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The date of publication of this Gazette is 2 December 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 sunseting 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 non-legislative instruments

How to contact us

First Assistant Secretary
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THIS GAZETTE IS PRODUCED AS A CAMERA-READY PUBLICATION

QUALITY OF YOUR PUBLICATION

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

LODGMET RATES

A 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.

Christmas/New Year publication arrangements

The last Government Notices Gazette for 2009 will be published on **Wednesday, 23 December 2009**. Normal closing times will apply.

The first Government Notices Gazette for 2010 will be published on **Wednesday, 13 January 2010**.

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 2600

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/notice if published on Weekends or Public Holidays).

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	<p><i>Great Barrier Reef Marine Park Act 1975</i> Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.06.08 to 31.02.09 and not Previously Gazetted</p> <p><i>Great Barrier Reef Marine Park Act 1975</i> Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.12.07 to 31.12.07 and not Previously Gazetted</p> <p><i>Great Barrier Reef Marine Park Act 1975</i> Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.5.08 to 31.5.08 and not Previously Gazetted</p> <p><i>Great Barrier Reef Marine Park Act 1975</i> 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>
P 2	4 August 2009	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i> Removal of places from the Commonwealth Heritage List</p>
P 3	4 August 2009	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i> Inclusion of a place in the National Heritage List</p>
P 4	14 September 2009	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i> Inclusion of places on the Commonwealth Heritage List Determination regarding listing of National Heritage Values</p>
P 5	22 September 2009	<p><i>Great Barrier Reef Marine Park Act 1975</i> Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.03.09 to 30.06.09 and not Previously Gazetted</p>
P 6	24 September 2009	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i> Removal of a place from the Commonwealth Heritage List</p>
P 7	23 October 2009	<p><i>Environment Protection and Biodiversity Conservation Act 1999</i> Inclusion of a place in the National Heritage List: Cheetup Rock Shelter</p>
* P 8	24 November 2009	<p><i>Great Barrier Reef Marine Park Act 1975</i> Particulars of Permissions Granted, Refused, Suspended, Reinstated, Revoked or Reconsidered for the Period 1.07.09 to 30.09.09 and not Previously Gazetted</p>

* First time notified.

Department of the Senate

Notification of rescission of disallowances

IT IS HEREBY NOTIFIED for general information that, for the purposes of paragraph 48(1)(a) of the *Legislative Instruments Act 2003*, the Senate on 25 November 2009 rescinded its resolutions of 15 September 2009 disallowing the following legislative instruments:

Australian Meat and Live-stock Industry (Export Licensing) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 108 and made under the *Australian Meat and Live-stock Industry Act 1997* [F2009L02110].

Export Control (Fees) Amendment Orders 2009 (No. 1), made under regulation 3 of the Export Control (Orders) Regulations 1982 [F2009L02097].

Export Inspection (Establishment Registration Charges) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 109 and made under the *Export Inspection (Establishment Registration Charges) Act 1985* [F2009L02113].

Export Inspection (Quantity Charge) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 110 and made under the *Export Inspection (Quantity Charge) Act 1985* [F2009L02104].

HARRY EVANS
Clerk of the Senate

Notification of disallowance

IT IS HEREBY NOTIFIED for general information that the Senate on 25 November 2009 passed a resolution disallowing the Health Insurance (Cataract Surgery) Determination 2009, made under subsection 3C(1) of the *Health Insurance Act 1973* [F2009L04076].

HARRY EVANS
Clerk of the Senate

Department of the House of Representatives

Act 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 23 November 2009 to the undermentioned Act passed by the Senate and the House of Representatives in the Parliament assembled, viz.:

No. 115 of 2009—An Act to amend the law relating to corporations, and for related purposes.
(Corporations Amendment (Improving Accountability on Termination Payments) Act 2009).

I C HARRIS
Clerk of the House of Representatives

Government Departments

Attorney-General

COMMONWEALTH OF AUSTRALIA CUSTOMS ACT 1901

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

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

SCHEDULE		(Foreign Currency = AUS \$1)						
Column 1	Column 2 Currency	Column 3 18/11/2009	Column 4 19/11/2009	Column 5 20/11/2009	Column 6 21/11/2009	Column 7 22/11/2009	Column 8 23/11/2009	Column 9 24/11/2009
Brazil	Real	1.6026	1.5894	1.5981	1.5875	1.5875	1.5875	1.5877
Canada	Dollar	0.9797	0.977	0.9782	0.9773	0.9773	0.9773	0.9784
China, PR of	Yuan	6.3839	6.3408	6.3193	6.2746	6.2746	6.2746	6.2579
Denmark	Kroner	4.6488	4.6463	4.6119	4.5834	4.5834	4.5834	4.5787
European Union	Euro	0.6247	0.6244	0.6198	0.6161	0.6161	0.6161	0.6154
Fiji	Dollar	1.7521	1.7462	1.7395	1.7466	1.7466	1.7466	1.743
Hong Kong	Dollar	7.252	7.2032	7.1784	7.1265	7.1265	7.1265	7.108
India	Rupee	43.1139	43.0002	42.8784	42.9193	42.9193	42.9193	42.6758
Indonesia	Rupiah	8784	8730	8729	8749	8749	8749	8681
Israel	Shekel	3.5121	3.507	3.4866	3.4908	3.4908	3.4908	3.4951
Japan	Yen	83.32	82.9	82.64	81.77	81.77	81.77	81.48
Korea, Republic of	Won	1076.08	1070.64	1068.26	1066.41	1066.41	1066.41	1059.92
Malaysia	Ringgit	3.1466	3.1295	3.1244	3.1185	3.1185	3.1185	3.0997
New Zealand	Dollar	1.2485	1.2466	1.2478	1.2569	1.2569	1.2569	1.2632
Norway	Kroner	5.2001	5.216	5.1873	5.1788	5.1788	5.1788	5.1737
Pakistan	Rupee	78.04	77.52	77.07	76.69	76.69	76.69	76.58
Papua New Guinea	Kina	2.4822	2.4655	2.457	2.4392	2.4392	2.4392	2.4265
Philippines	Peso	43.62	43.32	43.27	43.34	43.34	43.34	42.98
Singapore	Dollar	1.2945	1.2873	1.2831	1.2761	1.2761	1.2761	1.272
Solomon Islands	Dollar	7.5468	7.496	7.4702	7.4161	7.4161	7.4161	7.3968
South Africa	Rand	6.8749	6.9058	6.9067	6.9123	6.9123	6.9123	6.9268
Sri Lanka	Rupee	106.98	106.19	105.8	105.05	105.05	105.05	104.77
Sweden	Krona	6.3613	6.385	6.3367	6.333	6.333	6.333	6.343
Switzerland	Franc	0.9426	0.9438	0.9364	0.9313	0.9313	0.9313	0.9304
Taiwan Province	Dollar	29.94	29.83	29.73	29.72	29.72	29.72	29.63
Thailand	Baht	31.02	30.82	30.68	30.49	30.49	30.49	30.43
United Kingdom	Pound	0.5561	0.5529	0.5537	0.5518	0.5518	0.5518	0.5551
USA	Dollar	0.9358	0.9295	0.9263	0.9196	0.9196	0.9196	0.9172

