facility (a radioactive waste storage facility) at Woomera, South Australia.

Peter Anthony Burns Acting CEO of ARPANSA

Date: 27/5/0

E-mail: info@arpansa.gov.au



9 September 2009

INVITATION TO COMMENT

CONSULTATION RARMP FOR LICENCE APPLICATION DIR 091 FROM DOW AGROSCIENCES AUSTRALIA LTD

Commercial Release of Genetically Modified (GM) Cotton

Australia's gene technology regulatory system is designed to protect the health and safety of people and the environment by identifying risks posed by, or as a result of, gene technology and managing those risks.

The Gene Technology Regulator is currently assessing Licence Application DIR 091 from Dow AgroSciences Australia Ltd for a commercial release of GM insect resistant cotton known as WideStrikeGTM Insect Protection cotton.

The proposed commercial release of GM cotton plants would take place, without containment measures, in growing regions south of latitude 22° South. Products from the GM cotton plants are proposed to be used in the same manner as that from non-GM and commercially approved GM cotton. However, the Regulator has proposed some restrictions on the use of cotton seed for livestock feed and on transport in northern Australia.

A consultation Risk Assessment and Risk Management Plan (RARMP) has been prepared, which concludes that the proposed release would pose negligible to low risk to human health and safety or to the environment. If a licence were to be issued, general conditions are proposed to ensure there is ongoing oversight of the release, and specific conditions are proposed to mitigate the low risks identified.

The Regulator welcomes written submissions in order to finalise the RARMP, which will then form the basis of a decision on whether to issue the licence. The consultation RARMP and related documents can be obtained from the website <http://www.ogtr.gov.au under 'What's New' or by contacting the Office. Please quote application DIR 091 in any correspondence.

Submissions should be received by close of business on 21 October 2009.

Office of the Gene Technology Regulator, MDP 54, GPO BOX 9848 CANBERRA ACT 2601 Telephone: 1800 181 030 Facsimile: 02 6271 4202 E-mail: ogtr@health.gov.au

Infrastructure, Transport, Regional Development and Local Government

s28/2009028



Aviation Transport Security Act 2004

NOTICE OF DECLARATION OF SECURITY CONTROLLED AIRPORT AND AIRSIDE AREA – KAMBALDA AIRPORT

I, MARK STEPHEN SHEEN, Acting General Manager, Transport Security Operations Branch, Office of Transport Security, Department of Infrastructure, Transport, Regional Development and Local Government,

DECLARE that Kambalda Airport is a security controlled airport under section 28 of the *Aviation Transport Security Act 2004* (the Act).

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

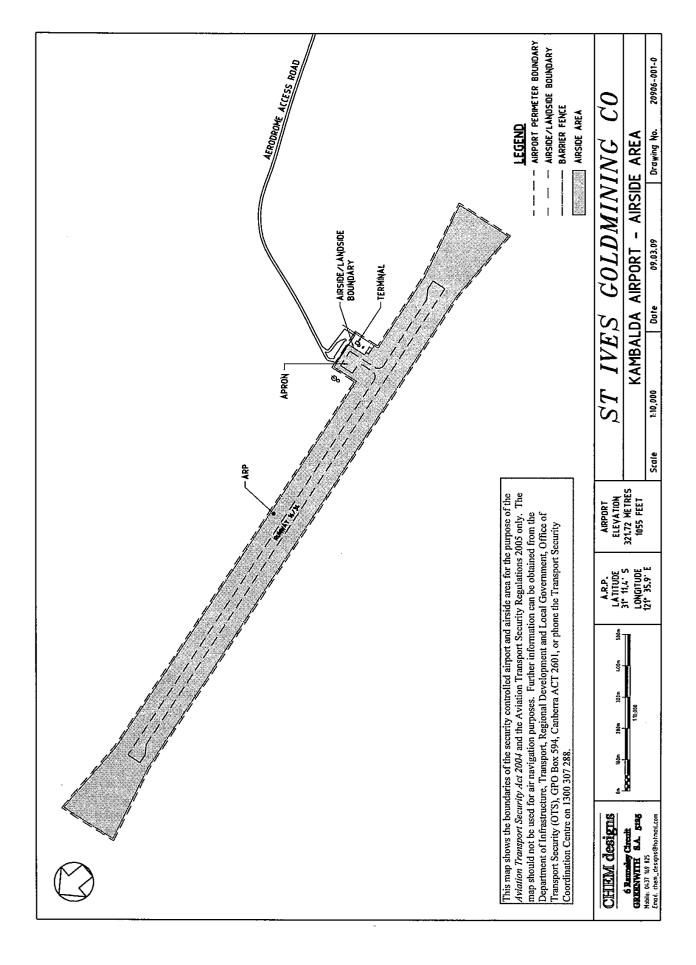
This Notice commences upon Gazettal.

Date: September 2009

Mark Sheen

Delegate of the Secretary of the

Department of Infrastructure, Transport, Regional Development and Local Government



Innovation, Industry, Science and Research

Commonwealth of Australia

Industry Research and Development Act 1986

Re-tooling for Climate Change Program Ministerial Directions No 1 of 2009

I, Kim John Carr, Minister for Innovation, Industry, Science and Research, acting under sections 18A, 19 and 20(1) of the *Industry Research and Development Act* 1986, give the following Directions to Innovation Australia.

Dated:

31.08.09

Minister for Innovation, Industry, Science and Research

Purpose

- 1. The purpose of this instrument is to give Directions to Innovation Australia (the Board) in relation to:
 - (a) an additional function of the *Board*, namely the provision of technical assessments and merit ranking of *eligible applications* under the *Program*; and
 - (b) the policies and practices to be followed by the *Board* in the performance of the function.
- 2. These Directions take effect on 24 August 2009 or the day that the directions are published in the Gazette, whichever is the later.

Interpretation

3. In these Directions, unless the contrary intention applies:

Agreement Means a legal binding document between the Commonwealth and a

recipient of funding under the Program, having as a minimum the

terms described in the Program Guidelines.

Applicant Means an entity that submits an application for funding.

Board Means Innovation Australia.

Department Means the Commonwealth Department of Innovation, Industry,

Science and Research (DIISR).

