

Register of Compliance Obligations

Last Review Date: October 2013

Legislation / Compliance Instrument	Source of Obligation	Legislation Description	Link to Legislation	Link to Related UoN Policy
Age Discrimination Act 2004	Commonwealth	The Act helps to ensure that people are not treated less favourably on the ground of age in various areas of public life including employment, provision of goods and services, education and administration of Commonwealth laws and programs. The Act also provides for positive discrimination – that is, actions which assist people of a particular age who experience a disadvantage because of their age. It also provides for exemptions in superannuation, migration, taxation and social security laws, state laws and other Commonwealth laws and some health programmes.	http://www.austlii.edu.au/au/legis/cth/consol_act/ada2004174	Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html Recruitment Policy http://www.newcastle.edu.au/policy/000924.html
Aged Care Act 1997	Commonwealth	An Act relating to aged care and for other purposes. This Act applies to all aged care facilities that are funded by the commonwealth government. Under this Act all facilities are expected to meet a certain standards – a minimum level of standards. This means that the facilities that want their funding to continue they must prove the meet a set of 4 standards, 44 sections and 170 criteria.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/aca199757/	NA
Anatomy Act 1977	State	An act to regulate the performance of 'anatomical examinations' (does not include post mortem). The use of a body for medical or scientific purposes includes using the body for educational activities for medicine or science. Under the Act a register of persons who have donated parts of their anatomy to the University must be maintained with details as prescribed by the Act. The Act confers powers on the Director General to issue a licence for anatomical examinations; the license, issued to a person or the holder of an office in charge of the conduct of anatomical examinations at the University, provides for conduct of anatomical examinations at specified place per terms and conditions as listed on the license. Each body to be used for anatomical examinations must have a valid authority to be used for that purpose. The act defines how a valid authority may be established. Further, to enable the lawful conduct of the examination, the act requires the person wishing to conduct the examination to have lawful possession of the body. The Act also regulates the period for which a body may be used for such examinations; and, the conditions surrounding transfer of the body or tissue and disposal of the body.	http://www.austlii.edu.au/au/legis/nsw/consol_act/aa1977103/	NA
Animal Research Act 1985	State	The principal aim of this Act is to protect the welfare of animals used in connection with animal research. There are two primary areas of control - 1) The Act regulates the carrying out of animal research by restricting such activity to persons or organisations holding a 'certificate of accreditation' issued under this Act, and 2) This Act requires that the supply of animals for the purposes of research only be conducted by those persons or organisations holding an 'Animal Suppliers Licence' issued under the Act. The Regulation incorporates the "Australian Code of Practice for the Care and Use of Animals for Scientific Purposes". The Director General has statutory authority for issuing accreditation and licences and for imposing; altering; or removing conditions of accreditation or licence. Under the Act, the University must ensure that all research and teaching activity utilising animals is conducted with a valid Animal Research Authority. The University issues Animal Research Authorities upon recommendation by the University Animal Care and Ethics Committee; and, conduct of the approved research protocol (with ARA) must be reviewed and monitored by the University Animal Care and Ethics Committee. This Act applies to the University as an Accredited Research establishment and in its capacity as the holder of an Animal Suppliers Licence.	http://www.austlii.edu.au/au/legis/nsw/consol_act/ara1985134/	Effective Surveillance and Monitoring of Projects (Animal Ethics) Policy http://www.newcastle.edu.au/policy/000537.html Monitoring of Animals Used for Research or Teaching Policy http://www.newcastle.edu.au/policy/000238.html Responsible Conduct of Research Policy http://www.newcastle.edu.au/policy/000873.html The Use of S4 and S8 Drugs (Animal Care & Ethics) Policy http://www.newcastle.edu.au/policy/000359.html
Anti-Discrimination Act 1977	State	The Act presently provides protection from discrimination in relation to most grounds on the basis of neutrality (i.e., persons of both genders, all races and all forms of marital status are to be treated equally.) The Act prescribes that discrimination is not unlawful if sex or race is a genuine occupational qualification. Under the Act, the University is required to ensure that it does not discriminate against students, prospective students, employees and protective employees on the basis of Age; Carers' responsibilities; Disability; Homosexuality; Marital status; Race; Gender; Transgender status. The University is also required to ensure that all employees, external contractors and students are made aware of what constitutes acceptable standards of behaviour within the working and teaching environment. The University must deal with complaints sensitively and quickly and inform the complainant of options for seeking redress.	http://www.austlii.edu.au/au/legis/nsw/consol_act/aa1977204/notes.html	Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html Inclusive Language Guideline http://www.newcastle.edu.au/policy/000797.html Inclusive Language Policy http://www.newcastle.edu.au/policy/000156.html Inclusive Teaching and Learning Guideline http://www.newcastle.edu.au/policy/000750.html Infection Prevention and Control for Blood Borne Pathogens Guideline http://www.newcastle.edu.au/policy/000165.html Recruitment Policy http://www.newcastle.edu.au/policy/000924.html Students With a Disability: Provision of Supporting Documentation Policy http://www.newcastle.edu.au/policy/000839.html Students with a Disability Policy http://www.newcastle.edu.au/policy/000344.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html Work, Study and Family Responsibilities Policy http://www.newcastle.edu.au/policy/000387.html
Apprenticeship and Traineeship Act 2001	State	An Act to provide for the regulation of apprenticeships and traineeships. This Act applies to the Apprenticeships and Traineeship agreements that are entered into by the University.	http://www.austlii.edu.au/au/legis/nsw/consol_act/aata2001295/	NA
Australian Charities and Not-for-profits Commission Act 2012	Commonwealth	An Act to establish the Australian Charities and Not-for-profits Commission and a national regulatory framework for the not-for-profit sector, and for related purposes. It establishes the Australian Charities and Not-for-profits Commission (ACNC); charges the ACNC with registering not-for-profit entities (initially charities) and maintaining a register; provides for the powers of the ACNC Commissioner in relation to the regulation of registered entities; and sets out the obligations and responsibilities of registered entities.	http://www.austlii.edu.au/au/legis/cth/num_act/acanca2012523/	NA
Australian Communications and Media Authority Act 2005	Commonwealth	The Australian Communications and Media Authority (ACMA) is responsible for regulating telecommunications and radiocommunications, including promoting industry self-regulation and managing the radiofrequency spectrum. The ACMA also has significant consumer protection responsibilities. The functions of the ACMA are specified under this Act. It exercises powers under the Telecommunications Act 1997, the Radiocommunications Act 1992, and other related legislation. The ACMA licenses telecommunications carriers, ensures compliance with carrier licence conditions and service provider rules, and monitors service performance and quality. The ACMA also administers legislative provisions relating to powers and immunities of carriers in the construction of telecommunications facilities, and protection of consumers through safeguards and service guarantees.	http://www.austlii.edu.au/au/legis/cth/consol_act/acamaa2005453/	NA

Australian Human Rights Commission Act 1986	Commonwealth	An Act to establish the Human Rights and Equal Opportunity Commission (now known as the Australian Human Rights Commission) , to make provision in relation to human rights and in relation to equal opportunity in employment. The Act provides a procedure by which the Human Rights Commissioner may investigate and attempt to conciliate in matters involving complaints of unlawful discrimination in the paid workforce. Unlawful discrimination in Australia includes age discrimination, disability discrimination, racial discrimination and sexual discrimination.	http://www.austlii.edu.au/au/legis/cth/consol_act/ahrca1986373/	Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html Inclusive Language Guideline http://www.newcastle.edu.au/policy/000797.html Inclusive Language Policy http://www.newcastle.edu.au/policy/000156.html Recruitment Policy http://www.newcastle.edu.au/policy/000924.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html
Australian National Training Authority Act 1992	Commonwealth	An Act to establish a national training authority with functions related to the funding of vocational education and training. The Act promotes the development of a national vocational education and training system that allows for local diversity and with significant input from industry.	http://www.austlii.edu.au/au/legis/cth/num_act/antaa1992417/	NA
Australian Radiation Protection and Nuclear Safety Act 1998	Commonwealth	An Act to regulate activities involving radiation, and for related purposes. The Act is a national scheme to protect the health and safety of people and to protect the environment from the harmful effects of radiation.	http://www.austlii.edu.au/au/legis/cth/num_act/arpansa1998487/	NA
Autonomous Sanctions Act 2011	Commonwealth	An Act to make provision relating to sanctions to facilitate the conduct of Australia's external affairs, and for related purposes. Autonomous sanctions applying controls on trade in goods and services and financial restrictions against persons and entities designated by the Minister for Foreign Affairs are implemented under the Act. Depending upon their terms, these controls apply to: * any person in Australia; * any Australian anywhere in the world; * companies incorporated overseas that are owned or controlled by Australians or persons in Australia; * any person using an Australian flag vessel or aircraft to transport goods or transact services subject to Australian autonomous sanctions.	http://www.austlii.edu.au/au/legis/cth/num_act/asa2011270/	NA
Biological Control Act 1985	State	The Act regulates organisms declared to be biological control agents. It provides for releases of such agents with protection from litigation following the release of the declared agents. Target organisms are those organisms deemed to require control. Agent organisms are those organisms that may be used to control specific target organisms. There is a complex approval process and provisions for Commissions of Inquiry in determination of appropriate declarations of target and agent organisms. The University's research and teaching activities may potentially result in the production or release of biological control agents.	http://www.austlii.edu.au/au/legis/nsw/consol_act/bca1985186/	NA
Broadcasting Services Act 1992	Commonwealth	An Act relating to broadcasting services, data casting services and online services. The Amendment Act specifically regulates the content of websites that are administered by content service providers. The Australian Communications and Media Authority (ACMA) is the regulatory body for the purposes of the Act. Universities and research organisations with a presence on the World Wide Web are considered content service providers, and thus are obligated to remain compliant with relevant provisions of the Act. Content service providers have a responsibility to remove or prevent access to prohibited content from their service once notified by the ACMA of the existence of the content.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/bsa1992214/	Radio Station 2NURFM Complaints Handling Procedure http://www.newcastle.edu.au/policy/000825.html
Building and Construction Industry Security of Payment Act 1999	State	An Act with respect to payments for construction work carried out, and related goods and services supplied, under construction contracts. The Act establishes an entitlement and ability for those carrying out construction work or those supplying goods and services under a construction contract to recover progress payments for partially completed work per progress schedule and also allows for progress payments in the absence of such a schedule. Disputed claims may be referred to an independent adjudicator for determination.	http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/bacisopa1999606/	NA
Business Names (Commonwealth Powers) Act 2011	State	An Act with respect to the registration and use of business names and for other purposes.	http://www.austlii.edu.au/au/legis/nsw/consol_act/bnpa2011388/	NA
Charitable Fundraising Act 1991	State	Under the Act an organisation wishing to raise money for charitable purposes or a fundraising appeal must hold an authority to fundraise. The objects of the Act, are to promote proper and efficient management and administration of fundraising appeals for charitable purposes; to ensure proper keeping and auditing of accounts in connection with such appeals; to prevent deception of members of the public who desire to support worthy causes. The definition of a "charitable purpose" is based on the common law definition of a charitable purpose (i.e. four "heads of charity"). (i) Assistance to the aged, the sick and infirm, (ii) Relief of poverty, (iii) Advancement of education, (iv) Advancement of religion.	http://www.austlii.edu.au/au/legis/nsw/consol_act/cfa1991201/	NA
Charitable Trusts Act 1993	State	The Charitable Trusts Act has two principal objects: (1) The Act codifies and extends the jurisdiction of the Supreme Court of NSW with respect to the management of charitable trusts. The Act also enables the Attorney General to establish schemes for the cy-pres administration of charitable trusts that have failed, (i.e. where the original objective of the charitable trust is no longer possible to fulfil, the Attorney General has the ability to alter the objective to something achievable and as close as possible to the original objective). (2) The Act clarifies and makes specific the powers of the Supreme Court to deal with misconduct or mismanagement in the administration of a charity, and gives the court power to remove a person associated with a charity and to freeze the funds of a charity.	http://www.austlii.edu.au/au/legis/nsw/consol_act/cfa1993201/	NA
Child Protection (Working with Children) Act 2012	State	An Act with respect to checks and clearances for the purposes of working with children; and for other purposes. In accordance with the Act, the safety, welfare and well-being of children and, in particular protecting them from child abuse, is the paramount consideration in the operation of this policy and the Working with Children Check Procedures.	http://www.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/	NA
Child Support (Registration and Collection) Act 1988	Commonwealth	An Act to make provision for the collection of certain periodic maintenance payments. Under the Act, the University is required to make deductions on behalf of any persons liable to pay child support it employs, in order to facilitate the payment of child support. The Child Support Registrar keeps records of persons liable to pay child support and the amounts of child support liabilities. Under the Act, the Child Support Registrar must notify the employer and employee where periodic deductions by the employer from the employee salary or wages are required for collection of child support payments. Where the University receives such notification, the University must comply with the notice and also provide payments to the Registrar in respect of amounts collected under the notice within the time period as prescribed by the Act. Further, where no collection made or employee cessation of employment, the University must notify the Registrar of such matters within the time period as prescribed by the Act. The University must keep a written record of these deductions for a period of seven years.	http://www.austlii.edu.au/au/legis/cth/consol_act/csaca1988427/	NA
Civil Liability Act 2002	State	An Act to make provision in relation to the recovery of damages for death or personal injury caused by the fault of a person. The Act establishes the principle of negligence in pursuit of civil claims - the requirement for 'harm' to have occurred and that negligence deemed necessary factor in the causation of harm; and the principle of reasonable risk assessment (ie: risk of injury foreseeable; risk not insignificant; and reasonable person would have taken precautions) in the determination of negligence. Responsibility / liability must also be reasonably deemed to belong to the negligent party. The Act further establishes the meaning of 'obvious risks' and 'inherent risks' and the duty of care and liability in relationship to such risks and deals with 'contributory negligence'. The Act provides for the assessment of Personal Injury Damages; other provisions cover mental harm; proportionate liability; liability of corporations and public authorities.	http://www.austlii.edu.au/au/legis/nsw/consol_act/cfa2002161/	NA

