



Victoria Government Gazette

By Authority of Victorian Government Printer

No. G 23 Thursday 9 June 2016

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GENERAL

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As from 9 June 2016

The last Special Gazette was No. 180 dated 8 June 2016.

The last Periodical Gazette was No. 1 dated 18 May 2016.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (General)
QUEEN'S BIRTHDAY WEEK 2016 (Monday 13 June 2016)**

Please Note Deadlines for General Gazette G24/16:

The Victoria Government Gazette (General) for Queen's Birthday week (G24/16) will be published on **Thursday 16 June 2016**.

Copy deadlines:

Private Advertisements	9.30 am on Friday 10 June 2016
Government and Outer Budget Sector Agencies Notices	9.30 am on Tuesday 14 June 2016

Office Hours:

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

Where urgent gazettal is required after hours, arrangements should be made with the Government Gazette Officer on 0419 327 321.

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Land Act 1958

Under the **Land Act 1958** notice is hereby given that North West Victorian Motorcycle Club Inc. has applied for a lease pursuant to section 134 of the **Land Act 1958** for a term of twenty-one (21) years in respect of Allotments 124A, 124B, 124G and CA2535, of Section F, Parish of Mildura, County of Karkaroc, containing 28.31 hectares as a site for 'Amusement and recreation and social activities connected herewith (Motorcycle club)'.

Ref No.: 0100912: Mildura

DAVID SANSOM, late of 6 Garrick Court, Wheelers Hill, Victoria, clerk, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 24 January 2016, are required by the executrix, Janet Gaye Sansom, care of Alphastream Lawyers, 1 Dunoon Court, Mulgrave, Victoria 3170, to send particulars thereof to her, care of the undermentioned solicitors, within 60 days from the date of publication of this notice, after which the executrix will distribute the estate, having regard only to the claims of which she has notice.

ALPHASTREAM LAWYERS,
1 Dunoon Court, Mulgrave, Victoria 3170.

MARIA ELIZABETH SCHIBLI, late of 1/68 Roberts Street, Frankston, Victoria, retired factory worker.

Creditors, next-of-kin and all others having claims in respect of the deceased, who died on 31 March 2016, are required by the executor, Rosemary Walters, to send particulars of such claims to her, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date she will distribute the assets, having regard only to the claims of which she has notice.

BAYSIDE SOLICITORS,
36 Dandenong Road West, Frankston 3199.
Ph: (03) 9781 4822

Estate NANETTE LILLIAN COURT, late of 28 Elliott Crescent, Dingley, Victoria, retired teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 December 2015, are required

by the executor, Mary Elizabeth Bryant, to send particulars, care of the solicitors below, within two months from the publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

BEAUMARIS LAW,
25 North Concourse, Beaumaris, Victoria 3193.

Re: PETER PERCY DAMMAN, late of 1 Tobin Street, Ararat, Victoria, grazier/developer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 February 2016, are required by the executors, Michael Hamilton Smith and Denis Austin Cam, to send particulars to them, care of the undermentioned solicitors, by 9 August 2016, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

DAVID DAVIS & ASSOCIATES,
Suite 4, 368 George Street, Fitzroy,
Victoria 3065.

Re: GENE COLLINS, late of 8/26 Newcastle Street, Newport, Victoria, case manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 February 2016, are required by the trustee, Jesse Collins, to send particulars to the trustee, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: WLADYSLAW KROLIKOWSKI, late of 1a Virginia Street, Pascoe Vale, Victoria, labourer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 April 2015, are required by the trustees, Marysia Tereza Krolikowski and Zdzislaw Krolikowski, to send particulars to the

trustees, care of the undermentioned solicitors, within 60 days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: Estate of GERARD PATRICK ROGERS, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of GERARD PATRICK ROGERS, late of 3313 Cocamba–Miralie Road, Wood Wood, in the State of Victoria, farmer, deceased, who died on 4 January 2015, are to send particulars of their claim to the executrix, care of the undermentioned legal practitioners, by 13 August 2016, after which the executrix will distribute the assets, having regard only to the claims of which they then have notice.

DWYER MAHON & ROBERTSON,
legal practitioners,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

Re: GARY JOHN HOWARD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 February 2015, are required by the trustees, Sonia Cornelia Jessica Howard, Andrew John Howard and David McGowan Howard, care of Featherby's Lawyers of 14 Ninth Avenue, Rosebud, Victoria, to send particulars to the trustees by 11 August 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

FEATHERBY'S LAWYERS, solicitors,
14 Ninth Avenue, Rosebud 3939.

MARIA DIVOLA, late of 12 Burton Avenue, Clayton, in the State of Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 January 2016, are required by the executor, Adriana D'Ali, to send particulars to her, care of the undermentioned solicitors, by 24 August 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

GOLDSMITHS LAWYERS,
613 King Street, West Melbourne 3003.

Re: Estate of NORMAN SNEATH, late of 3 Holyrood Drive, Vermont South, Victoria 3133, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 March 2014, are required by the trustees, David Malcolm Sneath and Joy May Sneath, to send particulars of such claims to them, care of the undersigned, by 17 August 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

HUTCHINSON LEGAL,
12 Warrandyte Road, Ringwood, Victoria 3134.

Re: MICHAEL WAYNE GLADSTONE, late of 16 Tricia Avenue, Springvale, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 March 2016, are requested by the trustee to send particulars of their claim to the trustee at the office of the trustee's solicitors, John Burgess & Co., solicitors, 255 Springvale Road, Springvale, Victoria 3171, by 15 August 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

Re: IVAN MUDRI, late of 34 Hillcrest Grove, Springvale, Victoria, gentleman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 January 2016, are requested by the trustee to send particulars of their claim to the trustee at the office of the trustee's solicitors, John Burgess & Co., solicitors, 255 Springvale Road, Springvale, Victoria 3171, by 15 August 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

JOHN ALOYSIUS BASIL DREW, late of Kara Court Nursing Home, 55 North Western Road, St Arnaud, Victoria 3478, retired clerk, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 16 August 2015, are required by the administrators, Colleen Ann

Bond and Mary Elizabeth Partridge, care of the undermentioned solicitors, to send particulars of their claims to them by 7 September 2016, after which date the administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

MCL LEGAL,
78 Napier Street, St Arnaud, Victoria 3478.

GLADYS MARY DUNSTAN, late of Unit 1, 20 Camp Street, Donald, Victoria 3480, retired farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 22 August 2015, are required by the executors, Robert Thomas Dunstan and Trevor Frederick Dunstan, care of the undermentioned solicitors, to send particulars of their claims to them by 16 September 2016, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

MCL LEGAL,
78 Napier Street, St Arnaud, Victoria 3478.

MARY JOSEPHINE MULQUINY, late of 4 Learmonth Street, Charlton, Victoria 3525, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 29 August 2015, are required by the executors, Lawrence Michael Mulquiny and Gregory Vincent Mulquiny, care of the undermentioned solicitors, to send particulars of their claims to them by 30 September 2016, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

MCL LEGAL,
78 Napier Street, St Arnaud, Victoria 3478.

Re: COLIN PYEWELL FARROW, late of 50 Pickett Street, Footscray, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 March 2016, are required by the trustee, Equity Trustees Limited, ABN 46 004 031 298, of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars to the

trustee, care of the undermentioned solicitors, by 19 August 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

McKEAN PARK, lawyers,
Level 11, 575 Bourke Street, Melbourne,
Victoria 3000.

PRINCIPIA SANTORO, also known as and in the Will called Bridget Principia Santoro, late of 8 Burke Street, Werribee, Victoria 3030, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 November 2014, are required by the personal representative, Anna Maria Santoro, care of Rigoli Lawyers, 1st Floor, 90 Watton Street, Werribee, Victoria 3030, to send particulars to her by 8 August 2016, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice. Probate was granted in Victoria on 28 April 2016.

Dated 30 May 2016

RIGOLI LAWYERS,
1st Floor, 90 Watton Street, Werribee,
Victoria 3030.
PO Box 778, Werribee, Victoria 3030.
Ph: (03) 8742 3199, Fax: (03) 8742 3592.

Re: GEOFFREY PHILIP COURTIS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 August 2015, are required by the trustee, Barbara Lorraine Girvan, to send particulars of such claims to her, in care of the below mentioned lawyers, by 10 August 2016, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

ROBERTS BECKWITH PARTNERS, lawyers,
16 Blamey Place, Mornington, Victoria 3931.

Re: DOROTHY IRENE BIDDLE, late of 22 McLennan Street, Apollo Bay, Victoria, cook, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 March 2016, are required by the deceased's personal representatives, Peter William Biddle, Dianne Cheryl Pyers and Jeanette Elizabeth Biddle, to send particulars

to them, care of the undermentioned lawyers, by 6 August 2016, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers,
119 Murray Street, Colac 3250.

Re: PETER JAMES EDWARDS, late of 105 Wilson Street, Colac, Victoria, photographer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 October 2015, are required by the deceased's personal representative, Helen Jane O'Keefe, to send particulars to her, care of the undermentioned lawyers, by 6 August 2016, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

SLM LAW, lawyers,
119 Murray Street, Colac 3250.

Re: JUNE MARILYN GAPPER, late of 36 Murray Street, Apollo Bay, Victoria, hairdresser/housewife, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 March 2016, are required by the deceased's personal representative, David John Henry, to send particulars to him, care of the undermentioned lawyers, by 6 August 2016, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

SLM LAW, lawyers,
119 Murray Street, Colac 3250.

Re: HAZEL MAREE HANSON, late of Mercy Place, 83-99 Queen Street, Colac, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 August 2015, are required by the deceased's personal representatives, Stuart Lester Holbery and Peter Fraser Falkiner, to send particulars to them, care of the undermentioned lawyers, by 6 August 2016, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers,
119 Murray Street, Colac 3250.

Re: ISABELLA MARGARET KROG, late of Laura Pengilly House, Otway Health and Community Services, Apollo Bay, Victoria, but formerly of 3 Scenic Drive, Apollo Bay, Victoria 3233, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 January 2016, are required by the deceased's personal representatives, Stuart Lester Holbery, David Anthony Casey and Meagan Jane Compton, to send particulars to them, care of the undermentioned lawyers, by 6 August 2016, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers,
119 Murray Street, Colac 3250.

Re: FRANKLYN RONALD MINCHINTON, late of 19 Barnard Drive, Colac, Victoria, retired farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 December 2015, are required by the deceased's personal representatives, Norman Kevin Tann, Mary Petrea Brown and Stuart Lester Holbery, to send particulars to them, care of the undermentioned lawyers, by 6 August 2016, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers,
119 Murray Street, Colac 3250.

Re: RONALD PATRICK WINDRIDGE, late of 167 Arnold Street, Bendigo, Victoria, railway booking clerk, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 January 2016, are required by the trustees, Jennifer Faye Windridge and Fiona Margaret Russell, care of Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustees by 18 August 2016, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

GEORGE WILLIAM SCHOLEFIELD, late of Greenways Retirement Village, 330–356 Frankston Dandenong Road, Seaford, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 April 2016, are required by the executor, Sam Stidston of Suite 1, Level 1, 10 Blamey Place, Mornington, Victoria, to send particulars to him, care of Stidston Warren Lawyers, by 13 August 2016, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON WARREN LAWYERS,
Suite 1, 10 Blamey Place, Mornington 3931.

Re: PETER ROBERT BUTTIMER, late of 10 Sth East 13th Street, Pompano Beach, Florida, USA, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 August 2013, are required by the personal representatives, Catherine Joyce Fischer and Edda Gisela Buttimer, to send particulars to them, care of the undermentioned solicitors, by 9 August 2016, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

TAITS LEGAL,
121 Kepler Street, Warrnambool 3280.

Re: JEFFREY DARBY, late of 115 Merrivale Drive, Warrnambool, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 November 2014, are required by the personal representative, John James Tait, to send particulars to him, care of the undermentioned solicitors, by 9 August 2016, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

TAITS LEGAL,
121 Kepler Street, Warrnambool 3280.

Re: LORNA ANNIE ROBERTS, late of Lyndoch Living, Hopkins Point Road, Warrnambool, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 May 2015, are required by the

executor, Peter John Wheeler, to send particulars to him, care of the undermentioned solicitors, by 9 August 2016, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

TAITS LEGAL,
121 Kepler Street, Warrnambool 3280.

VIOLET DOLPHIN, late of Casey Aged Care, 300 Gold Links Road, Narre Warren, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 29 February 2016, are required by the executor, Barbara Hunter, care of Wollerman Shacklock Lawyers, 2/8 Gloucester Avenue, Berwick, Victoria, to send particulars of their claims to them by 3 August 2016, after which date the executor may convey or distribute the assets and distribute the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 28 April 2016.

WOLLERMAN SHACKLOCK LAWYERS,
8 Gloucester Avenue, Berwick 3806.

ADVERTISEMENT OF AUCTION BY THE SHERIFF

On Thursday 14 July 2016 at 1.30 pm in the afternoon, at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Mira Kesic of Unit 6, 28–34 Phillip Street, Melton South, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 11074 Folio 986, upon which is erected a unit and known as Unit 6, 28–34 Phillip Street, Melton South, will be auctioned by the Sheriff.

Registered Covenant PS431639R, Registered Covenant PS607792E and Owners Corporation 1 Plan No. PS607792E affect the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

**ADVERTISEMENT OF AUCTION BY
THE SHERIFF**

On Thursday 14 July 2016 at 1.30 pm in the afternoon, at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of R-Australia Group Pty Ltd of 14A Russell Street, Morley, Western Australia, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 9705 Folio 199, upon which is erected a home and known as 985 Robinsons Road, Pearcedale, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AJ509042X) affects the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

**ADVERTISEMENT OF AUCTION BY
THE SHERIFF**

On Thursday 14 July 2016 at 1.30 pm in the afternoon, at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Rodney William Smit of 39 Houston Street, Donald, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 8375 Folio 191, upon which is erected a house and known as 39 Houston Street, Donald, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AJ120797G) and Registered Caveat (Dealing Number AL829555N) affect the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

**ADVERTISEMENT OF AUCTION BY
THE SHERIFF**

On Thursday 14 July 2016 at 1.30 pm in the afternoon, at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Stergios Xanthoulas of 50-52 Branton Road, Hoppers Crossing, joint proprietor with Conelie Jawad of an estate in fee simple in the land described on Certificate of Title Volume 9245 Folio 158, upon which is erected a house and known as 50-52 Branton Road, Hoppers Crossing, will be auctioned by the Sheriff.

Registered Mortgage (Dealing Number AJ141927C), Registered Caveat (Dealing Number AJ359338H), Registered Caveat (Dealing Number AJ600031U), Registered Caveat (Dealing Number AK092445H) and Registered Caveat (Dealing Number AK291922P) affect the said estate and interest. The Sheriff is unable to provide access to this property.

Terms: 10% deposit on the fall of the hammer. Balance within 14 days unless as stated in particulars of sale in contract of sale. Payment is by cheque only.

Please contact Sheriff's Asset Administration Services by email at realestatesection@justice.vic.gov.au for an information sheet on Sheriff's auctions, a contract of sale and any other enquiries.

SHERIFF

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

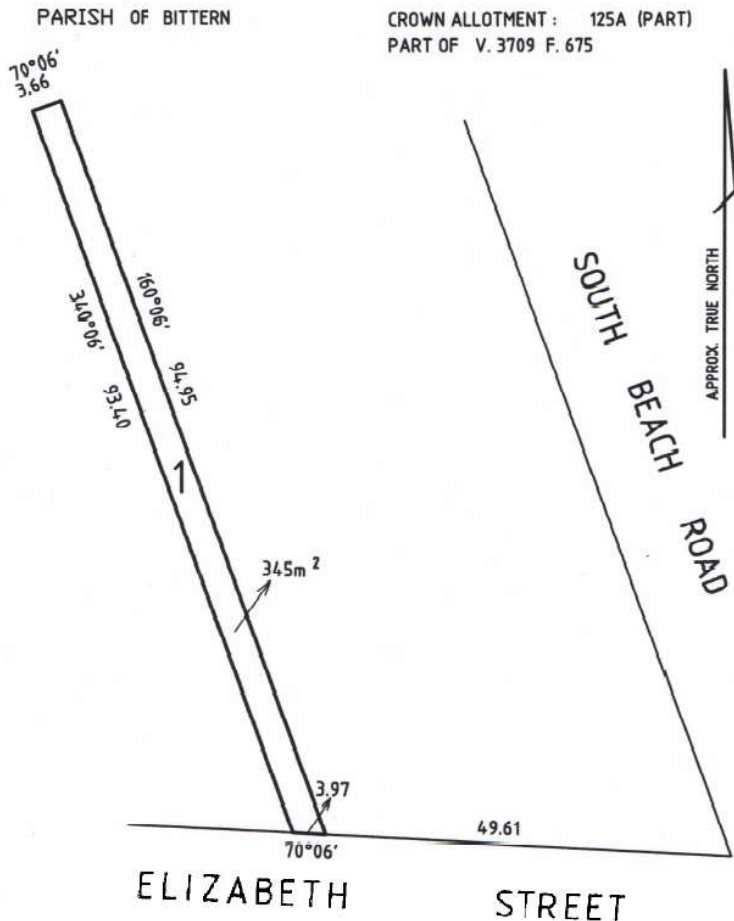


**MORNINGTON
PENINSULA**
Shire

**DISCONTINUANCE AND SALE OF SECTION OF ROAD
OFF ELIZABETH STREET, BITTERN**

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council has formed the opinion that the section of road located off Elizabeth Street, running through 134 South Beach Road, Bittern, and as shown marked '1' on the plan below, is not reasonably required as a road for public use.

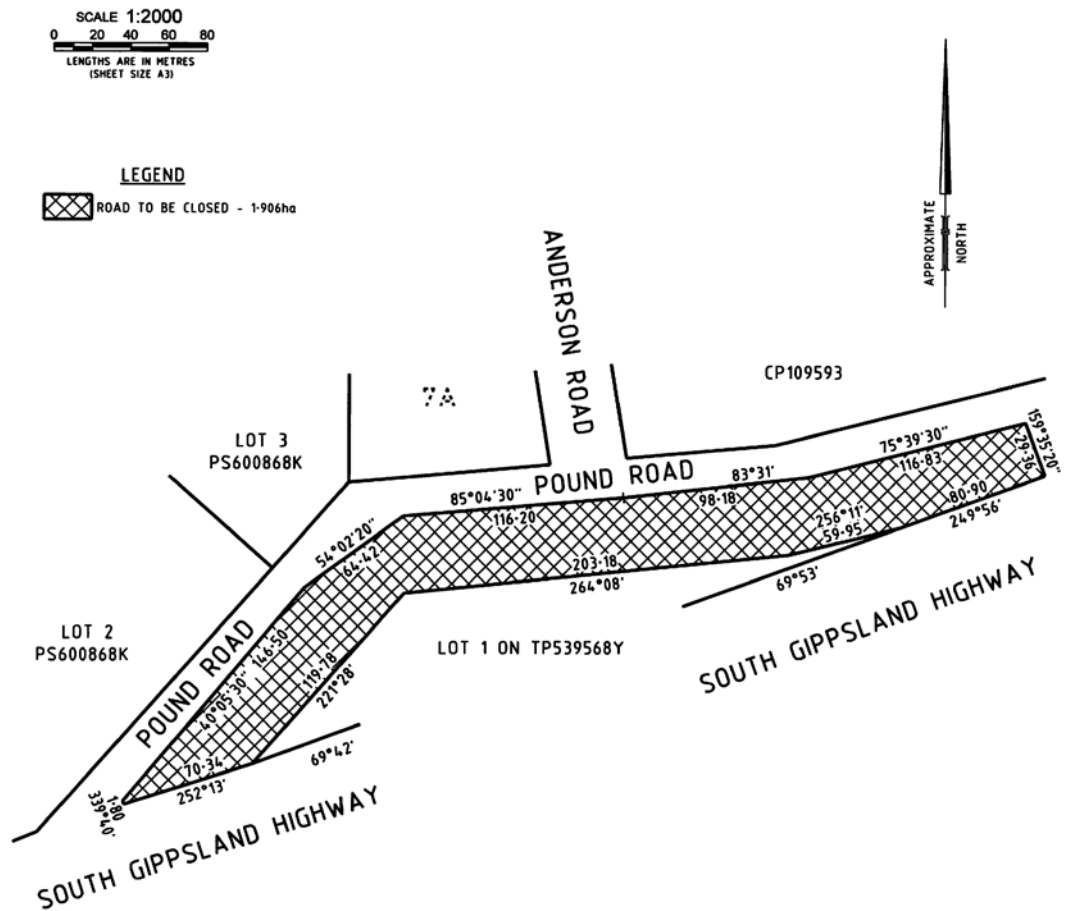
The Shire has resolved to discontinue the section of road and to sell it by private treaty to the owner of No. 134 South Beach Road, Bittern, for consolidation with the surrounding title.



CARL COWIE
Chief Executive Officer

SOUTH GIPPSLAND SHIRE COUNCIL
Road Discontinuance – Part Pound Road, Foster

Pursuant to section 206 and Schedule 10 Clause 3(a) of the **Local Government Act 1989** (the Act), the South Gippsland Shire Council at its ordinary meeting held 27 April 2016, having received no submissions under section 223 of the Act, resolved to discontinue the road shown hatched on the plan below, being 1.906 ha of part Pound Road, Foster, and transfer the land from the discontinued road to the Crown.

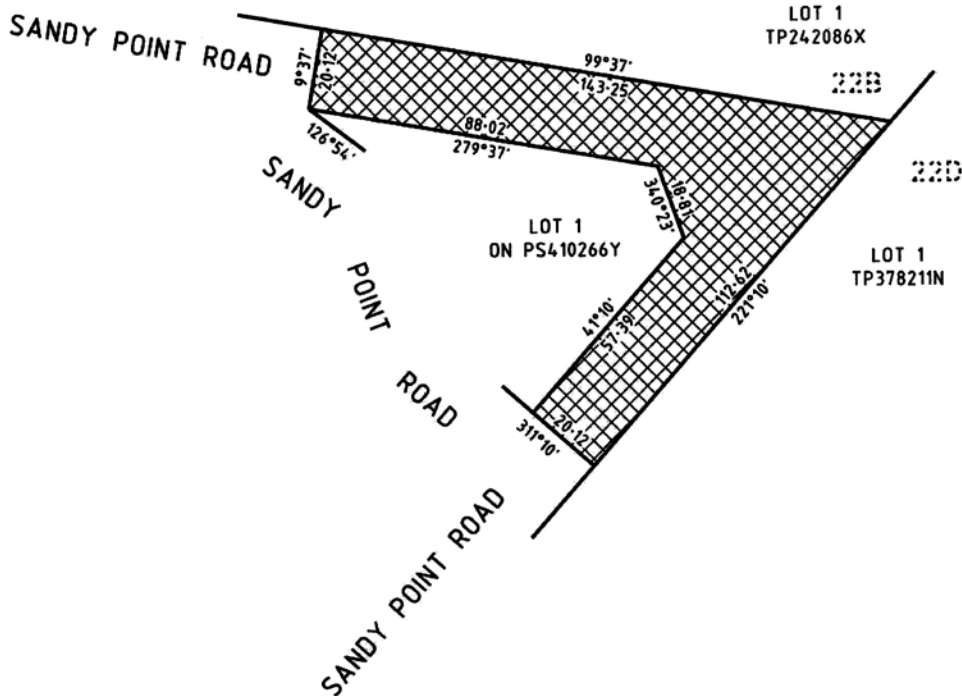
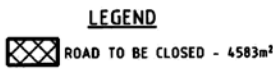
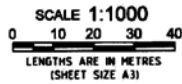


TIM TAMLIN
Chief Executive Officer

SOUTH GIPPSLAND SHIRE COUNCIL

Road Discontinuance

Pursuant to section 206 and Schedule 10 Clause 3 of the **Local Government Act 1989** (the Act), the South Gippsland Shire Council at its ordinary meeting held 27 April 2016, having received no submissions in accordance with section 223 of the Act, resolved to discontinue the road shown hatched on the plan below (4,583 m²), being part of the unused road formerly known as Sandy Point Road, Sandy Point, and transfer the land from the road to Council.



TIM TAMLIN
 Chief Executive Officer

Planning and Environment Act 1987**BALLARAT PLANNING SCHEME**Notice of the Preparation of an Amendment
Amendment C170

The Ballarat City Council has prepared Amendment C170 to the Ballarat Planning Scheme.

The land affected by the Amendment is that which is required for the Ballarat Western Link Road Stage 2 between Boulevard Drive, Alfredton, and Midland Highway, Smythes Creek, as shown on the map in the 'Ballarat West Link Road (Stage 2) Incorporated Document, January 2016'.