Mark Collidge
 Delegate of the Chief Executive Officer of Customs
 Canberra ACT
 24/11/2009

Broadband, Communications and the Digital Economy

Commonwealth of Australia

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Radiocommunications Act 1992

Notice under section 136 of the *Radiocommunications Act 1992*

NOTIFICATION OF PROPOSED VARIATION OF *RADIOCOMMUNICATIONS (CELLULAR MOBILE TELECOMMUNICATIONS DEVICES) CLASS LICENCE 2002*

Notice is given that the Australian Communications and Media Authority (the ACMA) proposes to vary the *Radiocommunications (Cellular Mobile Telecommunications Devices) Class Licence 2002* under section 134 of the *Radiocommunications Act 1992*.

Proposed changes

The *Radiocommunications (Cellular Mobile Telecommunications Devices) Class Licence 2002* (the CMTD Class Licence) contains the licence conditions, operating requirements and technical parameters associated with the operation of radiocommunications devices including cellular mobile telephone handsets that communicate with a land station authorised under a Public Telecommunication Service (PTS) apparatus licence.

Sections 5 and 6 of the CMTD Class Licence limit authorisation of devices (referred to as 'stations') to operation on land, or communication with a land station. The ACMA proposes to amend the CMTD Class Licence to permit the use of devices onboard aircraft when they are operated at no lower than 6000 metres above ground level to communicate with an on-board system and operation of that system is authorised by a Public Mobile Telecommunications Service Class C (PMTS Class C) apparatus licence.

Comments

Under section 136 of the *Radiocommunications Act 1992*, the ACMA is seeking representations about the proposed variation to the CMTD Class Licence.

A package containing a copy of the existing CMTD Class Licence, the proposed variation to the CMTD Class Licence and background paper are available on ACMA's website. Alternatively, copies of the documentation may be obtained by contacting:

Mary Stavropoulos
Regulatory Development Section
Australian Communications and Media Authority
PO BOX 13112
Law Courts
MELBOURNE VIC 8010

Telephone: (03) 9963 6993
Facsimile: (03) 9963 6899
Email: Mary.Stavropoulos@acma.gov.au

Interested persons are invited to make representations about the proposed variation no later than 29 January 2009. Representations should be in writing and should be addressed to:

The Manager
Regulatory Development Section
Australian Communications and Media Authority
PO BOX 13112
Law Courts
MELBOURNE VIC 8010

or by email to:
regulatorydevelopment@acma.gov.au



AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

NOTICE UNDER SECTION 35 OF THE *BROADCASTING SERVICES ACT 1992*

Pursuant to section 26(2) of the *Broadcasting Services Act 1992*, on 25 November 2009, the Australian Communications and Media Authority varied the licence area plan for Wangaratta that determines the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Wangaratta region with the use of the broadcasting services bands.

Copies of the varied licence area plan can be obtained free from the ACMA by calling; 1300 850 115, from the ACMA's web site at www.acma.gov.au, or by writing to:

Planning Officer for Wangaratta
Australian Communications and Media Authority
PO Box 78
BELCONNEN ACT 2616



Australian
Communications
and Media Authority

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

NOTICE UNDER SECTION 35 OF THE BROADCASTING SERVICE ACT 1992

Under subsection 26(2) of the *Broadcasting Services Act 1992*, on 25 November 2009, the Australian Communications and Media Authority varied the Licence Area Plan for Nowra radio that determined the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Nowra region with the use of the broadcasting services bands.

Copies of the varied licence area plan can be obtained free from the ACMA by calling 1300 850 115, from ACMA's web site at www.acma.gov.au, or from:

Planning Officer for Nowra
Australian Communications and Media Authority
PO Box 78
BELCONNEN ACT 2616



Australian
Communications
and Media Authority

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

NOTICE UNDER SECTION 35 OF THE *BROADCASTING SERVICE ACT 1992*

Under subsection 25(2) of the *Broadcasting Services Act 1992*, on 12 November 2009, the Australian Communications and Media Authority varied the frequency allotment plan for the VHF-FM Band determined in December 2001 in so far as they relate to the Murray Bridge region.

Under subsection 26(2) of the *Broadcasting Services Act 1992*, on 12 November 2009, the Australian Communications and Media Authority varied the Licence Area Plan for Murray Bridge radio that determined the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Murray Bridge region with the use of the broadcasting services bands.

Under subsection 29(1) of the *Broadcasting Services Act 1992*, on 12 November 2009, the Australian Communications and Media Authority designated the area defined at Attachment 4.1 to the variation of the Licence Area Plan for Murray Bridge Radio to be the licence area for the broadcasting service whose identifying service licence number is SL1130054.

Copies of the varied licence area plan can be obtained free from the ACMA by calling 1300 850 115, from ACMA's web site at www.acma.gov.au, or from:

Planning Officer for Murray Bridge
Australian Communications and Media Authority
PO Box 78
BELCONNEN ACT 2616

Education, Employment and Workplace Relations



Fair Work
OMBUDSMAN

Fair Work Information Statement

From 1 January 2010, this Fair Work Information Statement is to be provided to all new employees by their employer as soon as possible after the commencement of employment. The Statement provides basic information on matters that will affect your employment. If you require further information, you can contact the **Fair Work Infoline** on **13 13 94** or visit **www.fairwork.gov.au**.

▲ The National Employment Standards

The *Fair Work Act 2009* provides you with a safety net of minimum terms and conditions of employment through the National Employment Standards (NES).

There are 10 minimum workplace entitlements in the NES:

1. A maximum standard working week of 38 hours for full-time employees, plus 'reasonable' additional hours.
2. A right to request flexible working arrangements to care for a child under school age, or a child (under 18) with a disability.
3. Parental and adoption leave of 12 months (unpaid), with a right to request an additional 12 months.
4. Four weeks paid annual leave each year (pro rata).
5. Ten days paid personal/carer's leave each year (pro rata), two days paid compassionate leave for each permissible occasion, and two days unpaid carer's leave for each permissible occasion.
6. Community service leave for jury service or activities dealing with certain emergencies or natural disasters. This leave is unpaid except for jury service.
7. Long service leave.
8. Public holidays and the entitlement to be paid for ordinary hours on those days.
9. Notice of termination and redundancy pay.
10. The right for new employees to receive the Fair Work Information Statement.

