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

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How to contact us

First Assistant Secretary
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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 Any notice submitted without this information will not be published.

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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

ANZAC DAY PUBLIC HOLIDAY— Issue of Wednesday, 28 April 2010 (GN 16)

As Monday, 26 April 2010 is a public holiday in the Australian Capital Territory, closing time for lodgment of all notices for publication in GN 16 will be:

Thursday, 22 April 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 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.

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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

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16 Nyrang Street
Fyshwick ACT 2609
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Hobart TAS 7000
Phone: 1800 030 940 Fax: (03) 6216 4294

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505 Little Collins Street
Melbourne VIC 3000
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PO Box 7456

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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
1	8 January 2010	<i>Environment Protection and Biodiversity Conservation Act 1999</i> Removal of a place from the Commonwealth Heritage List: Kissing Point Fort

Government Departments

Environment, Water, Heritage and the Arts



THE WATER EFFICIENCY LABELLING AND STANDARDS REGULATOR

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

I, Angela Gillman, Assistant 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
HAIER	Clothes Washing Machine	Addition to Family Name: Impeller 2 Star HWMP50F	R000711A
CENTIQUE	Showers	Family Name: Domaine Domain Rail Shower / DO363CH	R002019
CENTIQUE	Showers	Family Name: Bellisima Bellisima Rail Shower / BE363CH	R002020
THE SINK WAREHOUSE	Showers	Addition to Family Name: Sinkware house 0 Showers RS1040-200	R001906A
SOUTHCAPE TAPWARE	Tap and tap outlet set	Addition to Family Name: Ovalscape 26601 Ovaline, 26713 Ovaline, 28881 Ovaline	R001592A
ZOOM	Toilet suite	Family Name: Toilet Suite 4,5-3 litres KYO BTW	R002021

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

Delegate of the Water Efficiency Labelling and Standards Regulator
07 April 2010

**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 **30** March 2010 a permit was granted to CRT Recycling Australia Pty Ltd, 12-14 Baulderstone Road, Gepps Cross SA 5094 to import up to 100 tonnes of waste CRT glass from Computer Recycling Ltd, 95 Gavin Street, Penrose, Auckland, New Zealand to CRT Recycling Australia Pty Ltd for recycling/reclamation of glass.

The waste will be placed on pallets and shrink wrapped prior to being loaded into fully enclosed shipping containers. They will then be shipped directly from the port of Auckland, in New Zealand to the port of Adelaide in Australia, and then be transported by road to the disposal facility at CRT Recycling, 12-14 Baulderstone Road, Gepps Cross SA 5094, South Australia.

The import will take place in approximately ten (10) shipments between **30** March 2010 and 30 November 2010.

Dr Barry Reville
Assistant Secretary
Environment Protection Branch

A handwritten signature in blue ink, appearing to read 'B. Reville', is positioned above the typed name and title.

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, NPI & the 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.

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
2010/5344	Arrow Energy/Energy generation and supply (non-renewable)/200km West of Brisbane /QLD/Expansion Of Coal Seam Gas Operations	<ul style="list-style-type: none"> • Listed threatened species and communities (sections 18 & 18A) • Listed migratory species (sections 20 & 20A) 	26-Mar-2010

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

Reference	Title	Date
2010/5368*	MultiClient Geophysical AS/Exploration (mineral, oil and gas - marine)/Petrel Sub-basin, Joseph Bonaparte Gulf, offshore WA/Commonwealth Marine/Petrel MC2D Marine Seismic Survey	23-Mar-2010
2010/5375	VicRoads/Transport - land/Nhill /VIC/Proposed Heavy Vehicle Trailer Exchange	24-Mar-2010
2010/5349	NSW Office of Water /Water management and use/Lower Gingham, near Moree/NSW/Water Supply Pipeline Scheme	26-Mar-2010
2010/5364*	Parks Australia, Department of the Environment and Water Resources/Water management/Acton/ACT/Non-Potable Water & Internal Reticulation Upgrade at the Australian National Botanic Gardens	26-Mar-2010
2009/5209*	O'Keefe Nominees Pty Ltd/Commercial development/Lot 1 on RP192669, Anzac Avenue, Mango Hill/QLD/Proposed Commercial Light Industry Sites and Transportable Home Park	30-Mar-2010