Commission for Children and Young People Act 1998	State	An Act to establish the Commission for Children and Young People and provide for its functions; to provide for safeguards and impose prohibitions relating to child-related employment. As an employer, the University must not employ a person in child related employment without first requiring the person to disclose whether they are a 'prohibited person'; and if so disclosed, the University must not employ a prohibited person in child related employment. The Act establishes mandatory background checks for certain child related employment and the employers responsibility to notify the Commissioner of rejected applicants as a result of background checking and associated risks emerging from that activity. Employers are required to notify the Commission of any disciplinary matter relating to any employee in regard to child abuse. The Commission will also supply information to prospective employers regarding matters arising from previous employment of any person working with children.	http://www.austlii.edu.au/au/legis/nsw/consol_act/cfcaypa1998397/	Student Placement Policy http://www.newcastle.edu.au/policy/000768.html Volunteer (Including Volunteer Researcher) Policy http://www.newcastle.edu.au/policy/000904.html Volunteer (Including Volunteer Researcher) Procedure http://www.newcastle.edu.au/policy/000905.html
Community Relations Commission and Principles of Multiculturalism Act 2000	State	An Act to establish principles of multiculturalism as the policy of the State; to constitute the Community Relations Commission of New South Wales; to provide for its objectives and functions; to repeal the <i>Ethnic Affairs Commission Act 1979</i> and to amend certain other Acts and regulations; and for other purposes	http://www.austlii.edu.au/au/legis/nsw/consol_act/crcapoma2000722/	NA
Competition and Consumer Act 2010	Commonwealth	The object of this Act is to enhance the welfare of Australians through the promotion of competition and fair trading and provision for consumer protection. The act provides for protection of consumers and prevents some restrictive trade practices of companies. It is the key competition law in Australia. It is administered by the Australian Competition and Consumer Commission and also gives some rights for private action.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/caca2010265/	NA
Contaminated Land Management Act 1997	State	An Act to promote the better management of contaminated land. The Act establishes a process for the EPA to identify, investigate and (where appropriate) order the remediation of land if the EPA considers the land to be significantly contaminated. "Contaminated land" is legally defined as land where a substance is present at a concentration higher than is normally found on land in the same area, where that substance presents a risk of harm to human health or the environment. It includes land where contamination has migrated onto it from another site.	http://www.austlii.edu.au/au/legis/nsw/consol_act/clma1997238/	NA
Conveyancing Act 1919	State	An Act to amend and consolidate the law of Property and to simplify and improve the practice of conveyancing.	http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/ca1919141	NA
Copyright Act 1968	Commonwealth	The Copyright Act 1968 establishes copyright as a type of legal protection for people who express ideas and information in certain forms. The most common forms are writing, visual images, music and moving images. Copyright protects the form or way an idea or information is expressed, not the idea or information itself. There is no system of registration for copyright protection in Australia, as copyright protection is free and automatic. A work is protected automatically from the time it is first written down or recorded in some way, provided it has resulted from its creator's skill and effort and is not simply copied from another work. Copyright protections are protected in most other countries and copyright works from most other countries are protected in Australia. Certain educational institutions and institutions assisting people with a visual or intellectual disability may make multiple copies of works for educational or other specified purposes, or may make special versions of works under statutory licences. Such statutory licences give the copyright owner a right to be paid equitable remuneration through an approved collecting society. Copying may also be done without infringement of copyright when done by libraries and archives for students. Computer Programs - An amendment in 1999 established that an owner of copyright in computer programs has the exclusive right to: 1. Reproduce the program in material form. 2. Publish the program.3. Make an adaptation of the program. 4. Communicate the program to the public (i.e. Through the Internet). Permission of the copyright owner is required, except when parties are: (i) Making a back-up copy of the Program. (ii) Making Inter-operable Products. (iii) Undertaking security testing or error correction; and (iv) Fair Dealing. Digital Agenda - An amendment in 2000 regulated creation of copyright material and exploitation of online technologies. The Act now requires due recognition/reward of creators/investors and reasonable access to online copyright material. The key elements of this amendment to the Copyright Act are: 1. The establishment of the notion of copyright works being technology neutral. 2. The extension of the special exceptions that exist for libraries and educational institutions in light of the digital environment. 3. The establishment of specific provisions that result in Internet Service Providers and telecommunication carriers being liable for infringement of copyright. Moral Rights - In 2000 an amendment provided for two new moral rights for the creators of copyright work: 1. The right of attribution of authorship; and, 2. The right of integrity of authorship. Creators under the Act are entitled to take legal action if: (i) They are not attributed or credited for their work; (ii) His or her work is falsely attributed to someone else; (iii) Their work is treated in a derogatory way through distortion or modification. Intellectual Property - The employer, not the employee, own copyright in works made during the course of employment.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/ca1968133/	Copyright Law Guideline http://www.newcastle.edu.au/policy/000073.html Copyright Warning Notices Guideline http://www.newcastle.edu.au/policy/000074.html Electronic Mail (Email) Policy http://www.newcastle.edu.au/policy/000895.html Information Security Classification Policy http://www.newcastle.edu.au/policy/000814.html Information Security Policy http://www.newcastle.edu.au/policy/000813.html Information Security Roles and Responsibilities Policy http://www.newcastle.edu.au/policy/000815.html Network Security Policy http://www.newcastle.edu.au/policy/000816.html Open Access Policy http://www.newcastle.edu.au/policy/000900.html Part VA - Audio-Visual Copying and Communication Guidelines (local access only) http://www.newcastle.edu.au/policy/000248.html Part VB - Electronic Copying and Communication Guidelines (local access only) http://www.newcastle.edu.au/policy/000249.html University Computing and Communications Facilities Conditions of Use Policy http://www.newcastle.edu.au/policy/000817.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html
Corporations Act 2001	Commonwealth	Provides for the formation, regulatory requirements and conduct of corporations (eg company, body corporate, unincorporated association). The University's controlled entities are subsidiary companies and the Directors of the controlled entities are subject to the provisions of the Corporations Act. This Act and any Regulations made under it replace the Corporations Law and the Corporations Regulations of each State and mainland Territory. The Australian Securities and Investments Commission ("ASIC") will administer the Act. The Act is a central part of a replacement legislative scheme that re-enacts the Corporations Law as a single federal law. This Act prescribes the legal nature of a: 1. Company, 2. The types of companies, 3. The formation and operation of a company accounts 4. The management of the company 5. Its dealings with outsiders, 6. The duties of its directors, 7. Takeovers, Receivership; and Liquidation.	http://www.austlii.edu.au/au/legis/cth/consol_act/ca2001172/	Governance Framework for Cotrolled Entities Policy http://www.newcastle.edu.au/policy/000863.html
Credit (Commonwealth Powers) Act 2010	State	An Act to adopt the National Consumer Credit Protection Act 2009 of the Commonwealth and the National Consumer Credit Protection (Transitional and Consequential Provisions) Act 2009 of the Commonwealth and to refer certain matters relating to the provision of credit and certain other financial transactions to the Parliament of the Commonwealth and for other purposes. This act has relevance for the University in its dealings in offering student loans.	http://www.austlii.edu.au/au/legis/nsw/consol_act/cpa2010294/	NA
Crimes Act 1900	State	An Act to consolidate the statutes relating to Criminal Law. Many Crimes are dealt with in this legislation:- e.g. fraud, forgery, computer crime, larceny, murder, manslaughter, crimes against property, money laundering etc. Specific application to the University is of an indirect nature - where crime committed by individuals on University property or by University employee. Where the University becomes aware of the commission of a crime, appropriate reporting to relevant authority must take place to ensure no aiding / abetting in commission of crime.	http://www.austlii.edu.au/au/legis/nsw/consol_act/ca190082/	Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html
Customs Act 1901	Commonwealth	An Act to amend the law relating to Duties of Customs.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/ca1901124/	NA

Cybercrime Act 2001	Commonwealth	<p>The object of this Act is to address the increasing problems emerging from online business in the area of IT security. Activities such as hacking, spreading of computer viruses and website interference are now criminal offences as this legislation adds a new part to the Commonwealth Criminal Code; amends the Crimes Act and other associated legislation.</p> <p>The Act creates three major and four less serious computer offences. Major offences include:- 1. Unauthorised access, modification or impairment with the intent to commit a serious offence. 2. Unauthorised modification of data with recklessness as to the results of this modification. 3. Unauthorised impairment of electronic communications.</p> <p>Less serious offences - (i) Unauthorised access or modification of restricted data; (ii) unauthorised impairment of data held on computer disk; (iii) Possession or control of data with intent to commit computer offence (iv) producing, supplying, controlling data with intent to commit computer offence.</p> <p>Specific application to the University of an indirect nature - where crime committed by individuals on University property or by University employee. Where the University becomes aware of commission of a crime, appropriate reporting to relevant authority must take place to ensure no aiding / abetting in commission of crime.</p>	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/ca2001112/	NA
Dangerous Goods (Road and Rail Transport) Act 2008	State	An Act to make provision for safety in the transport of dangerous goods by road and rail as part of the system of nationally consistent road and rail transport laws and for other purposes.	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/dgarta2008389/	NA
Defence Trade Controls Act 2012	Commonwealth	<p>An Act to regulate dealings in certain goods, services and technologies and for related purposes. The Act tightens Australia's export restrictions to cover intangible transfers of technology, such as software and electronic files, and services relating to defence and dual-use technologies. Dual-use technologies are those goods which have been developed to meet commercial needs, but may be used as military components or in the development of military systems. These goods are listed in the Defence and Strategic Goods List (DSGL). The DSGL covers ten areas:</p> <ul style="list-style-type: none"> * Nuclear Materials. * Materials, Chemicals, Microorganisms and Toxins. * Materials Processing. * Electronics. * Computers. * Telecommunications and Information Security. * Sensors and Lasers. * Navigation and Avionics. * Marine. * Aerospace and Propulsion. <p>when communicating research or engaging in the transfer of technology, organisations will need to be mindful of whether the technology comes within the DSGL, whether there is a supply outside Australia or a proposed publication of the technology, and whether there is any exemption.</p>	http://www.austlii.edu.au/au/legis/cth/num_act/dtca2012207/	NA
Disability Discrimination Act 1992	Commonwealth	<p>This Act attempts to eliminate as far as possible discrimination against persons on the ground of disability and to ensure that persons with disabilities have the same rights to equality before the law as the rest of the community.</p> <p>Under the Act, the University is obligated to ensure that it does not discriminate against students, prospective students and employees and prospective employees on the basis of a disability. The University has obligations under the Act in its capacity as:- (i) a provider of education; (ii) a provider of accommodation; (iii) an employer.</p> <p>Under the Act, the University is also responsible to ensure that all employees, external contractors and students are made aware of what constitutes acceptable standards of behaviour within the University.</p>	http://www.austlii.edu.au/au/legis/cth/consol_act/dda1992264/	<p>Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html Inclusive Language Guideline http://www.newcastle.edu.au/policy/000797.html Inclusive Language Policy http://www.newcastle.edu.au/policy/000156.html Inclusive Teaching and Learning Guideline http://www.newcastle.edu.au/policy/000750.html Infection Prevention and Control for Blood Borne Pathogens Guideline http://www.newcastle.edu.au/policy/000165.html Recruitment Policy http://www.newcastle.edu.au/policy/000924.html Students With a Disability: Provision of Supporting Documentation Policy http://www.newcastle.edu.au/policy/000839.html Students with a Disability Policy http://www.newcastle.edu.au/policy/000344.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html</p>
Education Services for Overseas Students Act 2000 Education Service for Overseas Students (Registration Charges) Act 1997	Commonwealth	<p>The Education Services for Overseas Students Act 2000 (the ESOS Act) regulates the education and training services provided to overseas students by providing tuition and financial assurance, as well as a provider registration requirement. The Act provides for sanctions for non-compliance with the Act as well as breaches of the National Code of Practice and ESOS Regulations. Where the University seeks to recruit, enroll or teach overseas students, or to advertise their ability to do so, it must be registered on the "Commonwealth Register of Institutions and Courses for Overseas Students" (CRICOS). Providers of education services to overseas students, and their agents must not promote a course to overseas students or intending overseas students unless the course and provider are approved by the relevant State or Territory and are registered on CRICOS. All written materials, including those in electronic form, must identify the registered provider and provider number. The Act prescribes the records that must be kept for each overseas student including full name, residential address; date of birth; nationality; course start and completion day; attendance; academic performance; Details of payments received; health cover information; english language proficiency; passport and visa numbers. The University as a registered provider must generate an electronic Confirmation of Enrolment for intending overseas students. The Department of Immigration and Citizenship (DIAC) uses this in assessing the student's application for a student visa. Education providers are required to report students failing to comply with the attendance or course progress of their visa to the department and must keep a record of the reason for any termination of studies where applicable. The provision to impose an Annual Registration Charge for CRICOS registration and the calculation method for the charge is prescribed in the Act. However, the 2000 ESOS legislation prescribes that the ARC must be paid by the registered provider by the last business day of February in the year for which registration is sought in order to avoid suspension of their CRICOS registration; and must also remain a member of a Tuition Assurance Scheme. The ESOS Act allows for the Minister to issue an "Immigration Minister's Suspension Certificate" to an education provider, preventing for a period of six months further recruitment action by that provider and also effectively suspending visa applications by, and grants to, students proposing to study there. The University must not accept overseas students recruited by an agent where they believe that the agent is acting dishonestly.</p>	http://www.austlii.edu.au/au/legis/cth/consol_act/esfosa2000442/	<p>Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Credit and Articulation Procedure http://www.newcastle.edu.au/policy/000862.html Deceased Students Reporting Procedure http://www.newcastle.edu.au/policy/000849.html ELICOS and International Foundation Program Attendance Procedure http://www.newcastle.edu.au/policy/000851.html International Students Requesting Transfer to Another Institution Procedure http://www.newcastle.edu.au/policy/000842.html Rules Governing Admission and Enrolment http://www.newcastle.edu.au/policy/000966.html Student Misconduct Rule http://www.newcastle.edu.au/policy/000935.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html</p>
Electronic Transactions Act 2000	State	The object of this Act is to provide a regulatory framework that recognises the importance of the information economy to the future economic and social prosperity of Australia, facilitates the use of electronic transactions, promotes business and community confidence in the use of electronic transactions, and enables business and the community to use electronic communications in their dealings with government.	http://www.austlii.edu.au/au/legis/nsw/consol_act/eta2000256	<p>Records Management Policy http://www.newcastle.edu.au/policy/000285.html</p>

