



## CONTENTS

<b>Variation of closing times.....</b>	<b>889</b>
<b>General Information.....</b>	<b>889</b>
<b>Government Departments.....</b>	<b>891</b>
Attorney-General .....	891
Broadband, Communications and the Digital Economy....	892
Defence .....	895
Environment, Water, Heritage and the Arts.....	896
Finance and Deregulation .....	908
Health and Ageing .....	909
Infrastructure, Transport, Regional Development and Local Government.....	912
Treasury .....	916
<b>Special Gazette Nos. S 62, S 63, S 64, S 65, S 66 and S 67 are attached</b>	

The date of publication of this Gazette is 5 May 2010

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

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- preparing compilations of Acts and select legislative instruments

- providing ready public access to the law through ComLaw ([www.comlaw.gov.au](http://www.comlaw.gov.au)) and the Federal Register of Legislative instruments ([www.frli.gov.au](http://www.frli.gov.au))
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First Assistant Secretary  
Office of Legislative Drafting and Publishing  
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3-5 National Circuit  
Barton ACT 2600  
Tel. (02) 6141 4300  
Fax. (02) 6282 4352

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**QUALITY OF YOUR PUBLICATION**

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

**LODGMET RATES**

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

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 Any notice submitted without this information will not be published.

**CLOSING TIMES**

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

**INQUIRIES**

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

## Variation of closing times

### QUEEN'S BIRTHDAY — Issue of Wednesday, 16 June 2010 (GN 23)

As Monday, 14 June 2010 is a public holiday in the Australian Capital Territory, closing time for lodgement of all notices for publication in GN 23 will be:

**Thursday, 10 June 2010 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](mailto:gazettes@ag.gov.au).

Notices received before closing times will be accepted for publication in the next available issue of the *Gazette*, unless otherwise specified.

All notices lodged for publication must be accompanied by a covering note clearly setting out requirements. For the purposes of publication, electronic copy is preferred. However, publication of hard copy notices can be arranged. Further information is provided below.

### Publication of hard copy notices

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

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

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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.

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Gazette number	Date of Publication	Subject
P 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
P 2	7 April 2010	<i>Environment and Heritage Legislation Amendment Act (No. 1) 2003</i> Amendment to Periodic Gazette No. P5, Thursday, 15 July 2004: Determination concerning the entry of Register of the National Estate places in the Commonwealth Heritage List

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## 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 21/04/2010	Column 4 22/04/2010	Column 5 23/04/2010	Column 6 24/04/2010	Column 7 25/04/2010	Column 8 26/04/2010	Column 9 27/04/2010
Brazil	Real	1.6247	1.6321	1.6234	1.63	1.63	1.63	1.63
Canada	Dollar	0.9393	0.9279	0.9249	0.9253	0.9253	0.9253	0.9253
China, PR of	Yuan	6.3144	6.354	6.321	6.3023	6.3023	6.3023	6.3023
Denmark	Kroner	5.1113	5.1616	5.1483	5.1906	5.1906	5.1906	5.1906
European Union	Euro	0.6868	0.6933	0.6919	0.6974	0.6974	0.6974	0.6974
Fiji	Dollar	1.7795	1.7868	1.7864	1.7865	1.7865	1.7865	1.7865
Hong Kong	Dollar	7.1855	7.2308	7.193	7.1707	7.1707	7.1707	7.1707
India	Rupee	41.34	41.42	41.25	41.14	41.14	41.14	41.14
Indonesia	Rupiah	8355	8386	8354	8325	8325	8325	8325
Israel	Shekel	3.449	3.4686	3.4559	3.4532	3.4532	3.4532	3.4532
Japan	Yen	85.62	86.75	86.06	86.26	86.26	86.26	86.26
Korea, Republic of	Won	1032.46	1034.32	1026.19	1023.17	1023.17	1023.17	1023.17
Malaysia	Ringgit	2.9735	2.9783	2.9676	2.9601	2.9601	2.9601	2.9601
New Zealand	Dollar	1.3048	1.3089	1.3031	1.2993	1.2993	1.2993	1.2993
Norway	Kroner	5.4767	5.4999	5.4775	5.4915	5.4915	5.4915	5.4915
Pakistan	Rupee	77.74	78.32	77.7	77.48	77.48	77.48	77.48
Papua New Guinea	Kina	2.4818	2.4974	2.4976	2.4993	2.4993	2.4993	2.4993
Philippines	Peso	41.22	41.38	41.09	40.98	40.98	40.98	40.98
Singapore	Dollar	1.2743	1.2792	1.272	1.2685	1.2685	1.2685	1.2685
Solomon Islands	Dollar	7.4653	7.5121	7.4726	7.4508	7.4508	7.4508	7.4508
South Africa	Rand	6.8635	6.8549	6.8553	6.901	6.901	6.901	6.901
Sri Lanka	Rupee	105.42	106.07	105.49	105.19	105.19	105.19	105.19
Sweden	Krona	6.6421	6.6642	6.6532	6.703	6.703	6.703	6.703
Switzerland	Franc	0.9848	0.9949	0.9911	0.9992	0.9992	0.9992	0.9992
Taiwan Province	Dollar	29.06	29.18	29.03	28.94	28.94	28.94	28.94
Thailand	Baht	29.8	29.87	29.77	29.8	29.8	29.8	29.8
United Kingdom	Pound	0.6042	0.6057	0.6007	0.6016	0.6016	0.6016	0.6016
USA	Dollar	0.9257	0.9315	0.9266	0.9239	0.9239	0.9239	0.9239

Mark Collidge  
Delegate of the Chief Executive Officer of Customs  
Canberra ACT  
27/04/2010

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## Broadband, Communications and the Digital Economy

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### AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

*Telecommunications Act 1997*

*Subsection 56(3)*

### NOTIFICATION OF GRANT OF CARRIER LICENCE

The Australian Communications and Media Authority gives notice under subsection 56(3) of the *Telecommunications Act 1997* ('the Act') that on 23 April 2010 a carrier licence was granted to Tampnet Oceania Pty Ltd, ACN 142 201 009 under subsection 56(1) of the Act.