The Amendment proposes to introduce a Public Acquisition Overlay (PAO) to land outside the existing road reserve for the purpose of reserving and acquiring land for the Ballarat Western Link Road Stage 2. The Amendment also proposes to introduce an Incorporated Document and to amend the Specific Sites and Exclusions of the Scheme to provide specific controls and facilitate the delivery of the project.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, City of Ballarat, 25 Armstrong Street South, Ballarat, Victoria 3350; during office hours, Golden Plains Shire Council, 2 Pope Street, Bannockburn, Victoria 3331; during office hours, Golden Plains Shire Council, 68 Sussex Street, Linton, Victoria 3360; at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/public-inspection; at the City of Ballarat website, www.ballarat.vic.gov.au/pbs/city-strategy/planning-scheme-amendments; and at the Golden Plains Shire website, www.goldenplains.vic.gov.au/planning

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to

attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is 22 July 2016. A submission must be sent to the City of Ballarat, Strategic Planning, PO Box 655, Ballarat, Victoria 3353 or ballcity@ballarat.vic.gov.au

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

JUSTINE LINLEY
Chief Executive Officer

Planning and Environment Act 1987**GREATER SHEPPARTON
PLANNING SCHEME**Notice of Preparation of Amendment
Amendment C177

Greater Shepparton City Council has prepared Amendment C177 to the Greater Shepparton Planning Scheme.

The Amendment applies to part of the land known as Riverside Plaza located at 8025 Goulburn Valley Highway, Kialla (part of Lot 1 and Lot 2 on PS633121H; and S2 on PS522431L).

The Amendment proposes to correct a mapping anomaly at Riverside Plaza, Kialla. Specifically, the Amendment proposes to rezone land at 8025 Goulburn Valley Highway, Kialla, from the General Residential Zone to the Commercial 1 Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Greater Shepparton City Council, 90 Welsford Street, Shepparton; at the Greater Shepparton City Council website, www.greatershepparton.com.au; and at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Monday 11 July 2016. A submission must be sent to Greater Shepparton City Council, Locked Bag 1000, Shepparton, Victoria 3632.

The following panel hearing dates have been set for this Amendment:

- directions hearing: week starting 8 August 2016.
- panel hearing: week starting 5 September 2016.

COLIN KALMS
Manager Planning

Planning and Environment Act 1987

GREATER SHEPPARTON
PLANNING SCHEME

Notice of Preparation of Amendment
Amendment C187

Greater Shepparton City Council has prepared Amendment C187 to the Greater Shepparton Planning Scheme.

The proposed Amendment applies to part of 25 Congupna West Road, Congupna (Lot 1 PS717710), and part of 226 Old Grahamvale Road, Congupna (Lot 2 LP207658).

The proposed Amendment seeks to apply the Public Acquisition Overlay (PAO22) to part of 25 Congupna West Road, Congupna, and part of 226 Old Grahamvale Road, Congupna.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Greater Shepparton City Council, 90 Welsford Street, Shepparton; at the Greater Shepparton City Council website, www.greatershepparton.com.au; and at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Monday 11 July 2016. A submission must be sent to Greater Shepparton City Council, Locked Bag 1000, Shepparton, Victoria 3632.

The following panel hearing dates have been set for this Amendment:

- directions hearing: week starting 8 August 2016.
- panel hearing: week starting 5 September 2016.

COLIN KALMS
Manager Planning

Planning and Environment Act 1987

GREATER SHEPPARTON
PLANNING SCHEME

Notice of Preparation of Amendment
Amendment C194

Greater Shepparton City Council has prepared Amendment C194 to the Greater Shepparton Planning Scheme.

The proposed Amendment applies to part of 310 Bayunga Road, Tatura (Lots 1 and 2 TP327412).

The Amendment proposes to rezone part of 310 Bayunga Road, Tatura, from the Farming Zone – Schedule 2 to the Rural Living Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Greater Shepparton City Council,

90 Welsford Street, Shepparton; Goulburn Valley Regional Library, 12–16 Casey Street, Tatura; at the Greater Shepparton City Council website, www.greatershepparton.com.au; and at the Department of Environment, Land, Water and Planning website, www.dtpli.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Monday 11 July 2016. A submission must be sent to Greater Shepparton City Council, Locked Bag 1000, Shepparton, Victoria 3632.

The following panel hearing dates have been set for this Amendment:

- directions hearing: week starting 8 August 2016.
- panel hearing: week starting 5 September 2016.

COLIN KALMS
Manager Planning

Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME Notice of the Preparation of an Amendment Amendment C164

Moonee Valley City Council has prepared Amendment C164 to the Moonee Valley Planning Scheme.

The land affected by the Amendment include places and precincts throughout the municipality identified as being of heritage significance in the Moonee Valley Heritage Study 2015.

The Amendment proposes to apply a Heritage Overlay to land identified as being of heritage significance in the Moonee Valley Heritage Study 2015.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds, Victoria 3039; and at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is Thursday 14 July 2016. A submission must be sent to: Strategic Planning Department, Moonee Valley City Council, PO Box 126, Moonee Ponds, Victoria 3039; or emailed to heritagestudy@mvcc.vic.gov.au

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

BRYAN LANCASTER
Chief Executive Officer

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 9 August 2016, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

BARBER, Evelyn Agnes, late of 15 Glastonbury Drive, Highton, Victoria 3216, deceased, who died on 27 October 2015.

CARLESS, Donald, late of Ron Conn Nursing Home, 33 Westminster Drive, Avondale Heights, Victoria 3034, deceased, who died on 6 October 2015.

MUIR, Ronald, late of Tannoch Brae Retirement Village, 9 Lloyd Court, St Albans Park, Victoria 3219, deceased, who died on 1 October 2015. Grant of Probate dated 25 May 2016.

TORPY, Joan Annis, late of Joan Pinder Nursing Home, Gibson Street, Bendigo, Victoria 3550, deceased, who died on 9 August 2015.

Dated 31 May 2015

STEWART MacLEOD
Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 10 August 2016, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

ARKLAY, Gladys Ethel Dawn, late of 81 Drysdale Avenue, Hamlyn Heights, Victoria 3215, deceased, who died on 14 March 2016.

SEGINA, Anna, late of Essendon Aged Care, 10 Fletcher Street, Essendon, Victoria 3040, deceased, who died on 30 March 2015.

WRIGHT, Suzanne Maree, late of 36 View Street, Glenroy, Victoria 3046, retired, deceased, who died on 6 January 2016.

Dated 1 June 2016

STEWART MacLEOD
Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 11 August 2016, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

CHAMBERS, Janice Audrey, late of Apartment 123, Cumberland View Aged Care Living, 123–127 Whalley Drive, Wheelers Hill, Victoria 3150, deceased, who died on 4 April 2016.

MACKIE, Mary Thelma, late of Andrina Aged Care, 80 William Road, Carrum Downs, Victoria 3201, deceased, who died on 4 January 2016.

McFARLANE, John, late of 20 Honeysuckle Street, Frankston North, Victoria 3200, deceased, who died on 11 October 2015.

STIRMAN, David Thomas, late of 24 Beatrice Street, Kilsyth, Victoria 3137, deceased, who died on 11 April 2016.

WIDDISON, Patrick Walter, late of Simpkin House, 8 Gibson Street, Bendigo North, Victoria 3550, deceased, who died on 30 April 2016.

Dated 2 June 2016

STEWART MacLEOD
Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 15 August 2016, after which date State Trustees Limited may convey or distribute the assets, having regard only to the claims of which State Trustees Limited then has notice.

BALDWIN, Alice Jean, late of Gregory Lodge Nursing Home, 2/58 Newmarket Street, Flemington, Victoria 3031, retired, deceased, who died on 23 September 2014. Grant of Probate dated 2 June 2016.

BARKLEY, Gary Keith, late of 16 Arkarra Court, Mooroolbark, Victoria 3138, pensioner, deceased, who died on 28 August 2015.

BARTLETT, Ian James, late of 14 Paling Street, Ballarat, Victoria 3350, deceased, who died on 19 December 2015.

LAWSON, Thomas Christopher, late of 6 Elders Flats, Dareton, New South Wales 2717, deceased, who died on 2 January 2015.

MITCHELL, Alexander, late of 6 Grange Avenue, Canterbury, Victoria 3126, retired, deceased, who died on 30 December 2015.

MUIR, Joyce Irene, late of Eden Park Residential Aged Care, 31 Thompson Street, Whittington, Victoria 3219, deceased, who died on 21 February 2016. Grant of Probate dated 2 June 2016.

Dated 6 June 2016

STEWART MacLEOD
Manager

Electoral Act 2002

APPLICATION TO CHANGE A REGISTERED POLITICAL PARTY'S NAME

In accordance with section 49 of the **Electoral Act 2002** (the Act), I hereby give notice of the following application to change the name and the abbreviation of the name of a registered political party.

Name of party: Shooters and Fishers Party Victoria.

Current abbreviation: SFP Vic.

Proposed name: Shooters, Fishers and Farmers Party Victoria.

Proposed abbreviation: Shooters, Fishers & Farmers VIC.

The application is signed by the Secretary of the party.

Any person who believes that the party's name and abbreviation should not be changed because the proposed name and abbreviation are not allowable under section 47 of the Act may object by writing to the Victorian Electoral Commission, Level 11, 530 Collins Street, Melbourne, Victoria 3000, by 11 July 2016.

Details of any objections will be made available to the applicant.

Enquiries to: Paul Thornton-Smith on telephone 8620 1187.

Dated 1 June 2016

WARWICK GATELY, AM
Victorian Electoral Commission

Forests Act 1958

REVOCATION OF DETERMINATION OF FIREWOOD COLLECTION AREA

I, Tony Long, Acting Assistant Chief Fire Officer, Hume Region, as delegate of the Secretary to the Department of Environment, Land, Water and Planning, under section 57U of the **Forests Act 1958**, revoke the determination of the firewood collection areas described in Items 28, 29, 31, 32 and 33 of the table in the determination made under section 57U of the **Forests Act 1958** on 29 January 2016 and published in the Government Gazette No. G 7 page 244 on 18 February 2016.

This revocation comes into operation on the date on which it is published in the Government Gazette.

Dated 2 June 2016

TONY LONG
Acting Assistant Chief Fire Officer, Hume
Department of Environment, Land, Water and Planning
as delegate of the Secretary to the
Department of Environment, Land, Water and Planning

Forests Act 1958

DETERMINATION OF FIREWOOD COLLECTION AREA

I, Richard Teychenne, Regional Manager Forest and Fire Operations, Gippsland, Department of Environment, Land, Water and Planning, make the following determination under section 57U of the **Forests Act 1958**.

Definitions

In this determination and with reference to a numbered item in the table in the determination:

- (a) **closing date**, being the date of revocation of the determination of a firewood collection area, means the date specified in column 6 of the item;
- (b) **opening date**, being the date on which the determination of a firewood collection area comes into operation, means the date specified in column 5 of the item or, if no date is specified, the date on which this determination is published in the Government Gazette.

Determination

Each area of State forest shown hatched on a plan lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning, the number of which is shown in column 1 of an item in the table in this determination, is a firewood collection area for the purposes of section 57U of the **Forests Act 1958**, effective from the opening date for that area until the closing date for that area (inclusive).

Table – Firewood collection areas

Item no.	Column 1 LEGL no.	Column 2 DELWP region	Column 3 DELWP district	Column 4 Name of firewood collection area	Column 5 Opening date	Column 6 Closing date
1	LEGL./16-235	Gippsland	Macalister	Briagolong	09/06/2016	30/06/2016
2	LEGL./16-233	Gippsland	Tambo	Bruce Road – North	13/06/2016	30/06/2016
3	LEGL./16-232	Gippsland	Tambo	Bruce Road – South	20/06/2016	30/06/2016

Notes

- The information in columns 2, 3 and 4 of the table is for information only.
- DELWP** means Department of Environment, Land, Water and Planning.
- The legal plan of any firewood collection area may be obtained from the Central Plan Office of the Department of Environment, Land, Water and Planning – see <<https://www.landata.vic.gov.au>>, select Central Plan Office, and LEGL Plan. Maps of firewood collection areas that are open from time to time may be obtained from <www.delwp.vic.gov.au/firewood>.
- There are no firewood collection areas open outside the firewood collection seasons as defined in the **Forests Act 1958**.

Dated 6 June 2016

RICHARD TEYCHENNE
Regional Manager Forest and Fire Operations, Gippsland
Department of Environment, Land, Water and Planning
as delegate of the Secretary to the
Department of Environment, Land, Water and Planning

Forests Act 1958

DETERMINATION OF FIREWOOD COLLECTION AREAS

I, Heather Shaw, Acting Assistant Chief Fire Officer, Loddon Mallee Region, Department of Environment, Land, Water and Planning, make the following determination under section 57U of the **Forests Act 1958**.

Definitions

In this determination and with reference to a numbered item in the table in the determination:

- (a) **closing date**, being the date of revocation of the determination of a firewood collection area, means the date specified in column 6 of the item;
- (b) **opening date**, being the date on which the determination of a firewood collection area comes into operation, means the date specified in column 5 of the item or, if no date is specified, the date on which this determination is published in the Government Gazette.

Determination

Each area of State forest shown hatched on a plan lodged in the Central Plan Office of the Department of Environment, Land, Water and Planning, the number of which is shown in column 1 of an item in the table in this determination, is a firewood collection area for the purposes of section 57U of the **Forests Act 1958**, effective from the opening date for that area until the closing date for that area (inclusive).

Table – Firewood collection areas

Item no.	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	LEGL no.	DELWP region	DELWP district	Name of firewood collection area	Opening date	Closing date
1	LEGL./16-003	Loddon Mallee	Murray Goldfields	Dardenelles D	10/06/2016	30/06/2016

Notes

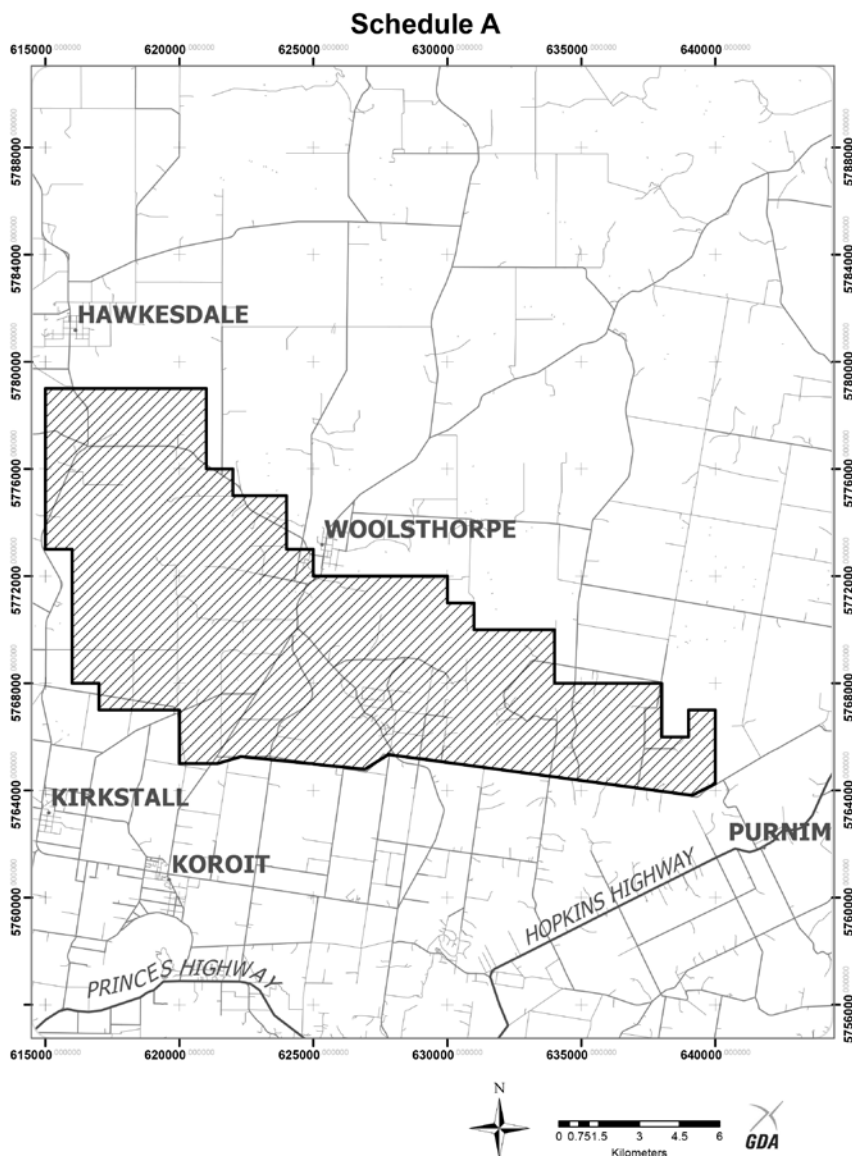
- The information in columns 2, 3 and 4 of the table is for information only.
- DELWP** means Department of Environment, Land, Water and Planning.
- The legal plan of any firewood collection area may be obtained from the Central Plan Office of the Department of Environment, Land, Water and Planning – see <<https://www.landata.vic.gov.au>>, select Central Plan Office, and LEGL Plan. Maps of firewood collection areas that are open from time to time may be obtained from <www.delwp.vic.gov.au/firewood>.
- There are no firewood collection areas open outside the firewood collection seasons as defined in the **Forests Act 1958**.

Dated 2 June 2016

HEATHER SHAW
Acting Assistant Chief Fire Officer, Loddon Mallee
Department of Environment, Land, Water and Planning
as delegate of the Secretary to the
Department of Environment, Land, Water and Planning

Mineral Resources (Sustainable Development) Act 1990
EXEMPTION OF LAND FROM AN EXPLORATION, MINING,
RETENTION OR PROSPECTING LICENCE

I, Ross McGowan, Executive Director, Earth Resources Regulation pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** and under delegation from the Minister for Energy and Resources, hereby exempt all that land situated within the boundaries of the hatched area on attached Schedule A, from being subject to a licence under the **Mineral Resources (Sustainable Development) Act 1990**.



Dated 31 May 2016

ROSS MCGOWAN
Executive Director, Earth Resources Regulation
Delegate of the Minister

Magistrates' Court Act 1989NOTICE SPECIFYING MAGISTRATE ASSIGNED TO
THE FAMILY VIOLENCE COURT DIVISION

Pursuant to section 4H(3) of the **Magistrates' Court Act 1989**, I assign the following magistrate to the Family Violence Court Division of the Magistrates' Court of Victoria:

Carolene Gwynn

Dated 6 June 2016

PETER LAURITSEN
Chief Magistrate

Plant Biosecurity Act 2010

DECLARATION OF AN EXOTIC PLANT DISEASE

I, Richard Bolt, delegate of the Minister for Agriculture, acting under section 6 of the **Plant Biosecurity Act 2010** and being of the opinion that the suspected exotic disease described below is harmful to the growth or quality of plants or plant products, declare that disease to be an exotic disease.

Name	Common name
melon necrotic spot virus	MNSV

This order takes effect on the day it is published in the Government Gazette and remains in force for 28 days after the date of publication.

RICHARD BOLT
Secretary
Department of Economic Development, Jobs,
Transport and Resources

Subordinate Legislation Act 1994

NOTICE OF MAKING OF LEGISLATIVE INSTRUMENT

Notice is hereby given under section 16A(2) of the **Subordinate Legislation Act 1994** of the making of the Greyhound Racing Victoria Rules (the Rules) incorporating amendments to the Greyhound Racing Victoria Local Rules.

These rules come into effect on 14 June 2016 and are available for perusal at: www.greyhoundcare.grv.org.au/rules-of-racing/

A hard copy of these rules can also be obtained by contacting: Greyhound Racing Victoria, Integrity/Steward Department, 46–50 Chetwynd Street, West Melbourne, Victoria 3003.

ALAN CLAYTON
Chief Executive Officer
Greyhound Racing Victoria

Victorian Energy Efficiency Target Act 2007

**VICTORIAN ENERGY EFFICIENCY
TARGET GUIDELINES**

June 2016

-
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 - 1.2 Scope of guidelines
 - 1.3 Interpretation
 - 1.4 Legislative objectives
 - 1.5 Commencement date
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AUDIT PROCESS TIMELINES**Figure 1: Process of undertaking audits for energy acquisition statements (clause 14.3)****Figure 2: Process of undertaking audit of accredited person (clause 15.1)**

1 BACKGROUND

1.1 Purpose and authority

These Guidelines are the 'ESC guidelines' referred to in the **Victorian Energy Efficiency Target Act 2007** (the *Act*).

The *Commission* is responsible for the general administration of the *Act* and the VEET scheme for which the *Act* provides. Section 74 of the *Act* authorises the *Commission* to issue Guidelines relating to any matter required or permitted by the *Act* to be provided for by the Guidelines.

1.2 Scope of guidelines

The *Act* requires or permits the Guidelines to provide for the following matters:

- the accreditation of a person;
- the creation, form and transfer of a certificate;
- the manner in which a prescribed activity is to be undertaken;
- the manner and form in which rights to create certificates may be assigned;
- the form of, and the information to be included in, an *energy acquisition statement*;
- the auditing by the *Commission* of the creation of certificates by an *accredited person*;
- the auditing of an *energy acquisition statement* by a third party engaged by a *relevant entity*;
- the records to be kept by an *accredited person* or a *relevant entity*;
- the information to be contained in the register of *accredited persons* and the register of energy efficiency certificates; and
- any other matter that the *Commission* considers is relevant to its functions under the *Act*.

These Guidelines include clauses concerning the *register of products* and the manner in which certain activities are undertaken, including compliance with training requirements.

1.3 Interpretation

In these Guidelines:

- headings and footnotes are for convenience only and do not affect the interpretation of these Guidelines;
- words importing the singular include the plural and vice versa;
- words importing a gender include any gender;
- words importing a natural person include a company or other body corporate, partnership, trust, joint venture, association and governmental agency;
- a reference to any statute includes all regulations, proclamations, orders in council, ordinances, by-laws, declarations and determinations made under that statute; and
- a reference to any legislation or to any other document is to that legislation or document as amended, consolidated, restated or re-enacted.

1.4 Legislative objectives

The objects of the *Act*, as set out in section 4, are to:

- reduce greenhouse gas emissions;
- encourage the efficient use of electricity and gas; and
- encourage investment, employment and technology development in industries that supply goods and services which reduce the use of electricity and gas by consumers.

1.5 Commencement date

These Guidelines originally commenced on 1 January 2009. This amendment commenced on 9 June 2016.

1.6 Review of Guidelines

These Guidelines were last revised on 25 May 2016 and are subject to review by the *Commission* from time to time.

1.7 Priority of Act and Regulations

Except as specifically provided in the *Act* or *Regulations*, nothing in these Guidelines affects the interpretation of the *Act* or *Regulations*. If there is any inconsistency between these Guidelines and a provision of the *Act* or *Regulations*, the relevant provision of the *Act* or *Regulations* will prevail to the extent of that inconsistency.

2 DEFINITIONS

Terms defined in the *Act* and the *Regulations* have the same meaning when used in these Guidelines irrespective of whether they appear in bold and italics. Terms shown in ***bold and italics*** in these Guidelines have the meanings shown opposite them below.

<i>accredited person</i>	A person accredited under Part 3 of the Victorian Energy Efficiency Target Act 2007 (Vic.).
<i>Act</i>	Victorian Energy Efficiency Target Act 2007 (Vic.).
<i>audit deed</i>	A tripartite audit deed between a <i>relevant entity</i> , its approved auditor and the <i>Commission</i> for the purposes of clause 14 of these Guidelines, in the form published by the <i>Commission</i> for the VEET scheme or otherwise in a form satisfactory to the <i>Commission</i> .
<i>authorised signatory</i>	A person who is authorised, or appears to be <i>authorised</i> , by the <i>consumer</i> to assign the right to create certificates on behalf of the <i>consumer</i> .
<i>Australian Skills Quality Authority</i>	The national regulator for Australia's vocational education and training sector established pursuant to the National Vocational Education and Training Regulator Act 2011 (Cth), or such successor body or authority established from time to time.
<i>authorised user</i>	A person designated by the holder of a <i>VEET account</i> to access and transact on that account on the holder's behalf.
<i>Commission</i>	The Essential Services Commission established under section 7 of the Essential Services Commission Act 2001 (Vic.).
<i>consumer</i>	The consumer of electricity or gas in respect of whom the prescribed activity is undertaken or, the owner of a premises in the circumstances set out in section 16(2)(a) or (b) of the Victorian Energy Efficiency Target Act 2007 (Vic.), or, in the circumstances set out in section 16(2A) of the Victorian Energy Efficiency Target Act 2007 (Vic.), the person responsible for payment of the electricity or gas supplied for public lighting purposes.
<i>ESC</i>	Essential Services Commission.
<i>register of products</i>	The list of approved products and devices to be maintained by the <i>Commission</i> as described in clause 5 of these Guidelines.
<i>Regulations</i>	Victorian Energy Efficiency Target Regulations 2008 (Vic.).

relevant entity	A person defined as a relevant entity under section 3 of the Victorian Energy Efficiency Target Act 2007 (Vic.).
relevant fee	In respect of an application, notification or registration, the relevant fee (if any) published by the Minister under section 73 of the Victorian Energy Efficiency Target Act 2007 (Vic.). The Commission will maintain a list of current relevant fees on its website.
shortfall statement	A statement issued by the Commission to a relevant entity in accordance with section 36 of the Victorian Energy Efficiency Target Act 2007 (Vic.).
VEEC	A Victorian energy efficiency certificate created in accordance with the Victorian Energy Efficiency Target Act 2007 (Vic.) and Victorian Energy Efficiency Target Regulations 2008 (Vic.).
VEET account	An account established under clause 3 of these Guidelines in which certificates must be held.
VEET registry	The registry established by the Commission for the purposes of the VEET scheme.
VEET website	The website established by the Commission for the purposes of the VEET scheme (www.veet.vic.gov.au).
Victorian Registration and Qualifications Authority	The statutory authority established under Chapter 4 of the Education and Training Reform Act 2006 (Vic.) to be responsible for ensuring that employers, apprentices, trainees and providers of education and training (including course and qualification owners) meet quality standards, and that information is readily available to support informed choice in education and training.

