

List of legislative instruments due to sunset on 1 October 2021

for tabling by the Attorney-General under section 52 of the Legislation Act 2003

List tabling day:

First sitting day on or after 1 April 2020

List preparation date:

10 March 2020

Prepared by the Office of Parliamentary Counsel, Canberra

About this list

Requirement to provide list for tabling

This list of legislative instruments has been prepared for laying before each House of Parliament in accordance with section 52 of the *Legislation Act 2003* (the LA).

This list sets out the legislative instruments that are due to sunset (that is, to be repealed by section 50, 51 or 51A of the LA) on 1 October 2021.

Under subsection 52(2) of the LA, the Attorney-General must arrange for this list to be laid before each House of the Parliament on the first sitting day of the House on or after 1 April 2020.

This list was up-to-date when prepared on 10 March 2020.

Structure of list

To assist the reader, the instruments are grouped by administering department, consistent with the Administrative Arrangements Order last amended on 5 March 2020.

If a department is not mentioned in the list, the department does not have any legislative instruments due to sunset on 1 October 2021. If 2 or more departments administer a legislative instrument, the instrument is listed under each department and an asterisk (*) included beside the instrument name.

More information about instruments on list

The full text of each listed instrument and information about its current status is available on the whole-of-government Federal Register of Legislation (<u>https://www.legislation.gov.au</u>).

Further information about an instrument may be requested from the administering department or its relevant agencies.

Next list

A list of all the instruments that are due to sunset on 1 April 2022 is required to be tabled on the first sitting day on or after 1 October 2020.

Contents

Part 1—Department of Agriculture, Water and the Environment	4
Part 2—Attorney-General's Department	4
Part 3—Department of Defence	4
Part 4—Department of Education, Skills and Employment	4
Part 5—Department of Finance	5
Part 6—Department of Health	6
Part 7—Department of Home Affairs	7
Part 8—Department of Infrastructure, Transport, Regional Development and	
Communications	7
Part 9—Department of Social Services	8
Part 10—Department of the Treasury	9
Part 11—Department of Veterans' Affairs	9

Part 1—Department of Agriculture, Water and the Environment

Agricul	ture, Water and the Environment	
Item	Instrument name and series number (if any)	Register ID
1	Fisheries Management (Excepted Waters) Proclamation 2011	F2011L01806
2	Instrument Adopting and Revoking Recovery Plans (made on 5 April 2011)	F2011L00621
3	Instrument Adopting Recovery Plans (made on 20 June 2011)	F2011L01211
4	Instrument making Management Plan (made on 16 March 2011)	F2011L01714
5	Instrument Removing Commonwealth Heritage values from the	F2011L00856
	Commonwealth Heritage List for five Commonwealth Heritage places (made	
	on 4 May 2011)	
6	Macquarie Island Toothfish Fishery Direction No.1 of 2011 Note 1	F2011L00618
7	National recovery plan for threatened albatrosses and giant petrels 2011-2016	F2011L00854
8	NPF Fishing Capacity Determination No. NPFGD 07 (made on 19 July 2011)	F2011L01521
9	Product Stewardship (Oil) Declaration 2003 Note 2	F2007B00694
10	Product Stewardship (Oil) Regulations 2000, SR 2000 No. 199 Note 3	F2000B00206
11	Sydney Harbour Federation Trust Regulations 2001, SR 2001 No. 296 Note 4	F2001B00384

Note 1: <u>F2011L00618</u> has ceased to have effect.

Note 2: $\underline{F2007B00694}$ was previously listed as sunsetting on 1 October 2017 but its sunset date was changed to 1 October 2021 by a declaration made under section 51A of the *Legislation Act 2003* (see $\underline{F2017L00701}$).

Note 3: $\underline{F2000B00206}$ was previously listed as sunsetting on 1 October 2019 but its sunset date was changed to 1 October 2021 by a declaration made under section 51A of the *Legislation Act 2003* (see $\underline{F2017L00701}$).