Environment Protection and Biodiversity conservation Act 1999	Commonwealth	The Act is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places — defined in the EPBC Act as matters of national environmental significance.	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca199588/	NA
Environmental Planning and Assessment Act 1979	State	An Act to institute a system of environmental planning and assessment for NSW. Prior to development taking place in NSW, a development application (DA) must be lodged with the relevant authority describing the intended work. The application is lodged with the relevant consent authority and then assessed against State, Regional and Local planning controls to ensure the work is environmentally sustainable. The level of assessment is determined by relevant planning legislation. Where a development application is issued to the University or parties contracted by the University, all conditions of the approved development application must be adhered to.	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/epaaa1979389/	NA
Epidemiological Studies (Confidentiality) Act 1981	Commonwealth	An Act to provide for confidentiality in relation to certain epidemiological studies. A prescribed study means the Vietnam Veterans Study or Commonwealth Epidemiological Study declared by the Regulation (Epidemiological Studies (Confidentiality) Regulations 1982) to be a study to which the Act applies. The University is permitted to publish and divulge conclusions, statistics, and particulars from a prescribed study but must not publish or divulge details that would enable the identification of an individual (including a deceased person). Where the University conducts or assists in the conduct of a prescribed study, the University must not make a record of or divulge any information concerning the affairs of another person gained in the conduct of that study unless for the purpose of the study itself. Similarly, if the University is given access to documents/records from other prescribed studies, the University must maintain confidentiality of details concerning the affairs of a person gained from such access. The University may reveal information gained in conduct of an epidemiological study to (a) the person who supplied the information, (b) the person whom the information is about, (c) other persons with consent of the subject person.	http://www.austlii.edu.au/au/legis/cth/consol_act/esa1981382/	NA
Evidence Act 1995	Commonwealth	The Act is about the law of evidence and prescribe the conduct of court proceedings in the respective jurisdictions.	http://www.austlii.edu.au/au/legis/cth/consol_act/ea199580/	Records Management Policy http://www.newcastle.edu.au/policy/000285.html
Evidence Act 1995	State	An Act about the law of evidence, and for related purposes.	http://www.austlii.edu.au/au/legis/nsw/consol_act/ea199580/	Records Management Policy http://www.newcastle.edu.au/policy/000285.html
Explosives Act 2003	State	An Act to provide for the regulation and control of the handling of explosives and explosive precursors, and to provide for the regulation of certain other dangerous goods. The Act establishes the Workcover Authority as the regulatory authority for the purposes of this Act. Licences are required for the handling of explosives and explosive precursors as defined by the regulations; Persons must ensure that explosives or explosive precursors in their care are not handled by persons without authority to do so (not licensed); must not supply to a person under the age of 18. The Regulatory authority may issue a or deny an application for a licence; Licences may be issued unconditionally or with conditions Persons must comply with any conditions as stipulated on the licence.	http://www.austlii.edu.au/au/legis/nsw/consol_act/ea2003157/index.html#s4	NA
Fair Trading Act 1987	State	An Act to regulate the supply, advertising and description of goods and services. This Act constitutes the main law covering business behaviour in NSW. Under the Act, it is unlawful to make false claims about a product or service; Operate in a misleading or deceptive way, or in a way that is likely to mislead or deceive your customers. The Act establishes the NSW Office of Fair Trading which seeks to protect the rights of consumers and advises business and traders on fair practice by setting the rules for fairness in transactions between consumers and traders. NSW Fair Trading has the power to investigate and prevent unfair practices and for some industries in NSW have a licensing system in place to ensure only qualified and appropriate people perform such work within the industry. Under the Act, a business must not engage in unconscionable conduct (take unfair advantage of vulnerable customers). This may occur where customers have no alternative than to do business with that vendor; or, where a product or service is in high demand and the vendor abuses their bargaining power. The Fair Trading Act gives the government a number of options to enforce the law and empowers the courts to prosecute those who have failed to comply.	http://www.austlii.edu.au/au/legis/nsw/consol_act/fta1987117/	NA
Fair Work Act 2009	Commonwealth	An Act to provide a framework for workplace relations. The Act establishes and defines membership and functions of Fair Work Australia and further establishes the Office of the Fair Work Ombudsman. The Act provides for the following key elements: (i) Establishment of National Employment Standards - minimum standards applying to employment and relate to such issues as maximum weekly hours; requests for flexible working arrangements; annual leave; LSL etc. (ii) Provision of modern awards by the FWA - subject to review every 4 years. Modern awards seek to provide a minimum safety net of terms and conditions. (iii) Minimum rates of pay contained in modern awards - and reviewed by FWA annually. (iv) New provisions with respect to termination of employment and unfair dismissal. (v) FWA - with divisions in federal court with powers to make orders they consider appropriate, to remedy breaches and to issue injunctions to prevent breaches. (vi) Bargaining - FWA will have the power to compel employers to enter into good faith bargaining for industrial agreements. Fines can be imposed for failure to bargain in good faith.	http://www.austlii.edu.au/au/legis/cth/num_act/fwa2009114/index.html	Recruitment Policy http://www.newcastle.edu.au/policy/000924.html Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html
Fines Act 1996	State	An Act relating to fines and their enforcement, and to other matters.	http://www.austlii.edu.au/au/legis/nsw/consol_act/fa199669/	NA
Fringe Benefit Tax Act 1986	Commonwealth	An act to impose a tax in respect of the value of certain fringe benefits provided in respect of the employment of employees.	http://www.austlii.edu.au/au/legis/cth/consol_act/fbta1986188/	Salary Packaging Policy http://www.newcastle.edu.au/policy/000123.html Vehicles - Purchasing Procedure http://www.newcastle.edu.au/policy/000485.html
Gene Technology Act 2000	Commonwealth	The Office of the Gene Technology Regulator (OGTR) was established under the Act to be responsible for a national scheme to regulate genetically modified organisms (GMOs). The Act requires institutions such as the University when undertaking research and development in genetic technology to be accredited by the OGTR and to ensure access to an Institutional Biosafety Committee (IBC) to supervise and monitor work within their institution in accordance with the Accreditation Guidelines. The Act prohibits persons from dealing with GMOs (eg. research, manufacture, production, release and import) unless the dealing is: exempt, a notifiable low risk dealing, on the Register of GMOs or licensed by the OGTR.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/gta2000162/	Laboratory Safety Guideline http://www.newcastle.edu.au/policy/000753.html

Government Information (Public Access) Act 2009	State	An Act to ensure open access to government information for the public by: (a) authorising and encouraging the proactive public release of government information by agencies, and (b) giving members of the public an enforceable right to access government information, and (c) providing that access to government information is restricted only when there is an overriding public interest against disclosure.	http://www.austlii.edu.au/au/legis/nsw/consol_act/giaa2009368/index.html#s3	Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Complaints Resolution Procedure http://www.newcastle.edu.au/policy/000898.html Electronic Mail (Email) Management Guidelines http://www.newcastle.edu.au/policy/000143.html Electronic Mail (Email) Policy http://www.newcastle.edu.au/policy/000895.html Ethical and Accountable Conduct - Public Interest Disclosures Policy http://www.newcastle.edu.au/policy/000969.html File Notes Guideline http://www.newcastle.edu.au/policy/000514.html Potential Critical Incident - Preventative Action Guideline http://www.newcastle.edu.au/policy/000853.html Privacy Management Plan http://www.newcastle.edu.au/policy/000258.html Records Management Policy http://www.newcastle.edu.au/policy/000285.html Rules Governing Higher Doctoral Degrees http://www.newcastle.edu.au/policy/000889.html
Health Practitioner Regulation Act 2010	Commonwealth	An Act to make amendments consequential on uniform legislation relating to the regulation of health practitioners and for related purposes.	http://corrigan.austlii.edu.au/au/legis/cth/num_act/hpraaz2010557/	NA
Health Records and Information Privacy Act 2002	State	An Act to promote fair and responsible handling of health information by: (a) protecting the privacy of an individual's health information that is held in the public and private sectors, and (b) enabling individuals to gain access to their health information, and (c) providing a framework for the resolution of complaints regarding the handling of health information. The Act applies to every organisation that is a health service provider; or that collects, holds or uses health information. Further, the Act, establishes the requirement that the University must comply with the Health Privacy Principles and the Health Privacy Code of Practice Health Privacy Principles (Collection of information must be lawful, relevant, direct and open; Storage of Information must be secure; Information must be transparent and accessible; Recorded information must be correct and accurate; Use and disclosure of information must be for the purpose for which it was collected; Persons are entitled to anonymity when lawful and practicable; Information must be controlled and information can only be linked across more than one organisation when express consent is provided).	http://www.austlii.edu.au/au/legis/nsw/consol_act/hraipa2002370/	Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Electronic Mail (Email) Policy http://www.newcastle.edu.au/policy/000895.html Information Security Classification Policy http://www.newcastle.edu.au/policy/000814.html Information Security Policy http://www.newcastle.edu.au/policy/000813.html Information Security Roles and Responsibilities Policy http://www.newcastle.edu.au/policy/000815.html Network Security Policy http://www.newcastle.edu.au/policy/000816.html Privacy Management Plan http://www.newcastle.edu.au/policy/000258.html Records Management Policy http://www.newcastle.edu.au/policy/000285.html Responsible Conduct of Research Policy http://www.newcastle.edu.au/policy/000873.html University Computing and Communications Facilities Conditions of Use Policy http://www.newcastle.edu.au/policy/000817.html
Health Services Act 1997	State	This Act establishes a system of Area Health Services (AHS) for the provision of health services throughout the state; the Act defines 'public health service' and provides for purpose and functions of the AHS. Further, the Act provides for Statutory Health Corporations and their boards; Affiliated Health Organisations and the Ambulance Service of NSW.	http://www.austlii.edu.au/au/legis/nsw/consol_act/hsa1997161/	NA
Heritage Act 1977	State	This act provides for the identification and registration of items of State or Local Heritage significance. The Act seeks to protect and conserve items of State or Local Heritage significance through the operation and establishment of the Heritage Council of NSW and its associated functions. The Act provides for a State Heritage Register where items of State or Local Heritage significance can be listed and also provides for the issue of Heritage Orders by the Minister or the Heritage Council to control potential developments that may harm the heritage value of the item. Heritage Item may mean place, building, work, relic, moveable object or precinct.	http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/ha197786/	NA
Higher Education Funding Act 1988	Commonwealth	The operation of this Act allows the Commonwealth to make grants of financial assistance to the University. Under the Act, the Commonwealth can impose conditions on these grants to ensure appropriate levels of accountability for such public investment. This Act requires that the State Government ensure that the University gives to the Minister, not later than the 30th September of each year, a statement by a qualified auditor, in the approved form, as to the expenditure of the institution for operating purposes or for limited operating purposes. The State government must also ensure that the University gives to the Minister, not later than such date as the Minister specifies, such statistical and other information as the Minister requires from the University in respect of the provision of higher education by the the University during that year.	http://www.austlii.edu.au/au/legis/cth/consol_act/hefa1988221/	NA
Higher Education Support Act 2003	Commonwealth	An Act relating to the funding of higher education. This Act primarily provides for the Commonwealth to give financial support for higher education through grants and other payments made largely to higher education providers; and through financial assistance to students (usually in the form of loans). The University is required to give to the Minister statistical and other information the Minister requests regarding the provision of higher education and compliance with this Act. The University must provide the information in a form approved by the Minister.	http://www.austlii.edu.au/au/legis/cth/consol_act/hesa2003271/	Delegation of Authority Policy http://www.newcastle.edu.au/policy/000083.html Overseas Study: Higher Education Loan Program Policy http://www.newcastle.edu.au/policy/000840.html Overseas Study: Higher Education Loan Program Procedure http://www.newcastle.edu.au/policy/000841.html
Human Tissue Act 1983	State	The Act deals with a variety of matters, the common element of which is the use of tissue, including blood, from either a living or dead body for medical, scientific or therapeutic purposes. The Act deals with: 1. Donations of tissue by living adults and children; 2. Blood donations; 3. Removal of tissue after death; 4. Post-mortem examinations and 5. Prohibition of the trade in tissue. Under the Act, donations of tissue by living persons must fulfil the criteria of 'Consent'; Donations of tissue from deceased persons primarily relies upon the fulfilment of the requirement for appropriate 'Authority'. It is an offence under the Act to take or receive donations of tissue without appropriate Consent or Authority to do so. Further, the Act establishes that, it is an offence to trade in human tissue. This Act has relevance for the University in the area of human research and teaching activities utilising human tissue.	http://www.austlii.edu.au/au/legis/nsw/consol_act/hta1983160/	NA
Inclosed Lands Protection Act 1901	State	An Act to consolidate the enactments relating to the protection of inclosed lands from intrusion and trespass.	http://www.austlii.edu.au/au/legis/nsw/consol_act/lpa1901264/	NA