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**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY**

**NOTIFICATION UNDER SUBSECTION 96(6) OF THE BROADCASTING  
SERVICES ACT 1992**

In accordance with sub-section 96(6) of the *Broadcasting Services Act 1992* (the Act), the Australian Communications and Media Authority (ACMA) hereby notifies that the ACMA allocated, under subsection 96(1) of the Act, 30 subscription television broadcasting licence to iiNet Limited on 21 April 2010 (Licence Identification Nos. 2901 to 2930).



**Australian  
Communications  
and Media Authority**

## **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 31 March 2010, the Australian Communications and Media Authority varied the licence area plans for Moree and Remote Central and Eastern Australia that determine the number and characteristics, including technical specifications, of radio broadcasting services that are to be available in the Moree and Remote Central and Eastern Australia regions with the use of the broadcasting services bands.

Copies of the varied licence area plans can be obtained free from the ACMA by calling; 1300 850 115, from the ACMA's web site: [www.acma.gov.au](http://www.acma.gov.au), or by writing to:

Planning Officer for Moree and Remote Central  
and Eastern Australia  
Australian Communications and Media Authority  
PO Box 78  
BELCONNEN ACT 2616



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## Defence

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### DETERMINATIONS

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Defence Act 1903

#### NOTICE OF THE MAKING OF DETERMINATIONS UNDER SECTION 58B

NOTICE is hereby given that the following determinations have been made under section 58B of the *Defence Act 1903*. Copies of the Determinations are available on [www.defence.gov.au/dpe/pac](http://www.defence.gov.au/dpe/pac). For further information contact Director Conditions Information and Policy Services, Personnel Policy and Employment Conditions Branch, Department of Defence, Canberra.

Year/Det	Title	Signed
2010/1	Travelling allowance incidentals – amendment	06/01/2010
2010/2	Post indexes – amendment	14/01/2010
2010/3	Higher duties allowance – Head Capability Development – Army	15/01/2010
2010/4	Regional rent bands – amendment	18/01/2010
2010/5	Recreation leave and disturbance allowance – amendment	03/02/2010
2010/6	Post indexes – amendment	08/02/2010
2010/7	Recreation and long service leave – amendment	22/02/2010
2010/8	Maternity leave – amendment	23/02/2010
2010/9	Post indexes – amendment	02/03/2010
2010/10	Director-General Navy Personnel and Training – title amendment	05/03/2010
2010/11	Overseas benchmark and summer schools – amendment	10/03/2010
2010/12	Disturbance allowance – amendment	12/03/2010
2010/13	Equipment costs, vehicle removal and hardship post – amendment	23/03/2010
2010/14	Casual meal charges	23/03/2010
2010/15	Hardship allowance – amendment	23/03/2010
2010/16	Navy aircrew retention bonus	01/04/2010
2010/17	Post indexes – amendment	08/04/2010

## Environment, Water, Heritage and the Arts



Australian Government

Sydney Harbour Federation Trust

Building 28, Best Ave (off Suakin Drive)

PO Box 607 Mosman NSW 2088

ph 02 8969 2100

tty 02 8969 2152

fax 02 8969 2120

web [www.harbourtrust.gov.au](http://www.harbourtrust.gov.au)

ABN 14 178 614 905

### PUBLIC GAZETTE NOTIFICATION



Australian Government

Sydney Harbour Federation Trust

#### ***Plan for the Former HMAS Platypus Site, Neutral Bay, Sydney***

The Minister for the Environment Protection, Heritage and the Arts, the Hon Peter Garrett AM MP, has approved the Sydney Harbour Federation Trust's plan for the Former HMAS Platypus Site, Neutral Bay in accordance with Section 31(4)(a) of the *Sydney Harbour Federation Trust (SHFT) Act 2001*.

The Plan forms an amendment to Part B of the Harbour Trust's Comprehensive Plan.

This notice is being made in accordance with Section 34 of the SHFT Act 2001. The Plan takes effect from 5 May 2010.

The plan is available on the Harbour Trust website at [www.harbourtrust.gov.au](http://www.harbourtrust.gov.au)



**COMMONWEALTH OF AUSTRALIA**

***Fuel Quality Standards Act 2000***

**Section 13**

**GRANT OF APPROVAL**

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

This approval varies the fuel standard for automotive diesel set out in the *Fuel Standard (Automotive Diesel) Determination 2001* to permit diesel fuel to contain more than five per cent volume by volume, but not more than 20 per cent volume by volume, biodiesel.

This approval applies to diesel/biodiesel blends supplied by the approval holder and the regulated persons specified in Annexure 1.

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

This approval comes into force on the date of signing and remains in force until 1 March 2011.

Dated

A handwritten signature in black ink, appearing to be 'P. Garrett'.

April 2010

A large, stylized handwritten signature in black ink, appearing to be 'P. Garrett'.

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

**Annexure 1****Regulated persons**

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

Premiair Hire Services	79 Tattersall Rd	Blacktown	NSW	2756
Diamond Dale Pty Ltd	9 View Rd	Epping	VIC	3076
Eagle Fuels	99 Moreland Rd	Footscray	VIC	3011

## Annexure 2

### Conditions of approval

1. The diesel and biodiesel used to create the blends covered by this approval must, before the two fuels are blended, comply with the applicable fuel standards for automotive diesel and biodiesel, i.e. specified in the Fuel Standard (Automotive Diesel) Determination 2001 and the Fuel Standard (Biodiesel) Determination 2003.
  - An exception to this condition is that the diesel used to create the blends need not comply with the density requirements specified in the Fuel Standard (Automotive Diesel) Determination 2001. [Note: the final blends must comply with the density requirements specified in that Determination].
2. The fuel subject to this approval must be clearly labelled at the point of sale or supply identifying the fuel as a blend of diesel and biodiesel.
3. The fuel subject to this approval must not be represented as being suitable for all diesel vehicles.
4. The following words must be clearly displayed on any fuel pump dispensing fuel that is subject to this approval:
  - ‘Contains up to x% biodiesel’, where x is no less than the percentage of biodiesel in the blend; or
  - ‘Contains y% biodiesel’ where y is the percentage of biodiesel in the blend.
5. The approval holder must provide six-monthly reports to the Department of the Environment, Water, Heritage and the Arts by 31 March and 30 September, respectively covering the preceding September to February and March to August periods (to the extent that those periods fall within the period this approval is in force), specifying:
  - (i) the volume of diesel supplied under the approval
  - (ii) the volume of lower density diesel (i.e. less than 820 kg/m<sup>3</sup>) used to produce the final blends, and
  - (iii) the lower density diesel used (i.e. less than 820 kg/m<sup>3</sup>), the lowest density contained in that diesel.

