

1999



THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

---

**ADELAIDE AIRPORT CURFEW BILL 1999**

---

**SUPPLEMENTARY EXPLANATORY MEMORANDUM**

(Senator Grant Chapman, Senator for South Australia,  
on behalf of the Member for Hindmarsh, Chris Gallus MP)

**SUPPLEMENTARY EXPLANATORY MEMORANDUM  
ADELAIDE AIRPORT CURFEW BILL 1999**

**OUTLINE**

This Supplementary Explanatory Memorandum explains the purpose of minor amendments to the *Adelaide Airport Curfew Bill 1999*. It should be read in conjunction with the Explanatory Memorandum for the Bill.

**FINANCIAL IMPACT STATEMENT**

The amendments to the Bill have no budgetary implications. The amendments do not impose restrictions which are not in place currently, and hence it is not envisaged that aircraft operators will suffer adverse financial consequences from the enactment of the amendments.

## **NOTES ON AMENDMENTS**

### **Amendment (1)**

---

Amendment (1) amends clause 18 of the Bill by removing the requirement that each dispensation granted under clause 18 must relate to only one take-off of an aircraft, or to one landing of an aircraft. The clause currently in the Bill would entail an inefficient, unwieldy arrangement for dispensation applications involving more than one take-off or landing. The amendment would mean for example, that if the Minister were to grant a dispensation for a number of take-offs or landings during the curfew, this could be accomplished through a single dispensation.

However, it should be noted that the amendment would not alter the position that an applicant for a dispensation would still need to satisfy the Minister that the circumstances justify a dispensation. The Minister would also be able to stipulate any conditions to which a dispensation should be subject.

### **Amendment (2)**

---

Amendment (2) simply reflects the change in terminology, following the commencement of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, from an 'officer' to an 'APS employee' in the Department. It substitutes the relevant words in clause 21 of the Bill.

### **Amendment (3)**

---

This amendment has been made to take account of the view expressed in the Senate Standing Committee for the Scrutiny of Bills' 'Alert Digest' No.5 of 31 March 1999, that the Bill, as drafted, provided an unfettered discretion for the Secretary of the Department to appoint a person or a class of persons to be authorised persons for the purposes of this Act.

The amendment replaces clause 22, limiting the scope of the Secretary's powers to appoint "authorised persons". The clause will now provide that the Secretary may appoint an APS employee in the Department or an employee of Airservices Australia, or a class of persons who are APS employees in the Department or employees of Airservices Australia, to be an authorised person, or a class of persons, for the purposes of the Act.