A complete copy of the NES can be accessed at **www.fairwork.gov.au**. Please note that some conditions or limitations may apply to your entitlement to the NES. For instance, there are some exclusions for casual employees.

If you work for an employer who sells or transfers their business to a new owner, some of your NES entitlements may carry over to the new employer. Some NES entitlements which may carry over include personal/carer's leave, parental leave, and your right to request flexible working arrangements.

▲ Modern awards

In addition to the NES, you may be covered by a modern award. These awards cover an industry or occupation and provide additional enforceable minimum employment standards. There is also a Miscellaneous Award that covers employees who are not covered by any other modern award.

Modern awards may contain terms about minimum wages, penalty rates, types of employment, flexible working arrangements, hours of work, rest breaks, classifications, allowances, leave and leave loading, superannuation, and procedures for consultation, representation, and dispute settlement. They may also contain terms about industry specific redundancy entitlements.

If you are a manager or a high income employee, the modern award that covers your industry or occupation may not apply to you. For example, where your employer guarantees in writing that you will earn more than \$108,300 annually (indexed), a modern award will not apply, but the NES will.

Transitional arrangements to introduce the modern award system may affect your coverage or entitlements under a modern award.

▲ Agreement making

You may be involved in an enterprise bargaining process where your employer, you or your representative (such as a union or other bargaining representative) negotiate for an enterprise agreement. Once approved by Fair Work Australia, an enterprise agreement is enforceable and provides for changes in the terms and conditions of employment that apply at your workplace.

There are specific rules relating to the enterprise bargaining process. These rules are about negotiation, voting, matters that can and cannot be included in an enterprise agreement, and how the agreement can be approved by Fair Work Australia.

You and your employer have the right to be represented by a bargaining representative and must bargain in good faith when negotiating an enterprise agreement. There are also strict rules for taking industrial action. If you have enquiries about making, varying, or terminating enterprise agreements, you should contact Fair Work Australia.

Individual flexibility arrangements

Your modern award or enterprise agreement must include a flexibility term. This term allows you and your employer to agree to an Individual Flexibility Arrangement (IFA), which varies the effect of terms of your modern award or enterprise agreement. IFAs are designed to meet the needs of both you and your employer. You cannot be forced to make an IFA, however, if you choose to make an IFA, you must be better off overall. IFAs are to be in writing, and if you are under 18 years of age, your IFA must also be signed by your parent or guardian.

Freedom of association and workplace rights (general protections)

The law not only provides you with rights, it ensures you can enforce them. It is unlawful for your employer to take adverse action against you because you have a workplace right. Adverse action could include dismissing you, refusing to employ you, negatively altering your position, or treating you differently for discriminatory reasons. Some of your workplace rights include the right to freedom of association (including the right to become or not to become a member of a union), and the right to be free from unlawful discrimination, undue influence and pressure.

If you have experienced adverse action by your employer, you can seek assistance from the Fair Work Ombudsman or Fair Work Australia (applications relating to general protections where you have been dismissed must be lodged with Fair Work Australia within 60 days).

Termination of employment

Termination of employment can occur for a number of reasons, including redundancy, resignation and dismissal. When your employment relationship ends, you are entitled to receive any outstanding employment entitlements. This may include outstanding wages, payment in lieu of notice, payment for accrued annual leave and long service leave, and any applicable redundancy payments.

Your employer should not dismiss you in a manner that is 'harsh, unjust or unreasonable'. If this occurs, this may constitute unfair dismissal and you may be eligible to make an application to Fair Work Australia for assistance. It is important to note that applications must be lodged within 14 days of dismissal. Special provisions apply to small businesses, including the Small Business Fair Dismissal Code. For further information on this code, please visit www.fairwork.gov.au.

Right of entry

Right of entry refers to the rights and obligations of permit holders (generally a union official) to enter work premises. A permit holder must have a valid and current entry permit from Fair Work Australia and, generally, must provide 24 hours notice of their intention to enter the premises. Entry may be for discussion purposes, or to investigate suspected contraventions of workplace laws that affect a member of the permit holder's organisation or occupational health and safety matters. A permit holder can inspect or copy certain documents, however, strict privacy restrictions apply to the permit holder, their organisation, and your employer.

The Fair Work Ombudsman and Fair Work Australia

The **Fair Work Ombudsman** is an independent statutory agency created under the *Fair Work Act 2009*, and is responsible for promoting harmonious, productive and cooperative Australian workplaces. The Fair Work Ombudsman educates employers and employees about workplace rights and obligations to ensure compliance with workplace laws. Where appropriate, the Fair Work Ombudsman will commence proceedings against employers, employees, and/or their representatives who breach workplace laws.

If you require further information from the Fair Work Ombudsman, you can contact the **Fair Work Infoline** on **13 13 94** or visit www.fairwork.gov.au.

Fair Work Australia is the national workplace relations tribunal established under the *Fair Work Act 2009*. Fair Work Australia is an independent body with the authority to carry out a range of functions relating to the safety net of minimum wages and employment conditions, enterprise bargaining, industrial action, dispute resolution, termination of employment, and other workplace matters.

If you require further information, you can contact **Fair Work Australia** on **1300 799 675** or visit www.fwa.gov.au.

The Fair Work Information Statement is prepared and published by the Fair Work Ombudsman in accordance with section 124 of the *Fair Work Act 2009*.

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Mon-Fri 8.00am-6.00pm local time


Australian Government

Fair Work
OMBUDSMAN

Environment, Water, Heritage and the Arts

**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 Inchcape Shipping Services Pty Ltd, 38 Montpelier Retreat, Battery Point, Hobart, Tasmania 7004, has applied for a permit to import up to 13,500 litres of liquid wastes and up to 157,800 kg of solid wastes from Dumont D'Urville Station in the French Antarctic Territory, to an Australian Quarantine Inspection Service Facility, Australian Antarctic Division, No. 4B, Macquarie Wharf Area, Tasmania, Australia. The waste will be sorted and then distributed to appropriate handling facilities by Veolia Environmental Services (Australia) Pty Ltd (formerly Collex Waste Management Services), 75 Mornington Road, Tasmania, Australia 7018.

The waste is comprised of sump oil, compacted plastic waste, broken glass from bottles, steel from plated steel cans, ashes from the incineration of wood and by-products, plastic drums and tanks with traces of hydrocarbons and waste copper electrical wires, structural steel and insulating plastic from buildings removed from Dumont D'Urville Station.

The waste would be packaged in steel containers, wooden crates and steel storage tanks, loaded onto ship at Dumont D'Urville Station and off-loaded onto road transport at the Port of Hobart. Waste would be then transferred by road or appropriate equipment to the Australian Quarantine Inspection Service (AQIS) sorting/handling facility.