Eligible application Means an application for funding that is determined by the Program

Delegate to be eligible for assessment in accordance with the Program Guidelines. Means a project directed towards the improvement of energy and/or Eligible Project water efficiency of one or more production processes, by an organisation undertaking manufacturing activities in Australia. Innovation Means the *Board* that assists the *Department* under the *Industry* Australia Research and Development Act 1986 and subsequent Ministerial Directions. Manufacturing Means the physical or chemical transformation of materials or components into new products. Minister Means the Minister for Innovation, Industry, Science and Research. **Production Process** Means the process required to manufacture new products, including raw materials storage and finished goods warehousing, but excluding administration. Means the Re-tooling for Climate Change program. Program Means an employee of the *Department*, who has been empowered by Program Delegate the Minister or otherwise duly authorised, to administer the *Program*.

4. In these Directions:

Program

Guidelines

(a) 'may' is permissive and not mandatory

the delivery of the *Program*.

- (b) a reference to the singular includes the plural, and vice versa
- (c) if a word or phrase is defined its other grammatical forms have corresponding meanings
- (d) 'includes' and 'including' do not limit the words which precede them or to which they refer, and

Means those instructions issued to the *Department* by the *Minister* for

(e) any reference to a clause is a reference to a clause in these Directions.

Assessment of Applications

5. Subject to clause 7, the *Board* will assess *eligible applications* referred by the *Program Delegate* and provide a merit ranking of those applications to the *Program Delegate*.

- 6. The *Board* must consider *eligible applications* as soon as practicable after those applications have been provided to the *Board*.
- 7. The *Board* may decide to refuse to provide a merit ranking in respect of a particular *eligible application* if it is not satisfied:
 - (a) with the level of merit of the *eligible application* in relation to one or more of the merit criteria, or
 - (b) that the project is an *eligible project*.
- 8. Subject to clause 7, the *Board* must assess each *eligible application* on its merit and rank against all *eligible applications* according to the extent to which the application meets the merit criteria.
- 9. In considering *eligible applications*, the *Board* must take into account advice provided by the *Department* on policy issues that are relevant to, or impact on, any of the merit criteria.
- 10. The merit of an *eligible application* must be assessed against the following criteria:

Criterion 1 – Potential for reduction of environmental footprint

The applicant may indicate merit by demonstrating:

- improved energy efficiency of the production process (reduced energy consumption or reduced energy waste);
- conversion to a renewable or co-generated energy source for use in the production process;
- improved water efficiency of the production process (reduced water consumption or reduced water waste);
- reduced carbon emissions;
- that there is appropriate evidence to verify the rationale for the proposed project, and projected energy and/or water savings and/or reduced carbon emissions.

Criterion 2 – Scope and impact of process improvement

The applicant may indicate merit by demonstrating:

- the extent to which the project is above what could be seen as routine;
- the extent to which the project will have a long term, sustainable impact on the ability of the manufacturing operation to respond to climate change;

- that the positive impact of the project on addressing climate change extends beyond the individual firm, for example through changes to the supply chain;
- the demonstration potential of the project, and/or extent to which it results in innovative transferable technology.

Criterion 3 - Organisational capacity/capability to undertake the project

The applicant may indicate merit by demonstrating:

- an appropriate level of expertise in project management and business management;
- the technical capacity to undertake the project, including appropriately skilled staff and/or subcontractors;
- a well articulated project plan, including methodologies and milestones linked to a feasible timeframe.

ASSESSMENT OF VARIATIONS AND OTHER TECHNICAL ASSESSMENTS

- 11. If at any time after an application has been approved by the *Program Delegate*, or an *agreement* has been executed, and a proposal is submitted to the *Department* to vary the project, including by way of the addition of new activities, discontinuation of planned activities, the project timeframe or planned project outcomes, the *Program Delegate* may refer the request to the *Board* for the *Board's* assessment.
- 12. If the *Board* receives a request under clause 11, it must assess the proposal as soon as practicable and provide the assessment to the *Program Delegate*.
- 13. In undertaking an assessment of a proposal referred under clause 11 the *Board* will determine:
 - (a) the extent to which the variation impacts on any of the merit criteria; and
 - (b) whether the variation, if accepted, would:
 - (i) enhance the ability of the applicant to achieve or improve the project outcomes;
 - (ii) be consistent with the *Program Policy Objectives* as outlined in the *Program Guidelines* and any relevant policies of the *Department*; and
 - (iii) whether the proposal is appropriate in all circumstances.

- 14. The *Program Delegate* may request the *Board* to provide an assessment of technical matters associated with applications, activities and projects, or on any other matter relevant to or impacting on a merit criterion.
- 15. In carrying out assessments pursuant to clause 14, the *Board* will take into account any relevant policies relating to the administration of the *Program* that are issued under the *Program Guidelines*.
- 16. If the *Board* receives a request under clause 14 it must conduct the assessment within a reasonable time and provide the assessment to the *Program Delegate*.

BOARD TO PROVIDE ADVICE

- 17. The *Board* may advise the *Minister* or the *Minister* may request advice on non-financial administration matters relating to the *Program*, including program administration and the extent to which the *Program* meets the *Program Policy Objectives*.
- 18. The *Board* may collect and analyse data on the performance of the *Program*, provide advice to the *Minister* on such performance, and will cooperate with any independent evaluation of the *Program*.

Treasury



NOTICE OF DISQUALIFICATION

Superannuation Industry (Supervision) Act 1993

To: Mr Michael Cullen
7 Wilson Road
TERRIGAL NSW 2260

I, Marina Dolevski, a delegate of the Commissioner of Taxation, give you notice as required by subsection 126A(6) of the *Superannuation Industry (Supervision) Act 1993* (SIS Act), that I have made a decision to disqualify you from being a trustee or a responsible officer of a body corporate that is a trustee, investment manager or custodian, of a superannuation entity.

I have disqualified you under subsection 126A(1) of the SIS Act as I am satisfied that you have contravened the SIS Act on one or more occasions and the number, nature and seriousness of the contraventions provides grounds for disqualifying you.

The disqualification order takes effect on the day on which this notice is made.

Dated: 18 August 2009

Marina Dolevski, Assistant Commissioner of Taxation

Note 1:

In accordance with subsection 126A(7) of the SIS Act, particulars of this disqualification notice will be published in the Gazette.

Note 2:

In accordance with subsection 126A(5) of the SIS Act, we may revoke this disqualification order on our own initiative or on written application made by you.

Note 3:

In accordance with section 344 of the SIS Act, if you are a person who is affected by this decision and you are dissatisfied with it, you may ask the Commissioner to reconsider this decision. Such a request must be made in writing within 21 days of the day on which you received notice of the decision and must also give the reasons for making the request.