3 ESTABLISHMENT OF VEET ACCOUNTS

Act reference: section 74(2)(i).

Applies to: **accredited persons**, relevant entities, persons trading certificates.

The *Act* requires energy efficiency certificates to be created in electronic form. In order to establish registry systems, implement appropriate security measures and generally administer the VEET scheme, the **Commission** requires a person to hold a **VEET account** as a prerequisite to accreditation, and to the creation, transfer and surrender of certificates. This clause 3 sets out the requirements for the establishment and maintenance of **VEET accounts**.

3.1 Requirement for account

A person must hold a valid **VEET account** in order to:

- become an **accredited person**;
- create a certificate;
- become the registered owner of a certificate; or
- transfer or surrender a certificate.

3.2 Account application

An application for a **VEET account** must be made on the designated form published by the **Commission** on its **VEET website**. All sections of the form must be completed.

3.3 Use of account and VEET registry

A **VEET account** holder must (and must ensure that its **authorised users** will) use the **VEET account** and the **VEET registry** only in accordance with, and for the purposes permitted by, these Guidelines and any terms and conditions of use published by the **Commission** from time to time.

3.4 Information in English

All information supplied to the **Commission** must be in English, or accompanied by a certified translation if the original is in a language other than English.

4 ACCREDITATION OF PERSONS

Act reference: sections 9 and 10.

Applies to: **accredited persons**.

A person must be accredited by the **Commission** before creating certificates. The process for application is provided for in sections 9 to 12 of the *Act*. In particular, section 9(2) requires applicants for accreditation to provide information which the **Commission** considers necessary for the purposes of the VEET scheme, and documents which the **Commission** considers necessary for the purposes of deciding whether to approve the application. Under section 10 of the *Act*, the **Commission** may also require consents or undertakings for the purposes of ensuring that double benefits are not obtained under both the VEET scheme and any other scheme prescribed by the **Regulations**. This clause 4 describes what the **Commission** will generally require from applicants for accreditation.

4.1 Accreditation application

4.1.1 Submission of application

An application for accreditation must be made by a **VEET account** holder by using the electronic form designated by the **Commission** on its **VEET website**, and in accordance with any explanatory notes issued by the **Commission**.

All sections of the electronic form must be completed unless otherwise indicated on the form. The completed form must be submitted via the online accreditation function designated by the **Commission** on its **VEET website**, together with:

- the additional information and documents indicated on the electronic form or in any explanatory note issued by the **Commission**; and
- the form of consent and the applicable forms of undertaking referred to in clause 4.2.

The applicant must pay the **relevant fee** in the manner specified on the electronic application form or any explanatory notes issued by the **Commission**. The application is taken to have been received by the **Commission** on the date the **Commission** received the electronic submission together with all additional information and forms and the **relevant fee**.

4.1.2 Assessment of application

The **ESC** will make an initial assessment of the information and documents provided to it in accordance with the requirements under section 9 of the *Act*.

Where, on the basis of the information and documents provided, the **ESC** considers that the application is inadequate the **ESC** may exercise its discretion to:

- refuse the application; or
- request the applicant to provide additional information and documents.

If the **ESC** exercises its discretion to request additional information or documents, it will specify a time-frame within which the applicant is to provide the additional information or documents.

If the *ESC* does not receive the additional information or documents within the set timeframe, and has not agreed to an extension of the period, then the *Commission* will determine the application based on the information provided to it on expiry of the relevant timeframe.

4.2 Forms of consent or undertaking – prescribed greenhouse gas schemes

The *Commission* requires applicants for accreditation to provide the undertakings referred to in clauses 4.2.2 and 4.2.3, and if applicable, the consent referred to in clause 4.2.1, to cover any scheme which is or may in future be prescribed in the *Regulations* as a greenhouse gas scheme for the purposes of the *Act*.

4.2.1 Consent under section 10(1) of the Act

If an applicant for accreditation is a participant in a prescribed greenhouse gas scheme set out in the *Regulations*, that applicant must submit a signed consent, in the designated form published by the *Commission* on its website and addressed to the administrator of that scheme, authorising the disclosure of information relating to the applicant by that administrator to the *Commission*.

4.2.2 Undertaking under section 10(2) of the Act

All applicants for accreditation must give the *Commission* a signed undertaking, in the designated form published by the *Commission* on its website, not to claim any benefit under a prescribed greenhouse gas scheme (whether current or future) if that would result in a benefit being obtained under both that scheme and the VEET scheme in respect of the same activity.

4.2.3 Undertaking in relation to future scheme participation

All applicants for accreditation must give the *Commission* a signed undertaking, in the designated form published by the *Commission* on its website, to provide the *Commission* with the form of consent referred to in clause 4.2.1, promptly upon:

- becoming a participant in any prescribed greenhouse gas scheme; or
- a greenhouse gas scheme in which the applicant is a participant becoming prescribed by the *Regulations*.

4.3 Insurance

As a condition of accreditation, an *accredited person* must:

- maintain, or ensure that persons undertaking prescribed activities on its behalf maintain, insurance of the applicable type and minimum level of cover specified by the *Commission* on its website; and
- submit a certificate of currency of such insurance to the *Commission* at intervals of not less than 12 months and within 7 days after each renewal, reissue or change of a relevant policy.

A person who is an *accredited person* on the relevant date or who has applied for accreditation before the relevant date and whose application has not been decided by that date must, within 3 months of the relevant date, submit to the *Commission* a certificate of currency of insurance of the applicable type and minimum level of cover specified by the *Commission* on its website.

In this clause, the *relevant date* is the date on which the *Commission* specifies a type and minimum level of cover of insurance on its website for the purposes of this clause 4.3.

4.4 Cancellation of accreditation

An *accredited person* may request the *Commission* to cancel that persons' accreditation.

Such a request must be made by written notice to the *Commission*.

If the *Commission* decides to cancel that person's accreditation, the cancellation takes effect:

- when the *Commission* notifies the person in writing; or
- on a date mutually agreed upon by the *Commission* and the *accredited person*.

5 REGISTER OF PRODUCTS

Act reference: section 15

Applies to: *accredited persons*.

Prescribed activities are determined by the *Regulations*, which include the requirement that the *Commission* establish and keep a *register of products* that may be installed under a prescribed activity and in respect of which a certificate may be created. This clause 5 sets out applicable requirements for this *register of products*.

5.1 Commission's role in relation to prescribed activities and the register of products

One of the *Commission's* roles in relation to prescribed activities is to perform the functions specified in the *Regulations*, including the maintenance of a list of efficient products and devices for the purposes of certain prescribed activities (the *register of products*).

5.2 Application for approval of products

An application for approval of a product must be made by a *VEET account* holder using the electronic form designated by the *Commission* on its *VEET website*, and in accordance with any explanatory notes issued by the *Commission*.

All sections of the electronic form must be completed unless otherwise indicated on the form. The completed form must be submitted via the online product approval function designated by the *Commission* on its *VEET website*, together with any additional information and documentation indicated on the electronic form or in an explanatory note issued by the *Commission*.

5.3 Meeting standards set by the ESC

Where provided by the *Regulations* and if indicated in the *register of products*, the *ESC* may specify requirements that are to apply to certain products, with these requirements to be included on the *VEET website* and in explanatory notes issued by the *Commission*.

5.4 Rejection of a product application

Should the *register of products* criteria as set out in the *Regulations* and any explanatory notes issued by the *Commission* not be met by an application submitted by a *VEET account* holder, the *Commission* may reject such application.

5.5 Requests to modify ESC register of products

Any person may submit a request in writing to the *Commission* to modify the *register of products* by adding, removing or amending the description of a product. The request must specify:

- the nature of the modification requested;
- the prescribed activity category and the name and any applicable brand or model number of the product;
- for the addition of a product, a description of how that product or device is consistent with the minimum standards and requirements for that activity set out in the *Regulations*;
- for the removal of a product, the reasons for requesting its removal;
- for an amendment to the description of a product, a description of the proposed amendment and the reasons for requesting it;
- the nature of the requesting person's interest in the product; and
- any other information or supporting evidence that the requesting person considers relevant.

The *Commission* may, at its discretion, decide to modify the *register of products* if satisfied that the modification is consistent with the requirements of the *Regulations* and the objects of the *Act*.

6 PRESCRIBED ACTIVITIES

Act reference: sections 15 and 74(2)(c).

Applies to: *accredited persons*.

Prescribed activities are determined by the *Regulations*, but under section 74(2)(c) of the *Act* the Guidelines may provide for the manner in which prescribed activities are to be undertaken. This clause 6 sets out applicable requirements for certain prescribed activities.

6.1 Commission's role in relation to prescribed activities

The *Regulations* provide for a number of specified activities which reduce greenhouse gas emissions to be prescribed activities for the purposes of the VEET scheme. The *Regulations* may also specify when a prescribed activity is taken to have been undertaken, when a reduction in greenhouse gas is taken to have occurred, and the methodology used to calculate the number of certificates that may be created for a prescribed activity.

The *Commission's* role in relation to prescribed activities is to perform the functions specified in the *Regulations*, and where the *Commission* considers appropriate having regard to the *Regulations*, to provide for the manner in which prescribed activities must be undertaken in order for certificates to be created.

6.2 Manner of undertaking certain prescribed activities

6.2.1 Compliance with legal obligations

In addition to the requirements, standards and specifications set out in the *Act* and *Regulations*, prescribed activities must be undertaken in accordance with all laws, regulations and codes of practice applicable to that activity. By way of example, and without limitation, these may include:

- **Competition and Consumer Act 2010** (Cth);
- **Occupational Health and Safety Act 2004** (Vic.);
- **Electricity Safety Act 1998** (Vic.);
- **Gas Safety Act 1997** (Vic.);
- **Building Act 1993** (Vic.), including the mandatory standards in the Schedule to that Act;
- **Ozone Protection and Synthetic Greenhouse Gas Management Act 1989** (Cth);
- **Information Privacy Act 2000** (Vic.);
- Building Code of Australia (as amended from time to time);
- Electricity Safety (Installations) Regulations 2009 (Vic.);
- Electricity Safety (Equipment) Regulations 2009 (Vic.);
- Gas Safety (Gas Installation) Regulations 2008 (Vic.);
- Plumbing Regulations 2008 (Vic.);
- Electricity Distribution Code (Vic.); and
- Code of Practice for Safe Electrical Work (Vic.).

6.2.2 Compliance with training requirements

From a date to be specified by the *Commission*, a prescribed activity must be undertaken by a person who meets any applicable training requirements specified by the *Commission* under clause 7.1.

7 SAFETY AND TRAINING

Act reference: section 74(2)(c).

Applies to: **accredited persons**.

Prescribed activities are determined by the **Regulations**, but under section 74(2)(c) of the **Act** the Guidelines may provide for the manner in which prescribed activities are to be undertaken. This clause 7 sets out applicable requirements for certain prescribed activities.

7.1 Commission to specify units of competency

The **Commission** may specify that certain units of competency provided by registered training organisations accredited by the **Australian Skills Quality Authority** or the **Victorian Registration and Qualifications Authority** are required for safety reasons by persons undertaking certain prescribed activities.

Prior to specifying a unit of competency, the **Commission** will consult on the proposal and on the lead time required by industry to implement the proposal if it proceeds.

Details of units of competency specified under this clause will be provided to all **accredited persons** and published on the **Commission's VEET website**. Unless otherwise stated, each unit of competency is taken to be specified for the purposes of this clause on the date it is published on the **Commission's VEET website**.

7.2 Compliance with training requirements

When undertaking a prescribed activity, an **accredited person** must:

- ensure that all individuals undertaking relevant prescribed activities for or on behalf of the **accredited person**, have been assessed as competent in all the applicable units of competency specified by the **Commission** under clause 7.1; and
- on request by the **Commission**, supply evidence that all relevant individuals have achieved competency in those units.

A person who is an **accredited person** on the relevant date or who has applied for accreditation before the relevant date and whose application has not been decided by that date must, within 3 months of the relevant date, supply evidence that its business systems provide for the applicable training to be completed by all individuals undertaking relevant prescribed activities for or on behalf of that person.

In this clause, the **relevant date** is the date on which the **Commission** specifies units of competency under this clause that are relevant to prescribed activities undertaken, or to be undertaken, by individuals for or on behalf of an **accredited person**.

8 ASSIGNMENT OF RIGHTS TO CREATE CERTIFICATES

Act reference: section 16.

Applies to: **accredited persons**, **consumers**, authorised signatories

Where a prescribed activity is undertaken, section 16(1)(b) of the **Act** contemplates that the **consumer** may assign the right to create certificates for that prescribed activity. In some situations the **consumer** of gas or electricity may not be available to assign the right to create certificates. In this situation, a person authorised, or who appears to be authorised, by the **consumer** may assign the right to create certificates on behalf of the **consumer**. In either situation, section 16(3) of the **Act** requires an assignment of such rights to be made by written notice or for activities prescribed for the purposes of section 16(3)(a)(ii) of the **Act**, in a manner prescribed in the **Regulations**. In either case, the assignment must occur in the manner and form specified by these Guidelines. This clause 8 sets out those requirements.

8.1 Parties to the assignment

Rights to create certificates can only be assigned by the *consumer* or *authorised signatory* in respect of the prescribed activity to an *accredited person*.

8.2 What may be assigned?

The rights to create all of the certificates attributable to a prescribed activity must be assigned to the same *accredited person* (the assignee).

A single form of assignment may relate to more than one prescribed activity.

8.3 Time of assignment

An assignment:

- may be made at any time up to and including the latest date for creation of certificates in respect of the relevant prescribed activity under the *Act*; but
- must not take effect before the prescribed activity has been undertaken in accordance with the *Regulations*.

8.4 Manner and form of assignment

For the purposes of section 16(3) of the *Act*, each assignment of a right to create certificates in respect of a prescribed activity must be made:

- in writing;
- electronically; or
- orally in the case of the prescribed activity set out in regulation 6(1)(o) being refrigerator or freezer destruction, when undertaken in the residential sector, and where written assignment cannot reasonably be obtained. The assignee must comply with the requirements in clause 8.5 for electronic assignment, 8.6 for assignments in writing and clause 8.7 for oral assignments.

8.5 Completion of electronic assignment form

Each electronic assignment must be made in a form containing the mandatory information and fields designated by the *Commission* and published on the *VEET website*.

Compliance with these requirements can be met using the appropriate electronic communication and storage methods set out in the *Electronic Transactions Act 2000* (Vic.).

8.6 Completion of written assignment form

Each written assignment must be made on a form containing the mandatory information and fields designated by the *Commission* and published on its *VEET website*. The *Commission* may designate separate mandatory information and fields relating to different categories of prescribed activity.

8.7 Completion of oral assignment form

In the case of the prescribed activity set out in regulation 6(1)(o) being refrigerator or freezer destruction undertaken in the residential sector, the assignee must:

- (a) obtain confirmation from the *consumer* or *authorised signatory* that the *consumer* is the tenant, landlord or owner of the premises from which the appliance is removed, and that the appliance is in working order and was manufactured before 1996;
- (b) clearly explain the following to the *consumer* or *authorised signatory*:
 - the mandatory information required to be given to the *consumer* as set out in the assignment form for the prescribed activity published in the *Commission's VEET website*;
 - the assignee will destroy the appliance in accordance with the requirements of the *Victorian Energy Efficiency Target Act 2007* (Vic.);
 - the *consumer* is assigning to the assignee its right to create Victorian energy efficiency certificates for that activity;

- information relating to this activity will be disclosed to the **Commission** for the purpose of creating certificates and for related verification, audit and scheme monitoring purposes; and
 - penalties can be applied for providing misleading information under the **Victorian Energy Efficiency Target Act 2007** (Vic.);
- (c) obtain the **consumer** or **authorised signatory**'s verbal consent to the assignment of the right to create certificates; and
- (d) ensure that all relevant sections of the applicable assignment form are completed and that the form is signed by the assignee or its agent.

8.8 Consumer to receive a copy of assignment form or similar document

The **consumer** or **authorised signatory** must be provided with a copy of the assignment form or another document that shows:

- the assignment date;
- specific details of the quantity and type of goods and services provided at the premises;
- the type and amount of benefit provided in exchange for the assignment of a right to create certificates in respect of the prescribed activity;
- the name of the **accredited person**;
- the name of the individual undertaking the activity; and
- (if different from the **accredited person**) the organisation the individual works for.

The assignment form copy or other document must be given to the **consumer** or **authorised signatory**:

- in the case of written assignment, at the time of signing the assignment form;
- in the case of electronic assignment, within ten business days after the date of assignment; or
- in the case of oral assignment, within ten business days after the date of assignment.

8.9 Records to be retained by the assignee

An assignee must maintain:

- if assignment is in writing, a copy of the completed form of assignment signed by the **consumer** or **authorised signatory** and assignee; or
- if assignment is oral, a copy of the completed form of assignment signed by the assignee and any other document sent to the **consumer** or **authorised signatory** under clause 8.8; or
- if assignment is in electronic form, an electronic copy of the completed form of assignment with evidence of agreement on behalf of the **consumer** or **authorised signatory**, and
- evidence of the benefit provided to the **consumer**,
- for inspection and audit by the **Commission** on request, for a period of six years after the date of the assignment.

8.10 Consumer personal information to comply with the Information Privacy Principles

The assignee must ensure that the collection, storage and use of all **personal information** collected in an assignment form or otherwise about the **consumer**, **authorised signatory** or any other individual (such as an installer) complies with the Information Privacy Principles (IPPs) contained in the **Information Privacy Act 2000** (Vic.).

The IPPs and information about how to comply with them can be found at <http://www.privacy.vic.gov.au>

9 CREATION AND REGISTRATION OF CERTIFICATES

Act reference: sections 21 and 22.

Applies to: *accredited persons*.

A certificate may be created by an *accredited person* in respect of a prescribed activity, subject to and in accordance with sections 16 to 20 of the *Act*. Sections 21 and 22 provide for the form and content of certificates and the registration of certificates by the *Commission*. This clause 9 specifies the electronic form for creating certificates for the purposes of section 21(1) of the *Act*, the manner of notification and additional information for the purposes of determining whether the certificate has been properly created and is eligible for registration.

9.1 Form for creation of certificates

An *accredited person* may only create certificates using the electronic form designated by the *Commission* on the *VEET website*, and in accordance with any explanatory notes issued by the *Commission*.

9.2 Creation of Certificates

An *accredited person* is taken to have created a certificate when that person has complied with the creation requirements of the *Act* and *Regulations*.

Submission of creation information in the specified form must occur via the online creation function designated by the *Commission* on its *VEET website*.

9.3 Notification of Creation

For the purposes of section 22(2) of the *Act* an *accredited person* is taken to have notified the *Commission* that it has created a certificate when that person submits the required creation information in the form specified by clause 9.1 above.

9.4 Payment of fee

The *accredited person* must remit the *relevant fee* for registration of each certificate as required by the *Commission*. Subject to clause 9.6 of these Guidelines, the *Commission* will not register certificates unless the *relevant fee* is paid.

9.5 Unique identification code

The *Commission* will allocate a unique identification code for each certificate.

9.6 Further information

In some circumstances, the *Commission* may request the *accredited person* to provide additional information after a certificate has been created, in order to decide whether the certificate is eligible for registration and has been properly created. Any information requested must be provided within ten business days unless otherwise agreed between the *Commission* and the *accredited person*. The *Commission* may decide not to register the relevant certificate if that information is not provided.

9.7 Reduction, waiver or refund of creation fee

In exceptional circumstances, the *Commission* may consider reducing, waiving or refunding, in whole or in part, the fee for the creation of a certificate under the *Act*, where:

- the certificate was created to make good a registered certificate which was not eligible for registration or was improperly created; and
- the reason that the original certificate was ineligible or improperly created was outside the control of the *accredited person*.

10 TRANSFER OF CERTIFICATES

Act reference: section 24.

Applies to: **accredited persons**, relevant entities, persons trading certificates.

Certificates may be transferred to any person under section 24 of the *Act*. The form and terms of the transfer agreement itself are commercial matters for the parties. The **Commission** is obliged under the *Act* to register transfers that are notified in the manner specified in these Guidelines. This clause 10 sets out the requirements for transfer notifications for the purposes of section 24(3) of the *Act*.

10.1 Transfer requirements

Certificates may be transferred by the owner of those certificates to any person. However, the **Commission** will not register a transfer of certificates unless:

- both the transferor and the transferee hold a **VEET account**;
- the transferor is the current registered owner of the certificates; and
- the transferor has complied with the requirements in clause 10.2.

10.2 Electronic notification of transfer

In order to notify the **Commission** of a transfer of a certificate, the following steps must be completed:

- the transferor must submit a completed transfer offer using the electronic form designated for those purposes by the **Commission** on its **VEET website**; and
- the transferor must complete any additional verification requests made by the **Commission**.

A single transfer offer may be used in respect of the transfer of any number of certificates in a single transaction on the same date and between the same transferor and transferee.

11 SURRENDER OF CERTIFICATES

Act reference: section 25, 33, 38 to 40.

Applies to: **accredited persons**, relevant entities, persons trading certificates.

A certificate owner may surrender a certificate at the same time giving the **Commission** reasons in writing for the surrender (known as voluntary surrender).

Before 30 April each year, relevant entities must surrender registered **VEECs** equal to their VEET scheme liability for the previous calendar year (known as obligatory surrender).

In separate circumstances, the **ESC** may require an **accredited person** or other person to surrender **VEECs** equal to the number of certificates which are found to be improperly created, or created in breach of a person's obligations under the *Act* or **Regulations**. This is known as mandatory surrender.

This clause 11 describes the notification to be given to the **Commission**.

11.1 Notification of Surrender

The registered owner of a certificate may surrender that certificate by:

- completing a surrender application using the online surrender function designated for those purposes by the **Commission** on its **VEET website**; and
- completing any additional verification requests made by the **Commission**.

A single surrender application may be submitted for the surrender of any number of certificates.

11.2 Voluntary Surrender

A certificate may be surrendered voluntarily under section 25 of the *Act*.

The registered owner of a certificate may surrender that certificate by:

- notifying the *ESC* according to the procedure outlined by clause 11.1 above; and
- providing reasons for the voluntary surrender of the certificate(s).

Certificates that have been surrendered voluntarily must not be included in an *energy acquisition statement*.

11.3 Obligatory Surrender

A *relevant entity* must surrender the number of certificates specified in the *energy acquisition statement* under section 33(4) of the *Act*:

- using the notification procedure outlined by clause 11.1 above,
- on or before the date on which the statement is required to be lodged pursuant to section 33(1) of the *Act*.

If the *ESC* is satisfied that the surrendered certificates are eligible for surrender the *ESC* will invalidate those certificates permanently.

11.4 Mandatory Surrender

The *ESC* may require mandatory surrender of certificates under section 38, 39 and 40 of the *Act*.

A person may surrender a certificate in accordance with section 38, 39 or 40 of the *Act* by using the notification procedure outlined by clause 11.1 above.

12 ENERGY ACQUISITION STATEMENTS

Act reference: sections 29 and 31 to 35.

Applies to: relevant entities.

Under section 33 of the *Act*, if a *relevant entity* makes a scheme acquisition in a calendar year, it must submit an *energy acquisition statement* to the *Commission* by 30 April in the following year. This clause 12 describes the information to be contained in each statement in addition to that specified in section 33(2)(a) to (f), and the form and manner in which *energy acquisition statements* must be submitted.

12.1 Form of energy acquisition statement

Relevant entities must prepare *energy acquisition statements* using the designated form published by the *Commission* on its *VEET website*.

12.2 Submission of energy acquisition statement

Each *energy acquisition statement* must be signed and audited as required by the *Act* and clause 14 of these Guidelines. The *relevant entity* must submit to the *Commission* each of:

- the audited *energy acquisition statement*;
- the auditor's report;
- details of certificates surrendered (or to be surrendered) as required by section 33(4) of the *Act* and clause 11.3 of these Guidelines; and
- the *relevant fee* for lodgement of the statement,

in the manner specified in the form of *energy acquisition statement* or any explanatory notes published by the *Commission*.