* 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

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

Reference	Title	Approval Decision	Date
2008/4410	Air Force Headquarters, Department of Defence/Commonwealth/RAAF Base Amberley, Southern Amberley Rd, west of Ipswich/QLD/Australian Super Hornet Flying Operations at RAAF Base Amberley	Approved with conditions	23-Mar-2010
2008/4419	Coal and Allied Operations Pty Ltd/Residential development/Catherine Hill, Nords Wharf and Gwandalan, Lake Macquarie /NSW/ Subdivide and Develop	Approved with conditions	23-Mar-2010
2007/3407	Gold Coast Water/Water management and use/Pimpama/QLD/Pimpama Wastewater Treatment Plant, Recycled Water Treatment Plant and associated pipelines.	Approved with conditions	25-Mar-2010
2009/4796	Jandakot Airport Holdings/Transport - air and space/16 km south of Perth/WA/Jandakot Airport Expansion, Commercial Development and Clearing of Vegetation	Approved with conditions	25-Mar-2010

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

*Ratified Resolutions of the 268th Meeting of the Advisory Committee On Prescription Medicines (ACPM) February 4-5 2010***ITEM 4 ACPM SUBCOMMITTEES AND WORKING PARTIES**

Item 4.1 Pharmaceutical Subcommittee (PSC)

Item 4.1.1. Recommendations from the 130th (2010/1) PSC Meeting held 27 January 2010.

RESOLUTION 9395

The recommendations of the 130th (2010/1) meeting of the PSC are accepted.

Item 4.1.2. Ratified Minutes from the 129th (2009/6) PSC Meeting held 23 November 2009

RESOLUTION 9396

- 1. The ACPM noted Recommendation No 2097 of the PSC, reiterating its previous Recommendation, No. 2074, regarding the proliferation in the use of multiple trade names which states:**

The PSC expressed its ongoing concern at the apparent proliferation in multiple trade names for products which in all other respects are indistinguishable (i.e. same sponsor, same active ingredient(s), same dose form(s) and same strength(s)). The Committee considered this practice raises serious Quality Use of Medicine issues, including increasing the potential for prescriber and patient confusion. The PSC requested this matter be brought to the attention of the National Medicines Policy Committee

- 2. The ACPM endorses the Recommendation made by the PSC and agrees that it should be brought to the attention of National Medicines Policy Committee. In addition to recommending relevant Offices of the TGA as well as external stakeholders should work together to formulate a policy to help address this extremely concerning practice.**



Australian Government
Department of Health and Ageing
Therapeutic Goods Administration

COMMONWEALTH OF AUSTRALIA

THERAPEUTIC GOODS ACT 1989

SECTION 14 AND 14A NOTICE

I, *Gary Grohmann*, 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 Genzyme Australasia Pty Ltd, Level 1 Building C, 12 – 24 Talavera Road, North Ryde NSW 2113, to supply ***Thymoglobuline rabbit anti-human thymocyte immunoglobulin powder for solution for infusion vial (AUST R 139787)*** 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. This exemption applies only for the period 1 April 2010 to 30 June 2010**
- 2. The product carton will have securely affixed an over sticker detailing the Aust R number and the Australian sponsor name and address.**

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)
Gary Grohmann

Delegate of the Secretary
Office of Laboratories and Scientific Services

26 March 2010

NATIONAL DRUGS AND POISONS SCHEDULE COMMITTEE**OUTCOME OF CONSIDERATIONS BY THE NATIONAL DRUGS AND POISONS SCHEDULE COMMITTEE AT ITS FEBRUARY 2010 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). Please note that as of 1 July 2010, the NDPSC will cease. A new scheduling process is currently being developed. Under these new scheduling arrangements, the SUSDP will be replaced by the *Standard for the Uniform Scheduling of Medicines and Poisons* (SUSMP).

The notice is divided into four parts:

- Part A – Amendments to the SUSDP, Part 4 in respect of substances mentioned in the February 2010 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 the SUSMP through an amendment under the new scheduling arrangements currently being developed, effective 1 September 2010 (unless otherwise indicated). The SUSMP amendment will be available for purchase from National Mailing and Marketing Pty Ltd, telephone (02) 6269 1035.