It would then be disposed of by Veolia Environmental Services Pty Ltd in various ways including, under the supervision of the Australian Quarantine Inspection Service, deep burial at the Hobart tip, recycling of materials such as glass, cans, metals and waste oils, and incineration of high risk items at the Hobart Marine Board incinerator.

The import would take place in up to five shipments (5) commencing from the date of the permit if granted, and finishing on 31 December 2010.

Mr Lee Eeles
Acting Assistant Secretary
Environment Protection Branch
November 2009



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 Umicore Australia Limited (Umicore), 414 Somerville Road, Tottenham, Victoria 3012, Australia to import up to 500 tonnes of Zinc Ash from Barry Stevens, 36 Paremata Crescent, Porirua, Wellington 5024, New Zealand to Umicore for recycling/reclamation of metals and metal compounds.

The material has hazardous characteristics H6.1 "*Poisonous (acute)*", H11 "*Toxic (delayed or chronic)*", H12 "*Ecotoxic*", and H13 "*capable, after disposal of yielding another material, e.g. leachate which possesses any of the characteristics listed above*". The waste identification code for this waste is A1080 "*Waste zinc residues*".

The zinc ash will be stored in 200 litre drums. The drums will then be placed in appropriate shipping containers. The waste will then be shipped directly from the ports of either Auckland or Christchurch in New Zealand, on its sea voyage to the port of Melbourne in Victoria, Australia, where the waste will then be transported by road to the Umicore facilities in Tottenham.

The import would take place in twenty five (25) shipments over twelve (12) months commencing from the date of the permit, if granted.

A handwritten signature in blue ink, appearing to read 'Barry R.', with a stylized flourish at the end.

Dr Barry Reville
Assistant Secretary
Environment Protection Branch

13 November 2009

**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 Transpacific Industries Pty Ltd (Transpacific), 20 George Street, Wingfield 5013, SA, in Australia to import up to 591,000 litres of wastes consisting of paint related material including resins, pigments & organic solvents (toluene, xylene, mek, acetone) from Transpacific Technical Services (NZ) Ltd, 30 Neales Road, East Tamaki, Auckland, New Zealand to Transpacific, Australia for solvent reclamation/regeneration.

The material has hazardous characteristics H3 "*Inflammable liquids*". The waste identification code for this waste is A4070 "*Waste from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish*".

The waste will be stored in 20-25,000 litre capacity ISO bulk containers. They will then be shipped directly from the ports of Auckland, Tauranga, or Wellington in New Zealand to the ports of Melbourne or Adelaide in Australia, and then be transported by road to the disposal facilities at Transpacific Industries Pty Ltd, 20 George Street, Wingfield 5013, South Australia.

The import would take place in twenty five (25) shipments over twelve months commencing from the date of the permit, if granted.

A handwritten signature in blue ink, appearing to read 'B. J. Reville'.

Dr Barry Reville
Assistant Secretary
Environment Protection Branch

13 November 2009



THE WATER EFFICIENCY LABELLING AND STANDARDS REGULATOR

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

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

Registered WELS products

Brand Name	Product Type	Family Name / Product Name / Model Reference	Registration Number
RV HOT WATER	Tap only	Family Name: Instantaneous Hot Water Unit RV Instant Hot Water	R001954
VISTA	Toilet suite	Addition to Family Name: VISTA 1 XL 9701 Heritage / Neon WC Suite, XL501 Concept WC Suite	R000434A
DUNNINGS	Showers	Addition to Family Name: DUNNINGS 3 STAR SHOWER EQUIPMENT Dunnings Basix	R000550C
PHOENIX	Tap only	Addition to Family Name: TAP MIXER C Lexi Q Basin Mixer, Lexi Q Vessel Mixer	R000692M
PHOENIX	Tap outlet only	Addition to Family Name: TAP MIXER B Lexi Q Sink Mixer	R000619G
PHOENIX	Tap only	Addition to Family Name: Tap Mixer A Lexi Q Sink Mixer 160mm Squareline, Lexi Q Sink Mixer 220mm Squareline	R000548S
RADA	Showers	Addition to Family Name: Rada Showers Rada LR & Pulse 120 / 129 Sensor Range, Rada LR & Pulse LR Sensor Range, Rada LR Shower Head, Rada VR2 & Mono 120 / 129 Sensor Range, Rada VR2 & Pulse 120 / 129 Sensor Range, Rada VR2 Shower Head	R000496B
HANSA	Tap only	Addition to Family Name: Hansa basin mixers Designo 5169, Designo 5172, Stela 5711	R000132F

A handwritten signature in black ink, appearing to read 'L Chapman'.

Delegate of the Water Efficiency Labelling and Standards Regulator
2 December 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
2009/5142	Gujarat NRE Minerals Limited/Mining/Russell Vale/NSW/Consolidation of Existing Operations, Continuation of Underground Mining and Upgrade of Facilities at NRE No.1 Colliery	• Listed threatened species and communities (sections 18 & 18A)	16-Nov-2009
2009/5063	Hunter Land Holdings Pty Ltd/Transport - air and space/Williamtown/NSW/Williamtown Aerospace Park, industrial subdivision and development to service existing RAAF Base, Williamtown, NSW	• Listed threatened species and communities (sections 18 & 18A) • Commonwealth land (sections 26 & 27A)	17-Nov-2009
2009/5138	Heathgate Resources Pty Ltd/Mining/Beverley, 600km north of Adelaide/SA/Beverley North Extension to the Beverley Uranium Mine	• Nuclear actions (sections 21 & 22A)	19-Nov-2009
2009/5159	Matt Dunbabin/Water management and use/Blackman Rivulet, 8km East of Dunalley/TAS/Blackman Rivulet Dam at Bangor Farm	• Listed threatened species and communities (sections 18 & 18A)	19-Nov-2009
2009/5124	ACTEW Corporation/Water management and use/Murrumbidgee River, Burra Creek, Googong Reservoir/ACT/Murrumbidgee to Googong Water Transfer and associated infrastructure	• Listed threatened species and communities (sections 18 & 18A) • Commonwealth land (sections 26 & 27A)	20-Nov-2009
2009/5156	ACT Procurement Solutions/Transport - land/West Gungahlin/ACT/Clarrie Hermes Drive Extension	• Listed threatened species and communities (sections 18 & 18A)	20-Nov-2009

ACTIONS DETERMINED AS NOT REQUIRING APPROVAL (EPBC ACT S.75)

Reference	Title	Date
2009/5057*	Roads ACT/Transport - land/Monaro Hwy to Federal Hwy, Majura/ACT/Construction of a four lane dual carriageway road from Monaro Hwy to Federal Hwy, Majura ACT	5-Nov-2009
2009/5088	Santos Pty Ltd/Energy generation and supply (non-renewable)/2.5km north of Orford/VIC/Shaw River Power Station Project	18-Nov-2009
2009/4970*	Water Corporation/Water management and use/East Rockingham/WA/Wastewater Treatment Plant	20-Nov-2009
2009/4965	Town of Port Hedland/Tourism and recreation/Port Hedland/WA/Walkway Lighting Upgrade	24-Nov-2009