12.3 Additional information required

In addition to the information specified in section 33(2)(a) to (f) of the *Act*, each *energy acquisition statement* must set out:

- the telephone number, fax number and email address of the *relevant entity*;

- the year to which the statement applies;
- the date of the statement;
- the quantity of energy acquired under scheme acquisitions from each of the persons or bodies referred to in paragraphs (a) and (b) of the definition of ‘scheme acquisition’ in the *Act*;
- the *relevant entity*’s calculation, in accordance with section 29 of the *Act*, of whether the *relevant entity* had an energy efficiency certificate shortfall for the year;
- the *relevant entity*’s methodology for the calculation of energy acquisitions and exclusions; and
- any changes during the year to information (even if already given to the *Commission*) about the following matters for the *relevant entity*:
 - ownership;
 - material business acquisitions and disposals;
 - location and contact details; and
 - energy purchase arrangements.

13 RECORD KEEPING

Act reference: section 72.

Applies to: *accredited persons* and relevant entities.

Accredited persons and relevant entities must keep records as specified in section 72 of the *Act*. This clause 13 sets out additional record keeping requirements for *accredited persons* and relevant entities.

13.1 Accredited persons

In addition to the requirements set out in section 72 of the *Act*, *accredited persons* must keep records and documents which provide evidence of the following, to the extent applicable:

- the records referred to in clause 8.9 of these Guidelines in relation to assignments of rights to create certificates;
- sales, purchase and/or service records of each product or service which constitutes a prescribed activity for which certificates have been created, including make and model number, if applicable the street address and postcode of the *consumer* (if in a residential premises) or the ABN, business name, address and postcode (if in a business or non-residential premises);
- evidence of removal, destruction and decommissioning of existing products where removal, destruction or decommissioning is required by the *Regulations*;
- evidence that all relevant individuals have been assessed as competent in each relevant unit of competency specified by the *Commission* under clause 7.1, including the title of each unit, the name of each relevant individual, the date(s) on which they were assessed as competent, and by which registered training organisation as accredited by the *Australian Skills Quality Authority* or the *Victorian Registration and Qualifications Authority*; and
- any additional record keeping requirement set out in the explanatory notes published by the *Commission* on its *VEET website* at the time the activity was completed.

13.2 Relevant entities

In addition to the requirements set out in section 72 of the *Act*, relevant entities must keep records and documents which provide evidence of matters outlined under clause 12.3 of these Guidelines.

13.3 Record keeping whilst accreditation is suspended or revoked

The requirement for an *accredited person* or *relevant entity* to retain records for the purposes of the *Act* or *Regulations* is not affected by any period of suspension or revocation of accreditation.

14 AUDIT OF ENERGY ACQUISITION STATEMENTS

Act reference: section 33(6).

Applies to: relevant entities, auditors.

Section 33(6) of the *Act* requires each *energy acquisition statement* to be audited by an independent third party before lodgement by a *relevant entity*. This clause 14 identifies the requirements for the audit of *energy acquisition statements*.

14.1 Nominating, approving and appointing an auditor

14.1.1 Nominating an auditor

- (a) By a date specified by the *Commission* in each year, each *relevant entity* must nominate to the *Commission* for approval an independent auditor to undertake the relevant audit, unless a current approval from the *Commission* is in place in respect of that *relevant entity* and auditor.
- (b) The *Commission* will consider approving auditors for a period greater than 1 year but no more than 5 years.
- (c) In nominating an auditor to the *Commission*, the *relevant entity* must provide details of:
 - (i) the proposed auditor who will undertake the specified audit;
 - (ii) the proposed individuals who will undertake any relevant audit work for the auditor (that is, the audit team);
 - (iii) the proposed individual who will lead the audit team (who must be a partner or equivalent of the auditor and who will be required to sign the audit report and take full responsibility for the audit findings);
 - (iv) the work history and skills of the audit team leader and each audit team member, and the role they will play in undertaking the audit;
 - (v) the auditor's field of work, core expertise, experience and corporate or business structure (unless the auditor has been selected from the panel of auditors established under clause 14.1.2);
 - (vi) any work undertaken by the auditor for the *relevant entity* in the previous two years, and any work that the auditor is currently doing or has bid for in relation to the *relevant entity*;
 - (vii) any potential or perceived conflict of interest and the manner in which the potential or perceived conflict of interest is proposed to be managed; and
 - (viii) the term of the approval requested.
- (d) In deciding whether to approve an auditor nominated by a *relevant entity*, the *Commission* will have regard to the following key criteria:
 - (i) demonstrated skill, experience in, and detailed knowledge of quality assurance, including operational or compliance auditing and where relevant, science or engineering, and information systems (in terms of both the nominated auditor and the proposed audit team);
 - (ii) appropriate knowledge of the electricity and gas industries (in terms of both the nominated auditor and the proposed audit team);
 - (iii) an absence of conflicts; and
 - (iv) if relevant, the resource capacity to undertake multiple audits under tight time constraints.

14.1.2 Audit Panel

- (a) The **Commission** will establish a panel of auditors who it considers meet the skill, experience and knowledge criteria in clause 14.1.1(d) and the resource capacity to undertake more than one audit.
- (b) Panel members will need to agree:
 - (i) in principle to the terms of the **audit deed**; and
 - (ii) to take actions to ensure that staff maintain the necessary skill level and familiarity with the **Commission**'s audit requirements.
- (c) If the **relevant entity** fails to nominate an auditor as required under clause 14.1.1(a) or the **Commission** decides not to approve the nominated auditor, the **Commission** may (but is not obliged to) appoint an auditor from its audit panel in respect of a statement to be provided by that **relevant entity**, without limiting or qualifying any liability of the **relevant entity**, and the **relevant entity** will be responsible for the costs of any auditor appointed by the **Commission**.

14.1.3 Approval of auditors

- (a) If the **Commission** is satisfied that the nominated auditor and audit team members satisfy the key criteria in clause 14.1.1(d), it will provide the **relevant entity** with written notice of the **Commission**'s intention to approve the auditor, which may be conditional. Approval will only be provided of a person nominated as auditor by a **relevant entity**, if:
 - (i) the **Commission** has given notice of its intention to approve the person as auditor with respect to the **relevant entity**;
 - (ii) any conditions applicable to that notice have been satisfied (or waived by the **Commission**); and
 - (iii) an **audit deed** has been delivered to the **Commission** duly executed by both the auditor and the **relevant entity**.
- (b) The approval of the **Commission** will take effect upon the **Commission**'s execution of the relevant **audit deed**.

14.1.4 Appointment and termination of approval

- (a) The **relevant entity** must ensure that no person nominated by it as auditor commences an audit until that person has been approved by the **Commission** under clause 14.1.3. Such a person cannot commence an audit before the **Commission**'s receipt of a duly executed **audit deed**.
- (b) Once approved, the primary duty of care of the auditor is to the **Commission**.
- (c) The **relevant entity** must not:
 - (i) require or seek changes to be made to an auditor's report that conflict with the auditor's professional judgment and its primary responsibility to the **Commission** including, for instance, requiring a change to be made that would, in effect, remove or obscure any adverse finding of the auditor; or
 - (ii) unreasonably withhold payment or terminate any contract with the auditor over a disputed audit finding.
- (d) If the auditor believes that an event described in clause 14.1.4(c) has occurred, the auditor must advise the **Commission** as soon as possible after the event has occurred.
- (e) Once approved, the auditor must:
 - (i) notify the **Commission** immediately of any change to the audit team members;

- (ii) ensure that no member of the audit team performs fee earning work for the **relevant entity** except as disclosed under clause 14.1.1(c) and that no work is undertaken that either influences any members of the audit team or could reasonably be considered to give rise to a material risk of any members of the audit team being influenced in relation to the relevant audit;
 - (iii) minimise the risk of conflicts of interest arising or being seen to arise, for example an approved auditor will be required not to do, and not to have done in the 12 months preceding its appointment, work which would create, or could be seen to create, a conflict of interest; and
 - (iv) notify the **Commission** of and manage any conflicts of interest or perceived conflicts of interest that arise in accordance with any conditions approved by the **Commission**.
- (f) The **audit deed** elaborates on these requirements and qualifies their application in the context of work undertaken in connection with the audit.
 - (g) The **Commission**'s approval of an auditor to conduct audits will end upon the expiry or termination of the relevant **audit deed**.
 - (h) The **Commission**'s approval of an auditor constitutes an approval of that auditor only for the purpose of conducting audits which the nominating **relevant entity** is obliged under the **Act** to arrange and for no other purpose.
 - (i) The **Commission** may at its absolute discretion, remove an auditor from the panel of auditors at any time.

14.2 Briefing the auditors

The **ESC** may, at its discretion, brief auditors annually (either individually or jointly) to ensure that the audit requirements are clearly understood.

If the **ESC** exercises this discretion, representatives of each **relevant entity**'s auditor must attend the briefing. The **relevant entity** may also attend the briefing.

14.3 Audit Timing

An indicative process timeline for the **relevant entity** audit of **energy acquisition statements** is set out in Figure 1 at the end of this document.

14.4 General audit scope

Except as otherwise required in a specific audit scope issued by the **Commission** to a **relevant entity** under clause 14.5, auditors must:

- (a) *investigate compliance* with the requirements of sections 29, 31 and 33 of the **Act**, and clause 12 of the Guidelines;
- (b) *analyse relevant data* in the **relevant entity**'s information systems and records to:
 - (i) ensure that the data in those systems and records is consistent with the data reported to the **Commission** in the **energy acquisition statement**;
 - (ii) verify the correct application of formulae and the accuracy of arithmetical calculations in the **energy acquisition statement**;
 - (iii) assess the **relevant entity**'s methodology for the calculation of energy acquisitions and exclusions; and
 - (iv) identify any missing data or unusual figures or trends that might suggest incorrect data, errors in data entry or manipulation.
- (c) *analyse documented procedures* to assess whether they are consistent with the matters that are subject to audit. Documented procedures include anything that guides staff in complying with obligations or acting in relation to relevant matters, for example training manuals and procedures for generating, entering and reporting information and source data used as an input for the **energy acquisition statement**;

- (d) *interview responsible staff* to assess whether they understand and comply with the documented procedures;
- (e) *analyse information systems* to assess the extent to which they produce information that supports information presented in the **energy acquisition statement**. This will require an examination of:
 - (i) system design and security; and
 - (ii) the design of queries and calculations formulae that are used to compute the amount of electricity and/or gas acquired under scheme acquisitions.
- (f) *analyse quality controls* to assess whether misrepresented data is and information defects are systematically identified and corrected;
- (g) *test a sample of cases or data*. The auditor must establish the extent to which there has been actual compliance (insofar as compliance is subject of audit) or the extent to which relevant information is free of defect; it is not enough to ensure only that procedures are robust; and
- (h) take any other action set out in an audit scope issued to the **relevant entity** under clause 14.5.

14.5 Specific audit scopes

14.5.1 Issue of specific audit scope by the Commission

The **Commission** may decide and issue to a **relevant entity** by 1 October in any year an audit scope which specifies additional requirements for the conduct of audits.

An audit scope issued under this clause will apply to the audit of the **energy acquisition statement** due in the following calendar year and all subsequent audits unless the **Commission** varies or withdraws that audit scope by notice to the **relevant entity** by 1 October in any year.

In specifying additional requirements in an audit scope issued under this clause, the **Commission** will have regard to:

- (a) the obligations of the **relevant entity** under the *Act*;
- (b) the objectives of the *Act*;
- (c) its assessment of risk associated with a **relevant entity** in accordance with clause 14.5.2; and
- (d) such other matters as it considers relevant.

14.5.2 Assessing risk

In assessing the risk associated with a **relevant entity** the **Commission** will consider:

- (a) the likelihood and the consequences of non-compliance;
- (b) in the case of information, the likelihood and consequences of it being defective, unreliable, lacking in quality or not conforming with relevant specifications;
- (c) In assessing the likelihood of non-compliance and the likelihood of information being defective, unreliable, lacking in quality or not conforming with relevant specifications, the **Commission** will consider the following factors:
 - (i) any previous audit results or evidence of non-compliance;
 - (ii) the likely or known extent of information defects;
 - (iii) any issues identified by the **Commission** during the ongoing administration of the scheme;
- (d) In assessing the consequences of non-compliance or of information being defective, unreliable, lacking in quality or not conforming with relevant specifications, the **Commission** will consider the following factors:
 - (i) the effect on the **Commission**'s ability to administer the scheme;
 - (ii) the effect on the market for certificates;

- (iii) the effect on the objectives of the *Act*; and
- (iv) the effect on commercial and administrative decision making (for example, the setting of the greenhouse gas reduction rate at an inadequate level based on inaccurate information); and
- (e) The **Commission** will conduct any risk assessment under this clause 14.5.2 in accordance with Australian/New Zealand Standard AS/NZS ISO 31000:2009, which has been issued by Standards Australia and is the Australian standard relating to Risk management – Principles and guidelines.

14.6 Reliance and Standards

Auditors:

- (a) may have regard to internal audit assessments but in arriving at a conclusion in relation to an audit matter must not rely on them exclusively. Where an auditor has previously audited a matter, they should exercise professional judgment as to the depth of inquiry required;
- (b) must have regard to the requirements of the Auditing and Assurance Standards Board (AUASB) and the relevant Australian Standards for Assurance Sampling, Compliance and Risk Management; and
- (c) notwithstanding clause 14.7, must issue an audit report under ASAE 3000 ‘Assurance Engagements Other than Audits or Reviews of Historical Information’ which provides for reasonable assurance¹.

14.7 Generic issues to be addressed

- (a) In auditing the quality, reliability or conformity of information with specified requirements, an auditor should address the following generic issues:
 - (i) is the information generated in accordance with documented methodologies, policies, practices and procedures?
 - (ii) are the methodologies, policies, practices and procedures fully understood by relevant staff?
 - (iii) how accurately do those procedures and the information reflect applicable information specifications in the *Act* and **Regulations**?
 - (iv) is the information based on sound information systems and records?
- (b) In auditing compliance, an auditor should address the following generic issues:
 - (i) is the matter under investigation reflected in documented policies, practices and procedures?
 - (ii) has the matter been fully understood by staff?
 - (iii) has the matter been performed as specified?
 - (iv) is the matter the subject of effective compliance monitoring and quality control (e.g. internal audits)?
 - (v) does the culture appear to support compliant behaviour?
 - (vi) does the organisational structure support compliant behaviour and outcomes?

¹ The objective of reasonable assurance engagement is defined under ASAE 3000 ‘Assurance Engagements Other than Audits or Reviews of Historical Financial Information’, issued July 2014, as ‘a reduction in the engagement risk to an acceptably low level in the circumstances of the engagement as the basis for the assurance practitioner’s conclusion’.

14.8 Audit Report

14.8.1 Form of audit report

An auditor must prepare a report that addresses all applicable matters and issues identified in clause 14.4. The audit report must contain at least the following:

- (a) an executive summary identifying key issues arising from the audit that reflects any current standard reporting format issued by the *Commission*;
- (b) a description of the audit methodology used;
- (c) a description of the systems and procedures that have been put in place to complete the *energy acquisition statement*;
- (d) grades pursuant to clause 14.8.2 and a summary of findings for each matter, which includes a detailed description of each issue of non-compliance; and
- (e) a completed data assessment table.

14.8.2 Data integrity grades

The auditor must assess the integrity of the data presented in the *relevant entity's energy acquisition statement* by using a standard grading system.

The grading system is a two-step process requiring auditors to use Harvey balls and a traffic light system to assess the data.






Reporting – Step one

Harvey balls are used to represent the presence and quality associated with each of the five principles represented in Table 1 below.

Table 1: Principles for auditing information relevant to the scheme

Principle	Definition
1. Faithful representation	<ol style="list-style-type: none"> 1. Information should faithfully represent the events and transactions that it purports to represent or could reasonably be expected to represent. 2. Uncertainties should be identified and quantified where possible.
2. Completeness	<ol style="list-style-type: none"> 1. Information should be complete in all respects in accordance with any applicable requirements of the <i>Act</i>, such that information is not misleading or unreliable in terms of relevance to the processes of the <i>relevant entity</i>. 2. All relevant transactions or events shall be included within the calculation or estimation of data.
3. Consistency	<ol style="list-style-type: none"> 1. Consistent methodologies, measurements and source data should be used such that comparative assessments can be made from year to year and over time. 2. Estimates should be consistent with relevant Australian and state government estimates.
4. Reliability	<ol style="list-style-type: none"> 1. Information and source data should be free of misstatement and able to be relied upon by users of the information to faithfully represent that which it either purports to represent or could reasonably be expected to represent.

5. Transparency	<ol style="list-style-type: none"> 1. Data shall be replicable by a third party through adequate record keeping. 2. Data will have a clearly defined audit trail. 3. Reference sources, methodologies and approaches to data generation shall be clearly documented. 4. Changes to data and methodologies over time shall be clearly documented.
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Grade	Description
	<ul style="list-style-type: none"> • No adherence to the principle.
	<ul style="list-style-type: none"> • Some adherence to the principle.
	<ul style="list-style-type: none"> • General regard to the principle.
	<ul style="list-style-type: none"> • High regard to the principle.
	<ul style="list-style-type: none"> • Total adherence to the principle.

Reporting – Step 2

A traffic light system is used to indicate the overall integrity of the data.



Unacceptable



Acceptable but adjustments needed



Acceptable

14.8.3 Signed statement

The auditor must include in its final audit report a statement signed by the leader of its audit team that states that:

- (a) the audit report findings accurately reflect the professional opinion of the auditor;
- (b) the auditor and team members have observed the requirements of this guideline and the relevant *audit deed* in conducting the audit, making audit findings and preparing the report;
- (c) the conclusion of the audit specified as a reasonable assurance review opinion under ASAE 3000; and
- (d) the audit report findings have not been unduly influenced by the *relevant entity*.

14.9 Commission response to audits

- (a) The **Commission** may (without limiting its powers and rights under the *Act*, an **audit deed** or otherwise):
- (i) obtain and analyse the auditor's record of its contacts with the **relevant entity**, for example to obtain more details of reported non-compliance, misrepresentation of data, or to investigate whether significant changes have been made to drafts of the report;
 - (ii) require further auditing to be undertaken (whether by the relevant auditor or another) where it considers the report is or may be unsatisfactory in a material respect, for example where the **Commission** has independent information contradicting an assessment made by the auditor;
 - (iii) require that the **relevant entity** arrange for another auditor approved by the **Commission** to undertake any such further auditing work;
 - (iv) require further information from the **relevant entity** under Part 8 of the *Act*;
 - (v) through its authorised officers, exercise any powers under Part 7 of the *Act* to the extent necessary to substantiate the information provided in an **energy acquisition statement**, or otherwise to determine whether the **relevant entity** has complied with the *Act*;
 - (vi) require termination of any contract by which the auditor was engaged to conduct the relevant audit; or
 - (vii) remove a firm from the audit panel if it has failed to follow this audit guideline or has not observed the necessary level of independence.
- (b) The **Commission** may report publicly and/or comment on the aggregated results of the audits undertaken. This may include but is not limited to reporting aggregated audit results as part of its annual reporting function under section 67 of the *Act*.
- (c) Should the results of an audit of an **energy acquisition statement** provide reason, the **Commission** may issue a **shortfall statement** in accordance with section 36 of the *Act*.

15 AUDIT OF CREATION OF CERTIFICATES AND COMPLIANCE INVESTIGATIONS

Act reference: sections 7(2)(b), 7(2)(d) and 7(2)(e).

Applies to: **accredited persons**, auditors.

Under section 7(2)(d) of the *Act*, the **Commission** may audit the creation of certificates by **accredited persons**. Under section 7(2)(b) of the *Act*, the **Commission** may monitor the creation of certificates. Under section 7(2)(e) of the *Act*, the **Commission** may monitor compliance with the *Act*. This clause 15 describes the basis on which the **Commission** will exercise its discretion to monitor compliance with the *Act* including the monitoring and auditing of the creation of certificates. This clause 15 also identifies the manner in which those audits will be carried out.

15.1 Auditor

The **Commission** may appoint one or more members of staff of the **Commission** or another appropriately qualified or experienced person or firm to investigate compliance with the *Act*, the **Regulations** or the Guidelines, or to perform an audit under clause 15.2 following the process in Figure 2 at the end of this document.

15.2 Audit Scope

15.2.1 Purpose of audit

Where the **ESC** elects to audit the creation of certificates by an **accredited person** (the purpose of the audit is to confirm the entitlement of the **accredited person** to create certificates in respect of a prescribed activity), by auditing compliance with the requirements of sections 16 to 20 of the *Act*, the **Regulations** and clause 9 of the Guidelines.

15.2.2 Matters to be audited

The appointed *ESC* staff or auditor may:

- (a) *investigate compliance* with each obligation or matter identified in Division 3 of Part 3 of the *Act* (as applicable), the *Regulations* and clause 9 of the Guidelines.
- (b) *analyse relevant data* in the *accredited person's* information systems and records kept under clause 13 of the Guidelines to:
 - (i) ensure that the data in those systems and records is consistent with the content of the registered certificates and data within the *VEET registry*;
 - (ii) ensure that the data in those systems and records is consistent with the content of the pending certificates and data within the *VEET registry*;
 - (iii) ensure that the prescribed activities have been undertaken in accordance with the requirements set out in the *Regulations*;
 - (iv) verify the correct application of formulae and the accuracy of arithmetical calculations; and
 - (v) identify any missing data or unusual figures or trends that might suggest incorrect data, errors in data entry or manipulation.
- (c) *analyse any documented procedures* to assess whether they are consistent with the matters that are the subject of audit. Documented procedures include anything that guides staff in complying with obligations or acting in relation to relevant matters, for example training manuals and procedures for generating, entering and reporting information and source data used as an input for the creation of certificates;
- (d) *interview responsible staff* to assess whether they understand and comply with the requirements in the *Act* and *Regulations*;
- (e) *analyse any quality controls* to assess whether misrepresented data is, and information defects are, systematically identified and corrected;
- (f) *test a sample of cases*. The auditor must establish the extent to which there has been actual compliance (insofar as compliance is subject of audit) or the extent to which relevant information is free of defect; it is not enough to ensure only that procedures are robust; and
- (g) *take any other action* as the *Commission* considers necessary to complete the audit.

15.2.3 Reliance and Standards

The auditor will have regard to the requirements of the Auditing and Assurance Standards Board (AUASB) and the relevant Australian Standards for Assurance Sampling, Compliance and Risk Management.

15.2.4 Audit Report

The *Commission* will require the auditor to prepare a report that addresses all applicable matters and issues identified in clause 15.2.1 and 15.2.2 and contains;

- (a) an executive summary identifying key issues arising from the audit;
- (b) a description of the audit methodology used;
- (c) a traffic light assessment of the audit findings for each matter or issue identified as part of the audit;
- (d) a summary of findings for each matter, which includes a detailed description of each issue of non-compliance;
- (e) the response from the *accredited person* to each of the recommendations as to how they will implement each of the recommendations and reduce the risk of improper *VEEC* creation; and
- (f) a date within which the *accredited person* is required to provide the *ESC* with evidence of implementation of each audit recommendation.

Reporting

A traffic light system is used to represent the level of risk associated with the provision of information and records as part of an audit report. It is used to indicate the overall integrity of the data.

R High Risk

A Medium Risk

G Low Risk

15.2.5 Signed statement

For instances where an external auditor has been engaged by the *Commission*, the auditor must include in its final audit report to the *Commission* a signed statement that:

- (a) the audit report findings accurately reflect the professional opinion of the auditor;
- (b) the auditor and team members have observed the requirements of this guideline and the relevant *audit deed* in conducting the audit, making audit findings and preparing the report; and
- (c) the audit report findings have not been unduly influenced by the *accredited person*.

15.2.6 ESC response to an audit

- (a) following completion of the audit the *ESC* will assess the audit results to determine whether any further investigation is required;
- (b) the *ESC* will provide a draft copy of the audit report to the *accredited person* for comment, including how the *accredited person* intends to implement the *ESC*'s recommendations;
- (c) upon receiving a satisfactory response to the draft audit report from the *accredited person*, the audit report is finalised and signed by relevant *ESC* staff;
- (d) upon completion of the audit report, the *ESC* will provide a copy of the audit report to the *accredited person*;
- (e) the *ESC* may report publicly and/or comment on the aggregated results of the audits undertaken under this clause 15. This may include but is not limited to reporting aggregated audit results as part of its annual reporting function under section 7(4) of the *Act*;
- (f) in assessing the consequences of non-compliance or of information being defective, unreliable, lacking in quality or not conforming with relevant specifications, the *ESC* will consider the following factors:
 - (i) the effect on the *ESC*'s ability to administer the scheme;
 - (ii) the effect on the market for certificates; and
 - (iii) the effect on the objectives of the *Act*.
- (g) the *Commission* may conduct further investigation into matters relating to the creation of certificates; and
- (h) the *Commission* may also require further information from the *accredited person* under Part 8 of the *Act*.

15.3 Compliance investigation

The **Commission** may conduct investigations of specific issues when audits or other information received by the **Commission** indicates possible breaches of the **Act**, the **Regulations** or the Guidelines. The findings of a compliance investigation may lead to enforcement actions against an **accredited person** as set out in Guidelines clause 16.2.