Please note that SUSDP 24, Amendment 3 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.33, 23 December 2009 as substances to be considered for scheduling at the February 2010 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 **21 April 2010** 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 September 2010**, unless otherwise indicated.

Schedule 2 – Amendments

FLURBIPROFEN – Amend entry to read:

FLURBIPROFEN in preparations for topical oral use when:

- (a) in divided preparations containing 10 mg or less of flurbiprofen per dosage unit; or
- (b) in undivided preparations containing 0.25 per cent or less, or 10 mg or less per dose, of flurbiprofen.

PARACETAMOL – Amend entry to read:

PARACETAMOL for therapeutic use **except**:

- (a) when included in Schedule 4;
- (b) in individually wrapped powders or sachets of granules each containing 1000 mg or less of paracetamol as the only therapeutically active constituent (other than phenylephrine and / or guaiphenesin or when combined with effervescent agents) when:
 - (i) enclosed in a primary pack that contains not more than 12 such powders or sachets of granules;

- (ii) compliant with the requirements of the *Required Advisory Statements for Medicine Labels*;
 - (iii) not labelled for the treatment of children 6 years of age or less; and
 - (iv) not labelled for the treatment of children under 12 years of age when combined with phenylephrine and / or guaiphenesin.; or
- (c) in tablets or capsules each containing 500 mg or less of paracetamol as the only therapeutically active constituent (other than phenylephrine and / or guaiphenesin or when combined with effervescent agents) when:
- (i) packed in blister or strip packaging or in a container with a child resistant closure;
 - (ii) in a primary pack containing not more than 25 tablets or capsules;
 - (iii) compliant with the requirements of the *Required Advisory Statements for Medicine Labels*;
 - (iv) not labelled for the treatment of children 6 years of age or less; and
 - (v) not labelled for the treatment of children under 12 years of age when combined with phenylephrine and / or guaiphenesin.

Schedule 3 – New Entries

LANSOPRAZOLE in oral preparations containing 15 mg or less per dosage unit of lansoprazole for the relief of heartburn and other symptoms of gastro-oesophageal reflux disease, in packs containing not more than 14 days of supply.

OMEPRAZOLE in oral preparations containing 20 mg or less per dosage unit of omeprazole for the relief of heartburn and other symptoms of gastro-oesophageal reflux disease, in packs containing not more than 14 days of supply.

Schedule 4 – New Entries

CERTOLIZUMAB PEGOL.

CORIFOLLITROPIN ALFA.

IBOGAINE.

NORIBOGAINE.

PAZOPANIB.

Schedule 4 – Amendments

LANSOPRAZOLE – Amend entry to read:

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

NICOTINE – Amend entry to read:

NICOTINE in preparations for human therapeutic use **except**:

- (a) when included in Schedule 2; or
- (b) for use as an aid in withdrawal from tobacco smoking in chewing gum, lozenges, or preparations for sublingual, transdermal or oromucosal spray use.

NATAMYCIN – Amend entry to read:

NATAMYCIN **except** for use as a food additive.

OMEPRAZOLE – Amend entry to read:

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

PHOSPHODIESTERASE TYPE 5 INHIBITORS – Amend entry to read:

PHOSPHODIESTERASE TYPE 5 INHIBITORS **except**:

- (a) when separately specified in these Schedules; or
- (b) when present as an unmodified, naturally occurring substance.

Schedule 5 – New Entries

FORAMSULFURON.

MANDIPROPAMID.

METRAFENONE in preparations containing 50 per cent or less metrafenone.

Schedule 5 – Amendments

ALKALINE SALTS – Amend entry to read:

† ALKALINE SALTS, being the carbonate, silicate or phosphate salts of sodium or potassium alone or in any combination:

- (a) in solid orthodontic device cleaning preparations, the pH of which as an “in-use” aqueous solution is more than 11.5;

- (b) in solid automatic dishwashing preparations, the pH of which in a 500 g/L aqueous solutions or mixture is more than 11.5 but less than or equal to 12.5;
- (c) in other solid preparations, the pH of which in a 10 g/L aqueous solution is more than 11.5; or
- (d) in liquid or semi-solid preparations the pH of which is more than 11.5, unless:
 - (i) in food additive preparations for domestic use; or
 - (ii) in automatic dish washing preparations for domestic use with a pH of more than 12.5,

except when separately specified in these Schedules.

