Senate
Disallowable Instruments List

The disallowable instruments listed below have been tabled by the Clerk in the Senate. The official record of the tabling of these instruments may be found in the Journals of the Senate.

Notifications to which an asterisk (*) is prefixed appear for the first time.

Copies of these documents are available from the Senate Table Office (Suite SG 25).

as at 24 February 2020

Presented to the Senate on 13 February 2020
*15 sitting days remaining for notice to disallow


Presented to the Senate on 12 February 2020
14 sitting days remaining for notice to disallow

A New Tax System (Family Assistance) Act 1999—Child Care Subsidy Minister’s Amendment Rules (No. 1) 2020 [F2020L00115].
Competition and Consumer Act 2010—Competition and Consumer Legislation Amendment (Electricity Retail) Regulations 2020 [F2020L00112].

Presented to the Senate on 11 February 2020
13 sitting days remaining for notice to disallow

Financial Framework (Supplementary Powers) Act 1997—
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 2) Regulations 2020 [F2020L00104].
Financial Framework (Supplementary Powers) Amendment (Treasury Measures No. 1) Regulations 2020 [F2020L00101].


Presented to the Senate on 10 February 2020
12 sitting days remaining for notice to disallow

*Competition and Consumer Act 2010*—Competition and Consumer (Consumer Data Right) Rules 2020 [F2020L00094].


Presented to the Senate on 6 February 2020
11 sitting days remaining for notice to disallow

*Banking Act 1959*—
  Banking (prudential standard) determination No. 1 of 2020 [F2020L00090].
  Banking (prudential standard) determination No. 2 of 2020 [F2020L00092].

*Defence Act 1903*—Defence Determination, Conditions of service Amendment Determination 2020 (No. 2) [F2020L00093].


Presented to the Senate on 5 February 2020
10 sitting days remaining for notice to disallow


Presented to the Senate on 4 February 2020
The Senate may disapprove the following instrument within 15 sitting days after tabling
9 sitting days remaining

*Remuneration Tribunal Act 1973*—Remuneration Tribunal Amendment Determination (No. 7) 2019 [F2019L01705].

9 sitting days remaining for notice to disallow

*A New Tax System (Goods and Services Tax) Act 1999*—


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Australian Securities and Investments Commission Act 2001—Australian Securities and Investments Commission Amendment (First Home Loan Deposit Scheme Guarantees) Regulations 2019 [F2019L01625].


Autonomous Sanctions (Designated and Declared Persons – Ukraine) Amendment List 2020 [F2020L00083].

Aviation Transport Security Act 2004—

Aviation Transport Security Amendment (Security Controlled Airports) Regulations 2019 [F2019L01656].

Banking Act 1959—Banking (prudential standard) determination No. 4 of 2019 [F2019L01599].


Biosecurity Charges Imposition (General) Act 2015—Biosecurity Charges Imposition (General) Amendment (Various Charges) Regulations 2019 [F2019L01664].

Broadcasting Services Act 1992—Variation to Licence Area Plan – Armidale Radio 2020 (No. 1) [F2020L00058].

Carbon Credits (Carbon Farming Initiative) Act 2011—

Carbon Credits (Carbon Farming Initiative—Plantation Forestry) Methodology Determination Variation 2020 [F2020L00014].

Civil Aviation Act 1988—

Civil Aviation Legislation Amendment (Parts 103, 105 and 131) Regulations 2019 [F2019L01621].

Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—

Civil Aviation Order 82.6 Amendment Instrument 2019 (No. 2) [F2019L01647].

Civil Aviation Safety Regulations 1998—

Aeronautical Experience Requirements for Grant of Commercial Pilot Licence (Aeroplane Category) Exemption 2020—CASA EX15/20 [F2020L00047].
Electronic Surveillance Equipment Fitted to Vehicles Exemption 2020—CASA EX26/20 [F2020L00068].
Flap Extension System—AD/PA-31312 [F2020L00051].
Incendiary Dropping (At or Above 500 Feet) Exemption 2020—CASA EX25/20 [F2020L00076].
Part 101 Manual of Standards (Miscellaneous Amendments) Instrument 2019 (No. 1) [F2019L01686].

Repeal of Airworthiness Directives AD/PA-31/51 Amdt 1, AD/PA-31/101 Amdt 4, and AD/PA-31/102 Amdt 3 — CASA ADCX 001/20 [F2020L00048].