Note 4: $\underline{F2001B00384}$ was previously listed as sunsetting on 1 October 2019 but its sunset date was changed to 1 October 2021 by a certificate made under section 51 of the *Legislation Act 2003* (see $\underline{F2019L01211}$).

Part 2—Attorney-General's Department

Attorney-General's

Item	Instrument name and series number (if any)	Register ID
1	Australian Information Commissioner Regulations 2011, SLI 2011 No. 44	F2011L00590
2	Civil Dispute Resolution Regulations 2011, SLI 2011 No. 113	F2011L01409
3	Foreign Evidence (Application of Amendments) Regulations 2011, SLI 2011	F2011L01911
	No. 168	

Part 3—Department of Defence

Item	Instrument name and series number (if any)	Register ID
1	Defence Honours and Awards Appeals Tribunal Procedural Rules 2011	F2011L00816
2	Military Justice (Interim Measures) (Remuneration and Entitlements) Regulations 2011, SLI 2011 No. 90	F2011L01093

Part 4—Department of Education, Skills and Employment

Item	Instrument name and series number (if any)	Register ID
1	Australian Research Council Linkage Projects Funding Rules for funding commencing in 2011 (Variation 1) (made on 1 March 2011)	F2011L00303
2	Australian Research Council Linkage Projects Funding Rules for funding commencing in 2012 Variation (No. 1) (made on 19 April 2011)	F2011L00851
3	Discovery Indigenous Funding Rules for funding commencing in 2012 (made on 4 April 2011)	F2011L00850

Education, Skills and Employment		
Item	Instrument name and series number (if any)	Register ID
4	Financial Viability Risk Assessment Requirements 2011	F2011L01405
5	Foundation Program Standards (made on 19 June 2011)	F2011L01247
6	Linkage Infrastructure, Equipment and Facilities Funding Rules for funding	F2011L00852
	commencing in 2012 (made on 22 April 2011)	
7	National Vocational Education and Training Regulator Act (Classification of	F2011L01386
	States) Determination 2011	
8	Social Security (Administration) (Ending Unemployment Non-payment	F2009L01806
	Periods — Classes of Persons) (DEEWR) Specification 2009 (No. 1) Note 5	
9	Social Security (Administration) (Ending Unemployment Non-payment	F2009L02624
	Periods — Classes of Persons) (FaHCSIA) Specification 2009 (No. 1) Note 5	

Note 5: <u>F2009L01806</u> and <u>F2009L02624</u> were previously listed as sunsetting on 1 October 2019 but the sunset date was changed to 1 October 2021 by a certificate made under section 51 of the *Legislation Act 2003* (see <u>F2019L01228</u>).

Part 5—Department of Finance

Finance		
Item	Instrument name and series number (if any)	Register ID
1	Financial Management and Accountability (Establishment of Cultural Special Account) Determination 2011/18	<u>F2011L01729</u>
2	Financial Management and Accountability (Establishment of Special Account for Attorney-General's Department) Determination 2011/04	<u>F2011L00887</u>
3	Financial Management and Accountability (Establishment of Special Account for Australian Competition and Consumer Commission) Determination 2011/02	<u>F2011L00880</u>
4	Financial Management and Accountability (Establishment of Special Account for Australian Federal Police) Determination 2011/03	F2011L00891
5	Financial Management and Accountability (Establishment of Special Account for ComSuper) Determination 2011/06	F2011L00890
6	Financial Management and Accountability (Establishment of Special Account for Department of Health and Ageing) Determination 2011/07	F2011L00886
7	Financial Management and Accountability (Establishment of Special Account for Department of Human Services) Determination 2011/13	F2011L00888
8	Financial Management and Accountability (Establishment of Special Account for Department of Infrastructure and Transport) Determination 2011/08	F2011L00877
9	Financial Management and Accountability (Establishment of Special Account for Department of Innovation, Industry, Science and Research) Determination 2011/09	F2011L00889
10	Financial Management and Accountability (Establishment of Special Account for Infrastructure Australia) Determination 2011	F2011L01052
11	Financial Management and Accountability (Establishment of Special Account for IP Australia) Determination 2011/11	<u>F2011L00884</u>