INTERNATIONAL TAX AGREEMENTS ACT 1953

NOTICE UNDER SECTION 4A SPECIFYING THE ENTRY INTO EFFECT OF THE ASSISTANCE IN THE COLLECTION OF TAXES ARTICLE IN THE AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF FINLAND FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO TAXES ON INCOME AND THE PREVENTION OF FISCAL EVASION

NOTICE is hereby given in pursuance of section 4A of the *International Tax Agreements Act 1953* that pursuant to paragraph 1 of Article 28 of the Agreement between the Government of Australia and the Government of Finland for the Avoidance of Double Taxation with respect to Taxes on Income and the Prevention of Fiscal Evasion (being an agreement a copy of which is set out in Schedule 25 to that Act) that the *Assistance in the Collection of Taxes* Article entered into effect on 1 September 2009 (the date agreed in a subsequent exchange of notes through the diplomatic channel as provided for in the Agreement).

Dated this 2nd day of SEPTEMBER, 2009.

NICK SHERRY Assistant Treasurer



Financial Sector (Shareholdings) Act 1998

Notice of Approval under Subsection 17(3)

WHEREAS

- 1. On 20 February 2007, AXA SA, a corporation incorporated under the laws of France and having an address at 25, Avenue Matignon 75008 Paris, France (AXA SA), was approved under the *Financial Sector (Shareholdings) Act 1998* (the Act) to hold a maximum stake of 52.6 per cent in AXA Asia Pacific Holdings Limited (ABN 78 069 123 011) (AXA APH);
- 2. The approval of 20 February 2007, as varied on 20 August 2007 and subsequently on 18 February 2009, is hereinafter referred to as the 'Previous Approval'; and
- 3. AXA SA has now made an application under the Act to vary the percentage specified in the Previous Approval with effect that AXA SA may be approved to hold a maximum stake of 55 per cent in AXA APH;

NOW THEREFORE I, WAYNE SWAN, Treasurer, being satisfied that it is in the national interest and pursuant to section 17 of the Act, GRANT the application and vary the percentage specified in the Previous Approval with the effect that AXA SA, together with the associates listed in the Schedule, is approved to hold a maximum stake of 55 per cent in AXA APH.

Notes:

- 1. The terms 'associate' and 'stake' have the same meaning as they do in the Act.
- 2 The Previous Approval, as varied, remains in force indefinitely.
- 3. The conditions determined to apply to the Previous Approval continue to apply to the Previous Approval, as varied.

Dated

WAYNE SWAN

1 SEP 2009

Treasurer

SCHEDULE

AXA Asia Pacific Holdings Ltd

FINAXA AXA Assistance SA AXA Bank AXA Assistance France

PT Asuransi AXA Indonesia **AXA** Assistance Maroc P.T. AXA Life Indonesia Mutuelles AXA

AXA UK Plc Inter Partner Assistance (Belgium) AXA Italia S.p.A Inter Partner Assistencia Espana SA (Spain) **AXA** Luxembourg AXA Insurance Australia Ltd **AXA** Nederland

AXA Japan Holding Co., Ltd **AXA France Assurance**

AXA Life Insurance Holding Co., Ltd Compagnie Financiere de Paris AXA Non-life Insurance Co., Ltd **AXA** Banque

AXA Seguros Uruguay AXA Corporate Solutions Assurance (France) Voltaire Participações **AXA Investment Managers**

AXA Inversiones Chile Limitada AXA University Companies

AXA-ONA Societe Beaujon

AXA Assurance Maroc AXA Cantenac Brown

AXA Middle East SAL Lebanon **AXA Suduiraut** AXA Holding SAL Lebanon Lor Patrimoine AXA Oeuvres d'Art AXA Insurance EC (Bahrain)

AXA Millesimes AXA Portugal Companhia de Seguros de Vida SA AXA UK Holdings Limited

AXA Portugal Companhia de Seguros SA

Holding Cy (Singapore)

AXA Portugal Montgomerie & Workman Limited

AXA Portugal Vie Saint-Georges Re NM Insurances (Singapore) Pte Ltd (Singapore) **AXA Cessions**

AXA Financial Services Pte Ltd Singapore AXA RE

AXA Real Estate Investment Managers **AXA Life Singapore Holdings** AXA Holdings Belgium AXA Aurora, S.A.

AXA Bank Belgium Direct Seguros **AXA** Assurances

AXA Assurances Côte d'Ivoire (Ivory Coast) **AXA** Insurance AXA Assurances Cameroun (Cameroon) AXA Canada Inc

AXA Assurances Gabon (Gabon) AXA General Insurance Hong Kong Ltd AXA Assurances Senegal (Senegal) AXA China Region Limited (Hong Kong) AXA Compagnie d'Assurances sur la Vie

AXA-Minmetals Assurance Company Limited AXA Compagnie d'Assurances (China)

AXA Insurance Public Co. Ltd AXA Life Insurance (Hong Kong)

AXA Oyak Holding A.S. AXA Insurance Hong Kong Ltd (Hong Kong) AXA America Holdings Inc. AXA Konzern AG

AXA America Corporate Solutions Inc. Compagnie Financiere de Paris

AXA Financial Inc

Mony Holdings LLC

Societe de Gestion Civile Immobiliere

CIE Financiere de Paris

AXA Equity and Law plc

AXA Participation 2

AXA Insurance Holding Japan

Vinci B.V.

Mofipar

AXA Technology Services

Oudinot Participations

AXA Insurance Investment Holding (Singapore)

Elin BV

AXA France IARD

AXA Holdings Pte Ltd

AXA China (France)

AXA Asia Regional Centre Pte Ltd

ASM Holdings Ltd

Compass Holding Company Limited

Alliance Capital Management LP

AXA Global Risks

AXA Life Europe

AXA RE Paris

AXA Mediterranean Holding

AXA Holding Maroc

AXA Holdings Belgium

Kyobo Auto Assurance

Winterthur Europe Assurance

Winterthur Swiss Insurance Company

AXA Asia Pacific Holdings Pty Ltd



Financial Sector (Shareholdings) Act 1998

Notice of approval under subsection 14(1)

I, CHRIS BOWEN, Minister for Financial Services, Superannuation and Corporate Law, being satisfied that it is in the national interest, under subsection 14(1) of the *Financial Sector* (Shareholdings) Act 1998, approve MyState Limited to hold a stake of up to 100 per cent in MyState Financial Credit Union Tasmania Limited, subject to the Supreme Court of Tasmania approving both MyState Financial Credit Union of Tasmania Limited and Tasmanian Perpetual Trustees Limited Schemes of Arrangement.

This approval remains in force indefinitely.