**Competition and Consumer Act 2010** —


Competition and Consumer (Industry Codes—Dairy) Regulations 2019 [F2019L01610].

**Corporations Act 2001** —

Amendments to Australian Accounting Standards — Class of Right-of-Use Assets arising under Concessionary Leases — AASB 2019-8 [F2020L00062].

Amendments to Australian Accounting Standards — Disclosure in Special Purpose Financial Statements of Not-for-Profit Private Sector Entities on Compliance with Recognition and Measurement Requirements — AASB 2019-4 [F2019L01584].


Amendments to Australian Accounting Standards - Research Grants and Not-for-Profit Entities — AASB 2019-6 [F2020L00055].


ASIC Corporations (Conditional Costs Schemes) Instrument 2020/38 [F2020L00034].


ASIC Market Integrity Rules (Securities Markets) 2017 —


Corporations Amendment (Design and Distribution Obligations) Regulations 2019 [F2019L01626].

Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Determination 2020 [F2020L00085].

**Corporations (Fees) Act 2001** — Corporations (Fees) Amendment (Registry Fees) Regulations 2019 [F2019L01651].


**Customs Act 1901** —

Customs (Hong Kong Rules of Origin) Regulations 2019 [F2019L01659].


Customs (International Obligations) Amendment (Free Trade Agreement Implementation) Regulations 2019 [F2019L01622].

Customs (International Obligations) Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2019 [F2019L01648].

Customs Legislation Amendment (Prohibited Exports and Imports) Regulations 2019 [F2019L01615].


Customs (Prohibited Imports) Regulations 1956 — Customs (Prohibited Imports) (Kava) Approval 2019 [F2019L01616].

**Customs Tariff Act 1995** — Customs Tariff Amendment (Peru-Australia Free Trade Agreement Implementation) Regulations 2019 [F2019L01614].
Defence Act 1903—
Defence Determination, Conditions of service Amendment (Executive vehicle allowance) Determination 2019 (No. 35) [F2019L01606].
Defence Determination, Conditions of service Amendment (Living-in accommodation and review of housing contributions and allowances) Determination 2019 (No. 36) [F2019L01681].
Defence Determination, Conditions of service Amendment (Omnibus) Determination 2019 (No. 34) [F2019L01605].
Defence Determination, Conditions of service Amendment (Omnibus) Determination 2020 (No. 1) [F2020L00013].
Defence Determination (Controlled relocation – Proof and Experimental Establishment – Port Wakefield) Determination 2020 [F2020L00009].
Defence Determination (Operation BUSHFIRE ASSIST) Determination 2020 [F2020L00031].

Education Services for Overseas Students (TPS Levies) Act 2012—Education Services for Overseas Students (TPS Levies) (Risk Rated Premium and Special Tuition Protection Components) Instrument 2019 [F2019L01665].

Environment Protection and Biodiversity Conservation Act 1999—
Amendment of List of Exempt Native Specimens – Tasmanian Giant Crab Fishery, January 2020—EPBC303/DC/SFS/2019/13 [F2020L00029].
Amendment of List of Exempt Native Specimens – Western Australian West Coast Purse Seine Managed Fishery and Development Zones – January 2020—EPBC303/DC/SFS/2019/12 [F2020L00027].
List of Specimens taken to be Suitable for Live Import Amendment (Three species of Scarabaeid Dung Beetle) Instrument 2019 [F2020L00021].

Export Control Act 1982—Export Control (Tariff Rate Quotas) Order 2019 [F2019L01652].

Financial Framework (Supplementary Powers) Act 1997—
Financial Framework (Supplementary Powers) Amendment (Agriculture Measures No. 2) Regulations 2019 [F2019L01638].
Financial Framework (Supplementary Powers) Amendment (Education Measures No. 5) Regulations 2019 [F2019L01639].
Financial Framework (Supplementary Powers) Amendment (Foreign Affairs and Trade Measures No. 2) Regulations 2019 [F2019L01631].
Financial Framework (Supplementary Powers) Amendment (Health Measures No. 2) Regulations 2019 [F2019L01640].
Financial Framework (Supplementary Powers) Amendment (Health Measures No. 3) Regulations 2019 [F2019L01642].
Financial Framework (Supplementary Powers) Amendment (Health Measures No. 1) Regulations 2020 [F2020L00033].
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 1) Regulations 2019 [F2019L01632].
Financial Framework (Supplementary Powers) Amendment (Home Affairs Measures No. 1) Regulations 2020 [F2020L00032].
Financial Framework (Supplementary Powers) Amendment (Social Services Measures No. 6) Regulations 2019 [F2019L01628].
Fisheries Management Act 1991 —
Fisheries (Southern and Eastern Scalefish and Shark Fishery Closures) Revocation Direction 2019 [F2019L01609].