Income Tax Act 1986	Commonwealth	An Act to impose a tax upon incomes. This Act has relevance for the University in its functions as an employer and in the course of its payroll activities.	http://www.austlii.edu.au/au/legis/cth/consol_act/ta1986116/	NA
Income Tax Assessment Act 1997	Commonwealth	An Act to consolidate and amend the law relating to the imposition assessment and collection of a tax upon incomes.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/itaa1997240/	NA
Independent Commission Against Corruption Act 1988	State	An Act to constitute the Independent Commission Against Corruption in NSW (the Commission) as an independent and accountable body with special powers to inquire into allegations of corruption and with the following responsibilities: (i) to investigate, expose and prevent corruption involving or affecting public authorities and public officials, and (ii) to educate public authorities, public officials and members of the public about corruption and its detrimental effects on public administration and on the community. Under the Act, certain persons have a duty to report corrupt conduct to the Commission (Ombudsman, Commissioner of Police, principal officer of a public authority, an officer who constitutes a public authority, Minister of the Crown). The University, as a public authority, is within the jurisdiction of the Commission and the Vice-Chancellor has the duty to report corrupt conduct to the Commission. ICAC has powers to investigate allegations of corruption in University operations. Essentially, offences under the act are in the realm of obstructing justice (destroying evidence, failure to produce documents, provision of misleading evidence, hindering the conduct of an investigation, bribery of witnesses, procuring false testimony). Further, the Act prohibits the University as an employer from dismissing or disciplining an employee on account of assistance to the Commission.	http://www.austlii.edu.au/au/legis/nsw/consol_act/icaca1988442/	Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Ethical and Accountable Conduct - Public Interest Disclosures Policy http://www.newcastle.edu.au/policy/000969.html Student Academic Integrity Policy http://www.newcastle.edu.au/policy/000608.html
Independent Contractors Act 2006	Commonwealth	This Act will apply if there is a services contract. A services contract has the following elements: (a) An independent contractor is a party; (b) Relates to the performance of work by the independent contractor; and (c) Has the requisite constitutional connection An independent contractor is not limited to a natural person, and has the common law definition. Requisite constitutional connection: (a) At least one party to the contract is: a. A constitutional corporation which paragraph 51(xx) of the Constitution applies (foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth); (The other party may meet this requirement) b. The commonwealth of a commonwealth authority; or c. A body corporate incorporated in a Territory in Australia. If the above elements are satisfied, then certain State and Territory laws, that deem a party to be an employer/ee, or treat a party as if they were an employee; or confer or impose rights, entitlements, obligations or liabilities on a party, will not apply in relation to Workplace Relations matters. Workplace relations matters include remuneration, leave, hours of work, disputes etc. However it does not include discrimination, superannuation, workers compensation and OHS.	http://www.austlii.edu.au/au/legis/cth/consol_act/ca2006255/	NA
Industrial Relations Act 1996	State	The Act establishes the Industrial Relations Commission of NSW and defines functions, procedures, and powers of the Commission. The act seeks to provide a framework for the conduct of industrial relations in NSW, with participation by employees, employers and representative bodies of employees and employers. The Act allows for the registration of representative bodies for employees (Unions and other such organisations) and employers; it defines criteria for registration and also de-registration. Further, the Act provides regulation of employment through awards, enterprise agreements and other industrial instruments, and provides for resolution of industrial disputes by conciliation and/or arbitration. The Commission has the power to issue orders to individuals and registered organisations and these instruments require compliance. There are provisions under the Act to protect the rights of females in the workplace (particularly in the event of pregnancy, planned pregnancy, adoption etc) and minimum entitlements for all workers with respect to sick leave, victims leave etc as well as rights and procedural details for unfair dismissal claims. Under the Act, it is an offence to contravene an order issued by the Commission, or otherwise hinder the operation of the Commission (refuse entry to inspectors with Search Warrant, fail to disclose information, disclose details of trade and other financial secrets in contravention of direction by Commission etc).	http://www.austlii.edu.au/au/legis/nsw/consol_act/ira1996242/	Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html
Insurance Act 1902	State	An Act to provide legislation in the area of Life, Fire and Marine Insurance. The Act seeks to establish rights and responsibilities of the Insurer and Insured parties and provides for power of the courts to arbitrate disputes around insurance contracts. The Insurer has rights to challenge evidence when that it believes claims to be false, and Insured parties have obligations to disclose and make representations that are true and correct for a valid insurance contract to take effect.	http://www.austlii.edu.au/au/legis/nsw/consol_act/ia1902116/	NA
Insurance Contracts Act 1984	Commonwealth	The Insurance (Application of Laws) Act 1986 is NSW legislation that applies this Commonwealth legislation - The Insurance Contracts Act 1984. The Insurance Contracts Act 1984 seeks to ensure that a fair balance is struck between the interests of insurers, insured parties and other members of the public and so that the provisions included in such contracts, and the practices of insurers in relation to such contracts, operate fairly. The University as an "insured" party has a duty to disclose to the insurer, before the relevant contract of insurance is entered into, every matter that is known to the insured, being a matter that: 1. The insured knows to be a matter relevant to the decision of the insurer whether to accept the risk and on what terms; or 2. A reasonable person could be expected to know to be a relevant matter. The Act provides for remedies for non-disclosure and misrepresentation and allows for the application of the Criminal Code for offences under this Act.	http://www.austlii.edu.au/au/legis/cth/consol_act/ca1984220/	NA
Intellectual Property Laws Amendment Act 2006	Commonwealth	An Act to amend legislation relating to intellectual property and for related purposes. 1. Makes various amendments in relation to the public availability of documents held by IP Australia in relation to trade mark applications. Basically, the Act inserts provisions which enable the Registrar to require that specified information in a document that has been or is to be filed be held by the office in confidence and subject to such conditions as the Registrar prescribes; 2. Introduces the concept of additional damages for patent infringement (ie, extra damages for flagrant infringement) (although interestingly, not trade mark); 3. Amends and broadens the 'prior use' defence to patent, and allows a prior user to assign (but not license) their prior use rights; 4. Amends the 'springboarding' provisions, so that a generic manufacturer can now make limited exploitation of a patented pharmaceutical with a view to getting marketing approval from the TGA for the entire term of the patent (not just any extension of term). This brings Australian law into line with springboarding laws overseas, but may not be all that useful (or may be less useful) given data exclusivity provisions (pharmaceutical patentees get 5 years of 'data exclusivity' on clinical data submitted to the TGA, and no equivalent to the springboarding provision exists there). 5. Gives the trade marks registrar further powers to revoke trade marks 6. Provides for compulsory licensing of patents as a remedy if a person has contravened the anti-competitive conduct provisions of the Trade Practices Act 1974.	http://corrigan.austlii.edu.au/au/legis/cth/num_act/ipaa2006399/	Responsible Conduct of Research Policy http://www.newcastle.edu.au/policy/000873.html
Interpretation Act 1987	State	An Act relating to the interpretation, construction, application and operation of the legislation of New South Wales; to enact certain provisions of a common or general nature; to make provision with respect to the exercise of certain statutory functions; and for other purposes.	http://www.austlii.edu.au/au/legis/nsw/consol_act/ia1987191/	Delegation of Authority Policy http://www.newcastle.edu.au/policy/000083.html
Law Enforcement (Powers and Responsibilities) Act 2002	State	An Act to consolidate and restate the law relating to police and other law enforcement officers' powers and responsibilities; to set out the safeguards applicable in respect of persons being investigated for offences; to repeal certain Acts and to consequentially amend other Acts; and for other purposes.	http://www.austlii.edu.au/au/legis/nsw/consol_act/leara2002451/	NA