Dated

CHRIS BOWEN

Minister for Financial Services, Superannuation and Corporate Law



Banking Act 1959

Notice of approval under subsection 63

I, CHRIS BOWEN, Minister for Financial Services, Superannuation and Corporate Law, being satisfied that it is in the national interest, under subsection 63(1) of the *Banking Act 1959*, consent to MyState Financial Credit Union of Tasmania Limited (MSF) effecting a reconstruction by demutualising MSF and MSF becoming a wholly owned subsidiary of the non-operating holding company, MyState Limited, subject to the Supreme Court of Tasmania approving both MyState Financial Credit Union of Tasmania Limited and Tasmanian Perpetual Trustees Limited Schemes of Arrangement.

Dated

CHRIS BOWE

Minister for Financial Services, Superannuation and Corporate Law



Financial Sector (Business Transfer and Group Restructure) Act 1999

Notice of approval under subsection 36C

I, CHRIS BOWEN, Minister for Financial Services, Superannuation and Corporate Law, being satisfied that:

- the restructure arrangement will improve the operating body's ability to meet its prudential requirements; and
- this approval has had regard to the interests of the depositors or policy owners of the operating body, and the interests of the financial sector as a whole,

approve, under section 36C of the Financial Sector (Business Transfer and Group Restructure) Act 1999, MyState Financial Credit Union of Tasmania Limited (MSF) entering into an arrangement that will result in MSF becoming a subsidiary of a non-operating holding company, MyState Limited. Included in this restructure approval is a restructure instrument that applies, as specified, to the entities identified in the instrument.

CHRIS BOWEN \
Minister for Financial Services, Superannuation and Corporate Law

RESTRUCTURE INSTRUMENT

Enabling provision

1. The Minister for Financial Services, Superannuation and Corporate Law makes this restructure instrument under subsection 36C(2) of the *Financial Sector (Business Transfer and Group Restructure) Act 1999* (FSBTGRA).

Background

2. MyState Financial Credit Union of Tasmania Limited, an authorised deposit-taking institution, has proposed to its members a scheme of arrangement (**Restructure Arrangement**) to demutualise and to merge with Tasmanian Perpetual Trustees Limited, with MyState Limited becoming the ultimate parent entity as a non-operating holding company (NOHC) within the meaning of subsection 36B(1) of the FSBTGRA.

Relief

3. This instrument gives relief to the bodies and persons specified in Schedule A in relation to each of the requirements specified in Schedule B.

Effective time

4. This restructure instrument comes into force in accordance with section 36H of the FSBTGRA.

Schedule A

- (a) MyState Limited;
- (b) MyState Financial Credit Union of Tasmania Limited;
- (c) any other person involved in complying with a requirement in Division 1 of Part 2J.1 of the *Corporations Act 2001*.

Schedule B

- (a) The requirements of Part 2J.1 of the *Corporations Act 2001* in respect of the following arrangements:
 - Capital Restructure;
 - Share Capital Adjustment.
- (b) The requirements of section 254T of the *Corporations Act 2001* for the determination of the profits available for the payment of dividends in respect of the following arrangements:
 - Retained Earnings Adjustment;
 - Share Capital Adjustment.

Interpretation

In this instrument:

Capital Restructure means the arrangement to reduce the Redeemable Preference Shares capital of MyState Financial Credit Union of Tasmania Limited immediately following implementation of the Restructure Arrangement by applying the balance to Ordinary Share capital of MyState Financial Credit Union of Tasmania Limited at an issue price of \$1.00 per Ordinary Share.

Retained Earnings Adjustment means the arrangement for the transfer of the amount standing to the credit of the account titled General Reserve in the financial records of MyState Financial Credit Union of Tasmania Limited immediately following implementation of the Restructure Arrangement, to the retained earnings in the financial records of MyState Financial Credit Union of Tasmania Limited.

Share Capital Adjustment means the arrangement to cancel the Redeemable Preference Shares of MyState Financial Credit Union of Tasmania Limited held by MyState Financial Credit Union of Tasmania Limited immediately before implementation of the Restructure Arrangement for no consideration, and to transfer the amount standing to the credit of the account titled Redeemable Preference Share Capital in the financial records of MyState Financial Credit Union of Tasmania Limited to the retained earnings in the financial records of MyState Financial Credit Union of Tasmania Limited.

Dated

CHRIS BOWEN

Minister for Financial Services, Superannuation and Corporate Law

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 2009/49	Income tax: Macquarie Almond Investment 2009 – Late Growers	This Ruling applies to Growers that are accepted to participate in the scheme described in the Ruling on or after 16 September 2009 and who have executed the relevant Project Agreements on or before 15 June 2010 for the commercial growing, cultivating, harvesting, and selling of almonds. This Ruling applies prospectively from 16 September 2009.		
CR 2009/50	Income tax: Department of Human Services (Vic) Disability Support Direct Payments Project	This Ruling applies to disabled persons receiving disability care services funded by the Department of Human Services (Vic) (the Department); and nominated persons as defined in the Individual Support Package Handbook (Interim) Direct Payments Supplement, who enter into an agreement with the Department to receive payments for the purpose of purchasing disability services under the Direct Payments Project. This Ruling applies from 1 January 2009.		
CR 2009/51	Income tax: scrip for scrip: merger of Australian Wealth Management Limited and IOOF Holdings Limited	This Ruling applies consists of entities who were Registered shareholders of Australian Wealth Management Limited (AWM) and who: received fully paid ordinary shares in IOOF Holdings Limited (IOOF) as a result of the implementation of a scheme of arrangement for the merger of AWM and IOOF; were residents of Australia within the meaning of that expression in subsection 6(1) of the <i>Income Tax Assessment Act 1936</i> ; have not applied for or who are not eligible for scrip for scrip roll-over over under Subdivision 124-M of the <i>Income Tax Assessment Act 1997</i> for their AWM shares and held their shares on capital account at the time of this scheme. This Ruling applies 22 April 2009 to 30 June 2010.		
CR 2009/52	Fringe benefits tax: employer clients of Australia and New Zealand Banking Group Limited (ANZ) who are subject to the provisions of section 57A of the Fringe Benefits Tax Assessment Act 1986 or who are rebatable employers under section 65J of that Act and whose employees make use of the ANZ Meal Entertainment Card facility	This Ruling applies to those employers subject to the provisions of section 57A of the <i>Fringe Benefits Tax Assessment Act 1986</i> (FBTAA 1986) or rebatable employers under section 65J of the FBTAA 1986 who enter into an arrangement with Australia and New Zealand Banking Group Limited (ANZ) to provide the ANZ Meal Entertainment Card (Meal Entertainment Card) facility to their employees or enter into an arrangement with a salary packaging provider to administer salary packaging on its behalf, with the salary packaging provider (acting on the employer's behalf) entering into an arrangement with ANZ to provide the Meal Entertainment Card facility to the employer's employees. This Ruling applies from 1 April 2009.		
CR 2009/53	Fringe benefits tax: employer clients of Australia and New Zealand Banking Group Limited (ANZ) who are rebatable employers under section 65J of the Fringe Benefits Tax Assessment Act 1986 and whose employees make use of the ANZ Salary Packaging Card facility	This Ruling applies to those rebatable employers under section 65J of the Fringe Benefits Tax Assessment Act 1986 who enter into an arrangement with Australia and New Zealand Banking Group Limited (ANZ) to provide the ANZ Salary Packaging Card (Salary Packaging Card) facility to their employees or enter into an arrangement with a salary packaging provider to administer salary packaging on its behalf, with the salary packaging provider (acting on the employer's behalf) entering into an arrangement with ANZ to provide the Salary Packaging Card facility to the employer's employees. This Ruling applies from 1 April 2009.		