15.3.1 Matters to be investigated

The appointed **ESC** staff or qualified or experienced person may:

- (a) *investigate compliance* with each obligation or applicable matter of the **Act**, the **Regulations** or the Guidelines;
- (b) *analyse relevant data* in the **accredited person**'s information systems and records kept under clause 13 of the Guidelines to:
 - (i) ensure that the data in those systems and records is consistent with the content of the registered certificates and data within the **VEET registry**;
 - (ii) ensure that the data in those systems and records is consistent with the content of the pending certificates and data within the **VEET registry**;
 - (iii) ensure that the prescribed activities have been undertaken in accordance with the requirements set out in the **Regulations**;
 - (iv) verify the correct application of formulae and the accuracy of arithmetical calculations; and
 - (v) identify any missing data or unusual figures or trends that might suggest incorrect data, errors in data entry or manipulation;
- (c) *analyse any documented procedures* to assess whether they are consistent with the matters that are the subject of the investigation. Documented procedures include anything that guides staff in complying with obligations or acting in relation to relevant matters, for example training manuals and procedures for generating, entering and reporting information and source data used as an input for the creation of certificates;
- (d) *interview responsible staff* to assess whether they understand and comply with the requirements in the **Act** and **Regulations**;
- (e) *analyse any quality controls* to assess whether misrepresented data is, and information defects are, systematically identified and corrected;
- (f) *test a sample of cases*. The compliance investigation must establish the extent to which there has been actual compliance or the extent to which relevant information is free of defect; it is not enough to ensure only that procedures are robust; and
- (g) *take any other action* as the **Commission** considers necessary to complete the compliance investigation.

16 COMPLIANCE AND ENFORCEMENT

Act reference: sections 14, 14A, 14B, 17 to 20, 27 to 29, 36, 37, 40 and 40A.

Applies to: **accredited persons**, relevant entities.

Guidelines clause 14 sets out the **Commission** requirements in regard to the auditing of **energy acquisition statements**, while Guidelines clause 15 sets out the **Commission** requirements in regard to the auditing of the creation of certificates and compliance investigations. **Commission** compliance and enforcement actions may result from the requirements in either of these clauses. This clause 16 sets out the nature of resulting compliance and enforcement actions.

16.1 Compliance and enforcement actions resulting from an audit of an energy acquisition statement

16.1.1 Audit of energy acquisition statements

Clause 14 of these Guidelines sets out the *Commission* requirements in regard to the auditing of an *energy acquisition statement* lodged by a *relevant entity*, with clause 14.9 of these Guidelines outlining how the *Commission* may respond to an audit.

16.1.2 Shortfall statement

Section 27 of the *Act* sets out that a *relevant entity* must not have an energy efficiency certificate shortfall for a year in which the *relevant entity* makes a scheme acquisition.

The energy efficiency certificate shortfall of a *relevant entity* for a year is calculated in accordance with section 29 of the *Act*. Should the audit of an *energy acquisition statement* find that a *relevant entity* has an energy certificate shortfall, the *Commission* may issue a *shortfall statement* in accordance with section 36 of the *Act*.

16.1.3 Payment of a shortfall penalty

A *relevant entity* which is found to have an energy efficiency shortfall for a year must pay the civil penalty to the Consolidated Fund as set out in section 28 of the *Act*.

If an energy efficiency shortfall penalty is not paid in accordance with requirements, the *Commission* may apply for a declaration and order for payment of this shortfall penalty as set out in section 37 of the *Act*.

16.2 Compliance and enforcement actions resulting from an audit of creation of certificates or compliance investigation

16.2.1 The creation of certificates

Section 7(2) of the *Act* sets out that the *Commission* is responsible for:

- the accreditation of persons who may create certificates;
- the monitoring and administration of the creation, registration, transfer and surrender of certificates;
- enforcing the imposition of energy efficiency shortfall penalties;
- the undertaking of audits of the creation of certificates by *accredited persons*; and
- the monitoring of compliance with the *Act*.

Clause 4 of these Guidelines sets out the *Commission* requirements in regard to the accreditation of persons as provided by section 9 of the *Act*, while clause 8 of these Guidelines sets out the *Commission* requirements in regard to the assignment of rights to create certificates as provided by section 16 of the *Act*. Section 17 of the *Act* sets out when a certificate can be created, while section 18 of the *Act* sets out how many certificates may be created in respect of a prescribed activity.

Each of these sections of the *Act* and Guidelines clauses may be applicable should the *ESC* elect to audit the creation of certificates by an *accredited person* or instigate a compliance investigation of an *accredited person*.

16.2.2 Audit of creation of certificates

Clause 15.2 of these Guidelines sets out the *Commission* requirements in regard to the auditing of the creation of certificates by an *accredited person*, with clause 15.2.6 of these Guidelines outlining how the *ESC* may respond to an audit.

16.2.3 Compliance investigations

Clause 15.3 of these Guidelines sets out the *Commission* requirements in regard to conducting a compliance investigation of an *accredited person*.

16.2.4 Independent compliance audits

If deemed necessary by the *Commission*, an *accredited person* may be required to obtain independent compliance audits relating to the creation of certificates as provided by section 19A of the *Act*. An independent auditor engaged in this situation must provide to the *Commission* a signed statement as set out in clause 15.2.5 of these Guidelines.

16.2.5 Improperly created certificates

An audit of creation of certificates or compliance investigation may identify certain circumstances under which a certificate has been created. A certificate must not be created by an *accredited person* under any of the circumstances set out in section 20 of the *Act*. Penalties may apply should this be found to be the case.

Should the *ESC* consider that a created certificate does not comply with the requirements of the *Act*, the *Regulations* or these Guidelines, or that the person creating the certificate failed to comply with the requirements of the *Act*, the *Regulations* or these Guidelines, the *ESC* may order the surrender of certificates as set out in clause 11 of these Guidelines and provided by section 40 of the *Act*.

16.2.6 Warnings and imposed accreditation conditions

If the *Commission* believes on reasonable grounds that an *accredited person* has committed an offence against the *Act*, or has repeatedly but unintentionally improperly created certificates or failed to comply with the requirements of the *Act* or *Regulations*, the *Commission* may warn, reprimand and/or impose a condition or restriction on the accreditation of this *accredited person*, as provided by section 40A of the *Act*.

16.2.7 Enforced changes to accreditation

The *Commission* may suspend the accreditation of an *accredited person* if necessary as provided by section 14 of the *Act*. Suspension may result if:

- an *accredited person* has been convicted of an offence under section 20 of the *Act*;
- an already suspended *accredited person* is convicted of a further offence under section 20 of the *Act*;
- on reasonable grounds, the *Commission* believes that an *accredited person* has committed an offence against the *Act*;
- on reasonable grounds, the *Commission* believes that an *accredited person* has repeatedly but unintentionally created certificates that do not comply with the requirements of the *Act* or *Regulations*, or failed to comply with the requirements of the *Act* or *Regulations* relating to the recording or carrying out of prescribed activities;
- the accreditation of an *accredited person* was obtained improperly.

As provided by section 14A of the *Act*, the *Commission* may suspend or revoke the accreditation of an *accredited person* who has:

- breached a condition or restriction imposed under section 14B or 40A of the *Act*;
- failed to comply with an order under section 40 of the *Act*; or
- failed to undertake an audit required under section 19A of the *Act*.

If the *Commission* suspends the accreditation of an *accredited person* under section 14 or 14A of the *Act*, at the end of the period of suspension the *Commission* may impose a condition or restriction on the person's accreditation as provided by section 14B of the *Act*.

AUDIT PROCESS TIMELINES

Figure 1: Process of undertaking audits for energy acquisition statements (clause 14.3)

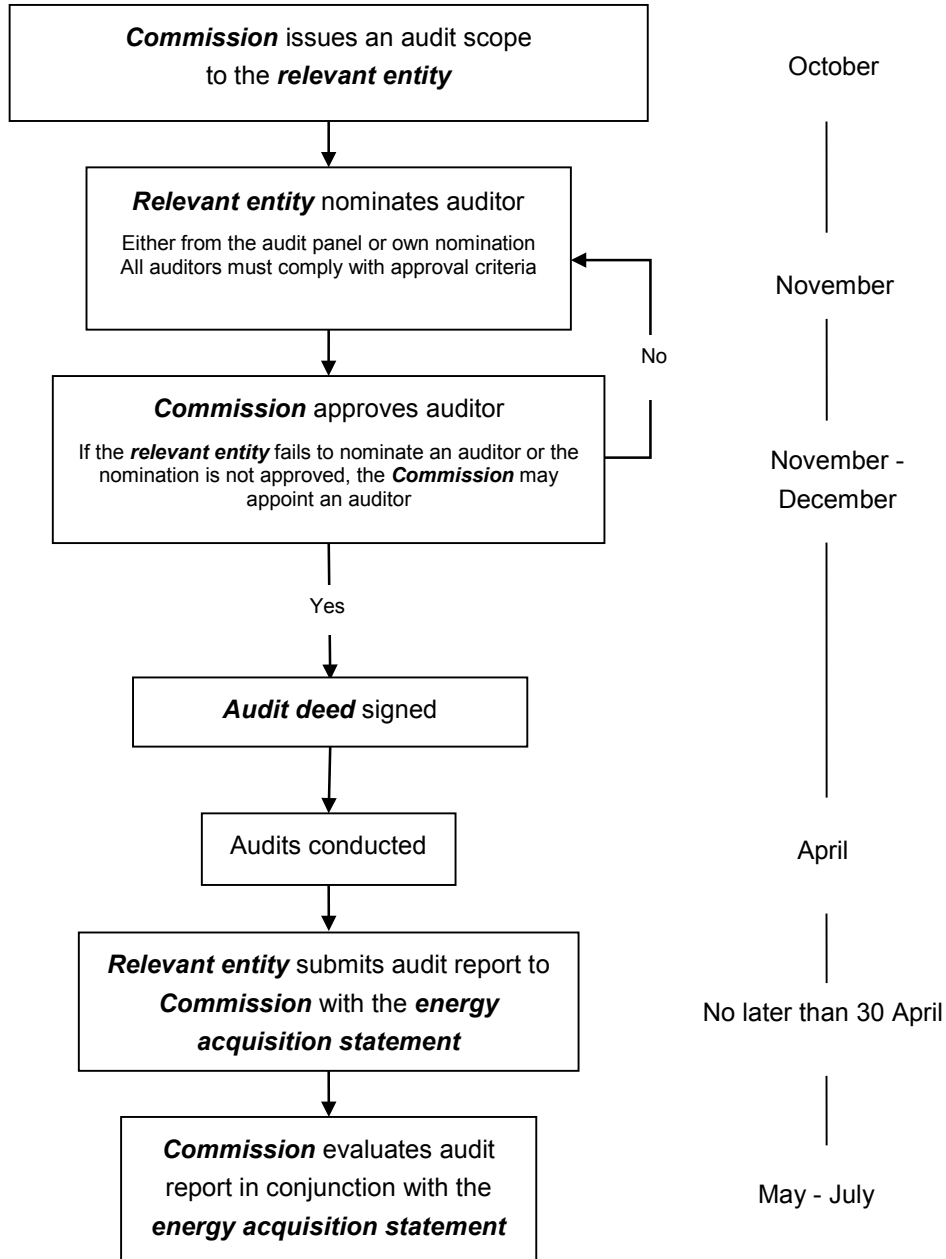
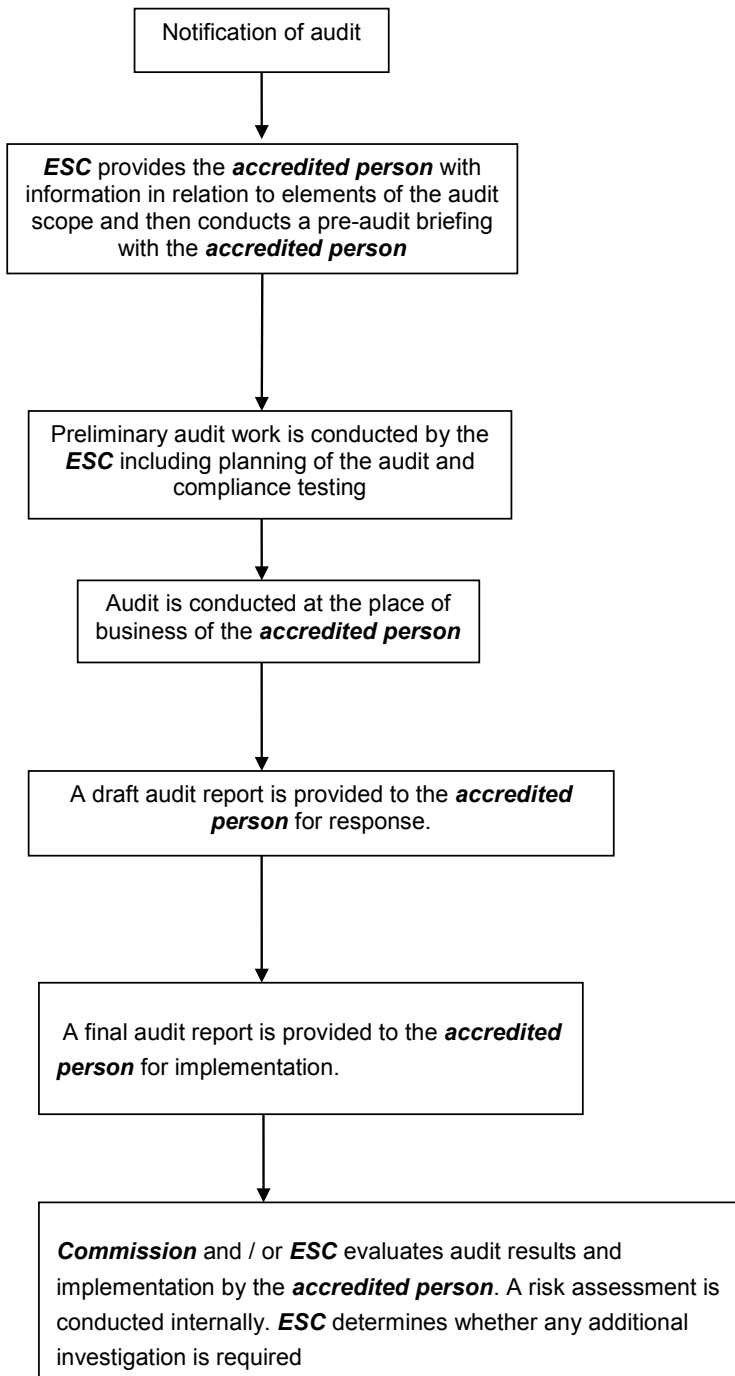


Figure 2: Process of undertaking audit of accredited person (clause 15.1)



Workplace Injury Rehabilitation and Compensation Act 2013

DECLARATION UNDER SCHEDULE 1, CLAUSE 20(3)(b) OF THE
WORKPLACE INJURY REHABILITATION AND COMPENSATION ACT 2013

I, Robin Scott MP, Minister for Finance, pursuant to Schedule 1, clause 20(3)(b) of the **Workplace Injury Rehabilitation and Compensation Act 2013** (the Act) in relation to the definition of 'remuneration', declare any apprentice who meets the following criteria to be an apprentice to which clause 20(3)(b) of the Act applies:

1. the apprentice is employed by an employer (the current employer) under a training agreement made in accordance with a training scheme approved by the Victorian Registration and Qualifications Authority ('the VRQA') under section 5.5.5.2 of the **Education and Training Reform Act 2006** ('an approved training scheme'); and
2. within the period of two years prior to the commencement of the training agreement:
 - a. the apprentice has not been employed at all by his or her current employer or a former employer; or
 - b. if the apprentice has been so employed, the period or periods in aggregate of employment with his or her:
 - i. current employer; or
 - ii. former employer or former employers; or
 - iii. current employer and the former employer or former employers
 must not have exceeded twelve months, of which any period (or periods in aggregate) of full time employment must not have exceeded three months except where at the commencement of the training agreement, the apprentice was:
 - i. aged under nineteen years; and
 - ii. had previously worked for the current employer while undertaking studies at a state school or other registered school within the meaning of the **Education and Training Reform Act 2006**; and
 - iii. had not previously commenced a training agreement with the current employer or a former employer; and
3. if the apprentice has been employed as an apprentice under more than one training agreement with his or her:
 - a. current employer; or
 - b. former employer or former employers; or
 - c. current employer and the former employer or former employers
 made in accordance with an approved training scheme, the time elapsed between any two of the training agreements must have been less than three months; and
4. if the apprentice is a trainee employed under a training agreement on or after 1 January 2005 and is paid or is payable total annual remuneration that does not exceed the sum of \$42,540 ('remuneration threshold').

If the trainee is engaged in a part-time traineeship, the remuneration threshold shall be reduced in accordance with the formula:

$$P = C \times (H/38)$$

where:

'P' is the reduced remuneration threshold for a part-time apprentice;

'C' is the remuneration threshold; and

'H' is the number of hours each week that the apprentice is required to attend work or training as specified in the training agreement.

Where a trainee completes or withdraws from or has cancelled a training course during a premium policy period, the remuneration threshold shall be reduced in accordance with the formula:

$$F = C \times (M/12)$$

where:

‘F’ is the reduced remuneration threshold for apprentices that finish a training agreement in whatever manner, whether it be completion, cancellation or withdrawal;

‘C’ is the remuneration threshold (or any amount calculated for ‘P’ in the formula used to calculate the remuneration threshold for part-time trainees); and

‘M’ is the number of months in which the apprentice was engaged under the training agreement (including the month in which the training agreement ceased), and

5. in the case of an apprentice who is a trainee who has been supplied to a previous employer of that trainee by another person, whether or not that person is an employer of the trainee, where the training agreement commenced with the previous employer and otherwise meets the requirements of this Declaration.

For the purposes of this Declaration:

- (1) ‘trainee’ means an apprentice was engaged under a training agreement made in accordance with a training scheme to which the VRQA has determined that sections 5.5.15(1), 5.5.16(2), 5.5.16(3), 5.5.16(4), 5.5.17(1)(d) and 5.5.19 of the **Education and Training Reform Act 2006** do not apply in accordance with section 5.5.2(2)(a) of that Act.
- (2) ‘remuneration threshold’ means the trainee remuneration threshold set out in paragraph 4. The remuneration threshold shall be adjusted in accordance with the movement in the average weekly earnings for all employees in Victoria in original terms for the most recent reference period published by the Australian Bureau of Statistics as at the 15th day of the month preceding the month in which the date on which the variation is made falls. This annual indexation of the remuneration threshold is consistent with the annual indexation of compensation under Division 1 of Part 13 of the Act.
- (3) ‘former employer’ means:
 - a. any person who is or was a member of a group with the apprentice’s current employer within the meaning of section 431 of the Act; or
 - b. a predecessor employer; or
 - c. a person who is provided the labour of a previous employee to perform work in their business by a third person; or
 - d. where an employer provides the services of an employee to a third person, a person who has supplied the services of the same employee to the same third person.
- (4) an employer is a ‘predecessor employer’ of another employer (‘the current employer’) in relation to an apprentice of the current employer if:
 - a. the employer transferred to the current employer the whole of the business or other undertaking, or an asset of the business or other undertaking, in or in relation to which the apprentice was employed by the employer before the transfer; and
 - b. the apprentice is employed by the current employer solely or principally in the transferred business or other undertaking, or in utilising the asset in the business or other undertaking of the current employer.
- (5) ‘employed’ includes ‘engaged as a contractor’ but, except in paragraph 3, does not include ‘employed as an apprentice’.

This instrument has effect from the day it is published in the Government Gazette.

I hereby revoke the previous declaration '**Accident Compensation Act 1985**, Declaration under Paragraph (j) of the definition of 'remuneration' in section 5(1)', Victoria Government Gazette, No. G 16, 21 April 2005, 778.

Dated 6 June 2016

ROBIN SCOTT MP
Minister for Finance

Workplace Injury Rehabilitation and Compensation Act 2013

MINISTERIAL DIRECTION

Return to Work Direction

Issue Resolution Process

I, Robin Scott MP, Minister for Finance, make the following direction under section 118(b) of the **Workplace Injury Rehabilitation and Compensation Act 2013** and hereby revoke the 'Ministerial Direction Return to Work Direction No. 1 of 2010', Victoria Government Gazette, No. G 25, 24 June 2010, 1304.

Dated 6 June 2016

ROBIN SCOTT MP
Minister for Finance

1. **Purpose**

The purpose of this direction is to set out the procedure to facilitate the resolution of issues that arise at a workplace between an employer and a worker concerning the worker's return to work if there is no relevant agreed procedure for resolution of those issues.

2. **Authority**

This direction is given pursuant to section 118(b) of the **Workplace Injury Rehabilitation and Compensation Act 2013** (the Act).

3. **Commencement**

This direction comes into operation on the day after it is published in the Government Gazette.

4. **Definitions**

Unless the context otherwise requires, or the contrary intention appears, terms in this Ministerial Direction have the same meaning as defined in the Act.

In this Direction:

'**the Act**' means the **Workplace Injury Rehabilitation and Compensation Act 2013**.

'**Return to work co-ordinator**' means the person nominated by the employer to assist the employer to meet the employer's obligations under Division 2 of Part 4 of the Act, as required by section 106 of the Act.

'**Return to work issue**' means an issue about a worker's return to work but excludes a complaint about the Authority (unless the Authority is the employer of the injured worker), the authorised agent, claim liability, payment of a benefit or entitlement, termination or suspension of a claim, reimbursement of an expense, a conciliation application or outcome and also excludes general matters of policy and practice applying across the workplace and not directly and particularly related to the worker's return to work.

5. Persons who can raise return to work issues

A return to work issue may be raised for resolution at the workplace in accordance with the procedure set out in this direction by –

- a) the worker;
- b) a representative of the worker;
- c) the worker's manager or supervisor;
- d) the return to work co-ordinator;
- e) the provider of occupational rehabilitation services to the worker; or
- f) the worker's treating health practitioner.

6. Procedure for reporting issues

1. A worker who wishes to raise an issue for resolution in accordance with the procedure set out in this direction may do so by reporting the issue to the employer, the worker's manager or supervisor, or the return to work co-ordinator.
2. A worker's representative, treating health practitioner, return to work co-ordinator, manager, supervisor or provider of occupational rehabilitation services may raise an issue on behalf of the worker by reporting the issue to the employer.

7. Procedure for resolving issues

1. As soon as possible but no longer than 20 days after a return to work issue has been reported the following persons must meet and try to resolve the issue –
 - a) the employer;
 - b) the return to work coordinator; and
 - c) the worker.
2. If a person referred to in clause 6(2) raises a return to work issue, the employer must also invite that person to participate in the issue resolution process.
3. The issues resolution procedure must be conducted in a manner and in a language that is agreed by the parties referred to in clause 7(1) to be appropriate.
4. For the purpose of resolving the return to work issue, the parties referred to in clause 7(1)(a) and 7(1)(b) must liaise directly with the worker, however a worker may be represented, assisted and supported during the return to work issue resolution process, including at all meetings referred to in clause 7(1).
5. For the purpose of resolving the return to work issue as quickly and effectively as possible the persons referred to in clause 7(1) and any person referred to in clause 7(2) who is participating in the issue resolution process must have regard to –
 - a) return to work planning for the worker;
 - b) the worker's progress in recovering from the injury;
 - c) the employer's return to work obligations as set out in the Act; and
 - d) the worker's return to work obligations as set out in the Act.
6. If a person referred to in clause 6(1) or 6(2) requests the employer to set out in writing details of the return to work issue, and matters relating to its progress, resolution or outcome, the employer must do so, within 14 days of the request, in a manner and a language that is agreed by the parties referred to in clause 7(1) to be appropriate and must provide a copy of the document to each of the parties referred to in clause 7(1)(b) and (c) and to each person referred to in clause 6(2) who has raised the return to work issue or any part of it.

8. Other procedures

Nothing in this direction limits the rights of any worker or employer under the Act to pursue other dispute resolution mechanisms.

ROBIN SCOTT MP
Minister for Finance

Workplace Injury Rehabilitation and Compensation Act 2013

MINISTERIAL DIRECTIONS

Voluntary Settlements

I, Robin Scott MP, Minister for Finance, make the following directions under section 263 of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

Dated 6 June 2016

ROBIN SCOTT MP
Minister for Finance

Scope of Directions

1. These are directions on requirements and procedures for settlements under Division 9 of Part 5 of the **Workplace Injury Rehabilitation and Compensation Act 2013** (the Act) and are made under section 263 of the Act.

Commencement

2. This direction take effect on the day after it is published in the Government Gazette.

Definitions

3. The following definitions apply for the purposes of these directions:

‘**Act**’ means the **Workplace Injury Rehabilitation and Compensation Act 2013**.

‘**Authority**’ means the Victorian WorkCover Authority established under section 491 of the Act.

‘**agent**’ means a person appointed as an authorised agent under section 501 of the Act.

‘**member of the worker’s family**’ in relation to a person means the partner, father, mother, grandfather, grandmother, step-father, step-mother, son, daughter, grandson, grand-daughter, step-son, step-daughter, brother, sister, half-brother and half-sister of the person and any person who stands in the place of a parent in relation to the person.