DELTA METHRIN – Amend entry to read:

DELTA METHRIN:

- (a) in aqueous preparations containing 5 per cent or less of deltamethrin when no organic solvent other than a glycol is present;
- (b) in wettable granular preparations containing 25 per cent or less of deltamethrin when packed in child-resistant packaging each containing 3 grams or less of the formulation;
- (c) in water-dispersible tablets each containing 500 mg or less of deltamethrin in child-resistant packaging; or
- (d) in other preparations containing 0.5 per cent or less of deltamethrin,

except in preparations containing 0.1 per cent or less of deltamethrin.

POTASSIUM HYDROXIDE – Amend entry to read:

† POTASSIUM HYDROXIDE (excluding its salts and derivatives) in preparations containing 5 per cent or less of potassium hydroxide being:

- (a) solid preparations the pH of which in a 10 g/L aqueous solution is more than 11.5; or
- (b) liquid or semi-solid preparations, the pH of which is more than 11.5 **except** in food additive preparations for domestic use.

SODIUM HYDROXIDE – Amend entry to read:

† SODIUM HYDROXIDE (excluding its salts and derivatives) in preparations containing 5 per cent or less of sodium hydroxide being:

- (a) solid preparations the pH of which in a 10 g/L aqueous solution is more than 11.5; or
- (b) liquid or semi-solid preparations, the pH of which is more than 11.5 **except** in food additive preparations for domestic use.

Schedule 6 – New Entry

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

Schedule 6 – Amendments

DELTAMETHRIN – Amend entry to read:

DELTAMETHRIN:

- (a) in aqueous preparations containing 25 per cent or less deltamethrin when no organic solvent, other than 10 per cent or less of a glycol, is present;
- (b) in wettable granular preparations containing 25 per cent or less of deltamethrin;
- (c) in water-dispersible tablets each containing 500 mg or less of deltamethrin; or
- (d) in emulsifiable concentrations containing 11 per cent or less of deltamethrin in a solvent containing 40 per cent or less of acetophenone and 45 per cent or less of liquid hydrocarbons; or
- (e) in other preparations containing 3 per cent or less of deltamethrin,

except when included in Schedule 5 or in preparations containing 0.1 per cent or less of deltamethrin.

POTASSIUM HYDROXIDE – Amend entry to read:

† POTASSIUM HYDROXIDE (excluding its salts and derivatives) **except**:

- (a) when included in Schedule 5;
- (b) preparations containing 5 per cent or less of potassium hydroxide being:
 - (i) solid preparations the pH of which in a 10 g/L aqueous solution is 11.5 or less; or

- (ii) liquid or semi-solid preparations the pH of which is 11.5 or less, or
- (c) in liquid or semi-solid food additive preparations, the pH of which is more than 11.5, for domestic use.

SODIUM HYDROXIDE – Amend entry to read:

† SODIUM HYDROXIDE (excluding its salts and derivatives) **except:**

- (a) when included in Schedule 5;
- (b) preparations containing 5 per cent or less of sodium hydroxide being:
 - (i) solid preparations the pH of which in a 10 g/L aqueous solution is 11.5 or less; or
 - (ii) liquid or semi-solid preparations the pH which is 11.5 or less, or
- (c) liquid or semi-solid food additive preparations, the pH of which is more than 11.5, for domestic use.

Schedule 7 – Amendment

DELTAMETHRIN – Amend entry to read:

DELTAMETHRIN **except:**

- (a) when included in Schedule 5 or 6; or
- (b) when in preparations containing 0.1 per cent or less of deltamethrin.

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 September 2010**, unless otherwise indicated.