Legal Profession Act 2004	State	An Act to provide for the regulation of legal practice in New South Wales and to facilitate the regulation of legal practice on a national basis.	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/pa2004179/	NA
Limitation Act 1969	State	An Act to amend and consolidate the law relating to the limitation of actions; to repeal section 5 of the Imperial Act known as the <i>Common Informers Act 1588</i> and certain other Imperial enactments; to repeal the unreported portion of the Act passed in the fourth year of the reign of William the Fourth number seventeen and certain other enactments; to amend the <i>Compensation to Relatives Act of 1897</i> , as amended by subsequent Acts, and certain other enactments; to make further provision concerning estates tail; and for purposes connected therewith.	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/la1969133/	Records Management Policy http://www.newcastle.edu.au/policy/000285.html
Long Service Leave Act 1955	State	An Act to make provisions entitling workers to long service leave. Employees are eligible to take long service leave after 10 years service and thereafter after each 5 year's service. The University has obligations to comply with provisions in this Act due to its status as an employer.	http://www.austlii.edu.au/au/legis/nsw/consol_act/lsla1955179/	NA
Mental Health Act 2007	State	An Act to make provision with respect to the care, treatment and control of mentally ill and mentally disordered persons and other matters relating to mental health. The Act results from a review of the legislation initiated by the Government and carried out through extensive consultations with consumers, carers and service providers. It retains many of the significant principles of the Mental Health Act 1990, builds on patient and carer rights and protections and provides for modern models of service provision.	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/mha2007128/	NA
Migration Act 1958	Commonwealth	The legislation passed in 2000 amends the Migration Act 1958. The Migration Act 1958 is an Act relating to the entry into, and presence in, Australia of aliens, and the departure or deportation from Australia of aliens and certain other persons. The object of this Act is to regulate, in the national interest, the coming into, and presence in, Australia of aliens, and the departure or deportation from Australia of aliens and certain other persons. As an Employer: This Act is relevant for the University in its capacity as an employer. The University must only employ persons who can prove they have a 'right to work' in Australia. It is worth noting that student visas allow work in Australia but there are limitations to the number of hours etc (only relevant if the University employs foreign students). The University must comply with terms and conditions of visa's and observe visa start and end dates. For Students attending the University: University responsibilities in its capacity of providing education services for overseas students are covered by the ESOS Act. There are some obligations for the University with respect to Migration legislation as the University has an obligation to provide an electronic confirmation of enrolment that DIAC (Department of Immigration and Citizenship) uses to assess Student Visa applications. It is important that the University complies with the requirements surrounding the issue of this document as it becomes a trusted source document for the Immigration department.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/ma1958118/	NA
National Building Code		The National Construction Code (NCC) provides a nationally accepted and uniform set of technical requirements for all areas of building, from design to construction. It is developed by the Australian Building Codes Board (ABCB) on behalf of the Commonwealth, State and Territory Governments. The NCC includes the Building Code of Australia (BCA) and Plumbing Code of Australia (PCA) and is referred to as the building regulation in all States and Territories.		NA
National Greenhouse and Energy Reporting Act 2007	Commonwealth	This Act for National Greenhouse and Energy Reporting (NGER) provides for a single national reporting framework for information related to greenhouse gas emissions, greenhouse gas projects, energy production and energy consumption. At present, organisations that are (1) Constitutional corporations; and (2) Meet an NGER threshold; must report their greenhouse gas emissions, energy production, and energy use for a reporting year for each year in which they meet a threshold. The legislation includes regulations and guidelines for measurement of emissions, energy production and use to ensure standardisation of terms and measurement data. The Act aims to provide the basis for the future introduction of an emissions trading scheme.	http://www.austlii.edu.au/au/legis/cth/consol_act/ngaera2007403/	NA
National Health Security Act 2007	Commonwealth	An Act to provide for National Health Security. The Act seeks to (a) provide a national system of public health surveillance to enhance the capacity to identify, and respond to, significant public health events including the occurrence of: certain communicable diseases; certain releases of chemical, biological or radiological agents; public health risks; overseas mass casualties; and (b) provide for the sharing of information with the World Health Organization; and countries affected by an event relating to public health or an overseas mass casualty; and (c) support the Commonwealth, States and Territories in giving effect to the International Health Regulations. The University has obligations under this legislation specifically related to Security Sensitive Biological Agents (SSBA). The regulation of SSBA (via SSBA Standards) has a phased implementation:- regulation of Tier 1 agents effective on 31 January 2009; regulation of Tier 2 agents effective in January 2010. Record Keeping: Entities/facilities handling SSBA are required to maintain and review:- records of authorised/ approved personnel; incident reports; inventory records; decontamination procedures; transport, handling and management of SSBA; SSBA risk assessment and risk management plans; Policy, procedures relating to SSBA. Security: Entities required to increase the security levels of the facilities handling SSBA. Requirements to record entry and exit (Tier 1 agents) and entry only (Tier 2 agents). Facilities handling Tier 1 agents must also have a second means of access control in addition to the first. Background checks: Background checks are required for authorised personnel who will handle Tier 1 agents or who will have access to sensitive information relating to Tier 1 agents. Responsible and deputy responsible officers must also undergo background checks. Inspections: Businesses required to undertake regular internal inspections of the systems for handling SSBA. The SSBA List of Tier 1 and Tier 2 agents can be found on the Dept of Health and Aging website - as well as links to the complete list of SSBA Standards.	http://www.austlii.edu.au/au/legis/cth/consol_act/nhsa2007259/index.html	NA
National Parks and Wildlife Act 1974	State	An Act to consolidate and amend the law relating to the establishment, preservation and management of national parks, historic sites and certain other areas and the protection of certain fauna, native plants and Aboriginal objects; to repeal the <i>Wild Flowers and Native Plants Protection Act 1927</i> , the <i>Fauna Protection Act 1948</i> , the <i>National Parks and Wildlife Act 1967</i> and certain other enactments; to amend the <i>Local Government Act 1919</i> and certain other Acts in certain respects; and for purposes connected therewith.	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/npawa1974247/	NA
Native Title Act 1993	Commonwealth	Native title is the recognition in Australian law, under common law and the <i>Native Title Act 1993</i> (Cth), of Indigenous Australians' rights and interests in land and waters according to their own traditional laws and customs. Unlike freehold titles or leases, native title is not a grant or a right that is created by governments. Native title may be recognised in places where Indigenous people continue to follow their traditional laws and customs and have maintained a link with their traditional country.	http://www.austlii.edu.au/au/legis/cth/consol_act/nta1993147/	NA
Native Vegetation Act 2003	State	An Act relating to the sustainable management and conservation of native vegetation. Native vegetation is defined under the Act as indigenous vegetation including trees; understorey plants; groundcover; and wetland plants. Further, the Act stipulates that vegetation is "indigenous" if it is vegetation that existed in NSW before European settlement. Note: the Act excludes mangroves, seagrasses or marine vegetation covered by Fisheries Management Act 1994. The Act has relevance for the University in its landscape management activities. Under the Act, clearing of native vegetation must be done in accordance with a development consent (issued per the Environmental Planning and Assessment Act 1979) or an approved property vegetation plan (approved by the Minister in accordance with this Act).	http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/nva2003194/	NA

Noxious Weeds Act 1993	State	An Act to provide for the identification, classification and control of noxious weeds. The Act seeks to establish control mechanisms to prevent establishment of significant new weeds; control existing weeds and reduce the spread of existing weeds. The Act also provides for reporting and monitoring of weeds across the State. Under the Act, the Minister may issue control orders that declare a plant to be noxious for a specific land area for a specific period of time and determine the weed control class, the appropriate control objectives and control measures to be used for the plant. Where a weed control order applies to land, occupier(s) of the land must control the weeds in accordance with the order. The Act has relevance for the University in its landscape management activities.	http://www.austlii.edu.au/au/legis/nsw/consol_act/nwa1993182/	NA
Ombudsman Act 1974	State	An Act to provide for the appointment of, and to define the functions of the NSW Ombudsman. The Ombudsman has functions including investigating and making determinations in respect of reportable conduct. Note- complaints are the primary mechanism to trigger an investigation by the Ombudsman, however, an investigation may take place whether or not a complaint has been received. The University has cause to deal with the NSW Ombudsman with respect to complaints about the University; reportable allegations against employees of the University; complaints about how such allegations were handled by the University; complaints about how the University has handled freedom of information applications and the University decisions; and the University's management of protected disclosures from public sector staff and officials about maladministration. The Vice-Chancellor is the Reporting Officer for the University and has the following duties to report and provide the following information 1) the University has a duty to notify the Ombudsman of reportable allegations, or reportable convictions, against an employee of the University and related actions proposed by the University in response to such allegation /conviction including- Documentation noting reasons for determined course of action and written submissions made to the University concerning any such allegation or conviction that the employee wished to have considered. 2) The notification must be made as soon as practicable and, in the case of the notification of a reportable allegation or reportable conviction, must be made, within 30 days of the Reporting Officer becoming aware of the allegation or conviction (or period as may be agreed to by the Ombudsman). 3) The Reporting Officer must make arrangements within the University to ensure employees provide notification to the Vice-Chancellor of any such reportable allegation or conviction of which they become aware. 4) Under the Act the Ombudsman may require the University to provide a statement of information; to produce any document or thing, or to give the Ombudsman a copy of any document.	http://www.austlii.edu.au/au/legis/nsw/consol_act/oa1974114/	Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html
Paid Parental Leave Act 2010	Commonwealth	An Act to provide for the payment of parental leave pay. The paid parental leave (PPL) scheme provides eligible working parents with 18 weeks of Parental Leave Pay at the rate of the National Minimum Wage.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/ppla2010166/	NA
Payroll Tax Act 2007	State	An Act to establish the framework for the imposition and collection of Payroll Tax. The Act mandates the payment of payroll tax by the University on the following expenditure items: 1. Salaries and wages 2. All untaken recreation leave and long service leave accrued and paid by lump sum upon termination. 3. Subsistence and Car Allowance payments 4. Contribution to official overseas travel expenses 5. Special studies travel grant.	http://www.austlii.edu.au/au/legis/nsw/consol_act/pta2007155/sch2.html	NA
Poisons and Therapeutic Goods Act 1966	State	An Act relating to the regulation, control and prohibition of the supply and use of poisons, restricted substances, drugs of addiction, certain dangerous drugs and certain therapeutic goods; to establish a Poisons Advisory Committee and to define its powers, authorities, duties and functions. The Poisons List is established by the Act comprising eight schedules which categorise substances according to their classification (e.g. S4, S8). The classification system is based upon managing availability of substances eg- substances that may be dangerous if carelessly managed or misused and substances that may produce an addiction will have differing classification, supply, handling and storage requirements to those whose availability may be required more quickly for therapeutic purposes. The Act has a number of provisions for the manufacture, wholesale supply, general supply, distribution, storage and dispensement of therapeutic goods or poisonous substances. There are varying levels of licensing prescribed by the Act required for these activities for the different classifications of substances. Offences under the Act, include the improper manufacture, supply, receipt, distribution, storage and handling of substances covered by the Act. The Act may apply to the University in a variety of capacities including but not limited to the University's research activities, teaching activities, delivery of Health and Veterinary Services and in the Facilities Management storage of chemicals used for landscape management.	http://www.austlii.edu.au/au/legis/nsw/consol_act/patga1966307/	The Use of S4 and S8 Drugs (Animal Care & Ethics) Policy http://www.newcastle.edu.au/policy/000359.html
Prevention of Cruelty to Animals Act 1979	State	An Act for the prevention of cruelty to animals. Offences under this Act occur in the commission of acts of cruelty upon an animal which includes the failure to provide suitable food, water and shelter for animals in your care. The Act has relevance for the University through its interactions with animals. The activities involving animals that are relevant for this legislation and the University are as follows:- routine interaction with University animals under the care of the Animal Services Unit (excluding animal research under the jurisdiction of the Animal Research Act 1985; and excluding clinical treatment of animals in the Veterinary Clinic under the jurisdiction of the Veterinary Practices Act 2003); intermittent contact with native animals naturally occurring in the campus environment and periodic dealings with companion animals and pest species that incidentally occur on campus.	http://www.austlii.edu.au/au/legis/nsw/consol_act/poctaa1979360/	Monitoring of Animals Used for Research or Teaching Policy http://www.newcastle.edu.au/policy/000238.html
Privacy Act 1988	Commonwealth	The Privacy Act is the Federal Act which sets privacy standards for the responsible collection and handling of personal information. This Act applies to Australian Government (Commonwealth) and ACT Government agencies particularly, and to the wider community -including the private sector and state and local government agencies- only in relation to specific categories of information (tax file number information and consumer credit information). The Act also establishes the Office of the Privacy Commissioner (Federal) and Privacy Advisory Committee and defines their functions. The Act applies the Information Privacy Principles; the Approved Privacy Codes; and, the National Privacy Principles. The Act provides for the protection of personal information in the possession of ACT and Federal government departments and agencies and safeguards for the collection, storage, use and disclosure of personal information. Under the Act, individuals have access and correction rights in relation to their own personal information. Privacy issues arise in a wide range of areas and circumstances - Privacy legislation deals mainly with information privacy (i.e. the handling of personal information). The Privacy Act 1988 was amended by the Privacy Amendment Act 1990 . Privacy legislation that is more applicable for the University includes the Privacy and Personal Information Protection Act 1998 and the Health Records Information Privacy Act 2002 as these Acts are NSW legislation.	http://www.austlii.edu.au/au/legis/cth/consol_act/pa1988108/	Bachelor of Medicine - JMP Rules Governing Administration of Assessment Items http://www.newcastle.edu.au/policy/000877.html Rules Governing the Administration of Assessment Items http://www.newcastle.edu.au/policy/000113.html