NOTICE OF WITHDRAWAL			
Ruling Number	Subject	Brief Description	
CR 2006/84	Income tax: Department of Human Services (Vic) Disability Support Direct Payment Plan	CR 2006/84 is withdrawn with effect from today. CR 2006/84 sets out the Commissioner's view on the tax treatment of payments received by direct payments users for disability support from the Department of Human Services (Vic) under the Direct Payment Project trial, for the purposes of purchasing goods or services for themselves or a disabled person. As the Direct Payments Project has been extended and now includes a Direct Employment Project phase this Ruling is withdrawn and replaced by CR 2009/50.	

NOTICE OF ADDENDUM			
Ruling Number	Subject	Brief Description	
CR 2008/91	Income tax: provision of security camera systems to Queensland taxi service licence holders	This Addendum amends CR 2008/91 to clarify the Tax Office view on the application of administrative penalties and interest charges where a Licence Holder is required to amend prior year income tax returns to comply with the interpretation provided. This Addendum applies on and from 17 December 2008.	



Revocation of Authority to carry on banking business

Banking Act 1959

SINCE

- A. on 8 July 2009 La Trobe Country Credit Co-operative Limited ABN 91 087 651 527 (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 2009.

Dated 26 August 2009

[Signed]

Brandon Kong Leong Khoo Executive General Manager Specialised Institutions Division

Interpretation

Document ID: 173452

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.

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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).

24/08/2009



Approval to hold a stake in a financial sector company of more than 15%

Financial Sector (Shareholdings) Act 1998

SINCE

- A. Enstar Group Limited and the person(s) named in the attached Schedule (the applicants) have applied to the Treasurer under section 13 of the *Financial Sector* (*Shareholdings*) *Act 1998* (the Act), for approval to hold a stake of more than 15% in The Copenhagen Reinsurance Company Limited ABN 99 070 671 948 (the Company), a financial sector company under the Act; and
- B. I am satisfied that it is in the national interest to approve the applicants holding a stake in the Company of more than 15%,
- I, Denis Wilkinson, a delegate of the Treasurer, under subsection 14(1) of the Act, APPROVE the applicants holding a stake in the Company of 100 %.

This Approval commences on the date it is signed and remains in force indefinitely.

Dated 7 September 2009

[Signed]

Denis Wilkinson General Manager Diversified Institutions Division

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Interpretation

Document ID: 173793

In this Notice:

financial sector company has the meaning given in section 3 of the Act. *stake* in relation to a company, has the meaning given in clause 10 of Schedule 1 to the Act. *unacceptable shareholding situation* has the meaning given in section 10 of the Act.

- Note 1 Under paragraph 16(2)(a) of the Act, the Treasurer may, by written notice given to a person who holds an Approval under section 14, impose one or more conditions or further conditions to which the Approval is subject. Under paragraph 16(2)(b) of the Act, the Treasurer may revoke or vary any condition imposed under paragraph 16(2)(a) of the Act or specified in the Notice of Approval. The Treasurer's power under subsection 16(2) of the Act may be exercised on the Treasurer's own initiative or on application made to the Treasurer in accordance with the requirements of subsection 16(4) of the Act, by the person who holds the Approval (see subsection 16(3) of the Act).
- *Note 2* A person who holds an Approval under section 14 may apply to the Treasurer under section 17(1) of the Act, to vary the percentage specified in the Approval.
- *Note 3* Under subsection 17(6) of the Act, the Treasurer may, on the Treasurer's own initiative, by written notice given to a person who holds an Approval under section 14, vary the percentage specified in the Approval if the Treasurer is satisfied that it is in the national interest to do so.
- *Note 4* The circumstances in which the Treasurer may revoke a person's Approval under section 14 are set out in subsection 18(1) of the Act.
- Note 5 Section 19 of the Act provides for flow-on approvals. If an Approval has been granted for the holding of a stake in a financial sector company and the financial sector company is a holding company for an authorised deposit-taking institution or an authorised insurance company, then an approval is taken to exist for the holding of a stake of equal value in each financial sector company that is a 100% subsidiary of the holding company.
- *Note* 6 Under section 14 of the Act, the Treasurer must give written notice of this Approval to the applicant and financial sector company concerned, and must publish a copy of this Notice in the *Gazette*.
- *Note* 7 Under section 11 of the Act, a person or 2 or more persons under an arrangement are guilty of an offence if the person(s) acquires shares in a company and the acquisition has the result, in relation to a financial sector company, that:
- (i) an unacceptable shareholding situation comes into existence; or
- (ii) if an unacceptable shareholding situation already exists in relation to the company and in relation to a person there is an increase in the stake held by the person in the company;

and the person(s) was reckless as to whether the acquisition would have that result. A maximum penalty of 400 penalty units applies or by virtue of subsection 4B(3) of the *Crimes Act 1914*, in the case of a body corporate, a penalty not exceeding 2,000 penalty units. By virtue of section 39 of the Act, an offence against section 11 is an indictable offence.

Page 3 of 3

2471

Schedule - the person(s) who applied for approval

Kenmare Holdings Ltd Flatts Limited Marlon Insurance Company Limited

Page 1 of 3



Authority to be a NOHC of an authorised deposit-taking institution

Banking Act 1959

I, Brandon Kong Leong Khoo, a delegate of APRA, under subsection 11AA(2) of the *Banking Act 1959* (the Act), GRANT MYSTATE LIMITED ACN 133 623 962 authority to be a NOHC.