The first report is due 30 September 2010 and the second report due 31 March 2011.

**MINISTER FOR ENVIRONMENT PROTECTION, HERITAGE AND THE ARTS****NOTICE UNDER SECTION 17A OF THE *FUEL QUALITY STANDARDS ACT 2000*  
CONCERNING A DECISION UNDER SECTION 13 OF THAT ACT FOR AN  
APPROVAL FOR A VARIATION OF THE FUEL STANDARD (AUTOMOTIVE  
DIESEL) DETERMINATION 2001**

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

**Name of approval holder**

Approval has been granted to Pro Green Biofuels Pty Ltd.

**Period of operation**

The period of operation of the approval is from the date of signing until 1 March 2011.

**Details of the approval**

This approval varies the fuel standard for diesel set out in the *Fuel Standard (Automotive Diesel) Determination 2001* (the Determination) such that diesel with a biodiesel content above five per cent volume by volume and up to 20 per cent volume by volume will be taken to comply with the Determination.

**Background**

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

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

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

Section 24A of the Act provides that I must consult, and have regard to the recommendations of, the Fuel Standards Consultative Committee (the Committee) before granting an approval under section 13. Before signing the instrument granting the approval, I consulted with the Committee and had regard to the recommendations it made in March 2010.

**Findings on material questions of fact****(a) The protection of the environment**

Tailpipe emissions from diesel/biodiesel blend use, compared to diesel, will have both positive and negative impacts on air quality as the level of biodiesel in the blend increases. In general, emissions of nitrogen oxides increase but particulate matter, hydrocarbons and carbon monoxide emissions all decrease.

**(b) The protection of occupational and public health and safety**

In terms of safety data, diesel containing up to 20 per cent biodiesel has shown to be similar to diesel. Its impact on occupational and public health and safety should be no greater than diesel already supplied to the market.

**(c) The interests of consumers**

Fuel dispensers will be clearly labelled to advise consumers that the diesel contains biodiesel and the percentage, more than five per cent volume by volume but not more than 20 per cent volume by volume. Any potential warranty issues for vehicles will, therefore, be addressed.

**(d) The impact on economic and regional development**

As the level of biodiesel allowed in diesel has been capped at five per cent, the industry cannot legally supply blends higher than five per cent. This results in a barrier to the development of an alternative fuels market in Australia. If the approvals are not granted, the restriction of blend levels could have a negative effect on the development of the Australian biodiesel industry.

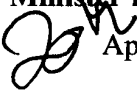
**Summary of reasons for the approval**

1. Biodiesel blends are already being supplied to the market and the approval is required to allow suppliers to continue supplying blends to existing and potential customers.
2. There could be a detrimental effect on the biodiesel industry if this approval is not granted.
3. This approval only relates to the variation of the biodiesel content in the Diesel Determination for blends above five per cent and up to 20 per cent.
4. The labelling condition will provide information for consumers about the biodiesel content in the diesel on fuel dispensers.



.....

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



April 2010



**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
ABEY	Tap and tap outlet set	Addition to Family Name: Basin Mixer & Spout 4 Star 34702	R000253B
NOKEN	Combination of a WC pan and cistern	Addition to Family Name: Compact Logic	R001976A
CAROMA	WC pan only	Addition to Family Name: Caroma 4 Star Trident Care 4S S Trap Pan	R000008FA
CAROMA	WC pan only	Addition to Family Name: Caroma 3 Star Concorde 3S Left Skew Trap Pan, Concorde 3S Right Skew Trap Pan	R000044AS
CAROMA	WC pan only	Addition to Family Name: Caroma 4 Star Seidler Wall Hung 4S P Trap Pan	R000008FB
CAROMA	WC cistern only	Addition to Family Name: Caroma 3 Star Sovereign 2000 LL 3S RH Cistern	R000044AT
CAROMA	Toilet suite	Addition to Family Name: Caroma 3 Star Sovereign 3S Left Skew Trap RH Suite, Sovereign 3S Right Skew Trap RH Suite	R000044AU

Delegate of the Water Efficiency Labelling and Standards Regulator  
05 May 2010





**COMMONWEALTH OF AUSTRALIA**

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, NIGEL ROUTH, Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for Environment Protection, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from the Department of Fisheries, Western Australia, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the West Coast Deep Sea Crustacean Interim Managed Fishery, as defined in the *West Coast Deep Sea Crustacean (Interim) Management Plan 2007*, made under the *Fish Resources Management Act 1994* and the *Fish Resources Management Regulations 1995*, to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 7 May 2013 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule (dated April 2010).

Dated this

29<sup>th</sup>

day of

April

2010

A handwritten signature in dark ink, appearing to read 'N. Routh', written over a dotted line.

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

## SCHEDULE

**Declaration of the Harvest Operations of the West Coast Deep Sea Crustacean Interim Managed Fishery as an approved Wildlife Trade Operation, April 2010****ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the West Coast Deep Sea Crustacean Interim Managed Fishery:

1. Operation of the Western Australia (WA) West Coast Deep Sea Crustacean Interim Managed Fishery (WCDSCIMF) will be carried out in accordance with the *West Coast Deep Sea Crustacean Fishery (Interim) Management Plan 2007* in force under *WA Fish Resources Management Act 1994* (FRM Act) and the *WA Fish Resources Management Regulations 1995* (FRM Regulations).
2. The Department of Fisheries Western Australia (DFWA) to advise the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended change to the WCDSCIMF management arrangements that could affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. DFWA to produce and present reports to DEWHA annually as per Appendix B to the '*Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*'.

Unique Identifying Number:  
EPBC303DC/SFS/2010/23



**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 deleting from the list the following item that was included on the list on 12 March 2010 and any associated notations:

- Specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the Act, taken in the West Coast Deep Sea Crab Interim Managed Fishery.

For the purposes of section 12(1) of the *Legislative Instruments Act 2003*, the specified day for the purposes of the commencement of this instrument is 7 May 2010.