‘**self-insurer**’ means a body corporate or partnership approved as a self-insurer under Part 8 of the Act.

‘**worker**’ in the case of a worker who is under a legal disability and has a legal personal representative, means, unless the context otherwise indicates, the worker’s legal personal representative.

Form of Expression of Interest

4. An expression of interest by a worker under section 251 of the Act should be in the form contained in **Schedule 1** to these directions.

Supporting documentation to accompany Expression of Interest

5. An expression of interest must be accompanied by proof of identity and date of birth of the worker giving the expression of interest.
6. Subject to directions 7 and 9, a certified copy of one of the following documents may be used as the proof of identity and date of birth required by direction 5:
 - (a) a birth certificate or extract or change of name registration issued by the Registrar of Births, Deaths and Marriages or equivalent if issued by another State or Territory of the Commonwealth; or
 - (b) a current Australian passport or a current passport issued by or with the authority of the government of another country; or
 - (c) an Australian passport or a passport issued by or with the authority of the government of another country that:
 - (i) was not cancelled; and
 - (ii) was current within the 2 years before the worker gave the expression of interest;

- (d) a current driver's licence issued by a State or a Territory of the Commonwealth; or
- (e) an Australian naturalisation or citizenship document, or immigration papers issued by the Department of Immigration and Border Protection or the Australian Passport Office.
7. If the name given in the document provided by the worker in accordance with direction 6 is different from the current name under which the worker is known to the Authority or the self-insurer in relation to the relevant injury, the worker must prove the current name by providing, in addition to the document provided in accordance with direction 6, a certified copy of one or more of the following documents:
- (a) a marriage certificate; or
- (b) a divorce paper bearing the name being reverted to; or
- (c) an updated birth certificate; or
- (d) a change of name certificate (if born overseas); or
- (e) a guardianship order; or
- (f) an adoption paper.
8. For the purposes of directions 6 and 7, a certified copy of a document is a copy of the document (as supplied by the issuing authority) which is certified as a true copy of the original document by a person who is:
- (a) authorised to witness a statutory declaration under section 107A of the **Evidence (Miscellaneous Provisions) Act 1958** or to take an affidavit under section 123C of the **Evidence (Miscellaneous Provisions) Act 1958**; or
- (b) authorised under a law of the Commonwealth or of another State or Territory of the Commonwealth to witness a statutory declaration or to take an affidavit.
- Note:** For direction 8(a), the lists of persons who are authorised under Victorian law to witness a statutory declaration or take an affidavit under sections 107A and 123C of the **Evidence (Miscellaneous Provisions) Act 1958** are set out in Schedule 2 to these directions.
9. On the request of the Authority or a self-insurer, the worker must provide to the Authority or the self-insurer the originals of any document or documents provided by the worker under direction 6 or direction 7.

Financial and legal issues for proposed settlement

10. The financial and legal issues in relation to a proposed settlement on which a worker must receive advice before applying for the settlement are:

Financial issues

- principles of short term money management;
- a financial plan for the long term;
- responsibility and skills necessary to manage a lump sum settlement;
- disclosure by a financial adviser of any commissions, fees or other interests that may influence the financial adviser in the giving of financial advice under these directions;
- an estimated Centrelink preclusion period; and
- notification of:
 - (a) the rights of the Commonwealth to recover any amounts owed or owing by the worker under the **Social Security Act 1991** (Cth); and
 - (b) the possible consequent reduction by those amounts of the amount otherwise payable to the worker as a settlement under the **Workplace Injury Rehabilitation and Compensation Act 2013**.

Legal issues

- that acceptance of a settlement is voluntary;
 - the provisions of the **Workplace Injury Rehabilitation and Compensation Act 2013** in relation to the settlement;
 - the legal consequences of accepting a settlement (including all rights, benefits or claims foregone);
 - a general overview of the compensation recovery provisions (presently section 17 and Part 3.14) of the **Social Security Act 1991** (Cth), what the Centrelink preclusion period means and the effect of a settlement on social security payments; and
 - any other legal remedies or rights available to the worker as an alternative to accepting a settlement.
11. In order to ensure that the worker has received independent advice, the financial or legal adviser must not be a member of the worker's family.

Categories of persons from whom financial advice may be received

12. A person providing financial advice must be a person who is:
- (a) either:
 - (i) entitled to provide investment or financial product advice as the holder of a licence under the **Corporations Act 2001** (Cth); or
 - (ii) permitted under the **Corporations Act 2001** (Cth) to act as the representative of such a licensee; and
 - (b) either:
 - (i) a Certified Financial Planner; or
 - (ii) a Certified Practising Accountant; or
 - (iii) a member of the Institute of Chartered Accountants in Australia; or
 - (iv) a member of the National Institute of Accountants.

Notes:

- (1) For direction 12, the Financial Planning Association of Australia issues the Certified Financial Planner designation and has information on those persons. The Association may be contacted on its website at www.fpa.asn.au or on 1300 626 393.
- (2) CPA Australia has information on persons who are certified practising accountants. CPA Australia may be contacted on its website at www.cpaustralia.com.au or on 1300 73 73 73.
- (3) The Institute of Chartered Accountants in Australia has information on persons who are members of the Institute. The Institute may be contacted on its website at <http://www.charteredaccountants.com.au> or on 1300 137 322.
- (4) The National Institute of Accountants has information on persons who are members of the Institute. The Institute may be contacted on its web site at www.nia.org.au or on (03) 8665 3100.

Categories of persons from whom legal advice may be received

13. A person providing legal advice must be an Australian Legal Practitioner within the meaning of the **Legal Profession Uniform Application Act 2014**.

Form of certificates

14. Financial and legal advisers must complete a certificate in the form specified in direction 16 or 17 (as the case requires) to provide evidence that advice required by these directions has been given.
15. The certificate by a financial or legal adviser must also certify in which category or capacity the adviser is providing the advice and list a registration number or other appropriate identifying information from a professional body, if applicable.

Financial certificate

16. The certificate by a financial adviser must state whether:
- (a) the worker has an understanding of the principles of short term money management (such as budgeting on a weekly income);
 - (b) the worker has the financial responsibility and skills necessary to manage a lump sum settlement;
 - (c) the worker has developed a financial plan for the long term;
 - (d) the worker has the financial acumen, evident from past financial management, to manage a lump sum settlement;
 - (e) before or at the time of giving financial advice to the worker, the financial adviser has fully disclosed to the worker particulars of:
 - (i) any commission or fee, or any other benefit or advantage, whether pecuniary or not and whether direct or indirect, that the financial adviser or an associate, has received, or will or may receive, in connection with the giving of that advice; and
 - (ii) any other pecuniary or other interest, whether direct or indirect, of the financial adviser that may reasonably be expected to be capable of influencing the financial adviser in the giving of that advice;
 - (f) the worker has obtained any advice on an estimated Centrelink preclusion period and if so, what that advice was;
 - (g) the worker has been informed of:
 - (i) the rights of the Commonwealth to recover any amounts owed or owing by the worker under the **Social Security Act 1991** (Cth); and
 - (ii) the possible consequent reduction by those amounts of the amount otherwise payable to the worker as a settlement under the Act;
 - (h) (if no to any of the above) any and what alternative provision is proposed to be made to protect the worker's interests in the relevant respect or respects.

Legal certificate

17. The certificate by a legal adviser must state whether:
- (a) the worker has received financial advice under these directions;
 - (b) the legal adviser has sighted the financial adviser's advice;
 - (c) the worker understands that acceptance of a settlement is voluntary;
 - (d) the legal adviser has explained the provisions of the Act that relate to the settlement;
 - (e) advice has been provided to the worker on the legal consequences of accepting a settlement;
 - (f) advice has been provided to the worker on the compensation provisions (presently section 17 and Part 3.14) of the **Social Security Act 1991** (Cth), what the Centrelink preclusion period means and the effect of a settlement on social security payments;
 - (g) the information contained in the settlement application is accurate; and
 - (h) (if no to any of the above) any and what alternative provision is proposed to be made to protect the worker's interests in the relevant respect/s.

Payment or reimbursement for obtaining financial and legal advice

18. Subject to direction 22, the Authority or a self-insurer will pay or reimburse the reasonable costs of the worker in obtaining the financial and legal advice in relation to a proposed settlement specified in these directions only if the financial and legal costs (as the case may be) are incurred by the worker after he or she has:

- (a) lodged an expression of interest with the Authority or a self-insurer; and
 - (b) received a written response from the Authority or a self-insurer under section 252 of the Act.
19. An account for financial or legal advice obtained in accordance with these directions must be billed to the worker. The worker may then seek payment or reimbursement from the Authority or a self-insurer.
20. Subject to direction 22, the Authority or a self-insurer must pay or reimburse a worker for the reasonable costs of obtaining financial and legal advice in relation to an application for a settlement within 28 days of receiving the request for payment or reimbursement from the worker. However, if the Authority or a self-insurer has within that period requested a copy of the advice from the worker to determine the reasonable cost of the advice, then the Authority or a self-insurer must make the payment or reimbursement within 28 days of receiving the copy from the worker.
21. Such payment or reimbursement of the reasonable costs of the advice obtained must be provided by the Authority or a self-insurer regardless of whether the worker is offered a settlement or not, and regardless of whether the worker applies for or accepts a settlement offer.
22. The maximum amounts that the Authority or a self-insurer is liable to pay a worker in respect of such advice are:
- (a) for financial advice, \$495 (inclusive of GST); and
 - (b) for legal advice, \$400 (inclusive of GST).

Copies of legal or financial advice to be provided on request

23. On request of the Authority or a self-insurer, the worker must provide a copy to the Authority or a self-insurer of any financial or legal advice obtained for the purposes of Division 9 of Part 5 of the Act within 14 days of receiving the request from the Authority or self-insurer.
24. A copy of the advice may be requested by the Authority or a self-insurer only for the purpose of establishing the reasonable cost of the advice.

Form of application and acceptance of offer of settlement

25. An application for a settlement must be in writing and must be in accordance with the form contained in Schedule 3 to these directions.
26. An acceptance of an offer of a settlement under Subdivision 1 of Division 9 of Part 5 of the Act must be in writing and must be in accordance with the form contained in Schedule 4 to these directions.

Service of expression of interest, application for settlement and acceptance of offer of settlement

27. An expression of interest in applying for a settlement, an application for a settlement and an acceptance of a settlement under Division 9 of Part 5 of the Act must be given to or made (as the case may be):
- (a) if the liability to pay compensation lies with a self-insurer, by posting it by registered post to or delivering it to the self-insurer; or
 - (b) in any other case:
 - (i) by posting it by registered post to or delivering it to the agent of the Authority managing the claim: or
 - (ii) if the agent is unknown:
 - (A) by posting it by registered post to the Business Planning & Development Division of the Authority, at GPO Box 4306, Melbourne, Victoria 3001; or
 - (B) by delivering it to the Authority at its head office as published on a Government internet website from time to time.

Note: For direction 28 the contact details for agents and self-insurers are posted on the web site of the Victorian WorkCover Authority at www.worksafe.vic.gov.au

Alternatively, these details are available by telephoning the relevant agent or self-insurer or the WorkCover Advisory Service on 1800 136 089.

Period for paying settlement

28. On acceptance by a worker of a settlement offer, the Authority, agent or self-insurer (as the case may be) must pay the settlement amount to a worker within 30 days of receipt of that acceptance.

Privacy and collection of personal information

29. The Authority, agent or self-insurer must comply with all applicable legislation relating to privacy and the collection of information (in particular, where relevant, the **Privacy and Data Protection Act 2014** and the **Privacy Act 1988** (Cth)). The Authority, agent or self-insurer must ensure that any worker providing personal information is made aware of the information required by that legislation.

ROBIN SCOTT MP
Minister for Finance

Schedule 1

Direction 4

EXPRESSION OF INTEREST FORM

TO: Victorian WorkCover Authority

[appropriate address as set out in direction 28 as applicable]

OR

[Name of agent or self-insurer]

[address of agent or self-insurer]

I [name of worker] of [address of worker] am interested in applying for a lump sum settlement under Subdivision 1 of Division 9 of Part 5 of the **Workplace Injury Rehabilitation and Compensation Act 2013**.

My claim number with the Victorian WorkCover Authority / agent /self-insurer is [insert claim number].

I am eligible to apply for the settlement because [provide details of eligibility: see Attachment to Schedule 1].

I attach a certified copy of one of the following documents as proof of my identity and date of birth (strike out whichever are not applicable):

- birth certificate
- updated birth certificate
- current passport or a passport that has not been cancelled and was current within the preceding 2 years
- current driver's licence issued by a State or a Territory of the Commonwealth
- certificate of Australian citizenship.

If my name has changed from the name given in the certified document above, as proof of my current name under which I am known to the Authority or the self-insurer, I attach a certified copy of one or more of the following documents (strike out whichever are not applicable):

- marriage certificate
- divorce paper
- change of name registration
- guardianship order
- adoption paper.

SIGNED BY [name of worker]

Date

Attachment to Schedule 1**ELIGIBILITY CRITERIA FOR A SETTLEMENT****Workplace Injury Rehabilitation and Compensation Act 2013****Division 9 of Part 5**

You may be eligible to apply for a settlement under the Act if you are in one of the following categories for settlements provided in Division 9 of Part 5 of the **Workplace Injury Rehabilitation and Compensation Act 2013** ('the Act')

Subdivision 1 – settlements in specific circumstances

If you:

- (a) are receiving or are entitled to receive weekly payments of compensation at the time of lodging an expression of interest; and
- (b) are over 55 years of age; and
- (c) have no current work capacity and are likely to continue indefinitely to have no current work capacity; and
- (d) have received weekly payments for at least 130 weeks.

Subdivision 2 – other settlements

This category is not operative as at the date of gazettal of these directions.

Privacy/collection of personal information statement

A relevant privacy/collection of personal information statement must be included in accordance with the Information Privacy Principles, contained in Schedule 1 of the **Privacy and Data Protection Act 2014**.

Disclaimer: The above information, other than the privacy/collection of personal information statement, is based on the provisions of the **Workplace Injury Rehabilitation and Compensation Act 2013**. While this information is provided in good faith by the Victorian WorkCover Authority as a guide to workers on the eligibility criteria for a settlement under the Act, you are warned that the Authority makes no claim as to the accuracy of the information and will not accept any liability for any loss or damage which may be incurred by any person acting in reliance on the information. If you believe that you may be eligible to apply for a settlement under the Act, you should still read the Act itself or seek your own legal advice about it. Note: you cannot recover the cost of this legal advice from a self-insurer or the Authority.

Schedule 2

Direction 8

LISTS OF PERSONS WHO MAY WITNESS STATUTORY DECLARATIONS AND TAKE AFFIDAVITS UNDER VICTORIAN LAW**Statutory Declarations**

Under Victorian law (see section 107A of the **Evidence (Miscellaneous Provisions) Act 1958**), any of the following persons may witness the signing of a statutory declaration:

- (a) a justice of the peace or a bail justice;
- (b) a public notary;
- (c) an Australian lawyer (within the meaning of the **Legal Profession Uniform Law Application Act 2014**);
- (d) a clerk to an Australian lawyer;
- (e) the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or a deputy registrar of the County Court, the principal registrar or a registrar or deputy registrar of the Magistrates' Court or the principal registrar or a registrar or deputy registrar of the Children's Court;
- (f) the registrar of probates or an assistant registrar of probates;
- (g) the associate to a judge of the Supreme Court or of the County Court;
- (h) the associate of an Associate Judge of the Supreme Court or of an associate judge of the County Court;
- (i) a person registered as a patent attorney under Chapter 20 of the **Patents Act 1990** of the Commonwealth;
- (j) a police officer;
- (k) the sheriff or a deputy sheriff;
- (l) a member or former member of either House of the Parliament of Victoria;
- (m) a member or former member of either House of the Parliament of the Commonwealth;
- (n) a councillor of a municipality;
- (o) a senior officer of a Council as defined in the **Local Government Act 1989**;
- (p) a person registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student);
- (q) a person registered under the Health Practitioner Regulation National Law –
 - (i) to practise in the dental profession as a dentist (other than as a student); and
 - (ii) in the dentists division of that profession;
- (r) a registered veterinary practitioner within the meaning of the **Veterinary Practice Act 1997**;
- (s) a person registered under the Health Practitioner Regulation National Law to practise in the pharmacy profession (other than as a student);
- (t) a principal within the meaning of the **Education and Training Reform Act 2006**;
- (u) the manager of an authorised deposit-taking institution;
- (v) a person who holds a prescribed membership of a prescribed accounting body or association;
- (w) the secretary of a building society;
- (x) a minister of religion authorised to celebrate marriages;
- (xa) a Victorian Inspectorate Officer within the meaning of the **Victorian Inspectorate Act 2011**;
- (y) a person employed under Part 3 of the **Public Administration Act 2004** with a classification that is prescribed as a classification to which this section applies or who holds office in a statutory authority with such a classification;

- (ya) an IBAC Officer within the meaning of the **Independent Broad-based Anti-corruption Commission Act 2011**;
- (z) a fellow of the Institute of Legal Executives (Victoria).

Affidavits

Under Victorian law (see section 123C of the **Evidence (Miscellaneous Provisions) Act 1958**), any of the following persons may take an affidavit:

- (a) any judge or the associate to any judge;
 - (b) an Associate Judge of the Supreme Court or the associate to such Associate Judge;
 - (ba) an associate judge of the County Court or the associate to such associate judge;
 - (c) a justice of the peace or a bail justice;
 - (d) the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or a deputy registrar of the County Court, the principal registrar or a registrar or deputy registrar of the Magistrates' Court or the principal registrar or a registrar or deputy registrar of the Children's Court;
 - (da) the registrar of probates or an assistant registrar of probates;
 - (db) a senior member or ordinary member of the Victorian Civil and Administrative Tribunal who, immediately before the commencement of section 8.2.1 of the **Legal Profession Act 2004**, was the registrar or a deputy registrar of the Legal Profession Tribunal;
 - (e) a member or former member of either House of the Parliament of Victoria;
 - (ea) a member or former member of either House of the Parliament of the Commonwealth;
 - (f) a public notary;
 - (g) a legal practitioner;
 - (ga) a police officer of or above the rank of sergeant or for the time being in charge of a police station;
 - (gb) a person employed under Part 3 of the **Public Administration Act 2004** with a classification that is prescribed as a classification to which this section applies;
 - (gc) a senior officer of a Council as defined in the **Local Government Act 1989**;
- Note:** Section 3 of the **Local Government Act 1989** defines a 'senior officer' to mean the Chief Executive Officer, or a member of Council Staff who has management responsibilities and reports directly to the Chief Executive Officer, or any other member of Council staff whose total remuneration exceeds \$124,000 or a higher threshold amount specified by the Minister in accordance with section 97B under the **Local Government Act 1989**.
- (gd) a person registered as a patent attorney under Chapter 20 of the **Patents Act 1990** of the Commonwealth;
 - (ge) a fellow of the Institute of Legal Executives (Victoria);
 - (h) any officer or person empowered authorized or permitted by or under any Act of Parliament to take affidavits in relation to the matter in question or in the particular part of Victoria in which the affidavit is sworn and taken.

Notes:

- (1) Regulation 5 of the Evidence (Affidavits and Statutory Declarations) Regulations 2008 provides that the following classifications in the public service are prescribed classifications for the purposes of sections 107A and 123C of the **Evidence (Miscellaneous Provisions) Act 1958** –
 - (a) Non-executive employee grades 2 to 6 (inclusive) and Senior Technical Specialist;
 - (b) Solicitor, Senior Solicitor, Principal Solicitor and Principal Solicitor (Team Leader);
 - (c) Executive (Level 1, Level 2 and Level 3);

-
- (d) Principal Scientist or Principal Scientist Level PS-1 and PS-2;
 - (e) Science A to D (inclusive);
 - (f) Forensic Officer Level 2 to Level 7 (inclusive);
 - (g) Child Protection Practitioner CPP 2 to CPP 6 (inclusive);
 - (h) Children Youth and Families CYF 2 to CYF 6 (inclusive);
 - (i) Housing Services Officer HSO;
 - (j) Senior Medical Adviser SMA;
 - (k) Disability Development and Support Officer DDSO4 to DDSO9 (inclusive);
 - (l) Custodial Officers COG4 to COG6 (inclusive).
- (2) Regulation 6 of the Evidence (Affidavits and Statutory Declarations) Regulations 2008 provides that the office of Transport Accident Commission Officer (except Job Groups 1 and 2) in the Transport Accident Commission is prescribed for the purposes of section 107A of the **Evidence (Miscellaneous Provisions) Act 1958**.

Schedule 3

Direction 25

SETTLEMENT APPLICATION FORM

TO: Victorian WorkCover Authority

[appropriate address as set out in direction 28 as applicable]

OR

[Name of agent or self-insurer]

[address of agent or self-insurer]

I [name of worker] of [address of worker] am applying for a lump sum settlement under Subdivision 1 of Division 9 of Part 5 of the **Workplace Injury Rehabilitation and Compensation Act** ('the Act').

My claim number with the Victorian WorkCover Authority / agent /self-insurer is [insert claim number].

I received a written response from the Victorian WorkCover Authority / agent /self-insurer under section 252 of the Act in respect of my expression of interest on [specify date]. I lodged my expression of interest to the Victorian WorkCover Authority / agent/ self-insurer on [specify date].

I attach certificates from my legal and financial advisers as required by the Ministerial Directions issued under section 263 of the Act.

SIGNED by [Worker's name]

Date

Schedule 4

Direction 26

Workplace Injury Rehabilitation and Compensation Act 2013**SUBDIVISION 1 of DIVISION 9 OF PART 5****ACCEPTANCE OF SETTLEMENT OFFER RELEASE LETTER****BETWEEN:** [name of worker] of [worker's address]**AND:** the Victorian WorkCover Authority (the VWA)

[appropriate address as set out in direction 28, as applicable]

OR [name of agent or self-insurer]

[address of agent or self-insurer]

THE PARTIES ACKNOWLEDGE AND AGREE AS FOLLOWS:

In accordance with section 256 of the **Workplace Injury Rehabilitation and Compensation Act 2013** (the Act),

[worker's name] hereby accepts the VWA's / agent's / self-insurer's offer of lump sum of \$ in full settlement, under Division 9 of Part 5 of the Act, of [his/her] entitlement under the Act (other than Division 7 of Part 5) with respect to [his/her] injury. [Worker's name] claim number with the Victorian WorkCover Authority/agent/ self-insurer is [insert claim number].

The offer was made to [worker's name] in the VWA's / agent's / self-insurer's notice under section 255 of the Act of [date].

[Worker's name] fully understands that, because [he/she] has accepted this offer [he/she] is not entitled to any further compensation or other payment under the Act (other than under Division 7 of Part 5 of the Act which relates to medical and like services) or to recover damages in any proceedings against the VWA / self-insurer or an employer or any of the other persons or bodies referred to in the Act, in respect of [his/her] injury or any recurrence, aggravation, acceleration, exacerbation or deterioration of the injury (unless the recurrence, aggravation, acceleration, exacerbation or deterioration results from or is materially contributed to by any employment in the State of Victoria engaged in after the date of settlement).

[Worker's name] also fully understands that [he/she] has abandoned forever any claim (other than Division 7 of Part 5 of the Act) [he/she] has made or action [he/she] may have commenced which is incomplete for either common law damages or a lump sum payment under the Act in respect of the injury.

[Worker's name] acknowledges that [he/she] has been provided with advice on the provisions of Division 9 of Part 5 of the Act in relation to the settlement.

[Worker's name] fully understands that [his/her] acceptance of this offer may preclude or affect the payment or availability to [him/her] of Centrelink and other pensions, benefits or concessions for a period which may be substantial.

[Worker's name] fully acknowledges that [he/she] knows of:

- (a) the rights of the Commonwealth to recover any amounts owed or owing by [him/her] under the **Social Security Act 1991** of the Commonwealth; and
- (b) the possible consequent reduction by those amounts of the amount otherwise payable to [him/her] as a settlement under the **Workplace Injury Rehabilitation and Compensation Act 2013**.

SIGNED BY [worker's name]

In the presence of:

Witness:

Name:

Date:

SIGNED for and on behalf of the

VICTORIAN WORKCOVER AUTHORITY / [name of agent] / [name of self-insurer]

by

in the presence of:

Witness:

Name:

AGREEMENT FOR THE MELBOURNE CITY LINK AND AGREEMENT FOR THE
EXHIBITION STREET EXTENSION PROJECT

Notice under Schedule 4 of the Agreement for Integrating and Facilitating the Project and the Exhibition Street Extension Project between the Crown in right of the State of Victoria, CityLink Melbourne Limited, Transurban Infrastructure Management Limited and City Link Extension Pty Limited (the 'IFA') (as substituted for (and as if incorporated in lieu of) Schedule 3 of the Agreement for the Melbourne City Link between the Crown in right of the State of Victoria, CityLink Melbourne Limited and Transurban Infrastructure Management Limited (the 'Concession Deed') and Schedule 1 of the Agreement for the Exhibition Street Extension Project between the Crown in right of the State of Victoria and City Link Extension Pty Limited ('the ESEP Deed')).