PART 1, INTERPRETATION – Amendment

“**Approved name**” – Amend entry to read:

“**Approved name**” means:

- (a) in relation to a poison that is for human therapeutic use, the name approved for use by the Therapeutic Goods Administration;

- (b) in relation to a poison that is for animal or agricultural use, the name approved for use by the Australian Pesticides and Veterinary Medicines Authority;
- (c) in relation to all other poisons:
 - (i) the name used in an entry in these Schedules; or, if no such name is given,
 - (ii) the English name recommended by Standards Australia as the common name for the poison; or, if no such name is given,
 - (iii) the English name given to the poison by the International Organization for Standardization; or, if no such name is given,
 - (iv) the English name given to the poison by the British Standards Institution; or, if no such name is given,
 - (v) the name that would comply with the requirements of part (a) or (b) of this definition, or, if no such name is given,
 - (vi) the English name given to the poison by the European Committee for Standardization (CEN); or, if no such name is given,
 - (vii) the international non-proprietary name recommended for the poison by the World Health Organisation; or, if no such name is given,
 - (viii) the International Nomenclature Cosmetic Ingredient name for the poison listed in the International Cosmetic Ingredient Dictionary published by the Cosmetic Toiletries and Fragrance Association of America; or, if no such name is given,
 - (ix) the accepted scientific name or the name descriptive of the true nature and origin of the poison.

Appendix C – New Entries

POTASSIUM HYDROXIDE (excluding its salts and derivatives), in liquid or semi-solid food additive preparations, for domestic use, the pH of which is more than 11.5.

SODIUM HYDROXIDE (excluding its salts and derivatives), in liquid or semi-solid food additive preparations, for domestic use, the pH of which is more than 11.5.

Appendix C – Amendment

ALKALINE SALTS – Amend entry to read:

ALKALINE SALTS, being the carbonate, silicate or phosphate salts of sodium or potassium, alone or in any combination for domestic use:

- (a) in liquid or semi-solid food additive preparations, the pH of which is more than 11.5;
- (b) in solid automatic dishwashing preparations, the pH of which in a 500 g/L aqueous solutions or mixture is more than 12.5; or
- (c) in liquid or semi-solid automatic dishwashing preparations the pH of which is more than 12.5.

Appendix D, Paragraph 1 – New Entry

CORIFOLLITROPIN ALFA (recombinant follicle stimulant) for human use.

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 3 which will come into effect on **1 May 2010**, unless otherwise indicated.

Appendix D, Paragraph 1 and Paragraph 3 – Decision set aside

The October 2009 resolution to include new entries in Appendix D Paragraph 1 and Paragraph 3 for mifepristone was set aside.

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 3 which will come into effect on **1 May 2010**.

Schedule 3 – Amendments

CODEINE – Amend entry to read:

CODEINE when:

- (a) not combined with any other opiate substance;
- (b) compounded with one or more other therapeutically active substances, of which not more than one is an analgesic substance:

- (i) in divided preparations containing 12 mg or less of codeine per dosage unit; or
- (ii) in undivided preparations containing 0.25 per cent or less of codeine;
- (c) labelled with a recommended daily dose not exceeding 100 mg of codeine; and
- (d) in packs containing not more than 5 days of supply at the maximum dose recommended on the label,

except when included in Schedule 2.

PANTOPRAZOLE – Amend entry to read:

PANTOPRAZOLE in oral preparations containing 20 mg or less of pantoprazole per dosage unit for the relief of heartburn and other symptoms of gastro-oesophageal reflux disease, in packs containing not more than 14 days supply.

RABEPRAZOLE – Amend entry to read:

RABEPRAZOLE in oral preparations containing 10 mg or less of rabeprazole per dosage unit for the relief of heartburn and other symptoms of gastro-oesophageal reflux disease, in packs containing not more than 14 days supply

Schedule 4 – Amendment

AMBRISANTAN – Amend entry to read:

AMBRISANTAN.

Schedule 6 – Amendment

(The implementation date for the following carbendazim amendment from the October 2009 meeting was delayed until 1 January 2011. Please note that the scheduling of carbendazim has been foreshadowed for reconsideration at the June 2010 meeting.)

CARBENDAZIM – delete entry.

Schedule 7 – New Entry

(The implementation date for the following carbendazim amendment from the October 2009 meeting was delayed until 1 January 2011. Please note that the scheduling of carbendazim has been foreshadowed for reconsideration at the June 2010 meeting.)