Dated this

29<sup>th</sup>

day of

April

2010

.....  
N. Routh

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

Unique Identifying Number:  
EPBC303DC/SFS/2010/24

## 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 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 West Coast Deep Sea Crustacean Interim Managed Fishery, as defined in the *West Coast Deep Sea Crustacean (Interim) Management Plan 2007* in force under the *Western Australia Fish Resources Management Act 1994* and the *Western Australia Fish Resources Management Regulations 1995*

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 covered by the declaration of an approved Wildlife Trade Operation under section 303FN of the EPBC Act in relation to the fishery.

For the purposes of section 12(1) of the *Legislative Instruments Act 2003*, the specified day for the purposes of the commencement of this instrument is 7 May 2010.

Dated this

29th day of April

2010

  
.....

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

DEPARTMENT OF THE ENVIRONMENT, WATER, HERITAGE AND THE ARTS  
*Environment Protection and Biodiversity Conservation Act 1999*  
For further information see referrals list at <http://www.environment.gov.au/epbc/notices> and  
type in the reference number in the Search box

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

Reference	Title	Controlling Provisions	Date
2010/5404	Gujarat NRE FGCL Pty Ltd/Mining/15km south west of Woolongong (Nebo Area)/NSW/Wongawilli Colliery	<ul style="list-style-type: none"> <li>Listed threatened species and communities (sections 18 &amp; 18A)</li> </ul>	20-Apr-2010
2010/5410	LandCorp/Commercial development/Mandurah Transit Station, Allnut Street/WA/Mandurah Junction Commercial and Residential Development	<ul style="list-style-type: none"> <li>Listed threatened species and communities (sections 18 &amp; 18A)</li> </ul>	22-Apr-2010
2010/5419	Main Roads Western Australia/Transport - land/10km south east Dampier to 2km south east Dampier/WA/Duplication of the Dampier Highway Stages 2 & 6	<ul style="list-style-type: none"> <li>National Heritage places (sections 15B &amp; 15C)</li> <li>Listed threatened species and communities (sections 18 &amp; 18A)</li> </ul>	28-Apr-2010

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

Reference	Title	Date
2009/5027*	Department of Agriculture and Food (WA)/Natural resources management/Perth metropolitan area/WA/Eradication of the European House Borer, Perth metropolitan area, WA	21-Apr-2010
2010/5297*	Total E&P Australia/Exploration (mineral, oil and gas - marine)/Approx. 420 km west, north west of Darwin, Bonaparte Basin/Commonwealth Marine/Exploration Drilling in Permit Areas WA-402-P & WA-403-P	22-Apr-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](http://www.environment.gov.au/epbc/notices)

#### ASSESSMENT APPROACH (*EPBC Act s.87*)

Reference	Title	Assessment Approach	Date
2010/5404	Gujarat NRE FGCL Pty Ltd/Mining/15km south west of Woolongong (Nebo Area)/NSW/Wongawilli Colliery	Preliminary documentation	20-Apr-2010
2010/5410	LandCorp/Commercial development/Mandurah Transit Station, Allnut Street/WA/Mandurah Junction Commercial and Residential Development	Preliminary documentation	22-Apr-2010
2010/5419	Main Roads Western Australia/Transport - land/10km south east Dampier to 2km south east Dampier/WA/Duplication of the Dampier Highway Stages 2 & 6	Preliminary documentation	28-Apr-2010

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

Reference	Title	Approval Decision	Date
2009/5194	Jason Dixon/Residential development/Oak Valley, Townsville /QLD/Two Residential Premises on Lot 7, Chisholm Trail, Oak Valley	Not Approved	21-Apr-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.

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## Finance and Deregulation

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### REGISTER OF POLITICAL PARTIES

#### *Commonwealth Electoral Act 1918*

On 27 April 2010, as delegate of the Australian Electoral Commission and pursuant to Section 134 of the *Commonwealth Electoral Act 1918*, I determined that an application from the Queensland Greens to replace its registered officer in the Register of Political Parties with the following person is granted:

**Neil Thomas Cotter**  
**5 Holyoake Drive**  
**DAISY HILL QUEENSLAND 4127**

Shawn O'Brien  
A/g Director, Funding and Disclosure  
Delegate of the Australian Electoral Commission



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## Health and Ageing

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

***THERAPEUTIC GOODS ACT 1989***

**THERAPEUTIC GOODS REGULATIONS 1990**

**DESIGNATION OF TADALAFIL [ADCIRCA] AS AN ORPHAN DRUG**

I, Dr Ruth Lopert, Delegate of the Secretary for the purposes of 16J of the *Therapeutic Goods Regulations 1990* (“the Regulations”), acting under sub-regulation 16J(2) of the Regulations, designate tadalafil (ADCIRCA) as an orphan drug on 21 April 2010 for the treatment of pulmonary arterial hypertension (WHO Group I) to improve exercise ability.

The dose form of tadalafil (ADCIRCA) is 20 mg tablet.

The sponsor of tadalafil (ADCIRCA) is Eli Lilly Australia Pty Ltd.

[signed]

Dr Ruth Lopert  
Principal Medical Adviser  
Delegate of the Secretary

Dated this 21<sup>st</sup> Day of April 2010



**Australian Government**  
**Department of Health and Ageing**  
**Office of the Gene Technology Regulator**

27 April 2010

## INVITATION TO COMMENT

### CONSULTATION RARMP FOR LICENCE APPLICATION DIR 098

#### FROM SANOFI PASTEUR PTY LTD

#### Commercial Release of a live Genetically Modified (GM) Vaccine

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

The Gene Technology Regulator is currently assessing Licence Application DIR 098 from Sanofi Pasteur Pty Ltd (Sanofi) for a commercial release of a live GM vaccine to protect against Japanese encephalitis as a prescription medicine.

The GM vaccine is based on the existing vaccine for Yellow fever in which two genes have been replaced by similar genes from *Japanese encephalitis virus*. The vaccine is intended for people travelling to, or resident in, areas where the disease occurs. If approved by the Regulator and registered by the Therapeutic Goods Administration, it would be prescribed by registered medical practitioners and administered in medical facilities.

A consultation Risk Assessment and Risk Management Plan (RARMP) has been prepared, which concludes that the proposed release would pose negligible risk to human health and safety or to the environment. Licence conditions have been proposed to allow appropriate oversight of the ongoing release.