Part 6—Department of Health

Health		
Item	Instrument name and series number (if any)	Register ID
1	Declaration of Quality Assurance Activity under Section 124X of the Health Insurance Act 1973, Instrument number QAA 1/2011 Note 6	F2011L00808
2	Declaration of Quality Assurance Activity under section 124X of the Health Insurance Act 1973, Instrument number QAA 2/2011 Note 6	F2011L00869
3	Declaration of Quality Assurance Activity under Section 124X of the Health Insurance Act 1973, Instrument number QAA 3/2011 Note 6	F2011L01053
4	Declaration of Quality Assurance Activity under section 124X of the Health Insurance Act 1973, Instrument number QAA 4/2011 Note 6	F2011L01834
5	Declaration of Relevant Professional Bodies under subsection 129AAD(13), RPB 1 of 2011	F2011L01116
6	Medical Indemnity (Competitive Advantage Payment) Regulations 2005, SLI 2005 No. 313 ^{Notes 7 and 8}	F2005L04110
7	Medical Indemnity (IBNR Claims) Protocol 2006 Note 7	F2006L03940
8	Medical Indemnity (Non-participating MDOs) Determination 2003 Note 7	F2009B00209
9	Medical Indemnity (Prudential Supervision and Product Standards - Notice of Provision of Run-off Cover) Determination 2007 Note 7	F2007L02208
10	Medical Indemnity (Prudential Supervision and Product Standards — Terms and Conditions for Run-off Cover) Determination 2004	F2008B00062
11	Medical Indemnity Regulations 2003, SR 2003 No. 208 Note 7	F2003B00219
12	Medical Indemnity (Run-off Cover Claims and Administration) Protocol 2006 Note 7	F2006L01892
13	Medical Indemnity (Run-off Cover Claims and Administration) Protocol 2006 (No. 2) $^{Note 7}$	F2006L03938
14	Medical Indemnity (Run-off Cover Support Payment) Regulations 2008, SLI 2008 No. 71 ^{Note 7}	F2008L00986
15	Medical Indemnity (UMP support payment exemption) Regulations 2006, SLI 2006 No. 275 ^{Note 7}	F2006L03295
16	Medical Indemnity (UMP Support Payment) Regulations 2004, SR 2004 No. 9 ^{Notes 7 and 8}	F2004B00015
17	Medical Indemnity (Unfunded IBNR factor — United Medical Protection Limited) Determination 2003 $^{Note 7}$	F2006B00118
18	Midwife Professional Indemnity (Commonwealth Contribution) Scheme Rules 2010 Note 9	F2010L01548
19	Midwife Professional Indemnity (Run-off Cover Support Payment) Rules 2010 Note 9	F2010L01549
20	Poisons Standard 2011 Note 6	F2011L01612
21	Premium Support (Medical Indemnity Provider) Scheme 2006 Note 7	F2006L01959
22	Premium Support Scheme 2004 Note 7	F2006B01338
23	Restricted Medicine Specification 2011	F2011L00744
24	Therapeutic Goods Order No. 83 Standards for human musculoskeletal tissue (made on 8 July 2011)	F2011L01489
25	Therapeutic Goods Order No. 84 Standards for human cardiovascular tissue (made on 8 July 2011)	<u>F2011L01490</u>
26	Therapeutic Goods Order No. 85 Standards for human ocular tissue (made on 8 July 2011)	F2011L01491
27	Therapeutic Goods Order No. 86 Standards for human skin (made on 8 July 2011)	F2011L01492