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

ASSESSMENT APPROACH (EPBC ACT S.87)

Reference	Title	Assessment Approach	Date
2009/5142	Gujarat NRE Minerals Limited/Mining/Russell Vale/NSW/Consolidation of Existing Operations, Continuation of Underground Mining and Upgrade of Facilities at NRE No.1 Colliery	Accredited Assessment Process	16-Nov-2009
2009/5063	Hunter Land Holdings Pty Ltd/Transport - air and space/Williamtown/NSW/Williamtown Aerospace Park, industrial subdivision and development to service existing RAAF Base, Williamtown, NSW	Preliminary Documentation	17-Nov-2009
2009/5159	Matt Dunbabin/Water management and use/Blackman Rivulet, 8km East of Dunalley/TAS/Blackman Rivulet Dam at Bangor Farm	Preliminary Documentation	19-Nov-2009
2009/5124	ACTEW Corporation/Water management and use/Murrumbidgee River, Burra Creek, Googong Reservoir/ACT/Murrumbidgee to Googong Water Transfer and associated infrastructure	Public Environment Report	20-Nov-2009
2009/5156	ACT Procurement Solutions/Transport - land/West Gungahlin/ACT/Clarrie Hermes Drive Extension	Preliminary Documentation	20-Nov-2009

DECISION ON APPROVAL (EPBC ACT S.133)

Reference	Title	Approval Decision	Date
2008/4676	Stockland WA Developments Pty Ltd/Residential development/City of Wanneroo/WA/East Landsdale Residential Development	Approved with conditions	23-Nov-2009

NOTICE OF EXTENSION OF TIME (EPBC ACT S.130(4))

Reference	Title	Extended by (Days)	Date
2008/4419	Coal and Allied Operations Pty Ltd/Residential development/Catherine Hill, Nords Wharf and Gwandalan, Lake Macquarie /NSW/ Subdivide and Develop	12 business days	19-Nov-2009

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.

Health and Ageing



Health Insurance (Prescribed Dental Patient) Determination 2009

I, Samantha Robertson, delegate of the Minister for Health and Ageing, acting under paragraph 3BA(3)(a) of the *Health Insurance Act 1973* make this determination with effect from 18 December 2002.

Dated 20 November 2009

SAMANTHA ROBERTSON

Delegate of the Minister for Health and Ageing

1. Name of Determination

This Determination is the *Health Insurance (Prescribed Dental Patient) Determination 2009*.

2. Commencement

This Determination is taken to have effect from 18 December 2002.

3. Revocation of previous determinations

This Determination revokes all previous determinations made under paragraph 3BA(3)(a) of the *Health Insurance Act 1973*.

4. Conditions to which the definition of a prescribed dental patient applies

The conditions specified in the Schedule to this determination are conditions to which the definition of *prescribed dental patient* applies.

SCHEDULE

Aarskog syndrome
Achondroplasia and Craniofacial Anomaly
Alagille's Syndrome
Amelogenesis Imperfecta
Anterior Open Bite
Apert's syndrome
Branchial Arch Syndrome
Charge syndrome
Choanal Atresia
Cleidocranial dysostosis
Cranio metaphyseal Syndrome
Craniosynostosis Syndrome
Ectodermal Dysplasia
Goldenhar Syndrome
Hypo Hidrotic Ectodermal Dysplasia
Joubert Syndrome
Left Hemifacial Microsomia
Metopic Syndrome
Oligodontia
Pierre Robin
Pierre Sequence
Regional Odontodysplasia
Right Unicoronal Synostosis
Romberg's Syndrome
Rubenstein-Taybi Syndrome
Sprintzen Syndrome
Sticklers Syndrome
Tessier Cleft
Treacher-Collins' Syndrome
Trichorhinophalangeal Syndrome Type 1
Unilateral Cleft Lip and Palate
Velocardio Facial Syndrome

NATIONAL DRUGS AND POISONS SCHEDULE COMMITTEE

OUTCOME OF CONSIDERATIONS BY THE NATIONAL DRUGS AND POISONS SCHEDULE COMMITTEE AT ITS OCTOBER 2009 MEETING OF PROPOSALS FOR AMENDMENT TO THE STANDARD FOR THE UNIFORM SCHEDULING OF DRUGS AND POISONS

Notice under subsection 52D(4) *Therapeutic Goods Act 1989* (the Act)

The National Drugs and Poisons Schedule Committee (NDPSC) hereby gives notice, pursuant to subsection 52D(4) of the Act, that an amendment has been made to the *Standard for the Uniform Scheduling of Drugs and Poisons* (SUSDP).

The notice is divided into four parts:

- Part A – Amendments to the SUSDP, Part 4 in respect of substances mentioned in the October 2009 pre-meeting Gazette Notice;
- Part B – Other amendments to the SUSDP (Parts 1-3 and Part 5);
- Part C – Amendments to the SUSDP subject to further post-meeting public submissions; and
- Part D – Editorials and Errata.

Please note that the basis for amendments to the SUSDP can be found in the Record of Reasons. The Record of Reasons, which also contains other outcomes arising from the NDPSC meeting, can be accessed through <http://www.tga.gov.au/ndpsc/records.htm>. Hard copies of the document can be obtained from the NDPSC Secretariat, by phone on (02) 6289 2584.

The amendments arising from this notice will be incorporated into SUSDP 24 Amendment 3 effective 1 May 2010 (unless otherwise indicated), which should be available for purchase from National Mailing and Marketing Pty Ltd in April 2010, telephone (02) 6269 1035, or using the subscription order form available at <http://www.tga.gov.au/ndpsc/susdp.htm>.

Please note that SUSDP 24, Amendment 2 will soon be available from National Mailing and Marketing Pty Ltd. Please also note that the SUSDP and its amendments are available electronically as the 'Poisons Standard' at the ComLaw website, a link to which can be found at <http://www.tga.gov.au/ndpsc/susdp.htm>.

Invitation to make a post-meeting submission

The amendments set out in Part A and B were made in respect of substances or issues mentioned in the Commonwealth of Australia Gazette No.32, 19 August 2009 (and Special Gazette No.S134, 21 August 2009, with regards to diclofenac and famciclovir only) as substances to be considered for scheduling at the October 2009 meeting. These amendments are subject to the receipt of further public submissions from persons who made a pre-meeting public submission in relation to substances listed in Part A or B.

Accordingly, these persons are invited to make a further submission to:

The Secretary
National Drugs and Poisons Schedule Committee
GPO Box 9848
CANBERRA ACT 2601
e-mail NDPSC@health.gov.au or Facsimile 02 6289 2500.