The Regulator welcomes written submissions in order to finalise the RARMP, which will then form the basis of a decision on whether to issue the licence. The consultation RARMP and related documents can be obtained from the website <<http://www.ogtr.gov.au>> under 'What's New' or by contacting the Office. Please quote application DIR 098 in any correspondence.

Submissions should be received by close of business on **22 June 2010**.

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





**Australian Government**  
**Department of Health and Ageing**  
**Office of the Gene Technology Regulator**

3 May 2010

## **INVITATION TO COMMENT**

### **CONSULTATION RARMP FOR LICENCE APPLICATION DIR 101 FROM MONSANTO**

#### **Limited and Controlled Release of Genetically Modified (GM) Cotton**

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

The Gene Technology Regulator is currently assessing Licence Application DIR 101 from Monsanto Australia Limited (Monsanto) for a limited and controlled release of two GM cottons genetically modified for insect resistance either alone or in combination with herbicide tolerance.

The purpose of the trial is to generate data for future submissions to regulatory agencies, to breed and develop varieties using elite germplasm suitable for use under Australian conditions, and for seed increase. The trial is proposed to take place in up to 34 local government areas in NSW, Qld and WA, on a maximum total area of 1,150 ha over four years from 2010 to 2014. The GM cottons would not be used for human food or animal feed as part of the release.

A consultation Risk Assessment and Risk Management Plan (RARMP) has been prepared, which concludes that the proposed release would pose negligible risk to human health and safety or to the environment. A range of licence conditions are proposed, including measures to restrict the release to the size, locations and duration requested by Monsanto.

The Regulator welcomes written submissions in order to finalise the RARMP, which will then form the basis of a decision on whether or not to issue the licence. The consultation RARMP and related documents can be obtained from the website <<http://www.ogtr.gov.au>> under 'What's New' or by contacting the Office. Please quote application DIR 101 in any correspondence.

Submissions should be received by close of business on **15 June 2010**.

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

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

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r308/2010004

**Australian Government****Department of Infrastructure, Transport,  
Regional Development and Local Government****Aviation Transport Security Regulations 2005****EXEMPTION FROM DISPLAYING AN ASIC IN  
AIRSIDE AREAS**

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I, **JOHN DAVID RAPHAEL MOODY**, Regional Director, Transport Security Operations, Office of Transport Security, Office of Transport Security, Department of Infrastructure, Transport, Regional Development and Local Government, under regulation 3.08 of the Aviation Transport Security Regulations 2005, **GIVE** an exemption from displaying an Aviation Security Identification Card in the airside area at Kalgoorlie-Boulder Airport, to:

1. WA Police, Emergency Services personnel and other participants in the emergency exercise at Kalgoorlie-Boulder Airport, who are travelling reasonably directly between Gate 1 and Airside Special Event Zones in effect between 1800 hours and 2230 hours on Thursday 6 May 2010; and
2. participants in the emergency exercise who are located in Airside Special Event Zone 'A' between 1800 hours and 2230 hours on Thursday 6 May 2010.

This exemption operates from 1800 hours to 2230 hours on Thursday 6 May 2010.

Date: 23 April 2010

A handwritten signature in black ink, appearing to read 'John Moody', written over a horizontal line.

John Moody  
Delegate of the Secretary of the  
Department of Infrastructure, Transport, Regional Development and Local  
Government

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

No: 7572

*Navigation Act 1912*

### PERMIT FOR UNLICENSED SHIP - CONTINUING

I, Michael Pahlow, 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 28/04/2010 to 25/07/2010

### Details about ship

Name of ship: Newport Bridge

Port of registry: Panama

IMO No. of ship: 9043756

Name of Owner: Rosex Maritime S.A.

### Name of ports for which permit issued

From Melbourne to Brisbane. From Melbourne to Sydney. From Sydney 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: 28 April, 2010



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

No: 7583

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

I, Michael Pahlow, 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 01/05/2010 to 31/07/2010

**Details about ship**

Name of ship: Rathboyne  
IMO No. of ship: 9142502

Port of registry: Bergen  
Name of Owner: Kristian Gerhard Jebsen Skipsrederi  
A/S Bergen Norway

**Name of ports for which permit issued**

From Newcastle to Portland. From Whyalla to Newcastle. From Newcastle to Gladstone.

**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. Other Bulk Liquids; 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: 28 April, 2010



## Form 6

## Permit for unlicensed ship - continuing (regulation 6)

No: 7575

*Navigation Act 1912*

### PERMIT FOR UNLICENSED SHIP - CONTINUING

I, Michael Pahlow, 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 03/05/2010 to 02/08/2010

### Details about ship

Name of ship: KATSURAGI

Port of registry: PANAMA

IMO No. of ship: 8910419

Name of Owner: NYK SHIPMANAGEMENT

### Name of ports for which permit issued

From Melbourne to Brisbane. From Sydney to Brisbane. From Melbourne to Sydney.

### 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: 30/04/2010



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## Treasury

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Australian Government

Australian Taxation Office

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

To:

Mr Paul Vandenberg  
18 Gleniffer Avenue  
BRIGHTON EAST VIC 3187

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

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

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

Dated: 22 April 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.



**COMMONWEALTH OF AUSTRALIA****TRADE PRACTICES ACT 1974**

Consumer Protection Notice No. 7 of 2010

**INVITATION TO REQUEST THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION TO HOLD A CONFERENCE IN RELATION TO A PROPOSED PERMANENT BAN ON UNSAFE GOODS**

I, CRAIG EMERSON, Minister for Competition Policy and Consumer Affairs, pursuant to section 65J(1) of the *Trade Practices Act 1974*, **INVITE** any person who supplied or proposes to supply goods of a kind specified in the draft notice below to notify the Australian Competition and Consumer Commission in writing at the address shown below within the period of ten (10) days commencing on the day on which this notice is published, or within such a longer period as the Commission allows, whether that person wishes the Commission to hold a conference in relation to the proposed publication, under section 65C(7) of the *Trade Practices Act 1974*, of the notice.