Health		
Item	Instrument name and series number (if any)	Register ID
28	Therapeutic Goods Order No. 87 General requirements for the labelling of	F2011L01493
	biologicals (made on 8 July 2011)	
29	Therapeutic Goods (Things that are not Biologicals) Determination No.1 of	F2011L00894
	2011	

Note 6: F2011L00808, F2011L00869, F2011L01053, F2011L01612 and F2011L01834 have ceased to have effect. Note 7: F2003B00219, F2004B00015, F2005L04110, F2006B00118, F2006B01338, F2006L01892, F2006L01959, F2006L03295, F2006L03938, F2006L03940, F2007L02208, F2008B00062, F2008L00986 and F2009B00209 were previously listed as sunsetting on 1 October 2019 but the sunset date was changed to 1 October 2021 by a certificate made under section 51 of the *Legislation Act 2003* (see F2019L01215).

Note 8: <u>F2004B00015</u> and <u>F2005L04110</u> were current when this list was prepared, but are due to be repealed on 1 July 2020 by the repeal of the enabling Act.

Note 9: <u>F2010L01548</u> and <u>F2010L01549</u> were previously listed as sunsetting on 1 October 2020 but the sunset date was changed to 1 October 2021 by a certificate made under section 51 of the *Legislation Act 2003* (see <u>F2019L01215</u>).

Part 7—Department of Home Affairs

Home Affairs		
Item	Instrument name and series number (if any)	Register ID
1	Approval of Screening Device (made on 9 June 2011)	F2011L01378
2	Employer Nomination Scheme - Occupations, Locations, Salaries, and	F2011L01228
	Relevant Assessing Authorities, IMMI 11/021	
3	Migration Occupation in Demand, IMMI 11/033	F2011L01229
4	Notice of approved activities (continuing professional development) under	F2011L01494
	section 290A of the Migration Act 1958 and clause 3 of Schedule 1 of the	
	Migration Agents Regulations 1998, OMARA 11/001	
5	Regional Certifying Bodies and Regional Postcodes, IMMI 11/058	F2011L01887

Part 8—Department of Infrastructure, Transport, Regional Development and Communications

Infrastructure, Transport, Regional Development and Communications		
Item	Instrument name and series number (if any)	Register ID
1	Broadcasting Services (Anti-terrorism Requirements for Open Narrowcasting	F2011L00579
	Television Services) Standard 2011	
2	Broadcasting Services (Anti-terrorism Requirements for Subscription	F2011L00581
	Television Narrowcasting Services) Standard 2011	
3	Broadcasting Services (Australian Content) Standard 2016 Note 10	F2016L00392
4	Children's Television Standards 2009 Note 11	F2009L03416
5	Determination of Degrees, Diplomas and Certificates No. 2011/1	F2011L01674
6	Fax Marketing Industry Standard 2011	F2011L00668
7	Guidelines relating to the ACMA's enforcement powers under the	F2011L01778
	Broadcasting Services Act 1992 (made on 26 August 2011)	
8	Public Lending Right Scheme 1997 (Modification No. 1 of 2011)	F2011L00667
9	Public Lending Right Scheme 1997 (Modification No. 2 of 2011)	F2011L00669
10	Telecommunications (Customer Service Guarantee) Amendment Standard	F2011L01704
	2011 (No. 1)	
11	Telecommunications (Customer Service Guarantee) Record-Keeping Rules	F2011L01997
	2011	
12	Telecommunications (Customer Service Guarantee – Retail Performance	F2011L01589
	Benchmarks) Instrument (No. 1) 2011	

Infrast	Infrastructure, Transport, Regional Development and Communications		
Item	Instrument name and series number (if any)	Register ID	
13	Telecommunications (Prohibition of Mobile Phone Boosters) Declaration 2011	F2011L00866	
14	Telecommunications (Regulated Services) Determination (No. 1) 2011	F2011L01248	
15	Telecommunications (Structural Separation—Networks and Services Exemption) Instrument (No. 1) 2011	F2011L01249	

Note 10: The original sunset date for <u>F2016L00392</u> was 1 April 2026 but its sunset date was changed to 1 October 2021 by a declaration made under section 51A of the *Legislation Act 2003* (see <u>F2019L01235</u>).