Logbooks for Fisheries Amendment Determination 2019 (No. 1) [F2019L01666].

Northern Prawn Fishery (Closures Amendment) Direction No. 1 2020 [F2020L00045].


Foreign Acquisitions and Takeovers Act 1975 — Foreign Acquisitions and Takeovers Amendment (Australia-Hong Kong Free Trade Agreement) Regulations 2019 [F2019L01624].

Health Insurance Act 1973 —
Health Insurance (Section 3C Diagnostic Imaging – Nuclear Medicine Services) Amendment (No. 2) Determination 2019 [F2019L01668].

Health Insurance (Section 3C General Medical Services – Childhood Access to Anaesthetia) Determination 2019 [F2019L01620].

Health Insurance (Section 3C General Medical Services – General Practice Telehealth Services for Bushfires Response) Amendment Determination 2020 [F2020L00019].

Health Insurance (Section 3C General Medical Services – Mental Health Services for Bushfire Response) Determination 2020 [F2020L00030].

Higher Education Support Act 2003 —
Commonwealth Scholarships Guidelines (Research) Amendment (No. 1) 2019 [F2019L01574].

FEE-HELP Guidelines Amendment (No. 1) 2019 [F2019L01700].

Higher Education Provider Amendment (Tuition Protection and Other Measures) Guidelines 2019 [F2019L01699].

Higher Education Support (Fit and Proper Person) Instrument 2019 [F2019L01682].


Higher Education Support (Maximum Payments for Indigenous Student Assistance Grants) Amendment Determination 2019 [F2020L00011].

Higher Education Support (Maximum Payments for Other Grants) Determination 2019 [F2019L01588].

List of Maximum Grant Amounts under Division 41 for 2020 [F2019L01598].

Other Grants Guidelines (Education) Amendment (No. 2) 2019 [F2019L01701].

Other Grants Guidelines (Research) Amendment (No. 1) 2019 [F2019L01575].


Jervis Bay Territory Acceptance Act 1915 — Jervis Bay Territory Emergency Management Ordinance 2015 —


Jervis Bay Territory Emergency Management (Employment Protection—Bushfires) Direction 2020 [F2020L00002].


Migration Act 1958 — Migration Amendment (Subclass 600 and 870 Visas) Regulations 2019 [F2019L01653].

National Consumer Credit Protection Act 2009 — ASIC Credit (Litigation Funding—Exclusion) Instrument 2020/37 [F2020L00035].

National Health Act 1953—
National Health (Concession or entitlement card fee) Amendment Determination 2019—PB 112 of 2019 [F2019L01674].
National Health (Continued Dispensing – Emergency Measures) Determination 2020 [F2020L00018].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2019 (No. 12)—PB 107 of 2019 [F2019L01702].
National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2020 (No. 1)—PB 5 of 2020 [F2020L00072].
National Health (Growth Hormone Program) Special Arrangement Amendment Instrument 2019 (No. 3)—PB 109 of 2019 [F2019L01679].
National Health (Growth Hormone Program) Special Arrangement Amendment Instrument 2020 (No. 1)—PB 6 of 2020 [F2020L00071].
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2019 (No. 12)—PB 106 of 2019 [F2019L01688].
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2020 (No. 1)—PB 4 of 2020 [F2020L00080].
National Health (Immunisation Program — Designated Vaccines) Amendment Determination (No. 3) 2019 [F2019L01671].
National Health (IVF Program) Special Arrangement Amendment Instrument 2019 (No. 2)—PB 108 of 2019 [F2019L01692].
National Health (Listed drugs on F1 or F2) Amendment Determination 2019 (No. 12)—PB 111 of 2019 [F2019L01698].
National Health (Listed drugs on F1 or F2) Amendment Determination 2020 (No. 1)—PB 8 of 2020 [F2020L00075].
National Health (Listing of Pharmaceutical Benefits) Amendment Instrument 2020 (No. 1)—PB 1 of 2020 [F2020L00669].
National Health (Originator Brand) Amendment Determination 2020 (No. 1)—PB 9 of 2020 [F2020L00077].
National Health (Paraplegic and Quadriplegic Program) Special Arrangement Amendment Instrument 2020 (No. 1)—PB 7 of 2020 [F2020L00066].
National Health (Price and Special Patient Contribution) Amendment Determination 2020 (No. 1)—PB 10 of 2020 [F2020L00067].
National Health (Supplies of out-patient medication) Determination 2019 (No. 2)—PB 110 of 2019 [F2019L01703].
National Health (Weighted average disclosed price – April 2020 reduction day) Determination 2019—PB 103 of 2019 [F2019L01667].