**Summary of reasons for publication:**

This proposed ban arises from the 2008 commitment by the Council of Australian Governments (COAG) to a harmonised national product safety system. This commitment by COAG, followed a review by the Australian Productivity Commission which had found there was little justification for any differences in product safety regulation across Australia and that there was a compelling case for greater national consistency in consumer product safety regulation.

This ban is proposed to ensure ongoing consumer safety by replacing existing bans on the "No Holes Tongue Stud" in force in some States and Territories with a national ban under the *Trade Practices Act 1974*. These goods present an unacceptable risk to public health and safety, particularly for younger children.

The "No Holes Tongue Stud" and similar products pose a choking hazard. It could be inhaled into the lungs or airways of the wearer causing a potentially serious injury or death.

Address for notification to the Australian Competition and Consumer Commission:

The General Manager  
Product Safety Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601

Email [productsafety.regulation@accc.gov.au](mailto:productsafety.regulation@accc.gov.au)

Dated this **NINETEENTH** day of **APRIL** 2010

CRAIG EMERSON  
Minister for Competition Policy and Consumer Affairs



DRAFT NOTICE

**COMMONWEALTH OF AUSTRALIA**

*TRADE PRACTICES ACT 1974*

Consumer Protection Notice No xxx of 2010

**PERMANENT BAN ON GOODS**

I, CRAIG EMERSON, Minister for Competition Policy & Consumer Affairs, pursuant to section 65C(7) of the *Trade Practices Act 1974* **IMPOSE** a permanent ban on goods of a kind specified below.

**Particulars of goods:**

A “No Holes Tongue Stud” and similar products as described below are unsafe goods.

Description of a “No Holes Tongue Stud”:

- (i) a small bead with an opening on one side only, which acts to create a vacuum; and
- (ii) is intended for use as jewellery on the human tongue, without the need for piercing.

Dated this xxxxx day of xxxxx 2010

XXXXXXXXXXXXXXXXXXXXX

CRAIG EMERSON  
Minister for Competition Policy & Consumer Affairs

**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>.

<b>NOTICE OF RULINGS</b>		
<b>Ruling Number</b>	<b>Subject</b>	<b>Brief Description</b>
<b>CR 2010/12</b>	Income tax: Department for Families and Communities Self-Managed Funding Scheme	This Ruling applies to disabled persons receiving disability services from the South Australian Department for Families and Communities (DFC), and legally nominated or recognised carers, guardians, administrators or attorneys of disabled persons, who enter into an agreement with the DFC to receive payments for the purpose of purchasing disability services under the self-managed funding scheme. This Ruling applies from 1 October 2009.
<b>CR 2010/13</b>	Fringe benefits tax: employer clients of PBI Benefit Solutions Pty Ltd who enter into arrangements to reimburse the mortgage payments of participating employees	This Ruling applies to all employers who are clients of PBI Benefit Solutions Pty Ltd and who enter into an effective salary sacrifice arrangement with employees in respect of mortgage payments. This Ruling applies from 1 April 2009.



## Variation of List of Names and Categories of Registered Entities

### *Financial Sector (Collection of Data) Act 2001*

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SINCE:

- A. APRA keeps a Register of Entities (the register) under section 8 of the *Financial Sector (Collection of Data) Act 2001* (the Act);
- B. APRA keeps a list of the names of registered entities under section 11 of the Act (the list);
- C. **Certegy Ezi-Pay Pty Ltd (ABN 28 129 228 986 & Flexirent Capital Pty Ltd (ABN 93 064 046 046)** have become registrable corporations, as defined in section 7 of the Act;
- D. APRA has, under paragraph 10(a) of the Act, caused the names of the corporations and other particulars relating to the corporations to be added to the register; and
- E. the corporations have therefore become registered entities within the meaning of subsection 5(3) of the Act;

**I, Steve Davies, a delegate of APRA, under subsection 11(2) of the Act, VARY the list by adding the names of the corporations.**

Dated 23 April 2010

[Signed]

Steve Davies  
General Manager  
Statistics

Interpretation

In this Notice

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



## Variation of List of Names and Categories of Registered Entities

### *Financial Sector (Collection of Data) Act 2001*

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SINCE:

- A. APRA keeps a Register of Entities (the register) under section 8 of the *Financial Sector (Collection of Data) Act 2001* (the Act);
- B. APRA keeps a list of the names of registered entities under section 11 of the Act (the list);
- C. **Stanbrick Pty Limited (ABN 76 060 508 705) and Sutton Motors Finance Pty Limited (ABN 67 078 882 818)** have become registrable corporations, as defined in section 7 of the Act;
- D. APRA has, under paragraph 10(a) of the Act, caused the names of the corporations and other particulars relating to the corporations to be added to the register; and
- E. the corporations have therefore become registered entities within the meaning of subsection 5(3) of the Act;

**I, Steve Davies, a delegate of APRA, under subsection 11(2) of the Act, VARY the list by adding the names of the corporations.**

Dated 29 April 2010

[Signed]

Steve Davies  
General Manager  
Statistics

Interpretation

In this Notice

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



## NOTICE OF INTENTION TO PROPOSE CUSTOMS TARIFF ALTERATIONS

NOTICE (No. 1) 2010

Pursuant to section 273EA of the *Customs Act 1901*, I, Sue Pitman, delegate of the Minister for Home Affairs, hereby give notice that it is intended, within seven sitting days of the House of Representatives after the date of publication of this Notice in the *Gazette*, to propose in the Parliament alterations to the *Customs Tariff Act 1995* as set out in the Schedule to this Notice with effect on and from 30 April 2010 and that the alterations apply as set out in item 56 of the Schedule.