CARBENDAZIM.

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

No: 7477

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

I, Michael Sutton, 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 04/04/2010 to 03/07/2010

Details about ship

Name of ship: Kota Lahir
IMO No. of ship: 9322310

Port of registry: Singapore
Name of Owner: Pacific International Lines (Pte) Ltd

Name of ports for which permit issued

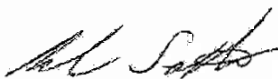
From Melbourne to Brisbane.

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: 30 March, 2010




Treasury



Australian Government
Australian Taxation Office

NOTICE OF DISQUALIFICATION *Superannuation Industry (Supervision) Act 1993*

To:
Mrs Kim Maree Elias
6 Walker Pl
WETHERILL PARK NSW 2164

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(2) of the SIS Act as I am satisfied that the corporate trustee has contravened the SIS Act on one or more occasions, and at the time of the contraventions you were a responsible officer of the corporate trustee and the nature, seriousness and number of the contraventions provide grounds for disqualifying you.

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

Dated: 26 March 2010

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.



Australian Government
Australian Taxation Office

NOTICE OF DISQUALIFICATION
Superannuation Industry (Supervision) Act 1993

To:
Mr Joseph C Elias
6 Walker Pl
WETHERILL PARK NSW 2164

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(2) of the SIS Act as I am satisfied that the corporate trustee has contravened the SIS Act on one or more occasions, and at the time of the contraventions you were a responsible officer of the corporate trustee and the nature, seriousness and number of the contraventions provide grounds for disqualifying you.

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

Dated: 26 March 2010

Marina Dolevski
Assistant Commissioner of Taxation

Note 1:

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COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 22(1)

WHEREAS —

(A) Taifeng Yuanchuang Investment Development Co Ltd is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act'); and

(B) Taifeng Yuanchuang Investment Development Co Ltd proposes to acquire, through its wholly-owned subsidiary, Taifeng Yuanchuang International Development Co Ltd, a 19.9 per cent interest in IMX Resources Limited, referred to in the notice furnished on 26 February 2010 under section 26A of the Act.

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

Dated this 29th day of MARCH 2010



General Manager

COMMONWEALTH OF AUSTRALIA

Foreign Acquisitions and Takeovers Act 1975

ORDER UNDER SUBSECTION 22(1)

WHEREAS —

(A) Taifeng Yuanchuang Investment Development Co Ltd is a foreign person for the purposes of section 21A of the *Foreign Acquisitions and Takeovers Act 1975* ('the Act'); and

(B) Taifeng Yuanchuang Investment Development Co Ltd proposes to acquire, through its wholly-owned subsidiary, Taifeng Yuanchuang International Development Co Ltd, a 50 per cent interest in Outback Iron Pty Ltd, referred to in the notice furnished on 26 February 2010 under section 26A of the Act.

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

Dated this 29th day of MARCH 2010



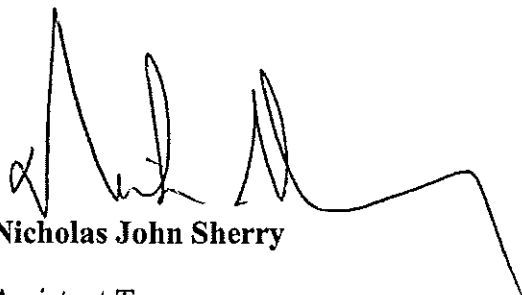
General Manager

INTERNATIONAL TAX AGREEMENTS ACT 1953

NOTICE UNDER SECTION 4A SPECIFYING THAT THE REVISED AUSTRALIA-NEW ZEALAND TAX TREATY SHALL APPLY

NOTICE is hereby given in pursuance of section 4A of the *International Tax Agreements Act 1953* that the Convention between Australia and New Zealand for the Avoidance of Double Taxation with Respect to Taxes on Income and Fringe Benefits and the Prevention of Fiscal Evasion (being the Convention, a copy of which is set out in Schedule 4 to that Act) entered into force on 19 March 2010.

Dated this *Wednesday* day of *24th March*, 2010



Nicholas John Sherry
Assistant Treasurer

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>.