Note 11: $\underline{F2009L03416}$ was previously listed as sunsetting on 1 October 2019 but its sunset date was changed to 1 October 2021 by a declaration made under section 51A of the *Legislation Act 2003* (see $\underline{F2019L01235}$).

Part 9—Department of Social Services

Social S	Social Services			
Item	Instrument name and series number (if any)	Register ID		
1	Child Support (Registration and Collection) (Designated Program Act)	F2011L01328		
	Specification 2011 (No. 1)			
2	Data-Matching Program (Assistance and Tax) Act 1990 Guidelines (made on 31 October 1994) ^{Note 12}	F2009B00268		
3	Family Assistance (Waiver of Debts — Disasters) (DEEWR) Specification 2011	F2011L01267		
4	Family Assistance (Waiver of Debts — Disasters) (FaHCSIA) Specification 2011	F2011L01537		
5	Family Tax Benefit (Meeting the Health Check Requirement) Determination 2011	F2011L01382		
6	Family Tax Benefit (Studying Overseas Full-time) Determination 2011	F2011L01533		
7	Human Services (Centrelink) (Designated Program Act) Specification 2011 (No. 1)	F2011L01327		
8	Human Services (Centrelink) Regulations 2011, SLI 2011 No. 121	F2011L01375		
9	Human Services (Medicare) (Designated Program Act) Specification 2011 (No. 1)	F2011L01300		
10	Social Security (Special Disability Trust) Guidelines 2011	F2011L01343		
11	Social Security (Waiver of Debts — Disasters) (DEEWR) Specification 2011	F2011L01263		
12	Social Security (Waiver of Debts — Disasters) (FaHCSIA) Specification 2011	F2011L01536		
13	Social Security (Waiver of Debts — Self Managed Superannuation Funds and Small APRA Funds) (DEEWR) Specification 2011	F2011L00937		
14	Social Security (Waiver of Debts — Self Managed Superannuation Funds and Small APRA Funds) (FaHCSIA) Specification 2011	F2011L00935		

Note 12: $\underline{F2009B00268}$ was previously listed as sunsetting on 1 October 2019 but its sunset date was changed to 1 October 2021 by a certificate made under section 51 of the *Legislation Act 2003* (see $\underline{F2019L01236}$).

Treasury			
Item	Instrument name and series number (if any)	Register ID	
1	ASIC Class Order [CO 11/272]	F2011L00607	
2	Australian Prudential Regulation Authority (confidentiality) determination	F2011L01894	
	No.18 of 2011		
3	Income Tax – Temporary Flood and Cyclone Reconstruction Levy	F2011L00981	
	Exemptions 2011		
4	Medical Indemnity (Prudential Supervision and Product Standards)	F2003B00120	
	Regulations 2003, SR 2003 No. 109 Note 13		
5	Trade Practices (Industry Codes — Unit Pricing) Regulations 2009, SLI 2009 No. 152 Note 14	F2009L02457	
	110.152		

Part 10—Department of the Treasury

Note 13: $\underline{F2003B00120}$ was previously listed as sunsetting on 1 October 2019 but its sunset date was changed to 1 October 2021 by a certificate made under section 51 of the *Legislation Act 2003* (see $\underline{F2019L01215}$).

Note 14: <u>F2009L02457</u> was previously listed as sunsetting on 1 October 2019 but its sunset date was changed to 1 October 2021 by a certificate made under section 51 of the *Legislation Act 2003* (see <u>F2019L01217</u>).