### Schedule 1—Alterations to the Customs Tariff Act 1995

#### 1 Schedule 3 (subheading 2401.10.00, the rates of duty in column 3)

Repeal the rates of duty, substitute:

\$409.71/kg  
NZ/PG/FI/  
DC/LDC/  
SG:\$409.71/kg

#### 2 Schedule 3 (subheading 2401.20.00, the rates of duty in column 3)

Repeal the rates of duty, substitute:

\$409.71/kg of  
tobacco content  
NZ:\$409.71/kg  
of tobacco  
content  
PG:\$409.71/kg  
of tobacco  
content  
FI:\$409.71/kg of  
tobacco content  
DC:\$409.71/kg  
of tobacco  
content  
LDC:\$409.71/kg  
of tobacco  
content  
SG:\$409.71/kg  
of tobacco  
content

**3 Schedule 3 (subheading 2401.30.00, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$409.71/kg of  
tobacco content  
NZ:\$409.71/kg  
of tobacco  
content  
PG:\$409.71/kg  
of tobacco  
content  
FI:\$409.71/kg of  
tobacco content  
DC:\$409.71/kg  
of tobacco  
content  
LDC:\$409.71/kg  
of tobacco  
content  
SG:\$409.71/kg  
of tobacco  
content

**4 Schedule 3 (subheading 2402.10.20, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$0.32775/stick  
NZ:\$0.32775/  
stick  
PG:\$0.32775/  
stick  
FI:\$0.32775/  
stick  
DC:\$0.32775/  
stick  
LDC:\$0.32775/  
stick  
SG:\$0.32775/  
stick

**5 Schedule 3 (subheading 2402.10.80, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$409.71/kg of  
tobacco content  
NZ:\$409.71/kg  
of tobacco  
content  
PG:\$409.71/kg  
of tobacco  
content  
FI:\$409.71/kg of  
tobacco content  
DC:\$409.71/kg  
of tobacco  
content  
LDC:\$409.71/kg

of tobacco  
content  
SG:\$409.71/kg  
of tobacco  
content

**6 Schedule 3 (subheading 2402.20.20, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$0.32775/stick  
NZ:\$0.32775/  
stick  
PG:\$0.32775/  
stick  
FI:\$0.32775/  
stick  
DC:\$0.32775/  
stick  
LDC:\$0.32775/  
stick  
SG:\$0.32775/  
stick

**7 Schedule 3 (subheading 2402.20.80, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$409.71/kg of  
tobacco content  
NZ:\$409.71/kg  
of tobacco  
content  
PG:\$409.71/kg  
of tobacco  
content  
FI:\$409.71/kg of  
tobacco content  
DC:\$409.71/kg  
of tobacco  
content  
LDC:\$409.71/kg  
of tobacco  
content  
SG:\$409.71/kg  
of tobacco  
content

**8 Schedule 3 (subheading 2403.10.30, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$0.32775/stick  
NZ:\$0.32775/  
stick  
PG:\$0.32775/  
stick  
FI:\$0.32775/  
stick  
DC:\$0.32775/

stick  
LDC:\$0.32775/  
stick  
SG:\$0.32775/  
stick

**9 Schedule 3 (subheading 2403.10.70, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$409.71/kg of  
tobacco content  
NZ:\$409.71/kg  
of tobacco  
content  
PG:\$409.71/kg  
of tobacco  
content  
FI:\$409.71/kg of  
tobacco content  
DC:\$409.71/kg  
of tobacco  
content  
LDC:\$409.71/kg  
of tobacco  
content  
SG:\$409.71/kg  
of tobacco  
content

**10 Schedule 3 (subheading 2403.91.00, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$409.71/kg of  
tobacco content  
NZ:\$409.71/kg  
of tobacco  
content  
PG:\$409.71/kg  
of tobacco  
content  
FI:\$409.71/kg of  
tobacco content  
DC:\$409.71/kg  
of tobacco  
content  
LDC:\$409.71/kg  
of tobacco  
content  
SG:\$409.71/kg  
of tobacco  
content

**11 Schedule 3 (subheading 2403.99.80, the rates of duty in column 3)**

Repeal the rates of duty, substitute:

\$409.71/kg of  
tobacco content



NZ:\$409.71/kg  
of tobacco  
content  
PG:\$409.71/kg  
of tobacco  
content  
FI:\$409.71/kg of  
tobacco content  
DC:\$409.71/kg  
of tobacco  
content  
LDC:\$409.71/kg  
of tobacco  
content  
SG:\$409.71/kg  
of tobacco  
content

**12 Schedule 5 (cell at table item 43A, column 3)**

Repeal the cell, substitute:

\$409.71/kg

**13 Schedule 5 (cell at table item 44, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**14 Schedule 5 (cell at table item 45, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**15 Schedule 5 (cell at table item 46, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**16 Schedule 5 (cell at table item 47, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**17 Schedule 5 (cell at table item 48, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**18 Schedule 5 (cell at table item 49, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**19 Schedule 5 (cell at table item 50, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**20 Schedule 5 (cell at table item 51, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**21 Schedule 5 (cell at table item 52, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**22 Schedule 5 (cell at table item 54, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**23 Schedule 6 (cell at table item 46A, column 3)**

Repeal the cell, substitute:

\$409.71/kg

**24 Schedule 6 (cell at table item 47, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**25 Schedule 6 (cell at table item 48, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**26 Schedule 6 (cell at table item 49, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**27 Schedule 6 (cell at table item 50, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**28 Schedule 6 (cell at table item 51, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**29 Schedule 6 (cell at table item 52, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**30 Schedule 6 (cell at table item 53, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**31 Schedule 6 (cell at table item 54, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

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**32 Schedule 6 (cell at table item 55, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**33 Schedule 6 (cell at table item 57, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**34 Schedule 7 (cell at table item 46, column 3)**

Repeal the cell, substitute:  
\$409.71/kg

**35 Schedule 7 (cell at table item 47, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**36 Schedule 7 (cell at table item 48, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**37 Schedule 7 (cell at table item 49, column 3)**

Repeal the cell, substitute:  
\$0.32775/stick

**38 Schedule 7 (cell at table item 50, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**39 Schedule 7 (cell at table item 51, column 3)**

Repeal the cell, substitute:  
\$0.32775/stick

**40 Schedule 7 (cell at table item 52, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**41 Schedule 7 (cell at table item 53, column 3)**

Repeal the cell, substitute:  
\$0.32775/stick

**42 Schedule 7 (cell at table item 54, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**43 Schedule 7 (cell at table item 55, column 3)**

Repeal the cell, substitute:  
\$409.71/kg of tobacco content

**44 Schedule 7 (cell at table item 56, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**45 Schedule 8 (cell at table item 52, column 3)**

Repeal the cell, substitute:

\$409.71/kg

**46 Schedule 8 (cell at table item 53, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**47 Schedule 8 (cell at table item 54, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**48 Schedule 8 (cell at table item 55, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**49 Schedule 8 (cell at table item 56, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**50 Schedule 8 (cell at table item 57, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**51 Schedule 8 (cell at table item 58, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**52 Schedule 8 (cell at table item 59, column 3)**

Repeal the cell, substitute:

\$0.32775/stick

**53 Schedule 8 (cell at table item 60, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**54 Schedule 8 (cell at table item 61, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

**55 Schedule 8 (cell at table item 62, column 3)**

Repeal the cell, substitute:

\$409.71/kg of tobacco content

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## 56 Application

The alterations made by this Schedule apply in relation to:

- (a) goods imported into Australia on or after 30 April 2010; and
- (b) goods imported into Australia before 30 April 2010, where the time for working out the rate of import duty on the goods had not occurred before 30 April 2010.