Primary Industries (Customs) Charges Act 1999—Primary Industries (Customs) Charges Amendment (Citrus and Farmed Prawns) Regulations 2019 [F2019L01566].

Primary Industries (Excise) Levies Act 1999—
Primary Industries (Excise) Levies Amendment (Citrus and Farmed Prawns) Regulations 2019 [F2019L01567].
Primary Industries (Excise) Levies (Designated Bodies) Amendment (Potted Plants) Declaration 2019 [F2019L01683].


Primary Industries Research and Development Act 1989—Fisheries Research and Development Corporation Amendment (Farmed Prawns) Regulations 2019 [F2019L01581].


Private Health Insurance Act 2007—
Private Health Insurance (Incentives) Amendment Rules (No. 1) 2019 [F2019L01612].
Private Health Insurance (Prostheses) Amendment Rules (No. 8) 2019 [F2020L00016].
Private Health Insurance (Prostheses) Rules (No. 4) 2019 [F2019L01661].

Public Governance, Performance and Accountability Act 2013—
Public Governance, Performance and Accountability Amendment (Services Australia) Rules 2020 [F2020L00049].

Radiocommunications Act 1992—
Radiocommunications (Foreign Space Objects) Amendment Determination 2020 (No. 1) [F2020L00053].
Radiocommunications Licence Conditions (Area-Wide Licence) Determination 2020 [F2020L00070].


Social Security Act 1991—
Social Security (Disaster recovery allowance rate calculator) Determination 2020 [F2020L00039].
Social Security (Pension Loans Scheme – Rate of Compound Interest) Determination 2019 [F2019L01613].
Social Security (Value of Asset-tested Income Streams (Lifetime)) Amendment Determination 2019 [F2019L01645].

Social Security (Value of Asset-tested Income Streams (Lifetime)) Amendment Determination 2019 (No. 2) [F2019L01693].


Student Assistance Act 1973—Student Assistance (Education Institutions and Courses) Amendment Determination 2019 [F2019L01707].


Taxation Administration Act 1953—
Taxation Administration (Remedial Power—Disclosure of Protected Information by Taxation Officers) Determination 2020 [F2020L00061].

Taxation Administration (Tax Debt Information Disclosure) Declaration 2019 [F2019L01687].


Telecommunications (Carrier Licence Charges) Act 1997—
Telecommunications (Annual Carrier Licence Charge) Determination 2019 [F2019L01602].

Telecommunications (Specification of Costs by the ACMA) Determination 2019 [F2019L01600].


Therapeutic Goods Act 1989—
Therapeutic Goods (Permissible Ingredients) Determination (No. 4) 2019 [F2019L01597].

Therapeutic Goods (Things that are Biologicals) Specification 2019 [F2019L01669].


VET Student Loans Act 2016—
VET Student Loans Amendment Rules (No. 2) 2019 [F2019L01676].

VET Student Loans (Courses and Loan Caps) Amendment Determination (No. 1) 2020 [F2020L00050].

Veterans’ Entitlements Act 1986—
Statement of Principles concerning Kaposi sarcoma (Balance of Probabilities)—No. 2 of 2020 [F2019L01691].

Statement of Principles concerning Kaposi sarcoma (Reasonable Hypothesis)—No. 1 of 2020 [F2019L01689].

Presented to the Senate on 5 December 2019
8 sitting days remaining for notice to disallow


Environment Protection and Biodiversity Conservation Act 1999—List of Specimens Taken to be Suitable for Live Import Amendment (Silvery Marmoset) Instrument 2019 [F2019L01563].

Export Control Act 1982—Export Control (Sheepmeat and Goatmeat Export to the European Union Tariff Rate Quotas) Order 2019 [F2019L01564].