<p>Privacy and Personal Information Protection Act 1998</p>	<p>State</p>	<p>This Act provides for the protection of personal information, and for the protection of the privacy of individuals generally. The Act sets privacy standards applicable for NSW State and Local government agencies and private sector persons and organisations in NSW. Privacy NSW is established by the Act as the Office of the NSW Privacy Commissioner. Under the Act, the University is required to deal with personal information in accordance with the 12 information protection principals prescribed within the Act. - Collection must be 1.Lawful; 2.Direct; 3.Open; 4.Relevant; - Storage must be 5.Secure; - Access must be 6.Transparent; 7.Accessible; 8. Correct; - Use must be 9.Accurate; 10.Limited; and - Disclosure must be 11.Restricted and 12. Safeguarded. The University must take steps to ensure that there is no deliberate and wrongful disclosure of personal information and is also required to develop and implement a Privacy Management Plan. The Act prescribes the contents of the privacy management plan including descriptions of the University's policies and processes for complying with privacy legislation and dealing with privacy matters including those matters relevant for the Health Records Information Privacy Act 2002; and, dissemination strategies for the privacy policies and procedures to the University community.</p>	<p>http://www.austlii.edu.au/au/legis/nsw/consol_act/papipa1998464/</p>	<p>Bachelor of Medicine - JMP Rules Governing Administration of Assessment Items http://www.newcastle.edu.au/policy/000877.html Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Electronic Mail (Email) Policy http://www.newcastle.edu.au/policy/000895.html Information Security Classification Policy http://www.newcastle.edu.au/policy/000814.html Information Security Policy http://www.newcastle.edu.au/policy/000813.html Information Security Roles and Responsibilities Policy http://www.newcastle.edu.au/policy/000815.html Privacy Management Plan http://www.newcastle.edu.au/policy/000258.html Records Management Policy http://www.newcastle.edu.au/policy/000285.html Rules Governing the Administration of Assessment Items http://www.newcastle.edu.au/policy/000113.html Network Security Policy http://www.newcastle.edu.au/policy/000816.html Privacy Management Plan http://www.newcastle.edu.au/policy/000258.html Responsible Conduct of Research Policy http://www.newcastle.edu.au/policy/000873.html Rules Governing the Administration of Assessment Items http://www.newcastle.edu.au/policy/000113.html Solicitation - Donations and Contributions that Support Research and Other NA</p>
<p>Protection of the Environment Operations Act 1997</p>	<p>State</p>	<p>An Act to protect, restore and enhance the environment in NSW; to promote public access to information about pollution; and, to simplify the regulatory and administrative aspects of environment protection legislation. The Act provides that the EPA (Environment Protection Authority) be the regulatory authority for the purposes of the Act. Procedural matters including the drafting and publishing of PEP's (Protection of the Environment Policies) by the EPA with associated impact statements and public consultation and notice are covered in the Act. A system of Environment Protection Licences is established by the Act for the purposes of carrying out scheduled activities (as defined by schedule 1 of the Act - e.g. chemical production, sterilisation activities, waste processing electricity generation, livestock intensive activities, etc) and scheduled development work (development designed to enable scheduled activities to take place on the premises.) Further, the Act provides for the issue of environment protection notices (clean-up notices, prevention notices, and prohibition notices) - It is an offence under the Act not to comply with such notices and penalties include sizeable fines. The Act further defines a tiered mechanism to classify offences under the Act and provides for maximum penalties (eg: to wilfully dispose of waste in a manner that harms or is likely to harm the environment is a Tier 1 offence that may attract large fines and potential imprisonment.); different forms of pollution are dealt with, including:- water pollution, air pollution, noise pollution, land pollution, littering, motor vehicle emissions etc. There are provisions for voluntary and mandatory environmental audits and procedural matters for the conduct of investigations (including scope, associated notice requirements, powers of entry, and duty to provide information.)</p>	<p>PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997</p>	<p>NA</p>
<p>Public Finance and Audit Act 1983</p>	<p>State</p>	<p>An Act to make provision with respect to the administration and audit of public finances. The Act prescribes the form, content and timing of financial statements for the University and provides for the audit of those statements by the Audit Office of NSW.</p>	<p>http://www.austlii.edu.au/au/legis/nsw/consol_act/pfaaa1983189/</p>	<p>Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Delegation of Authority Policy http://www.newcastle.edu.au/policy/000083.html Records Management Policy http://www.newcastle.edu.au/policy/000285.html</p>
<p>Public Health Act 2010</p>	<p>State</p>	<p>An Act to improve the health of the people of NSW through provisions for public health programs for the following purposes - Management of infectious diseases; Immunisation programs for control of vaccine preventable diseases; Controls for operators of air and water handling systems requiring monitoring of quality and intervention where required; Prevention of certain diseases such as Cervical Cancer through the keeping of registers for screening programs; Programs controlling funeral industry activity in the interests of public health; Limitations on sale & advertising of tobacco with the aim to reduce the uptake of smoking within the community; Classification of, and associated policies and procedures for notification and control measures for notifiable diseases (as defined in Schedule 3 of the Act). Schedule 1 of the Act groups medical conditions into 5 categories - requiring varying response & notification points as indicated. The Act defines restricted health services that must only be performed by approved medical practitioners; prescribes procedural matters to promote the safety of drinking water through reporting and provision of public advice re safety status; and provides for the issue, enforcement, duration, and appeal of 'public health orders' in the interests of public health.</p>	<p>http://www.austlii.edu.au/au/legis/nsw/consol_act/pha2010126/</p>	<p>Infection Prevention and Control for Blood Borne Pathogens Guideline http://www.newcastle.edu.au/policy/000165.html</p>

<p>Public Interest Disclosures Act 2010</p>	<p>State</p>	<p>This Act seeks to provide protection for public officials who make reports/disclosures concerning corrupt conduct, maladministration and waste in the public sector. The University is a public sector agency and this Act is relevant for the University in that context. The University is required to take every reasonable measure to ensure the confidentiality of the identity of a person who has made such a Protected Disclosure. This Act prescribes a number of requirements that are to be followed by the University in the event that a protected disclosure is made. (1) The object of this Act is to encourage and facilitate the disclosure, in the public interest, of corrupt conduct, maladministration and serious and substantial waste in the public sector by: (a) enhancing and augmenting established procedures for making disclosures concerning such matters, and (b) protecting persons from reprisals that might otherwise be inflicted on them because of those disclosures, and (c) providing for those disclosures to be properly investigated and dealt with. (2) Nothing in this Act is intended to affect the proper administration and management of an investigating authority or public authority (including action that may or is required to be taken in respect of the salary, wages, conditions of employment or discipline of a public official), subject to the following: (a) detrimental action is not to be taken against a person if to do so would be in contravention of this Act, and (b) beneficial treatment is not to be given in favour of a person if the purpose (or one of the purposes) for doing so is to influence the person to make, to refrain from making, or to withdraw a disclosure.</p>	<p>http://corrgan.austlii.edu.au/au/legis/nsw/consol_act/pida1994313/</p>	<p>Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Complaints Resolution Policy http://www.newcastle.edu.au/policy/000745.html Complaints Resolution Procedure http://www.newcastle.edu.au/policy/000898.html Ethical and Accountable Conduct - Public Interest Disclosures Policy http://www.newcastle.edu.au/policy/000969.html Information Security Classification Policy http://www.newcastle.edu.au/policy/000814.html Information Security Policy http://www.newcastle.edu.au/policy/000813.html Information Security Roles and Responsibilities Policy http://www.newcastle.edu.au/policy/000815.html Investigation of Allegations of Research Misconduct Guidelines http://www.newcastle.edu.au/policy/000872.html Network Security Policy http://www.newcastle.edu.au/policy/000816.html Responsible Conduct of Research Policy http://www.newcastle.edu.au/policy/000873.html University Computing and Communications Facilities Conditions of Use Policy http://www.newcastle.edu.au/policy/000817.html</p>
<p>Quarantine Act 1908 Racial Discrimination Act 1975</p>	<p>Commonwealth Commonwealth</p>	<p>An Act relating to Quarantine. The Act gives effect to Australia's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. Its major objectives are to promote equality before the law for all persons, regardless of their race, colour or national or ethnic origin, and make discrimination against people on the basis of their race, colour, descent or national or ethnic origin unlawful.</p>	<p>http://www.austlii.edu.au/au/legis/cth/consol_act/qa1908131/ http://www.austlii.edu.au/au/legis/cth/consol_act/rda1975202</p>	<p>NA Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html Inclusive Language Guideline http://www.newcastle.edu.au/policy/000797.html Inclusive Language Policy http://www.newcastle.edu.au/policy/000156.html Inclusive Teaching and Learning Guideline http://www.newcastle.edu.au/policy/000750.html Recruitment Policy http://www.newcastle.edu.au/policy/000924.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html</p>
<p>Radiation Control Act 1990</p>	<p>State</p>	<p>An Act to make provision for the regulation and control of the sale, use, keeping and disposal of radioactive substances and radiation apparatus. The Act establishes the Environment Protection Authority (EPA) as the regulatory authority for the purposes of the Act and provides for a licensing system (administered by the EPA) to regulate handling and use of radioactive substances and apparatus. The Act requires that:- any person using radioactive substances or irradiating apparatus hold a licence; Owners of sealed source devices and certain radiation apparatus must register the item and ensure that persons using the item are authorised to do so by a licence; Occupiers of premises on which unsealed radioactive sources are housed must register the premises and ensure persons using the radioactive substance are authorised to do so by a licence. Licences are obtained from the EPA on a prescribed form and are issued for one year. The EPA sends a renewal notice a month prior to expiry. The Act gives the power to the EPA to licence users or to register prescribed ionising and non-ionising radiation apparatus, based on specific licensing conditions. Students using radioactive substances or apparatus are exempt from holding a licence only if they have approval from an appropriate licence holder. The University must obtain an appropriate radiation licence where using or holding radioactive substances and radiation apparatus and must comply with licence conditions. The University must ensure that facilities, equipment and procedures that meet the requirements for registration are in fact registered with the EPA. Where University premises have unsealed radioactive sources (kept or used) they must be registered with the EPA.</p>	<p>http://www.austlii.edu.au/au/legis/nsw/consol_act/rca1990193/</p>	<p>Laboratory Safety Guideline http://www.newcastle.edu.au/policy/000753.html</p>
<p>Radiocommunications Act 1992</p>	<p>Commonwealth</p>	<p>The Radio Communications Act is concerned with the regulating the use of the radio frequency spectrum within Australia. A fundamental principal of the Act is that the operation of all radio transmitters (<470 Terahertz, just under infra red) must be authorised by a telecommunications licence. This is independent of the Telecommunications Act 1997, where a carrier licence or nominated carrier licence is required. This Act has relevance for the University as the operator of a Radio Station (2NURFM).</p>	<p>http://www.austlii.edu.au/au/legis/cth/consol_act/ra1992218/</p>	<p>NA</p>
<p>Real Property Act 1900</p>	<p>State</p>	<p>An Act for the declaration of titles to land and the facilitation of its transfer. The Act establishes the Registrar-General as responsible for the administration of the Act and requires the recording of title particulars on a Register for land. Details required on the Register are prescribed by the Act.</p>	<p>http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/rpa1900178/</p>	<p>NA</p>
<p>Research Involving Human Embryos Act 2002</p>	<p>Commonwealth</p>	<p>An Act to regulate certain activities involving the use of human embryos. The Act deals with issues concerning the use of human embryos, including excess ART (Assisted Reproductive Technology) embryos - being embryos produced during assisted reproductive technology treatment of a woman - that are no longer required by the woman and her spouse. The Act prescribes the NHMRC (National Health and Medical Research Council) and its licensing committee as the body responsible for issuing licences to use human and excess ART embryos for the purposes of research. Further the Act provides that such research must be reviewed, recommended and monitored by an accredited Human Research Ethics Committee (HREC). The Act requires that proper consent be given by parties involved in the creation of the embryo prior to its use; and, prohibits cloning.</p>	<p>http://www.austlii.edu.au/au/legis/cth/consol_act/rihea2002347/</p>	<p>NA</p>
<p>Roads Act 1993</p>	<p>State</p>	<p>An Act to make provision for the roads of NSW. Under the Act, members of the public have rights to use public roads. The Act declares the RTA and other public authorities as roads authorities and defines their functions for the purposes of the Act. The Act makes provisions for road boundaries and road levels, opening and closing of public roads, classification of roads, road work, protection of public roads and traffic, and other road management practices including procedural matters for the establishment of tollways and financial assistance for road authorities. Further, the Act allows for compulsory acquisition (or acquisition by agreement) of land for the purposes of new roads or for road management activities (eg. widening etc).</p>	<p>http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/ra199373/</p>	<p>NA</p>