NOTICES OF RULINGS		
Ruling Number	Subject	Brief Description
CR 2010/10	Income tax and fringe benefits tax: lump sum payments under the ANZ New Career Training Fund and the Past Employee Care Fund	This Ruling applies to retrenched resident Australian former employees who have been granted and received lump sum payments from either: the Australia and New Zealand Banking Group Limited (ANZBGL) Past Employee Care Fund; or the ANZBGL New Career Training Fund. This Ruling applies from 1 June 2009.

NOTICE OF WITHDRAWAL		
Ruling Number	Subject	Brief Description
IT 2664	Income tax: capital gains and losses: the transfer of assets to beneficiaries in deceased estates	IT 2664 is withdrawn with effect from today. IT 2664 explains: when an asset passes to a beneficiary in the estate of a deceased person for the purposes of Part IIIA of the <i>Income Tax Assessment Act 1936</i> ; and the consequences of the passing of an asset. Due to legislative changes, this Ruling is no longer required and is therefore withdrawn.
TD 93/37	Income tax: capital gains: where an asset owned by the deceased at the time of death passes to a remainderman on the death of a life tenant, what is the date of acquisition of the asset by the remainderman?	TD 93/37 is withdrawn with effect from today. TD 93/37 explains that an asset owned by a deceased is effectively taken to have been acquired by a remainderman on the date of death of the deceased under section 160X of the <i>Income Tax Assessment Act 1936</i> . Due to legislative changes, this Determination is no longer current and is therefore withdrawn.



Revocation of Authority to carry on banking business

Banking Act 1959

SINCE

- A. on 18 March 2010 Commonwealth Development Bank of Australia Limited ACN 074 707 458 (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, Wayne Stephen Byres, a delegate of APRA, under subsection 9A(1) of the Act, REVOKE the Authority.

Dated 30 March 2010

[Signed]

Wayne Stephen Byres
Executive General Manager
Diversified Institutions Division

Interpretation

Document ID: 180408

In this Notice

APRA means the Australian Prudential Regulation Authority.

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

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

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

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



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 Environment Protection, 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 revoking the conditions to which the inclusion of the following item on the list on 30 November 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 Northern Demersal Scalefish Managed Fishery, as defined in the *Northern Demersal Scalefish Fishery Management Plan 2000*, made under the Western Australian Fish Resources 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; and
- the specimens are included on the list until 15 June 2010.

Dated this 25th day of March 2010

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



Unique Identifying Number:
EPBC303DC/SFS/2010/14



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 Environment Protection, 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 revoking the conditions to which the inclusion of the following item on the list on 29 May 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 Bass Strait Central Zone Scallop Fishery, as defined in the management regime in force under the Commonwealth *Fisheries Management Act 1991* and the Commonwealth *Fisheries Management (Bass Strait Central Zone Scallop Fishery) Regulations 2002*.

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; and
- the specimens are included on the list until 21 April 2010.

Dated this 25th day of March 2010

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



Government House
CANBERRA ACT 2600

31 March 2010

It is notified for general information that the Governor-General has approved the following awards for actions during the Vietnam War:

DISTINGUISHED SERVICE MEDAL (DSM)

ROYAL AUSTRALIAN AIR FORCE

Flight Lieutenant Clifford Mitchell DOHLE, deceased

Late of Lilydale Vic 3140

For distinguished leadership in action as a captain of an Iroquois helicopter of Number 9 Squadron, Royal Australian Air Force, during the Battle of Long Tan in Vietnam on 18 August 1966.

UNIT CITATION FOR GALLANTRY

AUSTRALIAN ARMY

Delta Company, 6th Battalion, The Royal Australian Regiment (6RAR)

For acts of extraordinary gallantry in action at the Battle of Long Tan in Vietnam on 18 August 1966.

By Her Excellency's Command

Stephen Brady

Official Secretary to the Governor-General



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
Hobart	Printing Authority of Tasmania 123 Collins Street, Hobart TAS 7000	1800 030 940	(03) 6216 4294
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
Sydney	Contact CanPrint Information Services	1300 889 873	(02) 6293 8388

Other resellers:

National University Co-operative Bookshops
(go to <http://www.coop-bookshop.com.au> for location and contact details)

Mail Order

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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