The NDPSC has moved to an E-agenda and is increasingly using electronic documents at its meetings. Persons making submissions to the Committee are encouraged to lodge submissions in electronic format via the NDPSC email address (word or unsecured PDF is preferred). Correspondence from the Committee will similarly be via email where possible.

Submissions must be made by **16 December 2009** and must address a matter mentioned in Section 52E of the Act and must be relevant to the reasons for the making of the decision.

If a further submission is made to the Committee by an eligible person in respect of a substance set out below, the Committee must consider the submission and then confirm the amendment, vary the amendment, or set aside the amendment, replace it with a new scheduling decision and publish notice of the decisions pursuant to section 52D of the Act.

PART A – AMENDMENTS TO PART 4 – THE SCHEDULES OF THE SUSDP

Subject to the matters set out above, the amendments in Part A come into effect on **1 May 2010**, unless otherwise indicated.

Schedule 3 – New Entry

CHLORAMPHENICOL for ophthalmic use only.

Schedule 4 – New Entries

CLEVIDIPINE.

MIFEPRISTONE.

NEBIVOLOL.

RED YEAST RICE for human therapeutic use.

ROBENACOXIB.

USTEKINUMAB.

VACCINIA VIRUS VACCINE.

Schedule 4 – Amendment

CHLORAMPHENICOL – Amend entry to read:

CHLORAMPHENICOL **except** when included in Schedule 3.

Schedule 5 – New Entries

ABSCISIC ACID.

IPCONAZOLE in preparations containing 2 per cent or less of ipconazole.

THIOPHANATE-METHYL in preparations containing 25 per cent or less of
thiophanate-methyl.

Schedule 6 – New Entries

IPCONAZOLE **except** when included in Schedule 5.

THIOPHANATE-METHYL **except** when included in Schedule 5.

Schedule 6 – Amendment

CARBENDAZIM – delete entry.

Schedule 7 – New Entry

CARBENDAZIM.

Schedule 8 – New Entry

NABIXIMOLS (botanical extract of *Cannabis sativa* which includes the following cannabinoids: tetrahydrocannabinol, cannabidiol, cannabinol, cannabigerol, cannabichromene, cannabidiolic acid, tetrahydrocannabinolic acid, tetrahydrocannabivarol, and cannabidivarol, where tetrahydrocannabinol and cannabidiol (in approximately equal proportions) comprise not less than 90 per cent of the total cannabinoid content) in a buccal spray for human therapeutic use.

**PART B – OTHER AMENDMENTS TO THE SUSDP
(PARTS 1-3 AND PART 5)**

Subject to the matters set out above, the amendments in Part B come into effect on **1 May 2010**, unless otherwise indicated.

Appendix D, Paragraph 1 – New Entry

MIFEPRISTONE.

Appendix D, Paragraph 3 – New Entries

MIFEPRISTONE.

NABIXIMOLS.

Appendix K – New Entry

Nabiximols

PART C – AMENDMENTS TO THE SUSDP THAT WERE SUBJECT TO FURTHER PUBLIC SUBMISSIONS

The amendments set out in Part C have been made in response to post-meeting public submissions. The public consultation process in respect of these amendments has now concluded. The amendments in Part C will be published in SUSDP 24 Amendment 2 which will come into effect on **1 January 2010**, unless otherwise indicated.

Schedule 2 – Amendment

(The following codeine amendment has a delayed implementation of 1 May 2010)

CODEINE – Amend entry to read:

CODEINE in preparations for the treatment of coughs and colds when:

- (a) not combined with any other opiate substance;
- (b) compounded with one or more other therapeutically active substances, of which at least one is phenylephrine and not more than one is an analgesic substance:
 - (i) in divided preparations containing 10 mg or less of codeine per dosage unit; or
 - (ii) in divided preparations containing 0.25 per cent or less of codeine;
- (c) labelled with a recommended daily dose not exceeding 60 mg of codeine; and
- (d) in packs containing not more than 6 days of supply at the maximum dose recommended on the label.

Schedule 3 – New Entry

MAGNESIUM SULFATE for human therapeutic use in divided oral preparations **except** when containing 1.5 g or less of magnesium sulfate per recommended daily dose.

Schedule 4 – New Entry

HMG-CoA REDUCTASE INHIBITORS (including "statins") **except** when separately specified in these Schedules.

PART D – EDITORIALS AND ERRATA

The Committee agreed to minor editorial amendments to the wording of these schedule entries to clarify the intent or implementation of the original decision or to adopt contemporary nomenclature. These corrections will be incorporated into SUSDP 24 Amendment 2 which will come into effect on **1 January 2010**.

Schedule 4 – Amendment

SUGAMADEX – Amend entry to read:

SUGAMMADEX.

Schedule 5 – Amendment

ENILCONAZOLE – delete entry.

Appendix D – Amendment

Appendix D, Paragraph 3 – Amend entry to read:

- 3. Poisons available only from or on the prescription or order of a medical practitioner authorised or approved by the Secretary of the Commonwealth Department of Health and Ageing under section 19 of the *Therapeutic Goods Act 1989*.**

Appendix E, Part 2 – Amendment

POISON.....STANDARD STATEMENT

Guanidine – Amend entry to read:

Guanidine when included in Schedule 6.....A,G3,E2,S1

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

No: 7030

Navigation Act 1912

PERMIT FOR UNLICENSED SHIP - CONTINUING

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

This permit remains in force from 25/11/2009 to 24/02/2010

Details about shipName of ship: DA HE
IMO No. of ship: 9074639Port of registry: Shanghai
Name of Owner: Shanghai Ocean Shipping Co.**Name of ports for which permit issued**

From Melbourne to Brisbane.

Permit conditions

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

Signature of delegate:

Date: 20 November 2009



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

No: 7046

Navigation Act 1912

PERMIT FOR UNLICENSED SHIP - CONTINUING

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

This permit remains in force from 07/12/2009 to 06/03/2010

Details about ship

Name of ship: OOCL NEW ZEALAND
IMO No. of ship: 9445514

Port of registry: Hong Kong
Name of Owner: National Australia Finance (Vessel Leasing No.5) Limited

Name of ports for which permit issued

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

Permit conditions

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

Signature of delegate:

Date: 25 November, 2009



Treasury

COMMISSIONER OF TAXATION

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

NOTICE OF RULINGS		
Ruling Number	Subject	Brief Description
CR 2009/70	Income tax: Australia and New Zealand Banking Group Limited – allotment of convertible preference shares (CPS 2)	This Ruling applies to Australian resident (within the meaning of subsection 6(1) of the <i>Income Tax Assessment Act 1936</i>) subscribers of Convertible Preference Shares (CPS 2) in Australia and New Zealand Banking Group Limited who hold those CPS 2 on capital account. This Ruling applies from 17 December 2009 to 30 June 2017.
CR 2009/71	Income tax: payments made under the BHP Billiton Boodarie Iron Plant – Worker Support Program	This Ruling applies to eligible workers who received assistance from the Western Australian Government under the BHP Billiton Boodarie Iron Plant Worker Support Program. This Ruling applies from 1 July 2004 to 30 June 2008.
CR 2009/72	Income tax: payments made under the EG Green & Sons, Harvey – Worker Support Program	This Ruling applies to eligible workers who received assistance made by the Western Australian Government under the EG Green & Sons, Harvey – Worker Support Program. This Ruling applies from 1 July 2005 to 30 June 2007.