Part 11—Department of Veterans' Affairs

Veterans' Affairs				
Item	Instrument name and series number (if any)	Register ID		
1	Military Rehabilitation and Compensation (Payment into Bank or Foreign	F2011L00640		
	Corporation Account) Specification 2011, Instrument 2011 No. M7			
2	Statement of Principles concerning acute pancreatitis No. 85 of 2011 Note 15	F2011L01442		
3	Statement of Principles concerning acute pancreatitis No. 86 of 2011 Note 15	F2011L01444		
4	Statement of Principles concerning allergic contact dermatitis No. 112 of 2011	F2011L01750		
5	Statement of Principles concerning allergic contact dermatitis No. 113 of 2011	F2011L01753		
6	Statement of Principles concerning anosmia No. 118 of 2011	F2011L01751		
7	Statement of Principles concerning anosmia No. 119 of 2011	F2011L01752		
8	Statement of Principles concerning chronic pancreatitis No. 104 of 2011	F2011L01735		
9	Statement of Principles concerning chronic pancreatitis No. 105 of 2011	F2011L01737		
10	Statement of Principles concerning diabetes mellitus No. 89 of 2011	F2011L01448		
11	Statement of Principles concerning diabetes mellitus No. 90 of 2011	F2011L01451		
12	Statement of Principles concerning extrinsic allergic alveolitis No. 87 of 2011 Note 15	F2011L01445		
13	Statement of Principles concerning extrinsic allergic alveolitis No. 88 of 2011 Note 15	F2011L01447		
14	Statement of Principles concerning irritant contact dermatitis No. 110 of 2011	F2011L01746		
15	Statement of Principles concerning irritant contact dermatitis No. 111 of 2011	F2011L01747		
16	Statement of Principles concerning malignant neoplasm of bone and articular cartilage No. 106 of 2011	F2011L01742		
17	Statement of Principles concerning malignant neoplasm of bone and articular cartilage No. 107 of 2011	F2011L01740		
18	Statement of Principles concerning malignant neoplasm of the nasopharynx No. 25 of 2011 Note 15	F2011L00740		
19	Statement of Principles concerning malignant neoplasm of the nasopharynx No. 26 of 2011 $^{Note 15}$	F2011L00781		
20	Statement of Principles concerning multiple sclerosis No. 100 of 2011 Note 15	F2011L01736		
21	Statement of Principles concerning multiple sclerosis No. 101 of 2011 Note 15	F2011L01738		

Vetera	Veterans' Affairs				
Item	Instrument name and series number (if any)	Register ID			
22	Statement of Principles concerning patellar tendinopathy No. 114 of 2011	F2011L01743			
23	Statement of Principles concerning patellar tendinopathy No. 115 of 2011	F2011L01745			
24	Statement of Principles concerning photocontact dermatitis No. 108 of 2011	F2011L01741			
25	Statement of Principles concerning photocontact dermatitis No. 109 of 2011	F2011L01744			
26	Statement of Principles concerning renal artery atherosclerotic disease No. 102 of 2011	F2011L01739			
27	Statement of Principles concerning renal artery atherosclerotic disease No. 103 of 2011	F2011L01731			
28	Statement of Principles concerning retinal vascular occlusive disease No. 83 of 2011	F2011L01440			
29	Statement of Principles concerning retinal vascular occlusive disease No. 84 of 2011	F2011L01441			
30	Statement of Principles concerning spinal adhesive arachnoiditis No. 116 of 2011	F2011L01748			
31	Statement of Principles concerning spinal adhesive arachnoiditis No. 117 of 2011	F2011L01749			
32	Statement of Principles concerning sprain and strain No. 94 of 2011	F2011L01726			
33	Statement of Principles concerning sprain and strain No. 95 of 2011	F2011L01727			
34	Veterans' Entitlements (Special Disability Trust) Guidelines 2011, Instrument R17/2011	F2011L01002			

Note 15: F2011L00740, F2011L00781, F2011L01442, F2011L01444, F2011L01445, F2011L01447, F2011L01736 and F2011L01738 were all current when this list was prepared, but instruments that repeal them have been registered on the Federal Register of Legislation and will commence on 23 March 2020.