Under subsection 11AA(3) of the Act, I IMPOSE upon this Authority the conditions specified in the attached Schedule.

This Authority operates as an authority in relation to MYSTATE LIMITED and any ADIs that are its subsidiaries from time to time.

This Authority commences on the date it is signed.

Dated 27 August 2009

[Signed]

Brandon Kong Leong Khoo Executive General Manager Specialised Institutions Division

Interpretation Document ID: 171991

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.

NOHC is short for non-operating holding company and has the meaning given in subsection 5 (1) of the Act.

Note 1 Under subsection 11AA(5) of the Act, a NOHC is guilty of an offence if it does or fails to do an act and doing or failing to do that act results in a contravention of a condition of the NOHC authority, and there is no order in force under section 11 of the Act determining that subsection 11AA(5) does not apply to the NOHC. The maximum penalty is 200 penalty units or, by virtue of subsection 4B(3) of the Crimes Act 1914, in the case of a body corporate, a fine of up to 1,000 penalty units. By virtue of subsection 11AA(5A) of the Act, an offence against subsection 11AA(5) is an indictable offence. Under subsection 11AA(5B) of the Act, if a

Page 2 of 3

NOHC commits an offence against subsection 11AA(5), the NOHC 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 NOHC committing the offence continue (including the day of conviction for any such offence or any later day).

Note 2 The circumstances in which APRA may revoke a NOHC authority are set out in section 11AB of the Act.

Note 3 Under subsection 11AA(6) of the Act, APRA must publish notice of the granting of this Authority in the *Gazette* and may cause notice of the granting of this Authority to be published in any other way it considers appropriate.

Note 4 Under subsection 11AA(8) of the Act, a decision to impose conditions on this Authority is a decision to which Part VI of the Act applies. If a person whose interests are affected is dissatisfied with that decision, the person may seek reconsideration of the decision by APRA in accordance with section 51B(1) of the Act. The request for reconsideration must be in writing, must state the reasons for the request, and must be given to APRA within 21 days after the decision first comes to the person's notice or within such further period as APRA allows. If dissatisfied with APRA's reconsidered decision confirming or varying the first decision, the person may, subject to the Administrative Appeals Act 1975, apply to the Administrative Appeals Tribunal for review of the reconsidered decision.

The address where written notice may be given to APRA is Level 21, Casselden Place, 2 Lonsdale Street, Melbourne, VIC 3000.

Page 3 of 3

Schedule - the conditions imposed on the Authority

1. This Authority is subject to the approval of the Schemes of Arrangement for MyState Financial Credit Union of Tasmania Limited ACN 067 729 195 and Tasmanian Perpetual Trustees Limited ACN 009 475 629 by the Supreme Court of Tasmania under Part 5.1 of the Corporations Act 2001.



Authorisation to carry on insurance business

Insurance Act 1973

TO: HDI-Gerling Industrie Versicherung AG ARBN 134 049 951 (the Applicant) Riethorst 2, 30659 Hannover, Germany

SINCE the Applicant applied to APRA under subsection 12(1) of the *Insurance Act 1973* (the Act), on 25 February 2009 for authorisation to carry on insurance business in Australia;

I, Wayne Stephen Byres, a delegate of APRA, under subsection 12(2) of the Act, AUTHORISE the Applicant to carry on insurance business in Australia.

This Authorisation takes effect on 1 October 2009.

Dated 4 September 2009

[Signed]

Wayne Stephen Byres Executive General Manager Diversified Institutions Division

Page 2 of 2

Document ID: 173919 Interpretation

In this Notice

APRA means the Australian Prudential Regulation Authority.

insurance business has the meaning given in section 3 of the Act.

- Under subsection 12(4) of the Act, if APRA authorises an applicant, APRA must give written notice to the applicant and ensure that notice of the authorisation is published in the Gazette.
- Note 2 APRA may revoke an authorisation in accordance with sections 15 and 16 of the Act.
- Under subsection 13(1) of the Act, APRA may, at any time, by written notice to a general insurer, Note 3 impose conditions or additional conditions or vary or revoke conditions imposed on the insurer's authorisation under section 12 of the Act. The conditions must relate to prudential matters.



Approval to hold a stake in a financial sector company of more than 15%

Financial Sector (Shareholdings) Act 1998

SINCE

- A. QBE Holdings (AAP) Pty Limited ABN 26 000 005 881 and the person(s) named in the attached Schedule (the applicants) have applied to the Treasurer under section 13 of the *Financial Sector (Shareholdings) Act 1998* (the Act), for approval to hold a stake of more than 15% in Elders Insurance Ltd ABN 62 081 106 505 (the Company), a financial sector company under the Act; and
- B. I am satisfied that it is in the national interest to approve the applicants holding a stake in the Company of more than 15%,
- I, Wayne Stephen Byres, a delegate of the Treasurer, under subsection 14(1) of the Act, APPROVE the applicants holding a stake in the Company of 100 %.

This Approval commences on the date it is signed and remains in force indefinitely.

Dated 9 September 2009

[Signed]

Wayne Stephen Byres Executive General Manager Diversified Institutions Division

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Interpretation

Document ID: 173788

In this Notice:

financial sector company has the meaning given in section 3 of the Act. *stake* in relation to a company, has the meaning given in clause 10 of Schedule 1 to the Act. *unacceptable shareholding situation* has the meaning given in section 10 of the Act.

Note 1 Under paragraph 16(2)(a) of the Act, the Treasurer may, by written notice given to a person who holds an Approval under section 14, impose one or more conditions or further conditions to which the Approval is subject. Under paragraph 16(2)(b) of the Act, the Treasurer may revoke or vary any condition imposed under paragraph 16(2)(a) of the Act or specified in the Notice of Approval. The Treasurer's power under subsection 16(2) of the Act may be exercised on the Treasurer's own initiative or on application made to the Treasurer in accordance with the requirements of subsection 16(4) of the Act, by the person who holds the Approval (see subsection 16(3) of the Act).

Note 2 A person who holds an Approval under section 14 may apply to the Treasurer under section 17(1) of the Act, to vary the percentage specified in the Approval.

Note 3 Under subsection 17(6) of the Act, the Treasurer may, on the Treasurer's own initiative, by written notice given to a person who holds an Approval under section 14, vary the percentage specified in the Approval if the Treasurer is satisfied that it is in the national interest to do so.

Note 4 The circumstances in which the Treasurer may revoke a person's Approval under section 14 are set out in subsection 18(1) of the Act.

