

CORRECTION

AUSTRALIAN MARITIME SAFETY AUTHORITY BILL 1990

EXPLANATORY MEMORANDUM

Insert at the end of the Explanatory Memorandum the attached paragraphs 128 to 136 which refer to clauses 58 to 63 inclusive, which were omitted in error.

(Circulated by authority of the Minister
for Transport and Communications,
the Honourable Kim Beazley MP)



Clause 58 - Delegation by Authority

128. This clause allows the Authority to delegate its powers. The scope of delegation has been made deliberately flexible to allow for some of the technical functions to be delegated to such persons as State/Territory officials, officials of overseas marine administrations or even, where appropriate, to non-governmental professional persons.

Clause 59 - Substitution of Authority for Commonwealth in contracts etc

129. This clause empowers the Minister to substitute the Authority for the Commonwealth in respect of a contract or other instrument relating to the assets of the Authority.

Clause 60 - Publication of directions

130. This clause requires that Ministerial directions under clauses 8, 29 or 38 be notified in the Gazette within 21 days.

Clause 61 - Regulations

131. This clause empowers the Governor-General to make regulations.

Clause 62 - Amendments of other Acts

132. This clause provides, in a schedule, for consequential amendments to other legislation as a result of this Act.

133. Most of the amendments are a direct transfer of functions to the Authority under various maritime statutes or a necessary result of such transfer. The opportunity has also been taken to tidy up the power to make Marine Orders, currently appearing in various ways in various places in the Navigation Act 1912, into a single section of that Act.

Clause 63 - Actions etc. under provisions amended or repealed

134. Subclause (1) provides that acts done or decisions made under other legislation amended, or repealed and re-enacted, by this Bill are to continue to have effect.

135. Subclause (2) provides that in an instrument kept in effect by subclause (1), references to Secretary and Department are to be read as references to the Authority.

136. Subclause (3) provides that Ministerial orders made under the Navigation Act 1912, the Protection of the Sea (Powers of Intervention) Act 1981 or the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 (known collectively as "Marine Orders") are continued in force.