Rural Fires Act 1997	State	An Act to establish the NSW Rural Fire Service, defines its functions and makes provision for the prevention, mitigation and suppression of rural fires. Rural Fire Districts are defined within the Act (as distinct from Fire Districts as defined by the Fire Brigades Act 1989). The Commissioner of the NSW Rural Fire Service, staff and volunteer fire fighters will form the NSW Rural Fire Service. The Act establishes Bushfire Management Committees and requires them to prepare and submit a plan of operations and a bushfire risk management plan. The timing and content of such plans is dealt with in the Act. Fire Permits are also provided for in the Act. The Act establishes a duty for owners and occupiers of land to prevent bushfires and provides for bushfire prevention measures including hazard reduction. The Act also provides for persons located within the vicinity of bushfire prone land to lodge complaints where bushfire prevention activity is perceived to be inadequate. Hazard Management Officers have the authority to issue notices to owners and occupiers of land to carry out bushfire hazard reduction work. It is an offence under the Act to - obstruct the NSW Rural Fire Service in the course of their duties in fighting a fire; fail to comply with notices issued under the Act; fail to observe conditions of a fire permit and in so doing cause a fire.	http://www.austlii.edu.au/au/legis/nsw/consol_act/rfa1997138/	NA
Security Industry Act 1997	State	An Act to provide for the licensing and regulation of persons in the security industry; to repeal the Security (Protection) Industry Act 1985 and for related purposes.	http://www.austlii.edu.au/au/legis/nsw/consol_act/sia1997255	Alcohol and other Drugs Management Procedure http://www.newcastle.edu.au/policy/000855.html
Sex Discrimination Act 1984	Commonwealth	The Sex Discrimination Act 1984 gives effect to Australia's obligations under the Convention on the Elimination of All Forms of Discrimination Against Women and certain aspects of the International Labour Organisation (ILO) Convention 156. Its major objectives are to: 1. promote equality between men and women 2. eliminate discrimination on the basis of sex, marital status or pregnancy and, with respect to dismissals, family responsibilities, and eliminate sexual harassment at work, in educational institutions, in the provision of goods and services, in the provision of accommodation and the delivery of Commonwealth programs.	http://www.austlii.edu.au/au/legis/cth/consol_act/sda1984209	Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html Inclusive Language Guideline http://www.newcastle.edu.au/policy/000797.html Inclusive Language Policy http://www.newcastle.edu.au/policy/000156.html
Smoke-Free Environment Act 2000	State	The object of this Act is to promote public health by reducing exposure to tobacco and other smoke in enclosed public places.	http://www.austlii.edu.au/au/legis/nsw/consol_act/sea2000247	Smoke-free Environment Policy http://www.newcastle.edu.au/policy/000329.html
Spam Act 2003	Commonwealth	This Act sets up a scheme for regulating commercial electronic messages. Under the Act, the practice of sending unsolicited commercial electronic messages is prohibited; commercial electronic messages must state the name of the individual or organisation who authorised the sending of the message; there must be an 'unsubscribe' function and software that can harvest electronic addresses must not be used, supplied, or acquired (note: for the purposes of the Act, email addresses and telephone numbers are electronic addresses, however, voice calls are not considered to be electronic messages).	http://www.austlii.edu.au/au/legis/cth/consol_act/sa200366/	NA
State Authorities Superannuation Act 1987	State	An Act to establish a superannuation scheme for certain employees in the public sector; and for other purposes.	http://www.austlii.edu.au/au/legis/nsw/consol_act/sasa1987389/	NA
State Emergency & Rescue Management Act 1989	State	An Act relating to the management of State emergencies and rescues. Under the Act, the Premier has the ability to declare that a 'state of emergency' exists in the whole or part of NSW when there is significant and widespread danger to life and or property in the state. The Act establishes the State Disasters Council and deals with emergency management at the State, District and Local levels via respective emergency management committees and emergency operations controllers. The Act allows for expeditious measures to be taken during a 'state of emergency' bypassing usual steps to ensure that emergency officers are able to perform such functions as necessary to promote safety (eg: evacuation by order; other safety measures such as to take possession or use property for the purposes of responding to the emergency). It is an offence under the Act to hinder emergency services officers in the execution of their duties during a 'state of emergency'.	http://www.austlii.edu.au/au/legis/nsw/consol_act/searma1989331/index.html	NA
State Records Act 1998	State	An Act to regulate the creation, management and protection of the records of public offices of the State; to provide for public access to those records, and to establish the State Records Authority under the management of the Director to oversee such matters. The concept of 'control' of a record is defined as having possession or custody of the record or having the record in possession or custody of another person (eg - archived offsite). The public office responsible for the record is entitled to control of the record. The Act stipulates that the Chief Executive of each public office has the duty to ensure compliance with this Act and associated regulations. Further, the Act directs that each public office has the following obligations:- to protect state records; keep full and accurate records of their activities; establish a records management program (including making, keeping and disposing of records); monitor and report records management activity to the Authority; comply with State Records Authority guidelines and approval for the disposal, alteration and or transfer of state records; and, where records are held as data produced from computer system etc, the public office must provide for the ability to reproduce the record even if the software is no longer in use. Once a record ceases to be in use by the public office in control of the record, the NSW State Records Authority is entitled to control of the record and the public office no longer has such an entitlement. Records Management programs must be consistent with standards and codes of best practice as determined by the State Records Authority - Current standards are described in the DIRKS manual (designing and implementing recordkeeping systems) and are available on the NSW State Records Authority website; In particular, the NSW Standard on Digital Recordkeeping has compliance implications with a staged implementation through 2009 to 2012.	http://www.austlii.edu.au/au/legis/nsw/consol_act/sra1998156/	Appeal Against Final Result Procedure http://www.newcastle.edu.au/policy/000261.html Creation of Records Guideline http://www.newcastle.edu.au/policy/000785.html Electronic Mail (Email) Management Guidelines http://www.newcastle.edu.au/policy/000143.html Electronic Mail (Email) Policy http://www.newcastle.edu.au/policy/000895.html Electronic Records Management Guideline http://www.newcastle.edu.au/policy/000053.html File Notes Guideline http://www.newcastle.edu.au/policy/000514.html Information Security Classification Policy http://www.newcastle.edu.au/policy/000814.html Information Security Policy http://www.newcastle.edu.au/policy/000813.html Information Security Roles and Responsibilities Policy http://www.newcastle.edu.au/policy/000815.html Network Security Policy http://www.newcastle.edu.au/policy/000816.html Privacy Management Plan http://www.newcastle.edu.au/policy/000258.html Record Retention and Disposal Guideline http://www.newcastle.edu.au/policy/000284.html Records Management Policy http://www.newcastle.edu.au/policy/000285.html Research Data and Materials Management Policy http://www.newcastle.edu.au/policy/000869.html Research Data and Materials Management Procedure http://www.newcastle.edu.au/policy/000870.html
Superannuation Act 1916	State	An Act to provide a State provident fund for persons employed by the State or other relevant bodies. The Act deals with procedural matters relating to the State Superannuation Fund including setting up reserves and general operations and management of the fund. The superannuation scheme set up by this Act is not generally available to persons employed on or after 1 July, 1985 with certain exceptions. The obligations under this legislation largely rest with the Fund administrator, however, the University may have employees who have contributions in this fund and as such must make appropriate arrangements for contributions to the fund.	http://www.austlii.edu.au/au/legis/nsw/consol_act/sa1916195/	NA
Superannuation Act 2005	Commonwealth	An Act to make provision for and in relation to an occupational superannuation scheme for persons employed by the Commonwealth. The Act allows for member contributions to the Public Sector Superannuation Scheme to be deducted from the employees salary by the employer and prescribes that where such payments have been deducted, the employer must then make those contributions to the Public Sector Superannuation Scheme.	http://corrigan.austlii.edu.au/au/legis/cth/consol_act/sa2005195/	NA

Superannuation Guarantee (Administration) Act 1992	Commonwealth	An Act to impose a charge on any shortfall in the amount contributed by employees to Retirement Savings Accounts (RSA's) or superannuation funds for the benefit of employees. As an employer the University has an obligation to pay super contributions on behalf of eligible employees. These contributions are in addition to employees' salaries and wages. This compulsory contribution is called the superannuation guarantee and it requires the University to: pay super for eligible employees; contribute to the correct super funds, and pay contributions by the cut off date each quarter.	http://www.austlii.edu.au/au/legis/cth/consol_a/ct/sga1992430/	NA
Surveillance Devices Act 2007	State	An Act to regulate the installation, use, maintenance and retrieval of surveillance devices. Under the Act, a warrant or emergency authorisation is required where a surveillance device is to be used to record private conversations where a person might reasonably expect the spoken words to remain private. Surveillance Device includes a listening device, optical surveillance device, tracking device, data surveillance device etc - It is an offence under the Act to utilise a surveillance device to record private conversation(s) without an approved warrant or authorisation. The Act deals with procedural matters regarding the form and content of an application for a warrant, retrieval warrant, emergency authorisation and corresponding authorisation for the use of a surveillance device and defines who is authorised under the Act to approve and grant such a warrant or authorisation. Further, the Act prescribes the process for determining the application for the warrant or authorisation and the form and content of the issued warrant or authorisation. Information obtained from the use of an approved surveillance device is deemed 'protected information' - communication and publication of 'protected information' is prohibited under the Act.	http://www.austlii.edu.au/au/legis/cth/consol_a/ct/sgca1992314/ http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/sda2007210/	NA
Telecommunications Act 1997	Commonwealth	The Act regulates telecommunications in Australia. Three of the entities it defines are: 1. Carriers who must hold a carrier licence and generally are owners of Network Units (telecommunications transmission facilities such as copper cable or optical fibre facilities) that are used to supply services to the public; 2. Carriage Service Providers who supply transmission services to the public over a Network Unit and; 3. Content Service Providers who supply content over telecommunications network to the public. The University fits into this category through the supply of online content to the public via the internet. Obligations exist under related legislation (Broadcasting Services Act 1992) Note that the Australian Communications and Media Authority (ACMA), established by alternate legislation, is prescribed as the primary regulatory authority for the purposes of this Act. Carriers, engaged by the University, are subject to obligations and must be licensed. Service providers are not licensed but must comply with service provider rules. AARNET Pty Ltd provides network and internet services to the University - and as such has obligations under the Act which include the requirement to hold a carrier licence issued by ACMA to perform this service. The University's provision of online content makes it an Internet Content Host and as such internet activity by the University is regulated by the Broadcasting Services Act 1992 (See separate entry). It is worth noting that the Trade Practices Act 1974 also has implications here as information provided by the University must not be misleading or deceptive (e.g. program and course content provided to potential students).	http://www.austlii.edu.au/au/legis/cth/consol_a/ct/ta1997214/	NA
Telecommunications and Postal Services (Transitional Provisions and Consequential Amendments) Act 1989	Commonwealth	An Act to enact certain transitional provisions, make certain amendments, and effect certain repeals, in consequence of the enactment of the Telecommunications Act 1989, the Australian Postal Corporation Act 1989 and the Australian Telecommunications Corporation Act 1989, and for other purposes	http://www.austlii.edu.au/au/legis/cth/num_act/tapsacaa1989941/	NA
Terrorism (Commonwealth Powers) Act 2002	State	This Act refers matters in relation to terrorism to the jurisdiction of the Commonwealth. The Act allows for the application of the Criminal Code Act 1995 of the Commonwealth in determining proceedings for such matters.	http://www.austlii.edu.au/au/legis/nsw/consol_act/tpa2002367/	NA
Tertiary Education Quality and Standards Agency Act 2011	Commonwealth	An Act to regulate higher education. The Tertiary Education Quality and Standards Agency (TEQSA) regulates and assures the quality of Australia's large, diverse and complex higher education sector. From January 2012, TEQSA will register and evaluate the performance of higher education providers against the new Higher Education Standards Framework. The Standards Framework comprises five domains: Provider Standards, Qualification Standards, Teaching and Learning Standards, Information Standards and Research Standards. The Provider Standards and Qualifications Standards are collectively the Threshold Standards which all providers must meet in order to enter and remain within Australia's higher education system.	http://corigan.austlii.edu.au/au/legis/cth/consol_act/teqasaa2011466/	NA
Threatened Species Conservation Act 1995	State	An Act to conserve threatened species, populations and ecological communities of animals and plants. The Act and associated regulations prescribe the criteria for classification of a species, population or ecological community as 'vulnerable', 'endangered', 'presumed extinct', or 'critically endangered'. Further, this legislation provides criteria for activities to be considered 'key threatening process' for the purposes of the Act. The Scientific Committee is established as the body responsible for the above classification of threatened species and is responsible for the compilation of lists contained within the schedules to the Act. Schedule 1 - lists endangered species, populations, ecological communities and species that are presumed extinct for the purposes of the Act. Schedule 1A - lists critically endangered species and ecological communities. Schedule 2 - lists vulnerable species and ecological communities. Schedule 3 - lists key threatening processes. The Act deals with procedural matters for the declaration of a 'critical habitat' and the resulting limitations to activities that may be permitted at a site declared as a 'critical habitat'. The Act has provisions for the preparation, consultation and publication of threatened species priorities action statement, recovery plans, and threat abatement plans, to promote the conservation of threatened species. The Act contains a licencing mechanism to allow restricted activity (usually prohibited due to risk of harm or damage to the habitat or population under threat) under certain circumstances and only with express permission of the Director General (through issue of the Licence). Biodiversity certification of environmental planning instruments (EPIs) including local environmental plans, state environmental planning policies and regional environmental plans can be granted under the Act, if the Minister for the Environment is satisfied the plan will provide an overall improvement or maintenance of biodiversity values. Further, the act establishes a biobanking framework including Biobanking agreements and the creation and trading of biodiversity credits counterbalancing the impacts of development to improve or maintain biodiversity values. The University must have regard to this Act, Environmental Planning Instruments and Development Applications in conduct of any development activity impacting threatened species and associated habitats.	http://www.austlii.edu.au/au/legis/nsw/consol_act/tsca1995323/	NA
Trade Marks Act 1995	Commonwealth	The Act establishes the Trade Marks Office (a Commonwealth office) and provides for sub-offices in each State. The Registrar and Deputy Registrar are responsible for recording details of registered trade marks in the Trade Marks Register (upon proper processing of an application for such registration). A trade mark can be a word, phrase, letter, number, sound, smell, shape, logo, picture, aspect of packaging or a combination of these. A trade mark is used to distinguish the goods and services of one trader from those of another and can also protect a brand name. It is not mandatory to register a trade mark, however, registration of a trade mark establishes the legal right to use, license or sell the trade mark within Australia for the goods and services for which it is registered. Company names, business names and domain names are not the same as trade marks and distinct registration processes exist for them. International Trade Marks - the Madrid Protocol (Australia became member country of the Madrid Protocol in 2001) seeks to streamline multi-country registration of trade marks. Caution: not all countries are members of the Madrid Protocol and as such individual registration with Trade Mark Offices in those countries is advisable to protect legal rights to trade marks. Australian applications seeking multi country trade mark registration can use the Madrid Protocol system through lodgement with IP Australia (the Commonwealth Trade Marks Office); these applications require only a single international application; in English, Spanish or French; the application is filed through the Trade Marks Office of the home country; and protection can be sought in one, some or all of the other member countries. The Act allows for cancellation of registration of a trade mark due to non-use. Where a trade mark has not been used by or on behalf of the registered owner of the trade mark for a period of 3 years, an application for removal from the Trade Marks Register can be made. Further, it is important to ensure that any registered trade marks continue to be regarded as a trade mark. If a trade mark becomes known as the generic name for a particular type of goods or services and ceases to be recognised as a trade mark, an application to the courts to have the registration cancelled may be successful.	http://www.austlii.edu.au/au/legis/cth/consol_a/ct/tma1995121/	NA