Presented to the Senate on 4 December 2019
7 sitting days remaining for notice to disallow


Presented to the Senate on 3 December 2019
6 sitting days remaining for notice to disallow


Civil Aviation Act 1988—


Civil Aviation Safety Regulations 1998—


Wind Direction Indicators Near Runway Ends Exemption 2019—CASA EX132/19 [F2019L01529].

Corporations Act 2001—

Treasury Laws Amendment (Ending Grandfathered Conflicted Remuneration) Regulations 2019 [F2019L01526].

Treasury Laws Amendment (Financial Services Improved Consumer Protection) (Funeral Expenses Facilities) Regulations 2019 [F2019L01533].


Presented to the Senate on 2 December 2019
5 sitting days remaining for notice to disallow

Corporations Act 2001—


National Health Act 1953—

National Health Determination under paragraph 98C(1)(b) Amendment 2019 (No. 9)—PB 93 of 2019 [F2019L01517].  
National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2019 (No. 11)—PB 95 of 2019 [F2019L01518].  
National Health (Listed drugs on F1 or F2) Amendment Determination 2019 (No. 11)—PB 98 of 2019 [F2019L01516].  
National Health (Originator Brand) Amendment Determination 2019 (No. 9)—PB 99 of 2019 [F2019L01512].  
National Health (Price and Special Patient Contribution) Amendment Determination 2019 (No. 11)—PB 100 of 2019 [F2019L01511].


Presented to the Senate on 28 November 2019
4 sitting days remaining for notice to disallow


Presented to the Senate on 27 November 2019
3 sitting days remaining for notice to disallow

Fisheries Management Act 1991—

Heard Island and McDonald Islands Fishery Management Plan 2002—Heard Island and McDonald Islands Fishery (Total Allowable Catch) Determination 2019 [F2019L01499].  
Southern Bluefin Tuna Fishery Management Plan 1995—  
Southern Bluefin Tuna Fishery (Overcatch and Undercatch) Determination 2020 [F2019L01497].  
Southern Bluefin Tuna Fishery Transfer Weighing Determination 2020 [F2019L01498].


Presented to the Senate on 26 November 2019
2 sitting days remaining for notice to disallow

Aged Care Act 1997—Quality of Care Amendment (Reviewing Restraints Principles) Principles 2019 [F2019L01505].

Defence Act 1903—Woomera Prohibited Area Rule 2014—Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2019-2020 Amendment No. 1 [F2019L01495].


Presented to the Senate on 25 November 2019
1 sitting day remaining for notice to disallow


Civil Aviation Act 1988—
Civil Aviation Order 48.1 Amendment Instrument 2019 (No. 1) [F2019L01473].
Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998—Civil Aviation Order 82.6 Amendment Instrument 2019 (No. 1) [F2019L01452].

Corporations Act 2001—

Defence Act 1903—Defence Determination, Conditions of service Amendment (Employment categories salary non-reduction) Determination 2019 (No. 33) [F2019L01454].


Health Insurance Act 1973—Health Insurance (Section 3C Pathology Services – Cystic fibrosis gene testing) Amendment Determination 2019 [F2019L01484].

Migration Act 1958—Migration Regulations 1994—


Navigation Act 2012—
Marine Order 27 (Safety of navigation and radio equipment) Amendment Order 2019—AMSA MO 2019/7 [F2019L01464].
Marine Order 63 (Vessel reporting systems) 2019—AMSA MO 2019/6 [F2019L01463].


Radiocommunications Act 1992—
Radiocommunications (Electromagnetic Radiation — Human Exposure) Amendment Standard 2019 (No. 1) [F2019L01477].
Radiocommunications Licence Conditions (Apparatus Licence) Amendment Determination 2019 (No. 1) [F2019L01478].

Regional Investment Corporation Act 2018—Regional Investment Corporation Operating Mandate Amendment (Drought Loans—Interest-free Period) Direction 2019 [F2019L01483].

Social Security Act 1991—
Social Security (Australian Victim of Terrorism Overseas Payment—Specified Class of Persons) Determination 2019 [F2019L01470].
Telecommunications (Interception and Access) Act 1979—

Therapeutic Goods Act 1989—
Therapeutic Goods Amendment (Approval of Advertisements) Regulations 2019 [F2019L01465].
Therapeutic Goods (Permissible Indications) Determination (No. 2) 2019 [F2019L01455].
Therapeutic Goods (Permissible Ingredients) Determination (No. 3) 2019 [F2019L01472].


For information regarding disallowable instruments currently subject to a notice of motion to disallow see the Disallowance Alert 2020

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