Commonwealth
of Australia

Gazette

No. S197, Thursday, 26 November 2009

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SPECIAL



Commonwealth of Australia

Notice under section 18 2 (b) of the
National Greenhouse and Energy Reporting Act 2007

I, DAVID GERRAN ROSSITER, holding the office of the Greenhouse and Energy Data Officer, notify, in accordance with regulation 3.06 of the *National Greenhouse and Energy Reporting Regulations 2008*, that the following 'Application for deregistration form' is approved for a registered corporation to apply to be deregistered under the *National Greenhouse and Energy Reporting Act 2007*.

Dated this 25th day of November 2009.

DAVID GERRAN ROSSITER

.....

Greenhouse and Energy Data Officer



Australian Government
Department of Climate Change

National Greenhouse and Energy Reporting

Application for deregistration

Under section 18 of the *National Greenhouse and Energy Reporting Act 2007*.

Reference number (Office use only)

Purpose of this form

This form is for a registered corporation to apply to the Greenhouse and Energy Data Officer (the GEDO) to be deregistered under section 18 of the *National Greenhouse and Energy Reporting Act 2007* (the NGER Act).

About deregistration

Section 18 of the NGER Act provides that a registered corporation may apply to the GEDO to be deregistered.

The GEDO will remove a registered corporation from the *National Greenhouse and Energy Register* (the NGER Register) **if the GEDO is satisfied** that:

- a. The registered corporation does not hold a reporting transfer certificate; and
- b. The registered corporation's group is not likely to meet any of the thresholds under section 13 of the NGER Act for:
 - (i) The financial year in which the application is made; and
 - (ii) The next two financial years.

The GEDO may also be satisfied that a registered corporation's group is not likely to meet the thresholds where a registered corporation no longer meets the definition of controlling corporation. If a registered corporation is no longer a controlling corporation, then for the purposes of the NGER Act it does not have a group to be over the thresholds. This would apply where a registered corporation has become the subsidiary of another company within Australia.

Making an application for deregistration

A registered corporation may make an application for deregistration by completing this form and submitting it to the GEDO. The application must include information as to why the registered corporation's group is unlikely to meet any thresholds under section 13 of the NGER Act. This may include information that demonstrates that the registered corporation no longer meets the definition of controlling corporation under the NGER Act.

Once the application has been received the GEDO will consider the application and the information provided.

The GEDO may seek any further information required to inform the decision to deregister the registered corporation.

Please ensure that all details provided in this form are accurate, up to date and complete. An application will only be processed if complete information is provided.

The GEDO will notify the registered corporation in writing of the outcome of the application.

A corporation ceases to be a registered corporation when the GEDO has removed the corporation from the NGER Register.

Provision of identifying details

In accordance with the *National Greenhouse and Energy Reporting Regulations 2008* (the NGER Regulations) this form requires the **identifying details** of the registered corporation and each member of the registered corporation's group.

Identifying details for an entity means:

- (a) The entity's ABN; or
- (b) If the entity does not have an ABN – its ACN; or
- (c) If the entity does not have an ABN or ACN – its ARBN; or
- (d) If the entity does not have an ABN, ACN or ARBN – its trading name and street address.

Further information

If you have any queries concerning an application for deregistration please contact the Greenhouse and Energy Reporting Office. Queries should be directed to reporting@climatechange.gov.au.

This document contains important terms that are found within the NGER Act. Refer to the NGER Act for the meaning of these terms and ensure that you correctly apply them to your particular circumstances.

The NGER Act should be read in conjunction with the NGER Regulations.

The *National Greenhouse and Energy Reporting Guidelines* (the NGER Guidelines) have been developed to help corporations understand their obligations under the NGER Act and the NGER Regulations.

The NGER Act, NGER Regulations and NGER Guidelines may be obtained at www.climatechange.gov.au/reporting or by phoning 1800 018 831.

Privacy Statement

A full Privacy Statement for the Greenhouse and Energy Reporting Office is available online at www.climatechange.gov.au/reporting

You should read the Privacy Statement before starting to complete this form.

PART A – REGISTERED CORPORATION DETAILS**1. Name of registered corporation****2. Identifying details – Please specify one of the following identifying details**

Australian Business Number (ABN)

☐ >*or if no ABN*

Australian Company Number (ACN)

☐ >*or if no ACN*Australian Registered Business
Number (ARBN)☐ >*or if no ARBN*Trading name **and** Street address☐ >

State

Postcode

**3. Reference Number of the
registration**

The Reference Number was provided
on the application form when the
corporation originally applied to be
registered under the NGER Act.

PART B – GROUP MEMBER DETAILS

Please provide the name and identifying details of **every** member of the registered corporation's group (other than the registered corporation). This includes each affected group member and all other group members.

If there are more than two group members, provide the equivalent information for each extra group member on a separate page or pages as required.

4. Group member 1**Business name****Identifying details - Please specify one of the following identifying details**

Australian Business Number (ABN)

☐ >*or if no ABN*

Australian Company Number (ACN)

☐ >*or if no ACN*Australian Registered Business
Number (ARBN)☐ >*or if no ARBN*Trading name **and** Street address☐ >

State

Postcode

Is this member of the registered corporation's group a joint venture or partnership covered respectively by section 8(4) or section 8(5) of the NGER Act?

No ☐ > Go to Question 5

Yes ☐ > Which of the following options apply?

A member of the registered corporation's group is the nominated responsible entity for the joint venture/partnership ☐

Name of responsible entity

OR

No entity has been nominated as the responsible entity for the joint venture/partnership ☐

5. Group member 2

Business name

Identifying details - Please specify **one** of the following identifying details

Australian Business Number (ABN)
or if no ABN

☐ >

Australian Company Number (ACN)
or if no ACN

☐ >

Australian Registered Business Number (ARBN)

☐ >

or if no ARBN

Trading name and Street address

☐ >

State	Postcode
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Is this member of the registered corporation's group a joint venture or partnership covered respectively by section 8(4) or section 8(5) of the NGER Act?

No ☐ > Go to PART C

Yes ☐ > Which of the following options apply?