Universities Governing Bodies Act 2011	State	An Act to enable the governing bodies of universities to progressively adopt standard provisions allowing greater flexibility in their size and composition; and for other purposes.	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/ugba2011329/	NA
University of Newcastle Act 1989	State	An Act with respect to the constitution and functions of the University of Newcastle. The Act sets out the object and functions of the University for the promotion of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence. The Act deals with procedural matters including constitution and membership of the University Council, Convocation and the Academic Senate. The roles of the Chancellor, Deputy Chancellor and Vice-Chancellor are defined within the Act. Further, the Act defines the functions of the Council and the duties of Council members. The Act stipulates that a register must be maintained of the University's commercial activities and provides that the Minister may issue guidelines for the processes to be followed for the University's commercial activities (including due diligence, feasibility studies and risk assessments). The Council may be required from time to time to report to the Minister on the University's commercial activities. The Act has provisions for the University's Controlled Entities and requires that the governing bodies of the Controlled Entities are to provide regular reports to the University Council to enable appropriate oversight of business activities and performance. Under the Act, no person should be denied admission as a student of the University or be ineligible to hold office in, to graduate from or to enjoy any benefit of the University by reason of discrimination on the grounds of religious or political belief. The Act stipulates that the Seal of the University should be used only under the direction and resolution of the Council. University-by-laws and rules may be made, varied and repealed by the University Council.	http://www.austlii.edu.au/au/legis/nsw/consol_act/uona1989285/	Chancellor, Deputy Chancellor and Pro Chancellor Rule http://www.newcastle.edu.au/policy/000944.html Commercial Activities Guideline http://www.newcastle.edu.au/policy/000554.html Constitution of the Academic Senate http://www.newcastle.edu.au/policy/000402.html Controlled Entity Reporting Requirements Schedule http://www.newcastle.edu.au/policy/000903.html Council Meeting Protocols Policy http://www.newcastle.edu.au/policy/000077.html Delegation of Authority Policy http://www.newcastle.edu.au/policy/000083.html Governance Framework for Cotrolled Entities Policy http://www.newcastle.edu.au/policy/000863.html Investment Policy Statement http://www.newcastle.edu.au/policy/000784.html Making of Rules by the Vice-Chancellor http://www.newcastle.edu.au/policy/000188.html Maximum Time for Completion of Programs Schedule http://www.newcastle.edu.au/policy/000962.html Meetings Protocol Policy http://www.newcastle.edu.au/policy/000229.html Network Security Policy http://www.newcastle.edu.au/policy/000816.html Risk Management Policy http://www.newcastle.edu.au/policy/000601.html Rules Governing Admission and Enrolment
Veterinary Practice Act 2003	State	An Act relating to the practice of veterinary science. The object of the Act is to regulate the provision of veterinary services and seeks to (a) promote the welfare of animals; (b) to ensure consumers are well informed of the competencies required of veterinary practitioners; (c) to ensure acceptable standards are required to be met by veterinary practitioners; and, (d) to provide public health protection. The Act establishes the 'restricted acts of veterinary science' list and stipulates persons who can perform such acts: Veterinary Hospitals must hold a valid licence as a Veterinary Hospital as issued under this Act; Veterinary Practitioners must be registered under the Act. The University operates a Veterinary Clinic and this clinic holds a Veterinary Hospital licence as issued under the Act. Further the University employs a number of registered Veterinary Practitioners whose activities are regulated by this Act.	http://www.austlii.edu.au/au/legis/nsw/consol_act/vpa2003215/	NA
Waste Avoidance and Resource Recovery Act 2001	State	The objects of the Act are to encourage the most efficient use of resources and to reduce environmental harm in accordance with the principles of ecologically sustainable development and to ensure that resource management options are considered against a hierarchy of the following order: 1. avoidance of unnecessary resource consumption 2. resource recovery (including reuse, reprocessing, recycling and energy recovery), disposal, to provide for the continual reduction in waste generation. Also to minimise the consumption of natural resources and the final disposal of waste by encouraging the avoidance of waste and the reuse and recycling of waste, ensure that industry shares with the community the responsibility for reducing and dealing with waste, ensure the efficient funding of waste and resource management planning, programs and service delivery, achieve integrated waste and resource management planning, programs and service delivery on a State-wide basis and to assist in the achievement of the objectives of the Protection of the Environment Operations Act 1997.	http://www.austlii.edu.au/au/legis/nsw/consol_act/waarra2001364/	NA
Work Health and Safety Act 2011	State	An Act to secure the health, safety and welfare of persons at work; to repeal the Occupational Health and Safety Act 2000. The objects of harmonising work health safety laws through a model framework are: <ul style="list-style-type: none"> • to protect the health and safety of workers • to improve safety outcomes in workplaces • to reduce compliance costs for business, and • to improve efficiency for regulator agencies. The Bill includes the following key elements: <ul style="list-style-type: none"> • a primary duty of care requiring persons conducting a business or undertaking (PCBUs) to, so far as is reasonably practicable, ensure the health and safety of workers and others who may be affected by the carrying out of work • duties of care for persons who influence the way work is carried out, as well as the integrity of products used for work • a requirement that 'officers' exercise 'due diligence' to ensure compliance • reporting requirements for 'notifiable incidents' such as the serious illness, injury or death of persons and dangerous incidents arising out of the conduct of a business or undertaking • a framework to establish a general scheme for authorisations such as licences, permits and registrations (e.g. for persons engaged in high risk work or users of certain plant or substances) • provision for consultation on work health and safety matters, participation and representation provisions • provision for the resolution of work health and safety issues • protection against discrimination for those who exercise or perform or seek to exercise or perform powers, functions or rights under the Bill • an entry permit scheme that allows authorised permit holders to: <ul style="list-style-type: none"> * inquire into suspected contraventions of work health and safety laws affecting workers who are members, or eligible to be members of the relevant union and whose interests the union is entitled to represent, and * consult and advise such workers about work health and safety matters. • provision for enforcement and compliance including a compliance role for work health and safety inspectors, and • regulation-making powers and administrative processes including mechanisms for improving cross-jurisdictional cooperation. 	http://corrigan.austlii.edu.au/au/legis/nsw/consol_act/whasa2011218/	Alcohol and other drugs policy http://www.newcastle.edu.au/policy/000410.html Clothing and Protective Equipment Procedure http://www.newcastle.edu.au/policy/000933.html Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html First Aid Officer Procedure http://www.newcastle.edu.au/policy/000121.html First Aid Policy http://www.newcastle.edu.au/policy/000122.html Infection Prevention and Control for Blood Borne Pathogens Guideline http://www.newcastle.edu.au/policy/000165.html Laboratory Safety Guideline http://www.newcastle.edu.au/policy/000753.html Laboratory Safety Policy http://www.newcastle.edu.au/policy/000752.html Occupational Health and Safety (OH&S): Induction Procedure for Students http://www.newcastle.edu.au/policy/000921.html Responsible Conduct of Research Policy http://www.newcastle.edu.au/policy/000873.html Smoke-free Environment Policy http://www.newcastle.edu.au/policy/000329.html Web Publishing and Hosting Policy http://www.newcastle.edu.au/policy/000383.html Work Health and Safety Policy http://www.newcastle.edu.au/policy/000972.html

Workers Compensation Act 1987	State	<p>An Act to provide for the compensation and rehabilitation of workers in respect of work related injuries; This Act (the 1987 Act) works with the Workplace Injury Management and Workers Compensation Act 1998 (the 1998 Act) and associated regulations in the provision of the Workers Compensation Scheme for NSW. Under the Act, injury means personal injury arising out of or in the course of employment and includes injuries having a direct relationship with the workplace but also where employment is a contributing factor to the aggravation, exacerbation or acceleration of disease. Essentially the Act establishes that where a worker is injured during the course of employment, the employer has liability for such injury. Further, the Act seeks to ensure that a worker, suffering such an injury, should receive appropriate compensation arising from the employers liability. The Act stipulates that an employer must maintain an insurance policy (from a licensed insurer) for the full amount of the employer's liability in respect of all workers employed by the employer and for an unlimited amount in respect of the employer's liability for the injury of those employees. There is an exception to this rule for employers who are self insured (where Workcover has authorised the granting of a license - taking into account the employers ability to discharge its obligations under the Act, especially financial liabilities in respect of compensation requirements).</p> <p>The Act provides for Compensation to come from (1) the employer - in the case of a self-insured employer or (2) the Licensed Insurer - who has responsibility to pay compensation per the Workers Compensation Insurance Policy held by the employer in respect of that employers workers compensation liability. It is worth noting that where an employee is awarded compensation for a work related injury by way of workers compensation legislation, then that worker relinquishes the opportunity for further damages to be awarded under a civil suit against the employer for negligence.</p> <p>The Act deals with procedural matters relating to calculation and payment of compensation in the event of injury or death; provides for regulation of the insurance industry in the area of workers compensation premiums and fund management; and, establishes a mechanism to protect injured workers from dismissal where reason for dismissal is a direct result of the injury.</p> <p>Under the Act, the University has a duty to appropriately insure its employees for injuries incurred during the course of employment and further, has a duty to disclose relevant information that would affect the calculation of the premium payable.</p>	http://www.austlii.edu.au/au/legis/nsw/consol_act/wca198725/	NA
Workplace Gender Equality Act 2012	Commonwealth	<p>An Act to require certain employers to promote gender equality in the workplace, to establish the Workplace Gender Equality Agency and the office of the Director of Workplace Gender Equality, and for related purposes.</p> <p>The principle objects of the Act are to:</p> <ul style="list-style-type: none"> * promote and improve gender equality (including equal remuneration between women and men) in employment and in the workplace. * support employers to remove barriers to the full and equal participation of women in the workforce, in recognition of the disadvantaged position of women in relation to employment matters. * promote, amongst employers, the elimination of discrimination on the basis of gender in relation to employment matters (including in relation to family and caring responsibilities). * foster workplace consultation between employers and employees on issues concerning gender equality in employment and in the workplace. * improve the productivity and competitiveness of Australian business through the advancement of gender equality in employment and in the workplace. 	http://www.austlii.edu.au/au/legis/cth/consol_act/wgea2012265/	<p>Complaints Resolution Guideline http://www.newcastle.edu.au/policy/000899.html Diversity and Inclusiveness Policy http://www.newcastle.edu.au/policy/000941.html Gender Inclusive Membership of University Committees Policy http://www.newcastle.edu.au/policy/000780.html Recruitment Policy http://www.newcastle.edu.au/policy/000924.html</p>
Workplace Injury Management and Workers Compensation Act 1998	State	<p>An Act to provide for the effective management of work-related injuries and injury compensation for such injuries. The Act has provisions for prompt treatment of injuries; effective and proactive management of injuries, medical and vocational rehabilitation following injuries; income support for injured workers and their dependents during incapacity, payment for permanent impairment or death, and payment for reasonable treatment and other related expenses. This Act (the 1998 Act) works to ensure appropriate management of injuries. The Act establishes the Workcover Authority and defines its primary responsibilities as:- ensuring compliance with workers compensation and occupational health and safety legislation; monitoring and reporting to the Minister on matters relating to such legislation; and, consultation in connection with current or proposed legislation. The Act deals with procedural matters relating to workplace injury management including:- requirements for Licensed Insurers to have an Injury Management Program; requirements for employers to comply with obligations within such a program; timing and notification requirements for injured workers and specific injury management plans to be put in place in the event of a work related injury. Under the Act, an injured worker has an obligation to return to work as soon as possible following an injury and an employer has an obligation to establish a return to work program that acts to provide suitable work for the injured worker (having regard for the physical and vocational rehabilitation of the injured worker). The Act provides for the form, content and processing of claims for compensation and in large part regulates the activities of licensed insurers and claimants in respect of such claims. The University has Workers Compensation Insurance and as such claims for compensation for work related injuries will be dealt with by the University's insurer. The University has obligations to notify the insurer of such claims and to provide information to the insurer in relation to those events in a timely manner. Where the insurer pays the University an amount in compensation of a claim on behalf of an injured employee, the University must pay that amount to the injured employee as soon as practicable.</p>	http://www.austlii.edu.au/au/legis/nsw/consol_act/wimawca1998540/	NA
Workplace Surveillance Act 2005	State	<p>An Act regulating the surveillance of employees at work. The Act stipulates that surveillance must not take place without prior written notice to the employee - (min 14 days notice); Such a notice must describe:- the kind of surveillance to be carried out (camera, computer or tracking); how the surveillance will be carried out: when the surveillance will start; whether the surveillance will be continuous or intermittent, and, whether the surveillance will be for a specified limited period or ongoing. The Act establishes additional requirements for camera and computer surveillance. Under the Act, covert surveillance of an employee by an employer is prohibited unless authorised by a covert surveillance authority (this can only be issued by a Magistrate for the purpose of establishing conduct of unlawful activity by an employee whilst at work - not for performance monitoring etc)</p> <p>The Act has restrictions on the disclosure of information gained from the conduct of workplace surveillance. The University has cause to conduct surveillance activity from time to time. Fixed cameras are in place around the University for Security purposes (as allowed under the Act) and the University email policy states that the University may access email records and may conduct email surveillance in accordance with this Act.</p>	http://www.austlii.edu.au/cgi-bin/disp.pl/au/legis/nsw/consol_act/wsa2005245/	NA