Dated this 29<sup>th</sup> day of April 2010.



Sue Pitman  
Delegate of the  
Minister for Home Affairs



***Excise Act 1901***

NOTICE OF INTENTION TO PROPOSE EXCISE TARIFF ALTERATION

Notice No. 1 (2010)

Pursuant to section 160B of the *Excise Act 1901*, I, BRUCE WILLIAM QUIGLEY, Second Commissioner of Taxation, hereby give notice that it is intended, within seven sitting days of the House of Representatives after the date of publication of this notice in the *Gazette*, to propose in the Parliament an Excise Tariff alteration in accordance with the particulars specified in the Schedule to this notice and operating on and from 30 April 2010.

**Schedule 1—Alterations to the Excise Tariff Act 1921**

**1 Schedule (cell at table subitem 5.1, column headed “Rate of Duty”)**

Repeal the cell, substitute:  
\$0.32775 per stick

**2 Schedule (cell at table subitem 5.5, column headed “Rate of Duty”)**

Repeal the cell, substitute:  
\$409.71 per kilogram  
of tobacco content

Dated this 28th day of April 2010.

BRUCE WILLIAM QUIGLEY  
Delegate of the Commissioner of Taxation



**COMMONWEALTH OF AUSTRALIA**

*Environment Protection and Biodiversity Conservation Act 1999*

**DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION**

I, NEIL HUGHES, Acting Assistant Secretary, Marine Biodiversity Policy Branch, as Delegate of the Minister for Environment Protection, Heritage and the Arts, have considered in accordance with section 303FN of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the application from Fisheries Queensland, public comments on the proposal as required under section 303FR, and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the EPBC Act, taken in the Queensland Rocky Reef Fin Fish Fishery, as defined in the management regime for the fishery, made under the *Queensland Fisheries Act 1994* and the *Queensland Fisheries Regulation 2008*, to be an approved Wildlife Trade Operation, in accordance with subsection 303FN (2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

- a) is valid until 27 April 2012 and;
- b) is subject to the conditions applied under section 303FT specified in the Schedule (dated April 2010).

Dated this 23 day of April 2010

Neil Hughes

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



## SCHEDULE

**Declaration of the Harvest Operations of the Queensland Rocky Reef Fin Fish Fishery as an approved Wildlife Trade Operation, April 2010****ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the Queensland Rocky Reef Fin Fish Fishery:

1. Operation of the fishery will be carried out in accordance with the management regime for the Queensland Rocky Reef Fin Fish Fishery in force under the *Queensland Fisheries Act 1994* and the *Queensland Fisheries Regulation 2008*.
2. Fisheries Queensland to inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the management arrangements that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. Fisheries Queensland to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. Fisheries Queensland to demonstrate progress towards the implementation of long-term management arrangements for the Rocky Reef Fin Fish Fishery, including, but not limited to, the achievement of:
  - a publicly available document outlining the options for management arrangements;
  - a publicly available summary of comments received on the proposed arrangements; and
  - details of finalised management arrangements publicly available.
5. The management options referred to in Condition 4 will include, but not be limited to, management arrangements that:
  - monitor and deliver the recovery of snapper to ecologically viable stock levels; and
  - are applicable to all sectors of the fishery (commercial, recreational and charter).
6. Fisheries Queensland to provide bi-annual updates to DEWHA on progress towards Condition 4 and Condition 5.



Commonwealth  
of Australia

Gazette

No. S 65, Thursday, 29 April 2010  
Published by the Commonwealth of Australia

SPECIAL

***Excise Act 1901***

**DECLARATION UNDER SUBSECTION 59A(1) OF THE *EXCISE ACT 1901***

Pursuant to subsection 59A(1), and for the purposes of section 59A of the *Excise Act 1901*, I, BRUCE WILLIAM QUIGLEY, delegate of the Commissioner of Taxation, declare that the period on and from 11.00am 29 April 2010 to midnight on 29 April 2010, eastern standard time, is a declared period with respect to the tobacco products classified under Subitems 5.1 and 5.5 in the Schedule to the *Excise Tariff Act 1921* and that the period on and from 28 December 2009 to midnight on 21 February 2010 is the base period in relation to the declared period.

Dated this 29th day of April 2010.

A handwritten signature in black ink, appearing to read 'Bruce William Quigley', with a long horizontal flourish extending to the right.

BRUCE WILLIAM QUIGLEY  
Delegate of the Commissioner of Taxation



*Customs Act 1901*

DECLARATION UNDER SUBSECTION 132B(1) OF THE *CUSTOMS ACT 1901*

Pursuant to subsection 132B(1), and for the purposes of section 132B of the *Customs Act 1901*, I, SUE PITMAN, delegate of the Chief Executive Officer of Customs, declare that the period on and from 11:00am, 29 April 2010 to midnight on 29 April 2010 is a declared period with respect to the tobacco products classified under subheadings 2401.10.00, 2401.20.00, 2401.30.00, 2402.10.20, 2402.10.80, 2402.20.20, 2402.20.80, 2403.10.30, 2403.10.70, 2403.91.00 and 2403.99.80 in Schedule 3 to the *Customs Tariff Act 1995* and that the period on and from 22<sup>nd</sup> February 2010 to 18th April 2010 is the base period in relation to the declared period.

Dated this 29<sup>th</sup> day of April 2010.

SUE PITMAN  
Delegate of the Chief Executive Officer of Customs



**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* (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 31 March 2010 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 30 June 2010; and
- From 30 April 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 to and agreed by DEWHA.

Dated this 29th day of April 2010

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



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

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