A member of the registered corporation's group is the nominated responsible entity for the joint venture/partnership ☐

Name of responsible entity

OR

No entity has been nominated as the responsible entity for the joint venture/partnership ☐

PART C – EVIDENCE THAT THE REGISTERED CORPORATION'S GROUP IS UNLIKELY TO MEET THRESHOLDS

In accordance with Regulation 3.05(e) of the NGER Regulations, attach to this application information which explains and demonstrates why the registered corporation's group is unlikely to meet any of the thresholds under section 13 of the NGER Act:

- (a) for the financial year in which the application is made; and
- (b) the two financial years following the financial year in which the application is made.

The information should include:

- (i) any relevant data; and
- (ii) any estimates of energy production, energy consumption, greenhouse gas emissions and emissions-producing activities resulting from the corporation's group.

Where the registered corporation has ceased to meet the definition of controlling corporation under the NGER Act information that demonstrates this should be attached instead.

6. Attachments provided Yes ☐*List all attached documents***Attachment A****Attachment B****Attachment C****Attachment D***List the equivalent information for any additional documents on a separate page or pages as required.*

PART D – CHIEF EXECUTIVE OFFICER'S SIGNATURE

This form must be signed by the Chief Executive Officer (CEO) or equivalent of the corporation making this application for deregistration.

By signing below, the Chief Executive Officer or equivalent acknowledges that if the registered corporation's group meets a threshold under section 13 of the NGER Act in the future, the corporation must re-apply for registration under the NGER Act.

By signing below, the Chief Executive Officer or equivalent states, for the purposes of regulation 3.05(d) of the *National Greenhouse and Energy Reporting Regulations 2008*, that:

The registered corporation's group is unlikely to meet any of the thresholds under section 13 of the *National Greenhouse and Energy Reporting Act 2007* for:

- (i) the financial year in which the application is made; and**
- (ii) the two financial years following the financial year in which the application is made.**

Under Division 137 of the Criminal Code (Schedule to the *Criminal Code Act 1995*) it may be an offence to provide false or misleading information or documents to the Greenhouse and Energy Data Officer in purported compliance with the *National Greenhouse and Energy Reporting Regulations 2008*.

Printed name

Position

Business name

Signature**Date**

Once completed and signed submit the *original* signed copy of this form along with supporting documentation to the Greenhouse and Energy Data Officer by posting it to:

The Department of Climate Change
GPO Box 854
Canberra ACT 2601

For questions or further information:

- Visit www.climatechange.gov.au/reporting
- Email reporting@climatechange.gov.au
- Phone 1800 018 831 during standard business hours (AEST)



Commonwealth
of Australia

Gazette

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SPECIAL



Government House
CANBERRA ACT 2600

27 November 2009

The Governor-General is pleased to announce the following honorary appointments within the General Division of the Order of Australia:

ORDER OF AUSTRALIA

HONORARY OFFICER (AO) IN THE GENERAL DIVISION

The Honourable Hugh Campbell TEMPLETON,

93 Bolton Street, Wellington 6012, New Zealand

For service to Australia-New Zealand economic relations, particularly through the establishment of the Australia-New Zealand Closer Economic Relations Trade Agreement.

HONORARY MEMBER (AM) IN THE GENERAL DIVISION

Mr Brian Charles LARA

1 Knaggs Hill, Lady Chancellor, Port-of-Spain, Trinidad and Tobago

For service to Australia-Caribbean relations by promoting goodwill, friendship and sportsmanship through the sport of cricket.

By Her Excellency's Command

Stephen Brady

Official Secretary to the Governor-General



Unique Identifying Number:
EPBC303DC/SFS/2009/45



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, NIGEL ROUTH, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by including in the list the following:

- specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the South Australian Sardine Fishery, as defined in the *Management Plan for South Australian Pilchard Fishery 2005*, in force under the *South Australian Fisheries Management Act 2007*, the *Fisheries Management (General) Regulations 2007*, and the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2007*.

with a notation that inclusion of the specimens in the list is subject to the following restrictions or conditions:

- the specimen, or the fish or invertebrate from which it is derived, was taken lawfully; and
- the specimens are included on the list until 27 November 2014.

Dated this 24th day of November 2009

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



Unique Identifying Number:
EPBC303DC/SFS/2009/37



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

Amendment of List of Exempt Native Specimens

I, NIGEL ROUTH, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for the Environment, Heritage and the Arts pursuant to subsection 303DC(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), hereby amend the list of exempt native specimens established under section 303DB of the EPBC Act by revoking the conditions to which the inclusion of the following item on the list on 25 July 2009 is subject:

- Specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act, taken in the New South Wales Ocean Trap and Line Fishery, as defined in the Fishery Management Strategy for the Ocean Trap and Line Fishery made under the New South Wales *Fisheries Management Act 1994*.

and imposing the following conditions to which inclusion of the specimens in the list is subject:

- The specimen, or the fish or invertebrate from which it is derived, was taken lawfully in accordance with the restricted entry management regime in force under the New South Wales (NSW) *Fisheries Management Act 1994*;
- The specimens are included on the list until 31 March 2010;
- NSW Department Industry and Investment (DII) to continue to further analyse information from the scientific observer program in the line fishing sector and fishery-dependent logbooks on grey nurse shark and other protected species interactions, and provide a report to the Department of the Environment, Water, Heritage and the Arts (DEWHA) by 31 December 2009. Should this report identify that Ocean Trap and Line (OTLF) fishers have significant interactions with protected species, DII to commence the development of appropriate management measures to reduce these interactions; and
- From 1 February 2010, no new permits to be issued in the OTLF that allow the targeting of large shark species until a precautionary level of take and associated management measures for those species can be demonstrated and agreed to by DEWHA.

Dated this 26th day of November 2009

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



Australian Government
Attorney General's Department

Obtaining copies of Commonwealth Acts and Legislative Instruments

Copies of Commonwealth Acts, Legislative Instruments and related legislative material can be purchased at the following locations or ordered online or by mail or telephone.

Over the counter

Copies are available for sale or order at:

		Telephone	Facsimile
Adelaide	Service SA Government Legislation Outlet 108 North Terrace, Adelaide SA 5000	13 2324	(08) 8204 1909
Brisbane	Contact CanPrint Information Services	1300 889 873	(02) 6293 8388
Canberra	CanPrint Communications 16 Nyrang Street, Fyshwick ACT 2609	1300 889 873	(02) 6293 8388
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Melbourne	Information Victoria 505 Little Collins Street, Melbourne VIC 3000	1300 366 356	(03) 9603 9940
Perth	Contact CanPrint Information Services	1300 889 873	(02) 6293 8388
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Mail order sales can be arranged by writing to:

CanPrint Information Services
PO Box 7456
Canberra MC ACT 2610

or by faxing to

(02) 6293 8333.

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Online sales and enquiries are available from: <http://www.canprint.com.au/>

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