CityLink Melbourne Limited (ABN 65 070 810 678) (for itself and as agent of City Link Extension Pty Limited (ABN 40 082 058 615)) ('CityLink Melbourne') gives notice of the following Charge Tolls, Maximum Charge Tolls, Day Tolls, Taxi Tolls and Taxi Day Tolls for the Melbourne City Link and the Exhibition Street Extension:

Schedule of Charge Tolls and Maximum Charge Tolls

Charge Tolls (\$/vehicle)

Category of Vehicle Tollable Section	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road	2.32	3.71	4.40	1.15
Western Link Section 1, between Racecourse Road and Dynon Road	2.32	3.71	4.40	1.15
Western Link Section 2, between Footscray Road and West Gate Freeway	2.90	4.63	5.50	1.44
Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1: (a) between Punt Road and the exit to Boulton Parade; and (b) comprising Boulton Parade	2.90	4.63	5.50	1.44
Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street	5.20	8.34	9.90	2.61
Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1: (a) between Punt Road and the exit to Boulton Parade; and (b) comprising Boulton Parade	2.32	3.71	4.40	1.15
Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street	2.32	3.71	4.40	1.15
Southern Link Section 1, between Glenferrie Road and Burnley Street	2.32	3.71	4.40	1.15
Southern Link Section 5, between Burnley Street and Glenferrie Road	2.32	3.71	4.40	1.15
Exhibition Street Extension	1.44	2.32	2.75	0.73

Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:	1.44	2.32	2.75	0.73
(a) that part of Southern Link Section 1:				
(i) between Punt Road and the exit to Boulton Parade; and				
(ii) comprising Boulton Parade; and				
(b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road				
Southern Link Section 5, between Swan Street Intersection and Punt Road	1.44	2.32	2.75	0.73

Notes:

- When travelling on Southern Link Section 1 between Burnley Street and Punt Road and then onto Batman Avenue, the Tollable Sections may be combined for the purposes of levying Tolls.
- When travelling on Southern Link Section 1 and into the Domain Tunnel, the Tollable Sections may be combined for the purposes of levying Tolls.
- A reference in the description of a Tollable Section to a part of the Southern Link between a particular street or road and Burnley Street, includes that part of the Southern Link between that particular street or road and where Burnley Street would cross the Southern Link if Burnley Street continued in a straight southerly direction from its southernmost extremity.
- In this table:
 - ‘Boulton Parade’ includes the off-ramp connecting the rest of the Southern Link to Boulton Parade;
 - ‘Burnley Tunnel’ means the eastbound tunnel between Sturt Street and Burnley Street;
 - ‘Domain Tunnel’ means the westbound tunnel between Punt Road and Sturt Street; and
 - ‘Swan Street Intersection’ means the intersection between Swan Street and Batman Avenue.

Maximum Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Total Link occurs between 6.00 am and 8.00 pm	8.69	11.57	11.57	4.34
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Total Link occurs between 8.00 pm and 6.00 am	8.69	8.69	8.69	4.34

Day Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Day Toll	16.88	27.01	32.08	8.41

Taxi Tolls (\$/Taxi)

Trip	Taxi Toll
Trips involving use of any or all of the Tollable Sections which comprise the Western Link* and no other Tollable Sections	6.00
Trips involving use of any or all of the Tollable Sections which comprise the Southern Link** and/or Exhibition Street Extension*** and no other Tollable Sections	6.00
Trips involving use of Tollable Sections which comprise both the Western Link* and either or both of the Southern Link** and the Exhibition Street Extension***	7.90

* The Western Link comprises the following three Tollable Sections:

1. Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road.
2. Western Link Section 1, between Racecourse Road and Dynon Road.
3. Western Link Section 2, between Footscray Road and West Gate Freeway.

** The Southern Link comprises the following eight Tollable Sections:

1. Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
2. Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
3. Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street.
4. Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.
5. Southern Link Section 1, between Glenferrie Road and Burnley Street.
6. Southern Link Section 5, between Burnley Street and Glenferrie Road.

7. Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:
- (a) that part of Southern Link Section 1:
- (i) between Punt Road and the exit to Boulton Parade; and
- (ii) comprising Boulton Parade; and
- (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road.
8. Southern Link Section 5, between Swan Street Intersection and Punt Road.

*** The Exhibition Street Extension comprises the following Tollable Section:

1. Exhibition Street Extension.

Taxi Day Tolls (\$/Taxi)

Taxi	Taxi Day toll
Metropolitan Taxi	16.88
A Taxi not being a Metropolitan Taxi	7.00

CityLink Melbourne intends that each Charge Toll, Maximum Charge Toll, Day Toll, Taxi Toll and Taxi Day Toll specified above will first apply in the quarter ending 30 September 2016.

Capitalised terms in this notice that are defined in:

- (a) the Concession Deed have, subject to paragraph (b), that meaning in this notice;
- (b) the ESEP Deed have that meaning in this notice, but only to the extent that the provision applies to the ESEP Deed,

subject to the provisions of the IFA.

C. M. MURPHY
Company Secretary
CityLink Melbourne Limited
(ABN 65 070 810 678)

V. E. VASSALLO
Director
CityLink Melbourne Limited
(ABN 65 070 810 678)

AGREEMENT FOR THE EXHIBITION STREET EXTENSION PROJECT

Notice under Schedule 1 of the Agreement for the Exhibition Street Extension Project between the Crown in right of the State of Victoria and City Link Extension Pty Limited (the 'ESEP Deed').

City Link Extension Pty Limited (ABN 40 082 058 615) ('Cleppo') gives notice of the following Charge Tolls for the Exhibition Street Extension:

Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tollable Section				
Exhibition Street Extension	1.44	2.32	2.75	0.73

Cleppo intends that these Charge Tolls will first apply in the quarter ending 30 September 2016.

Capitalised terms in this notice that are defined in the ESEP Deed have the same meaning as given by the ESEP Deed.

C. M. MURPHY
 Company Secretary
 City Link Extension Pty Limited
 ABN 40 082 058 615

V. E. VASSALLO
 Director
 City Link Extension Pty Limited
 ABN 40 082 058 615

AGREEMENT FOR THE MELBOURNE CITY LINK

Notice under Schedule 3 of the Agreement for the Melbourne City Link between the Crown in right of the State of Victoria, CityLink Melbourne Limited and Transurban Infrastructure Management Limited (the 'Concession Deed').

CityLink Melbourne Limited (ABN 65 070 810 678) ('CityLink Melbourne') gives notice of the following Charge Tolls, Maximum Charge Tolls, Day Tolls, Taxi Tolls and Taxi Day Tolls for the Melbourne City Link:

Charge Tolls (\$/vehicle)

Tollable Section	Category of Vehicle			
	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road	2.32	3.71	4.40	1.15
Western Link Section 1, between Racecourse Road and Dynon Road	2.32	3.71	4.40	1.15
Western Link Section 2, between Footscray Road and West Gate Freeway	2.90	4.63	5.50	1.44
Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:	2.90	4.63	5.50	1.44
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade				
Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street	5.20	8.34	9.90	2.61
Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:	2.32	3.71	4.40	1.15
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade				

Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street	2.32	3.71	4.40	1.15
Southern Link Section 1, between Glenferrie Road and Burnley Street	2.32	3.71	4.40	1.15
Southern Link Section 5, between Burnley Street and Glenferrie Road	2.32	3.71	4.40	1.15
Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:	1.44	2.32	2.75	0.73
(a) that part of Southern Link Section 1:				
(i) between Punt Road and the exit to Boulton Parade; and				
(ii) comprising Boulton Parade; and				
(b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road				
Southern Link Section 5, between Swan Street Intersection and Punt Road	1.44	2.32	2.75	0.73

Notes:

1. When travelling on Southern Link Section 1 between Burnley Street and Punt Road and then onto Batman Avenue, the Tollable Sections may be combined for the purposes of levying Tolls.
2. When travelling on Southern Link Section 1 and into the Domain Tunnel, the Tollable Sections may be combined for the purposes of levying Tolls.
3. A reference in the description of a Tollable Section to a part of the Southern Link between a particular street or road and Burnley Street, includes that part of the Southern Link between that particular street or road and where Burnley Street would cross the Southern Link if Burnley Street continued in a straight southerly direction from its southernmost extremity.
4. In this table:
 - ‘Boulton Parade’ includes the off-ramp connecting the rest of the Southern Link to Boulton Parade;
 - ‘Burnley Tunnel’ means the eastbound tunnel between Sturt Street and Burnley Street;
 - ‘Domain Tunnel’ means the westbound tunnel between Punt Road and Sturt Street; and
 - ‘Swan Street Intersection’ means the intersection between Swan Street and Batman Avenue.

Maximum Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Link occurs between 6.00 am and 8.00 pm	8.69	11.57	11.57	4.34
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Link occurs between 8.00 pm and 6.00 am	8.69	8.69	8.69	4.34

Day Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Day Toll	16.88	27.01	32.08	8.41

Taxi Tolls (\$/Taxi)

Trip	Taxi Toll
Trips involving use of any or all of the Tollable Sections which comprise the Western Link* and no other Tollable Sections	6.00
Trips involving use of any or all of the Tollable Sections which comprise the Southern Link** and no other Tollable Sections	6.00
Trips involving use of Tollable Sections which comprise both the Western Link* and the Southern Link**	7.90

* The Western Link comprises the following three Tollable Sections:

1. Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road.
2. Western Link Section 1, between Racecourse Road and Dynon Road.
3. Western Link Section 2, between Footscray Road and West Gate Freeway.

** The Southern Link comprises the following eight Tollable Sections:

1. Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.

2. Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
3. Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street.
4. Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.
5. Southern Link Section 1, between Glenferrie Road and Burnley Street.
6. Southern Link Section 5, between Burnley Street and Glenferrie Road.
7. Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:
 - (a) that part of Southern Link Section 1:
 - (i) between Punt Road and the exit to Boulton Parade; and
 - (ii) comprising Boulton Parade; and
 - (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road.
8. Southern Link Section 5, between Swan Street Intersection and Punt Road.

Taxi Day Tolls (\$/Taxi)

Taxi	Taxi Day toll
Metropolitan Taxi	16.88
A Taxi not being a Metropolitan Taxi	7.00

CityLink Melbourne intends that each Charge Toll, Maximum Charge Toll, Day Toll, Taxi Toll and Taxi Day Toll specified above will first apply in the quarter ending 30 September 2016.

Capitalised terms in this notice that are defined in the Concession Deed have the same meaning as given by the Concession Deed.

C. M. MURPHY
 Company Secretary
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

V. E. VASSALLO
 Director
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

Melbourne City Link Act 1995

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), CityLink Melbourne Limited ABN 65 070 810 678 (the relevant corporation in relation to the Link road) hereby fixes tolls which are payable in respect of the use of vehicles (as set out herein) on toll zones on the Link road.

For the purposes of this Notice, the following definitions apply:

Boulton Parade includes the off-ramp connecting the rest of the Link road to Boulton Parade;

Burnley Tunnel means the eastbound tunnel between Sturt Street and Burnley Street;

Bus is a Motor Vehicle having more than 12 seating positions (including that of the driver);

Car is a Motor Vehicle, other than:

- (a) a Motor Cycle;
- (b) a Light Commercial Vehicle;
- (c) a Heavy Commercial Vehicle; or
- (d) a Taxi;

even if such a Motor Vehicle is towing a trailer or caravan;

Domain Tunnel means the westbound tunnel between Punt Road and Sturt Street;

Full Link road is the road included within both the Link road and the Extension road;

Full Link Taxi Trip is a Trip by a Taxi on:

- (a) one or more of the toll zones described in this Notice as toll zones 1, 2 and 3; and
- (b) one or more of the toll zones described in this Notice as toll zones 4, 5, 6, 7, 8, 9, 10 and 11;

Half Link Taxi Trip is a Trip by a Taxi on:

- (a) one or more of the toll zones described in this Notice as toll zones 1, 2 and 3; or
- (b) one or more of the toll zones described in this Notice as toll zones 4, 5, 6, 7, 8, 9, 10 and 11, and no other toll zone;

Heavy Commercial Vehicle or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two-axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

Light Commercial Vehicle or **LCV** is a Motor Vehicle, other than a Taxi, which is a two-axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

Motor Cycle is a two-wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

Motor Vehicle is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheelchair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

Swan Street Intersection means the intersection between Swan Street and Batman Avenue;

Taxi is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

the Agreement has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

Trip is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, the interruption consists only of travel directly between:
 - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
 - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

Truck is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes; and

vehicle has the same meaning as in the Act.

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on toll zones on the Link road, where those vehicles are a Car, a LCV, a HCV or a Motor Cycle:

Table One					
Toll Zone		Toll			
		Car	LCV	HCV	Motor Cycle
1.	That part of the Link road between Moreland Road and Brunswick Road.	\$2.32	\$3.71	\$4.40	\$1.15
2.	That part of the Link road between Racecourse Road and Dynon Road.	\$2.32	\$3.71	\$4.40	\$1.15
3.	That part of the Link road between Footscray Road and the West Gate Freeway.	\$2.90	\$4.63	\$5.50	\$1.44
4.	That part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of the Link road – <ul style="list-style-type: none"> (a) being the eastbound carriageways of the Link road; (b) between Punt Road and the exit to Boulton Parade; and (c) comprising Boulton Parade. 	\$2.90	\$4.63	\$5.50	\$1.44
5.	That part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	\$5.20	\$8.34	\$9.90	\$2.61
6.	That part of the Link road being the eastbound carriageways between Punt Road and Burnley Street other than that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	\$2.32	\$3.71	\$4.40	\$1.15

<p>7. That part of the Link road between Burnley Street and Punt Road and including that part of the Link road –</p> <p>(a) between Punt Road and the exit to Boulton Parade, other than the eastbound carriageways; and</p> <p>(b) comprising Boulton Parade, other than:</p> <p>(i) the eastbound carriageways between Burnley Street and Punt Road; and</p> <p>(ii) that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.</p>	\$2.32	\$3.71	\$4.40	\$1.15
<p>8. That part of the Link road being the eastbound carriageways between Burnley Street and Glenferrie Road.</p>	\$2.32	\$3.71	\$4.40	\$1.15
<p>9. That part of the Link road between Glenferrie Road and Burnley Street, other than the eastbound carriageways.</p>	\$2.32	\$3.71	\$4.40	\$1.15
<p>10. That part of the Link road being the eastbound carriageways between Swan Street Intersection and Punt Road, other than –</p> <p>(a) that part of the Link road being the Burnley Tunnel; and</p> <p>(b) that part of the Link road comprising Boulton Parade.</p>	\$1.44	\$2.32	\$2.75	\$0.73
<p>11. That part of the Link road between Punt Road and Swan Street Intersection, other than-</p> <p>(a) the eastbound carriageways;</p> <p>(b) that part of the Link road being the Burnley Tunnel;</p> <p>(c) that part of the Link road:</p> <p>(1) between Punt Road and the exit to Boulton Parade; and</p> <p>(2) comprising Boulton Parade; and</p> <p>(d) that part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road.</p>	\$1.44	\$2.32	\$2.75	\$0.73

For the avoidance of doubt, a reference in this Notice to the specification of a toll zone by reference to Burnley Street refers to that point on the Link road where Burnley Street would cross the Link road if Burnley Street continued in a straight southerly direction from its southernmost extremity. For the avoidance of doubt, a reference in this Notice to 'eastbound' means in a general easterly direction from the eastern end of the West Gate Freeway towards Glenferrie Road.

Notwithstanding anything to the contrary in Table One, under section 71(1)(b) of the Act and in accordance with the Agreement, the maximum tolls payable in respect of the use of a vehicle on a toll zone on the Link road where that vehicle is a Car, a LCV, a HCV or a Motor Cycle for a Trip are as listed in Table Two:

Table Two				
Trip Cap	Toll			
	Car	LCV	HCV	Motor Cycle
1. Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 6 am and 8 pm on the same day.	\$8.69	\$11.57	\$11.57	\$4.34
2. Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 8 pm on the one day and 6 am on the next.	\$8.69	\$8.69	\$8.69	\$4.34

Under Section 71(1)(b) of the Act, and in accordance with the Agreement, the tolls listed in Table Three are payable in respect of the use of vehicles on toll zones on the Link road where those vehicles are Taxis:

Table Three	
Taxis	Toll
Each Half Link Taxi Trip	\$6.00
Each Full Link Taxi Trip	\$7.90

For the avoidance of doubt, this Notice does not set Charge Tolls, Maximum Charge Tolls or Taxi Tolls for the purposes of Schedule 3 (the Toll Calculation Schedule) of the Agreement, or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 3 March 2016 and published in the Victoria Government Gazette No. G 10 (pages 416 to 420), dated 10 March 2016 ('the Last Notice').

This notice takes effect on 1 July 2016 and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;

- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 3 June 2016

C. M. MURPHY
Company Secretary
CityLink Melbourne Limited
(ABN 65 070 810 678)

V. E. VASSALLO
Director
CityLink Melbourne Limited
(ABN 65 070 810 678)

Melbourne City Link Act 1995

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), City Link Extension Pty Limited ABN 40 082 058 615 (the relevant corporation in relation to the Extension road) hereby fixes tolls which are payable in respect of the use of vehicles (as set out herein) on the toll zone on the Extension road.

For the purposes of this Notice, the following definitions apply:

Bus is a Motor Vehicle having more than 12 seating positions (including that of the driver);

Car is a Motor Vehicle, other than:

- (a) a Motor Cycle;
- (b) a Light Commercial Vehicle;
- (c) a Heavy Commercial Vehicle; or
- (d) a Taxi;

even if such a Motor Vehicle is towing a trailer or caravan;

Heavy Commercial Vehicle or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two-axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

Light Commercial Vehicle or **LCV** is a Motor Vehicle, other than a Taxi, which is a two-axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

Motor Cycle is a two-wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

Motor Vehicle is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheelchair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

Taxi is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

the Extension Agreement has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

Truck is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes; and

vehicle has the same meaning as in the Act.

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on the toll zone on the Extension road, where those vehicles are a Car, a LCV, a HCV or a Motor Cycle:

Table One				
Toll Zone	Toll			
	Car	LCV	HCV	Motor Cycle
12. The Extension road	\$1.44	\$2.32	\$2.75	\$0.73

For the avoidance of doubt, this Notice does not set Charge Tolls for the purposes of Schedule 1 (the Toll Calculation Schedule) of the Extension Agreement, or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 3 March 2016 and published in the Victoria Government Gazette No. G 10 (pages 421 to 422), dated 10 March 2016 ('the Last Notice').

This Notice takes effect on 1 July 2016, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 3 June 2016

C. M. MURPHY
Company Secretary
City Link Extension Pty Limited
(ABN 40 082 058 615)

V. E. VASSALLO
Director
City Link Extension Pty Limited
(ABN 40 082 058 615)

Melbourne City Link Act 1995

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), CityLink Melbourne Limited ABN 65 070 810 678 (the relevant corporation in relation to the Link road) ('CityLink Melbourne') hereby fixes tolls which are payable in respect of the use of vehicles on toll zones on the Link road where those vehicles are the subject of a CityLink Pass for that use.

For the purposes of this Notice, the following definitions apply:

Bus is a Motor Vehicle having more than 12 seating positions (including that of the driver);

Car is a Motor Vehicle, other than a Motor Cycle, a Light Commercial Vehicle, a Heavy Commercial Vehicle or a Taxi even if such a Motor Vehicle is towing a trailer or caravan;

CityLink Pass is a 24 Hour Pass, a Tulla Pass or a Weekend Pass;

Full Link road is the road included within both the Link road and the Extension road;

Heavy Commercial Vehicle or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two-axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

Light Commercial Vehicle or **LCV** is a Motor Vehicle, other than a Taxi, which is a two-axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

Motor Cycle is a two-wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

Motor Vehicle is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheelchair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

Taxi is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

the Agreement has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

Trip is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, consists only of travel directly between:
 - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
 - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

Truck is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes;

Tulla Pass is an agreement with CityLink Melbourne for CityLink Melbourne to register a Car, Light Commercial Vehicle or Motor Cycle under Part 4 of the Act for use only on that part of the Link road being the Tullamarine Freeway Upgrade, between Bulla Road and Flemington Road including the toll zone between Moreland Road and Brunswick Road, for a fixed 24 hour period commencing at the time of the first Tulla Trip by that Car, Light Commercial Vehicle or Motor Cycle on a specified day;

Tulla Trip is the passage of a Car, Light Commercial Vehicle or Motor Cycle on that part of the Link road being the toll zone between Moreland Road and Brunswick Road;

24 Hour Pass is an agreement with CityLink Melbourne to register a vehicle (other than a Taxi) under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed 24 hour period commencing at the time of the first Trip by the vehicle on a specified day;

vehicle has the same meaning as in the Act; and

Weekend Pass is an agreement with CityLink Melbourne to register a Car, Light Commercial Vehicle or Motor Cycle under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed period commencing at 12.00 pm on the Friday immediately before a specified Saturday and ending at midnight on the Sunday immediately following that specified Saturday. The fact that CityLink Melbourne also registers a Car, Light Commercial Vehicle or Motor Cycle for an additional period at no extra charge does not prevent the agreement from being a Weekend Pass.

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on toll zones on the Link road where the vehicle is the subject of a 24 Hour Pass for that use.

Table One				
24 Hour Pass	Toll			
	Car	LCV	HCV	Motor Cycle
	\$16.88	\$27.01	\$32.08	\$8.41

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table Two are payable in respect of the use of vehicles on toll zones on the Link road where the vehicle is the subject of a Weekend Pass for that use.

Table Two			
Weekend Pass	Toll		
	Car	LCV	Motor Cycle
	\$16.88	\$27.01	\$8.41

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table Three are payable in respect of the use of Cars, Light Commercial Vehicles or Motor Cycles on the toll zone, consisting of that part of the Link road between Moreland Road and Brunswick Road, where the Car, Light Commercial Vehicle or Motor Cycle is the subject of a Tulla Pass for that use.

Table Three			
Tulla Pass	Toll		
	Car	LCV	Motor Cycle
	\$6.01	\$9.61	\$2.98

For the avoidance of doubt, this Notice does not set Charge Tolls or Day Tolls for the purpose of Schedule 3 (the Toll Calculation Schedule) of the Agreement or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 3 March 2016 and published in the Victoria Government Gazette No. G 10 (pages 423 to 425), dated 10 March 2016 ('the Last Notice').

This Notice takes effect on 1 July 2016, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 3 June 2016

C. M. MURPHY
Company Secretary
CityLink Melbourne Limited
(ABN 65 070 810 678)

V. E. VASSALLO
Director
CityLink Melbourne Limited
(ABN 65 070 810 678)

Melbourne City Link Act 1995

NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ('the Act'), City Link Extension Pty Limited ABN 40 082 058 615 (the relevant corporation in relation to the Extension road) hereby fixes tolls which are payable in respect of the use of vehicles on the toll zone on the Extension road where those vehicles are the subject of a CityLink Pass for that use.

For the purposes of this Notice, the following definitions apply:

Bus is a Motor Vehicle having more than 12 seating positions (including that of the driver);

Car is a Motor Vehicle, other than a Motor Cycle, a Light Commercial Vehicle, a Heavy Commercial Vehicle or a Taxi even if such a Motor Vehicle is towing a trailer or caravan;

CityLink is CityLink Melbourne Limited ABN 65 070 810 678, the relevant corporation for the purposes of section 73C of the Act;

CityLink Pass is a 24 Hour Pass or a Weekend Pass;

Full Link road is the road included within both the Link road and the Extension road;

Heavy Commercial Vehicle or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two-axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

Light Commercial Vehicle or **LCV** is a Motor Vehicle, other than a Taxi, which is a two-axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

Motor Cycle is a two-wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

Motor Vehicle is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheelchair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

Taxi is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

the Extension Agreement has the same meaning as in the Act;

the Integration and Facilitation Agreement has the same meaning as in the Act;

Trip is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, consists only of travel directly between:
 - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
 - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

Truck is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes;

24 Hour Pass is an agreement with CityLink to register a vehicle (other than a Taxi) under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed 24 hour period commencing at the time of the first Trip by the vehicle on a specified day;

vehicle has the same meaning as in the Act; and

Weekend Pass is an agreement with CityLink to register a Car, Light Commercial Vehicle or Motor Cycle under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed period commencing at 12.00 pm on the Friday immediately before a specified Saturday and ending at midnight on the Sunday immediately following that specified Saturday. The fact that CityLink also registers that Car, Light Commercial Vehicle or Motor Cycle for an additional period at no extra charge does not prevent the agreement from being a Weekend Pass.

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on the toll zone on the Extension road where the vehicle is the subject of a 24 Hour Pass for that use.

Table One				
24 Hour Pass	Toll			
	Car	LCV	HCV	Motor Cycle
	\$16.88	\$27.01	\$32.08	\$8.41

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table Two are payable in respect of the use of vehicles on the toll zone on the Extension road where the vehicle is the subject of a Weekend Pass for that use.

