

1990

THE PARLIAMENT OF THE COMMONWEALTH  
OF AUSTRALIA

HOUSE OF REPRESENTATIVES

AUSTRALIAN MARITIME SAFETY AUTHORITY BILL 1990

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendments to be moved on behalf of  
the Government

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

# AUSTRALIAN MARITIME SAFETY AUTHORITY BILL 1990

## OUTLINE

The Schedule to the Bill as read a first time on 16 May 1990 contained some minor errors. Amendments being moved in Committee will correct those errors.

## NOTES ON THE AMENDMENTS

Clause 62 of the Bill amends Acts specified in the Schedule in the manner set out in the Schedule. Among those Acts are the *Lighthouses Act 1911* and the *Navigation Act 1912*.

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

Some alterations need to be made to the Schedule as follows:

### Lighthouses Act 1911

- . The *Lighthouses Act 1912* is to be amended by the Bill to extend protection from legal actions to the Authority and its staff as well as to the Minister and departmental staff. The amendment in the Bill does not clearly do this; the amendment not moved will achieve this result.

### Navigation Act 1912

- . The proposed amendment replaces "Minister" with "Authority" in subsection 148D(4) which was omitted.
- . In subsection 267D(5), the words "by instrument in writing under his (the Minister's) hand" in the original Schedule is to be replaced by "by instrument in writing" (by the Authority).
- . An amendment to subsection 283F(2) was erroneously included in the original Schedule with amendments to be made to subsection 283F(1). The proposed amendment rectifies this error.
- . Paragraph 425(1)(ff) was omitted from the original Schedule. The proposed amendment repeals that paragraph as well as paragraphs (f) to (fe).
- . The Bill amends the Act to locate the order-making power in a proposed subsection 425(1AA) rather than in the Navigation (Orders) Regulations. References to the latter are being replaced by references to the former. Such a replacement was omitted from the original Schedule in respect of section 426A. The amendment effects this replacement.
- . The reference to the Minister in the heading to section 148D is to be omitted. This was omitted from the Note to the original Schedule; the proposed amendment rectifies this.