Note 5 Section 19 of the Act provides for flow-on approvals. If an Approval has been granted for the holding of a stake in a financial sector company and the financial sector company is a holding company for an authorised deposit-taking institution or an authorised insurance company, then an approval is taken to exist for the holding of a stake of equal value in each financial sector company that is a 100% subsidiary of the holding company.

Note 6 Under section 14 of the Act, the Treasurer must give written notice of this Approval to the applicant and financial sector company concerned, and must publish a copy of this Notice in the *Gazette*.

Note 7 Under section 11 of the Act, a person or 2 or more persons under an arrangement are guilty of an offence if the person(s) acquires shares in a company and the acquisition has the result, in relation to a financial sector company, that:

- (i) an unacceptable shareholding situation comes into existence; or
- (ii) if an unacceptable shareholding situation already exists in relation to the company and in relation to a person there is an increase in the stake held by the person in the company;

and the person(s) was reckless as to whether the acquisition would have that result. A maximum penalty of 400 penalty units applies or by virtue of subsection 4B(3) of the *Crimes Act 1914*, in the case of a body corporate, a penalty not exceeding 2,000 penalty units. By virtue of section 39 of the Act, an offence against section 11 is an indictable offence.

Schedule - the person(s) who applied for approval

AIS Green Slip Group Pty Limited ABN 87 056 014 496

Austral Mercantile Collections Ptv Limited ABN 11 083 776 149

Australian Aviation Underwriting Pool Pty Limited ABN 49 004 489 810

CHU Underwriting Agencies Pty Limited ABN 18 001 580 070

Concord Sports Insurance Agencies Pty Limited ABN 27 006 587 622

Corporate Underwriting Agencies Pty Limited ABN 83 005 277 261

Invivo Medical Pty Ltd ABN 85 108 316 123

Minster Court Asset Management Ptv Ltd ABN 30 005 953 837

MMIA Pty Limited ABN 35 000 456 799

MMWC Pty Limited ABN 29 000 007 072

National Credit Insurance (Brokers) Pty Ltd ABN 68 008 090 702

Permanent LMI Pty Limited ABN 79 076 974 000

Pitt Nominees Pty Ltd ABN 20 000 679 498

QBE Equities Pty Limited ABN 54 001 151 720

QBE Holdings (Americas) Pty Limited ABN 95 054 880 554

QBE Insurance (Australia) Limited ABN 78 003 191 035

QBE Insurance Group Limited ABN 28 008 485 014

QBE Insurance (International) Ltd ABN 11 000 000 948

QBE Investments (Australia) Pty Limited ABN 21 002 263 345

QBE Investments Pty Limited ABN 46 088 166 938

QBE IT Services Pty Limited ABN 86 005 020 413

QBE Lenders' Mortgage Insurance (Holdings) Pty Limited ABN 98 087 483 958

QBE Lenders' Mortgage Insurance Limited ABN 70 000 511 071

QBE Management Services Pty Ltd ABN 92 004 800 131

QBE Management Services (Philippines) Pty Ltd ABN 93 121 904 783

QBEMM Pty Limited ABN 28 087 142 569

QBE Re Services Pty Limited ABN 49 001 277 765

QBE Reinsurance Administration Pty Ltd ABN 63 006 946 667

QBE Workers Compensation (NSW) Ltd ABN 95 003 195 604

OBE Workers Compensation (SA) Limited ABN 44 068 769 497

QBE Workers Compensation (VIC) Limited ABN ABN 99 060 159 757

Travelon Pty Limited ABN 62 002 217 343

Underwriting Agencies of Australia (Holdings) Pty Ltd ABN 12 001 069 370

Underwriting Agencies of Australia Pty Ltd ABN 86 003 565 302

Universal Underwriting Agencies Pty Limited ABN 21 057 929 030



Gazette

No. S143, Tuesday, 8 September 2009

Published by the Commonwealth of Australia

SPECIAL



SPECIFICATION OF REMOTE COMMUNITIES UNDER SUBSECTION 5(2)

Coordinator-General for Remote Indigenous Services Act 2009

I, JENNY MACKLIN, Minister for Families, Housing, Community Services and Indigenous Affairs, acting under subsection 5(2) of the Coordinator- General for Remote Indigenous Services Act 2009 (the Act), specify, for the purposes of subsection 5(1) of the Act, the following priority locations as specified remote communities:

- in the Northern Territory Angurugu, Galiwinku, Gapuwiyak, Gunbalanya, Hermannsburg, Lajamanu, Maningrida, Milingimbi, Nguiu, Ngukurr, Numbulwar, Wadeye, Yirrkala, Yuendumu, and Umbakumba;
- (b) in Queensland: Hope Vale, Aurukun, Mossman Gorge, Coen, Mornington Island and Doomadgee;
- (c) in South Australia: Amata and Mimili;
- (d) in New South Wales: Walgett and Wilcannia;
- (e) in Western Australia: Fitzroy Crossing, Halls Creek, Beagle Bay and Ardyaloon.

Dated

3154 July

2009

I marke

Minister for Families, Housing, Community Services and Indigenous Affairs



Gazette

No. S144, Friday, 11 September 2009 Published by the Commonwealth of Australia

SPECIAL

AUSTRALIAN ELECTORAL COMMISSION

- "I, Douglas Graham Orr, Assistant Commissioner Elections and delegate of the Electoral Commission for the purposes of exercising the power in subsection 184(1) of the *Commonwealth Electoral Act 1918*, do hereby:
- revoke the previous "approved form" for making an application for a postal vote under subsection 184(1) of the CEA that appeared in Commonwealth of Australia Special Gazette No. S174, of 7 September 2007;

and

 approve the form that appears in the Schedule to this instrument to be an "approved form" for the purposes of making an application for a postal vote under subsection 184(1) of the CEA."