Table Two			
Weekend Pass	Toll		
	Car	LCV	Motor Cycle
	\$16.88	\$27.01	\$8.41

For the avoidance of doubt, this Notice does not set Charge Tolls or Day Tolls for the purpose of Schedule 1 (the Toll Calculation Schedule) of the Extension Agreement or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 3 March 2016 and published in the Victoria Government Gazette No. G 10 (pages 426 to 428), dated 10 March 2016 ('the Last Notice').

This Notice takes effect on 1 July 2016, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 3 June 2016

C. M. MURPHY
Company Secretary
City Link Extension Pty Limited
(ABN 40 082 058 615)

V. E. VASSALLO
Director
City Link Extension Pty Limited
(ABN 40 082 058 615)

Melbourne City Link Act 1995

NOTICE UNDER SECTION 71(1A)

Under section 71(1A) of the **Melbourne City Link Act 1995** ('the Act'), CityLink Melbourne Limited ABN 65 070 810 678 (the relevant corporation in relation to the Link road and the Extension Road) hereby fixes Toll Administration Fees which are payable to it and specifies the circumstances in which they are payable.

For the purposes of this Notice, the following definitions apply:

Addressee means the person named on a Request for Payment or Further Request for Payment.

Extension road has the same meaning as in the Act.

Further Request for Payment means a further Request for Payment sent to an Addressee following the sending of a Request for Payment to that Addressee in relation to any or all of the Trips the subject of that Request for Payment.

Link road has the same meaning as in the Act.

Request for Payment means, in relation to a Trip or Trips, a request for payment of the tolls in respect of that Trip or Trips (as the case may be) and the Toll Administration Fee, within the meaning of section 77(1)(a) or sections 77(1)(b) and 78(1) of the Act (as the case may be).

the Agreement has the same meaning as in the Act.

the Extension Agreement has the same meaning as in the Act.

the Integration and Facilitation Agreement has the same meaning as in the Act;

Toll Administration Fee means a toll administration fee within the meaning of section 71(1A) of the Act.

Trip is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, the interruption consists only of travel directly between:
 - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
 - (ii) that part of the Link road between Sturt Street and Glenferrie Road.

vehicle has the same meaning as in the Act.

Under section 71(1A) of the Act and in accordance with the Agreement or the Extension Agreement (as the case requires):

- (a) a Toll Administration Fee of \$12.14 is payable when a Request for Payment is sent to an Addressee; and
- (b) a Toll Administration Fee of \$23.98 is payable when a Further Request for Payment is sent to an Addressee.

This notice is also a notice for the purposes of:

- (a) schedule 3 of the Agreement;
- (b) schedule 1 of the Extension Agreement and in that capacity is given by CityLink Melbourne Limited as agent for City Link Extension Pty Limited (ABN 40 082 058 615); and
- (c) schedule 4 of the Integration and Facilitation Agreement and in that capacity is given by CityLink Melbourne Limited for itself and as agent for City Link Extension Pty Limited.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1A) dated 19 June 2015 and published in the Victoria Government Gazette No. S 162 (pages 24 to 25), dated 22 June 2015 ('the Last Notice').

This notice takes effect on 1 July 2016 and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

Dated 3 June 2016

C. M. MURPHY
Company Secretary
CityLink Melbourne Limited
(ABN 65 070 810 678)

V. E. VASSALLO
Director
CityLink Melbourne Limited
(ABN 65 070 810 678)

Planning and Environment Act 1987

ALPINE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C39

The Minister for Planning has approved Amendment C39 to the Alpine Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment replaces the existing Municipal Strategic Statement (Clauses 21.00 to 21.05, inclusive) and the existing local planning policies (Clauses 22.01 to 22.02, inclusive). The Amendment inserts new Clauses 21.06 Infrastructure, 21.07 Local Areas, 21.08 Reference documents, 22.03 Economic activity and 22.04 Infrastructure.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Alpine Shire Council, Bright Office, 2 Churchill Avenue, Bright, Victoria 3741.

RACHAEL JOINER
Director

Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

GLENELG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C88

The Minister for Planning has approved Amendment C88 to the Glenelg Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment alters the planning scheme maps and the Schedule to the Heritage Overlay so that the Glenelg Planning Scheme is consistent with the Victorian Heritage Register.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the Glenelg Shire Council, Cliff Street, Portland.

RACHAEL JOINER
Director

Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment C334

The Minister for Planning has approved Amendment C334 to the Greater Geelong Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment implements the recommendations of the 'Incremental Change Area Review 2015' by rezoning land within the identified 'garden character' areas at Bell Post Hill, North Geelong, Point Lonsdale and Newcomb, from General Residential Zone Schedule 1 to General Residential Zone Schedule 2. The Amendment also amends Clause 21.06 to remove the further work requirement to review the implementation of areas identified for incremental change in the 'Housing Diversity Strategy'.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Greater Geelong City Council, 100 Brougham Street, Geelong.

RACHAEL JOINER
Director
Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987
GREATER SHEPPARTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C191

The Minister for Planning has approved Amendment C191 to the Greater Shepparton Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment alters the planning scheme maps and the Schedule to the Heritage Overlay so that the Greater Shepparton Planning Scheme is consistent with the Victorian Heritage Register.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at Greater Shepparton City Council, 90 Welsford Street, Shepparton, Victoria 3630.

RACHAEL JOINER
Director
Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C89

The Minister for Planning has approved Amendment C89 to the Latrobe Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment rezones part of the land at 145 Traralgon–Maffra Road, Traralgon, from General Residential Zone Schedule 1 to the Commercial 1 Zone (C1Z); applies maximum floor space areas of 4500 sqm and 990 sqm for shop and office, respectively in the Schedule to the C1Z; and amends Clause 21.05, including the Traralgon Structure Plan, to support the development of a neighbourhood activity centre.

The Minister has granted the following permit under Division Five Part Four of the Act:

Permit No.	Description of land
2015/113	Part of 145 Traralgon–Maffra Road, Traralgon (part Lot A on PS7299261)

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Latrobe City Council, 141 Commercial Road, Morwell.

RACHAEL JOINER
Director

Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C95

The Minister for Planning has approved Amendment C95 to the Wellington Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

Amendment C95 implements recommendations of the ‘Port Albert Rural Residential Lifestyle Lots Review, December 2014’ and ‘Port Albert Planning Controls Review, June 2014’ by rezoning nominated land to the Rural Living Zone, Low Density Residential Zone and Rural Activity Zone, and making associated changes to Clause 21.12 (Coastal Areas Strategic Framework) and Schedule 9 to Clause 43.02 Design and Development Overlay (Port Albert and Palmerston).

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Wellington Shire Council, 18 Desailly Street, Sale, Victoria 3850.

RACHAEL JOINER
Director

Planning Services and Impact Assessment
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

CORRIGENDUM

Mansfield Planning Scheme

Amendment C33

In Government Gazette No. G 21, dated 26 May 2016 on page 1267 under the Notice headed **Planning and Environment Act 1987**, MANSFIELD PLANNING SCHEME, Notice of Approval of Amendment, Amendment C33, the notice should read 'The Amendment rezones land at 342 Dead Horse Lane, Mansfield (Crown Allotment 23H) and part of Crown Allotment 23B from Public Use Zone 6 to Rural Living Zone (Schedule 1) to reflect the private ownership of the land and applies the Environmental Audit Overlay to Crown Allotment 23H to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.'

RACHAEL JOINER

Director

Planning Services and Impact Assessment

Department of Environment, Land, Water and Planning

ORDERS IN COUNCIL**Administrative Arrangements Act 1983**

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 222) 2016

The Governor in Council makes the following Order:

Dated 7 June 2016

Responsible Minister:

THE HON JAMES MERLINO MP

Acting Premier

ANDREW ROBINSON
Clerk of the Executive Council

1. Title

This Order is called the Administrative Arrangements Order (No. 222) 2016.

2. Authorising provision

This Order is made under section 3 of the **Administrative Arrangements Act 1983**.

3. Commencement

- (1) Subject to subclauses (2) and (3), this Order takes effect on 23 May 2016.
- (2) This Order, as it applies to or in respect of an item in Table 2 of the Schedule takes effect on 1 June 2016.
- (3) This Order, as it applies to or in respect of an item in Table 3 of the Schedule takes effect on 1 July 2016.

4. Definitions

In this Order –

‘**Body**’ means Minister, Department or officer;

‘**instrument**’ includes contract and agreement;

‘**international education**’ includes: –

- (a) providing and promoting Victorian education services to overseas students; and
- (b) promoting overseas study to Victorian students;

‘**New Body**’ means a Body specified in Column 3 of an item in Table 1, Table 2 or Table 3 of the Schedule;

‘**Old Body**’ means a Body specified in Column 1 of an item in Table 1, Table 2 or Table 3 of the Schedule;

‘**Schedule**’ means the Schedule to this Order;

‘**transaction**’ includes –

- (a) agreement, bond, contract, deed or other consensual arrangement; and
- (b) action, appeal, arbitration, prosecution or other legal proceeding; and
- (c) assignment, charge, lease, mortgage, transfer or other dealing with property; and
- (d) loan, guarantee, indemnity or other dealing with money; and
- (e) approval, consent, delegation, direction, licence, order, permit, requirement or other authority; and
- (f) notice; and
- (g) any other act, entitlement or liability at law.

5. Construction of references

In respect of each item in a Table of the Schedule, a reference to an Old Body –

- (a) in a provision of an Act specified in Column 2 of an item in Table 1, Table 2 or Table 3 of the Schedule; or

- (b) in a statutory instrument or other instrument made under an Act specified in Column 2 of an item in Table 1, Table 2 or Table 3 of the Schedule; or
- (c) in respect of any other matter or thing done under a provision of an Act specified in Column 2 of an item in Table 1, Table 2 or Table 3 of the Schedule; or
- (d) in an instrument specified in Column 2 of an item in Table 1, Table 2 or Table 3 of the Schedule –

is taken to be a reference to the New Body.

6. **Saving of existing transactions**

If a transaction happened in relation to an Old Body before this Order takes effect –

- (a) the transaction shall continue in the same way as it would have continued if this Order had not been made; and
- (b) the transaction may be given effect to, or enforced or completed, by or in relation to the New Body in the same way as it would have been given effect to, or enforced or completed, by or in relation to the Old Body if this Order had not been made.

7. **Keeping financial accounts and reports**

- (1) The Secretary, Department of Environment, Land Water and Planning must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** for the period commencing 1 July 2015 and ending on 31 May 2016 in respect of a function under an Act specified in item 1, 2, 3, 4, 5 or 6 in Table 2 of the Schedule that is transferred to the Secretary, Department of Economic Development, Jobs, Transport and Resources as if the function had not been transferred.
- (2) The Secretary, Department of Education and Training must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** for the period commencing 1 July 2015 and ending on 31 May 2016 in respect of a function under an Act specified in item 7, 8, 9 or 10 in Table 2 of the Schedule that is transferred to the Secretary, Department of Economic Development, Jobs, Transport and Resources as if the function had not been transferred.
- (3) The Secretary, Department of Economic Development, Jobs, Transport and Resources must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** for the period commencing 1 July 2015 and ending on 30 June 2016 in respect of a function under an Act specified in item 1 or 2 in Table 3 of the Schedule that is transferred to the Secretary, Department of Environment, Land, Water and Planning as if the function had not been transferred.

8. **Providing financial accounts and reports**

A Secretary to a Department to which a function is transferred must, if requested by a Secretary to a Department who is an Old Body, provide that Old Body with any financial accounts and records or other information required to enable the Old Body to comply with clause 7.

SCHEDULE TO THE ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 222) 2016**Table 1**

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Minister for Employment	<p>Project Development and Construction Management Act 1994 –</p> <ul style="list-style-type: none"> ● A nomination order, made by the Governor in Council under section 6, that is in force immediately before the date on which this Order takes effect ● Section 47(2) and section 77 ● Part 5A, except to the extent that it relates to the exercise of powers and functions under Part 9A of the Planning and Environment Act 1987 ● Parts 8, 9 and 10 	Minister for Major Projects
2.	Minister for Employment	<p>Project Development and Construction Management Act 1994 –</p> <ul style="list-style-type: none"> ● Section 11 in so far as it relates to a nominated project for which the Secretary referred to in Part 5A is the facilitating agency 	Minister for Major Projects, Premier, or both
3.	Minister for Planning	Docklands Act 1991	Minister for Major Projects
4.	Minister for Planning	<p>Urban Renewal Authority Victoria Act 2003 –</p> <ul style="list-style-type: none"> ● Division 2 of Part 2, Part 3 (except section 51B(5)), Part 6 and Part 7 (in so far as these provisions relate to the exercise of powers in respect of land included within the municipal districts of Cardinia Shire Council, Casey City Council, Hume City Council, Melton City Council, Mitchell Shire Council, Mornington Peninsula Shire Council, Nillumbik Shire Council, Whittlesea City Council, Wyndham City Council and Yarra Ranges Shire Council) 	Minister for Major Projects, Minister for Suburban Development, or both
5.	Minister for Planning	<p>Urban Renewal Authority Victoria Act 2003 – Except</p> <ul style="list-style-type: none"> ● Division 2 of Part 2, Part 3 (except section 51B(5)), Part 6 and Part 7 (in so far as these provisions relate to the exercise of powers in respect of land included within the municipal districts of Cardinia Shire Council, Casey City Council, Hume City Council, Melton City Council, Mitchell Shire Council, Mornington Peninsula Shire Council, Nillumbik Shire Council, Whittlesea City Council, Wyndham City Council and Yarra Ranges Shire Council) 	Minister for Major Projects

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
6.	Minister for Public Transport	Transport Integration Act 2010 – <ul style="list-style-type: none"> • Any instrument entered into or made by Victorian Rail Track pursuant to its development powers under Part 6, Division 1 	Minister for Public Transport, Minister for Major Projects, or both
7.	Minister for Environment, Climate Change and Water	All Acts – Except: Catchment and Land Protection Act 1994 Conservation, Forests and Lands Act 1987 – <ul style="list-style-type: none"> • In so far as it relates to the exercise of powers for the purposes of the Catchment and Land Protection Act 1994 Groundwater (Border Agreement) Act 1985 Murray–Darling Basin Act 1993 State Owned Enterprises Act 1992 – <ul style="list-style-type: none"> • Division 2 of Part 2 in so far as it relates to the Water Training Centre Water Act 1989 Water (Commonwealth Powers) Act 2008 Water Efficiency Labelling and Standards Act 2005 Water Industry Act 1994 – Except: <ul style="list-style-type: none"> • Parts 4, 4A, 7 and 8 	Minister for Energy, Environment and Climate Change
8.	Minister for Environment, Climate Change and Water	Groundwater (Border Agreement) Act 1985 Murray–Darling Basin Act 1993 State Owned Enterprises Act 1992 – <ul style="list-style-type: none"> • Division 2 of Part 2 in so far as it relates to the Water Training Centre Water Act 1989 Water (Commonwealth Powers) Act 2008 Water Efficiency Labelling and Standards Act 2005 Water Industry Act 1994 – Except: <ul style="list-style-type: none"> • Parts 4, 4A, 7 and 8 	Minister for Water
9.	Minister for Environment, Climate Change and Water	Catchment and Land Protection Act 1994 Conservation, Forests and Lands Act 1987 – <ul style="list-style-type: none"> • In so far as it relates to the exercise of powers for the purposes of the Catchment and Land Protection Act 1994 Water Industry Act 1994 – <ul style="list-style-type: none"> • Section 184 	Minister for Energy, Environment and Climate Change, Minister for Water, or both
10.	Minister for Education	Education and Training Reform Act 2006 – <ul style="list-style-type: none"> • In so far as it relates to international education 	Minister for Education, Minister for International Education, or both

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
11.	Minister for Training and Skills	Education and Training Reform Act 2006 – <ul style="list-style-type: none"> ● In so far as it relates to international education 	Minister for International Education, or Minister for Training and Skills, or both
12.	Minister for Education, Minister for Training and Skills, or both	Education and Training Reform Act 2006 – <ul style="list-style-type: none"> ● In so far as it relates to international education 	Minister for Education, Minister for Training and Skills, Minister for International Education, or any combination of them
13.	Minister for Training and Skills	Federation University Australia Act 2010 – <ul style="list-style-type: none"> ● In so far as it relates to international education La Trobe University Act 2009 – <ul style="list-style-type: none"> ● In so far as it relates to international education Marcus Oldham College Act 1995 – <ul style="list-style-type: none"> ● In so far as it relates to international education Melbourne College of Divinity Act 1910 – <ul style="list-style-type: none"> ● In so far as it relates to international education Monash University Act 2009 – <ul style="list-style-type: none"> ● In so far as it relates to international education Royal Melbourne Institute of Technology Act 2010 – <ul style="list-style-type: none"> ● In so far as it relates to international education Swinburne University of Technology Act 2010 – <ul style="list-style-type: none"> ● In so far as it relates to international education University of Melbourne Act 2009 – <ul style="list-style-type: none"> ● In so far as it relates to international education Victorian College of Agriculture and Horticulture Act 1982 – <ul style="list-style-type: none"> ● In so far as it relates to international education Victoria University Act 2010 – <ul style="list-style-type: none"> ● In so far as it relates to international education 	Minister for International Education and Minister for Training and Skills

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
14.	Minister for Energy and Resources	Electricity Industry Act 2000 Electricity Safety Act 1998 Energy Safe Victoria Act 2005 Fuel Emergency Act 1977 Gas Industry Act 2001 Gas Safety Act 1997 National Electricity (Victoria) Act 2005 National Gas (Victoria) Act 2008 Pipelines Act 2005 State Electricity Commission Act 1958 – <ul style="list-style-type: none"> • Section 107 Victorian Energy Efficiency Target Act 2007 Victorian Renewable Energy Act 2006	Minister for Energy, Environment and Climate Change
15.	Minister for Energy and Resources	Extractive Industries (Lysterfield) Act 1986 Geothermal Energy Resources Act 2005 Greenhouse Gas Geological Sequestration Act 2008 Mineral Resources (Sustainable Development) Act 1990 Mines (Aluminium Agreement) Act 1961 Nuclear Activities (Prohibitions) Act 1983 Offshore Petroleum and Greenhouse Gas Storage Act 2010 Petroleum Act 1998 Underseas Mineral Resources Act 1963	Minister for Resources
16.	Minister for Employment	Child Employment Act 2003	Minister for Industry and Employment

Table 2

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Department of Environment, Land, Water and Planning	Docklands Act 1991	Department of Economic Development, Jobs, Transport and Resources
2.	Secretary, Department of Environment, Land, Water and Planning	Docklands Act 1991	Secretary, Department of Economic Development, Jobs, Transport and Resources
3.	Department of Environment, Land, Water and Planning	Urban Renewal Authority Victoria Act 2003 – <ul style="list-style-type: none"> Division 2 of Part 2, Part 3 (except section 51B(5)), Part 6 and Part 7 (in so far as these provisions relate to the exercise of powers in respect of land included within the municipal districts of Cardinia Shire Council, Casey City Council, Hume City Council, Melton City Council, Mitchell Shire Council, Mornington Peninsula Shire Council, Nillumbik Shire Council, Whittlesea City Council, Wyndham City Council and Yarra Ranges Shire Council) 	Department of Economic Development, Jobs, Transport and Resources, Department of Environment, Land, Water and Planning, or both
4.	Secretary, Department of Environment, Land, Water and Planning	Urban Renewal Authority Victoria Act 2003 – <ul style="list-style-type: none"> Division 2 of Part 2, Part 3 (except section 51B(5)), Part 6 and Part 7 (in so far as these provisions relate to the exercise of powers in respect of land included within the municipal districts of Cardinia Shire Council, Casey City Council, Hume City Council, Melton City Council, Mitchell Shire Council, Mornington Peninsula Shire Council, Nillumbik Shire Council, Whittlesea City Council, Wyndham City Council and Yarra Ranges Shire Council) 	Secretary, Department of Economic Development, Jobs, Transport and Resources, Secretary, Department of Environment, Land, Water and Planning, or both
5.	Department of Environment, Land, Water and Planning	Urban Renewal Authority Victoria Act 2003 – Except <ul style="list-style-type: none"> Division 2 of Part 2, Part 3 (except section 51B(5)), Part 6 and Part 7 (in so far as these provisions relate to the exercise of powers in respect of land included within the municipal districts of Cardinia Shire Council, Casey City Council, Hume City Council, Melton City Council, Mitchell Shire Council, Mornington Peninsula Shire Council, Nillumbik Shire Council, Whittlesea City Council, Wyndham City Council and Yarra Ranges Shire Council) 	Department of Economic Development, Jobs, Transport and Resources

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
6.	Secretary, Department of Environment, Land, Water and Planning	Urban Renewal Authority Victoria Act 2003 – Except <ul style="list-style-type: none"> • Division 2 of Part 2, Part 3 (except section 51B(5)), Part 6 and Part 7 (in so far as these provisions relate to the exercise of powers in respect of land included within the municipal districts of Cardinia Shire Council, Casey City Council, Hume City Council, Melton City Council, Mitchell Shire Council, Mornington Peninsula Shire Council, Nillumbik Shire Council, Whittlesea City Council, Wyndham City Council and Yarra Ranges Shire Council) 	Secretary, Department of Economic Development, Jobs, Transport and Resources
7.	Department of Education and Training	Education and Training Reform Act 2006 – <ul style="list-style-type: none"> • In so far as it relates to international education 	Department of Economic Development, Jobs, Transport and Resources and Department of Education and Training
8.	Secretary, Department of Education and Training	Education and Training Reform Act 2006 – <ul style="list-style-type: none"> • In so far as it relates to international education 	Secretary, Department of Economic Development, Jobs, Transport and Resources and Secretary, Department of Education and Training

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
9.	Department of Education and Training	<p>Federation University Australia Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>La Trobe University Act 2009 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Marcus Oldham College Act 1995 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Melbourne College of Divinity Act 1910 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Monash University Act 2009 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Royal Melbourne Institute of Technology Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Swinburne University of Technology Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>University of Melbourne Act 2009 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Victorian College of Agriculture and Horticulture Act 1982 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Victoria University Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education 	Department of Economic Development, Jobs, Transport and Resources and Department of Education and Training

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
10.	Secretary, Department of Education and Training	<p>Federation University Australia Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>La Trobe University Act 2009 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Marcus Oldham College Act 1995 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Melbourne College of Divinity Act 1910 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Monash University Act 2009 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Royal Melbourne Institute of Technology Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Swinburne University of Technology Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>University of Melbourne Act 2009 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Victorian College of Agriculture and Horticulture Act 1982 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education <p>Victoria University Act 2010 –</p> <ul style="list-style-type: none"> ● In so far as it relates to international education 	Secretary, Department of Economic Development, Jobs, Transport and Resources and Secretary, Department of Education and Training

Table 3

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Department of Economic Development, Jobs, Transport and Resources	Electricity Industry Act 2000 Electricity Safety Act 1998 Energy Safe Victoria Act 2005 Fuel Emergency Act 1977 Gas Industry Act 2001 Gas Safety Act 1997 National Electricity (Victoria) Act 2005 National Gas (Victoria) Act 2008 Pipelines Act 2005 State Electricity Commission Act 1958 – <ul style="list-style-type: none"> • Section 107 Victorian Energy Efficiency Target Act 2007 Victorian Renewable Energy Act 2006	Department of Environment, Land, Water and Planning
2.	Secretary, Department of Economic Development, Jobs, Transport and Resources	Electricity Industry Act 2000 Electricity Safety Act 1998 Energy Safe Victoria Act 2005 Fuel Emergency Act 1977 Gas Industry Act 2001 Gas Safety Act 1997 National Electricity (Victoria) Act 2005 National Gas (Victoria) Act 2008 Pipelines Act 2005 State Electricity Commission Act 1958 – <ul style="list-style-type: none"> • Section 107 Victorian Energy Efficiency Target Act 2007 Victorian Renewable Energy Act 2006	Secretary, Department of Environment, Land, Water and Planning

Note: The Administration of Acts – General Order may be located at the Department of Premier and Cabinet's website: www.dpc.vic.gov.au

**SUBORDINATE LEGISLATION ACT 1994
NOTICE THAT STATUTORY RULES ARE
OBTAINABLE**

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from SAI Global Bookshop, 85 Buckhurst Street, South Melbourne, on the date specified:

53. *Statutory Rule:* Plant Biosecurity Regulations 2016
Authorising Act: Plant Biosecurity Act 2010
Date first obtainable: 7 June 2016
Code B
54. *Statutory Rule:* Australian Consumer Law and Fair Trading (Code of Practice for Fuel Price Boards) Regulations 2016
Authorising Act: Australian Consumer Law and Fair Trading Act 2012
Date first obtainable: 7 June 2016
Code A
55. *Statutory Rule:* Parliamentary Salaries and Superannuation (Provision of Motor Vehicles) Amendment Regulations 2016
Authorising Act: Parliamentary Salaries and Superannuation Act 1968
Date first obtainable: 7 June 2016
Code A
-

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Printed as two volumes

bluestar  **PRINT**

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