Douglas Graham Orr

Assistant Commissioner Elections

September 2009

Qualifications for an applicant for a postal or early vote

The Commonwealth Electoral Act provides in substance that an elector is entitled to apply for a postal vote if:

- throughout the hours of polling on polling day, the elector will be absent from the State or Territory for which the elector is enrolled
- the elector will not, at any time during the hours of polling practicable route of any polling booth in the State or on polling day, be within 8 kilometres by the nearest Territory for which the elector is enrolled
- throughout the hours of polling on polling day, the elector will be travelling under conditions that will prevent the elector attending a polling booth in the State or Territory for which the elector is enrolled
- the elector will be unable to attend a polling booth on polling day because of:
- (a) serious illness
- (b) infirmity, or
- (c) approaching childbirth
- booth because the elector will be at a place (other than a hospital) caring for a person who is seriously ill or infirm on polling day, the elector will be unable to attend a polling or who is expected shortly to give birth
- throughout the hours of polling on polling day, the elector will be a patient at a hospital (other than a special hospital) and unable to vote at the hospital
- throughout the hours of polling on polling day, the elector will be a patient at a special hospital but will be unable to have his or her vote taken by a mobile polling team
 - because of the elector's religious beliefs or membership of a religious order, the elector:
- (a) is precluded from attending a polling booth, or
- (b) for the greater part of the hours of polling on polling day, is precluded from attending a polling booth
- on polling day, the elector will be in prison or otherwise
- the elector's address has been excluded from the roll as throughout the hours of polling on polling day, the elector a silent elector
 - will be engaged in his or her employment or occupation (a) if the elector is an employee, the elector is not entitled to leave of absence, and
- in any other case, the absence of the elector for the purpose of attending at a polling booth to vote would be likely to cause loss to the person in his or her

Who can be a witness?

You must sign your application form in front of a witness and applicant and witness dates must be the same. If you are in Australia, a witness must be an elector whose name appears on a Commonwealth of Australia electoral roll

Spouses may witness each other's signature provided both are qualified witnesses

If you are overseas, the following persons may act as

- an elector whose name appears on a Commonwealth of Australia electoral roll
- an officer of the defence forces of Australia or of a Commonwealth country
- a person in the Public Service of Australia (or a Territory
 - a Justice of the Peace for a State or Territory or a or a Commonwealth country)
- a minister of religion or a medical practitioner resident in Commonwealth country
- a State or Territory or a Commonwealth country, or an Australian citizen.

Spouses may witness each other's signature provided both are qualified witnesses.

What if I am overseas and can't find a suitable witness?

If you are overseas and there is no suitable witness available you may submit your application together with the

- your signed statement setting out why your application could not be witnessed, and
- · a photocopy of your passport which you have certified to be a true copy and which shows:
 - the country and date of issue
- your date of birth, signature and photograph. the passport number

Where can I get more information?

2

Information on the location of polling places and Early Voting Centres is available from any office of the AEC +61 2 6271 4411 from overseas. Information is also provided on the AEC's website at www.aec.gov.au or by ringing 13 23 26 in Australia, or

1300 720 135 Cantonese 廣東話

1300 720 136 Croatian Hrvatski

1300 720 137 Greek Ελληνικά

1300 720 134 Khmer កាសាខ្មែរ

Italiano 1300 720 138 Italian

1300 720 139 Macedonian Македонски

1300 720 143 Polish Polski

點

1300 720 145 Portuguese Português

1300 720 146 Russian 1300 720 147 Serbian Српски Русский

1300 720 148 Spanish Español

Türkçe

Fiểng Việt 1300 720 152 Vietnamese

1300 720 153 All other languages

Early voting for the By-Election

If you are unable to vote at a polling place on polling day, alternatives are:

- Vote in person at an Early Voting Centre, OR
 - Vote by post.

You should consider the following when making your decision on which method to choose:

- Do I qualify for a postal or early vote? (see 'Qualifications for an applicant for a postal or early
- Is there an Early Voting Centre nearby?
- Is there enough time available for me to vote by post? vote' overleaf)
- Do I live in an area with limited postal delivery

Please carefully consider your voting options as voting at an AEC Early Voting Centre may be a better option for you.

When does early voting commence?

Early voting commences approximately two to three weeks after the announcement of a by-election, when ballot papers become available following the close of

to electors in response to postal vote applications received and those who are registered as General Postal The AEC also commences the despatch of postal votes oters at this time.

How do I vote early in person?

Early voting is available at AEC Divisional Offices and

polling places is available from any office of the AEC or by ringing **13 23 26** in Australia, or +61 2 6271 4411 from overseas. Information is also provided on the AEC's Information on the location of Early Voting Centres and website www.aec.gov.au and in local newspapers.

Please note: If you choose to vote in person you will not need to complete the *Postal vote application* form.

How do I vote by post?

To receive a postal vote you must lodge a correctly completed Postal vote application to the Australian Electoral Commission (AEC) as soon as possible after the announcement of the election.

Completed postal vote applications may be sent by post, fax or email. If you choose to use email you must scan the completed, signed form.

Please read all of the information in this document

before you start to fill in the form

Further information on email addresses and fax numbers for the AEC offices may be obtained from the AEC's website at www.aec.gov.au or by calling 13 23 26.

as a General Postal Voter

application forms is 6:00 pm on the Thursday before The deadline for receipt of completed Postal vote polling day.

- Faxed or emailed forms must be received in the AEC's system by the deadline;
- AEC Divisional Offices will remain open until 6:00 pm to receive hand-delivered Postal vote application • Posted forms must be received in the last mail clearance before 6:00 pm; and

If your Postal vote application form is received after the contact you to advise you of this, and to provide advice on alternate means of voting. deadline the AEC will make reasonable efforts to

About the information you give

The personal information you give on this application is used for electoral purposes only and may be viewed by authorised staff and scrutineers.

Public inspection

 public inspection of postal vote applications at the Divisional Office

The Commonwealth Electoral Act 1918 allows for:

this declaration.

 lists of postal vote applicants to be made available in electronic form to candidates and registered political parties

from the third day after polling until the election/referendum can no longer be questioned.

sign this declaration

A witness must:

potential risk that a user's email transactions are being The AEC accepts faxed or scanned and emailed forms. However, users should be aware that the World Wide Web is an insecure public network that gives rise to a viewed, intercepted or modified by third parties.

I am overseas and unable to find a suitable witness. I have attached the appropriate documents as detailed under 'What if I am overseas and can't find a suitable witness?'

Initials

Date of issue

Date rec'd Issuing Division/ Overseas Post

OFFICE USE

OR

sign and date the application, and write their name and address.

see the applicant sign the application

this form MUST be signed and dated by both the witness

Division Finder Ref.

Date cert. rec'd in Division for which vote claimed

ballot papers are not available until 2-3 weeks after the announcement of a by-election.

· the dates must be the same, and

and applicant, and

The AEC accepts no liability for any interference with or Users are encouraged to take appropriate and adequate occurring in connection with sending this form by email damage to a user's computer system, software or data precautions to minimise third party interference with their internet transactions. If you prefer to use an alternative means of delivery, please refer to the instructions on this form of the AEC's website.

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Australian Government Attorney General's Department

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