



1991

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

CRIMES (AVIATION) BILL 1991

EXPLANATORY MEMORANDUM

(Circulated by authority of the
Attorney-General,
the Honourable Michael Duffy MP)

THIS MEMORANDUM TAKES ACCOUNT OF AMENDMENTS
MADE BY THE SENATE TO THE BILL AS INTRODUCED.

CRIMES (AVIATION) BILL 1991

OUTLINE

PURPOSE OF BILL

The Bill is designed to consolidate the provisions of 4 Acts forming the current aviation crimes legislative package: the *Crimes (Hijacking of Aircraft) Act 1972* - ("Hijacking Act"); the *Civil Aviation (Offenders on International Aircraft) Act 1970* - ("International Aircraft Act"); the *Crimes (Protection of Aircraft) Act 1973* - ("Protection Act"); and the *Crimes (Aircraft) Act 1963* - ("Aircraft Act").

The first three of the above Acts implement international conventions to which the Commonwealth is a party. The Hijacking Act implements the Hague Convention, the International Aircraft Act implements the Commonwealth's obligations under the Tokyo Convention and the Protection Act implements the Montreal Convention and its Protocol. Each of the Conventions are more fully defined in clause 3 of the Bill.

The above conventions overlap to some extent, as do the Acts which currently implement them and the Aircraft Act. The aim of the consolidation is to collect and simplify the existing law giving certainty in administration of the law.

EFFECT OF SUBSTANTIVE PROVISIONS

The Bill applies to all aircraft over which the Commonwealth has jurisdiction. Various formulations, for example, the definitions of Division 2 and Division 3 aircraft, are used throughout the Bill to establish jurisdiction.

Part 2 of the Bill creates a series of offences relating to aviation. The offence of hijacking in Division 1 of Part 2 is drawn very widely to reflect the principle of universal jurisdiction, known as "extradite or prosecute", set out in the Hague Convention. Jurisdiction to prosecute the offence is nevertheless limited to situations where there is some Australian involvement. The offence is punishable by life imprisonment to reflect the severe penalties required by the Hague Convention. Acts of violence against passengers or crew are also made punishable by Division 1 of Part 2.

Division 2 of Part 2 applies on board aircraft the criminal law of the Jervis Bay Territory. Division 3 of Part 2 creates a series of further offences proscribing taking control of an aircraft, the destruction of aircraft, acts which may prejudice the safe operation of aircraft and also threatening to do, or making a false statement about, any of those things.

Endangering the safety of aircraft in flight and committing acts of violence at airports are made offences in Division 4 of Part 2. Prescription of these offences is an obligation under the Montreal Convention and the Protocol to that Convention. Damage to Commonwealth aerodromes and navigation facilities is prohibited in Division 5 of Part 2.

Part 3 establishes the authority of the aircraft commander, in accordance with the Tokyo Convention, in relation to acts done on board an aircraft. The commander is given the capacity to disembark passengers in Australia and have them dealt with under provisions of the Bill.

The Bill sets out in Parts 4 and 5 administrative and procedural measures for its application. These deal with arrest and extradition or trial of offenders, restoring control of aircraft to proper authorities, the making of regulations and other procedural matters.

FINANCIAL IMPACT STATEMENT

As a consolidation, the Bill has no additional direct costs to the Commonwealth. Rather, the Bill should reduce costs by simplifying the administration of this area of the Commonwealth's criminal law.

NOTES ON CLAUSES

In these notes, the following abbreviations are used:

- a. *Crimes (Hijacking of Aircraft) Act 1972* - ("Hijacking Act");
- b. *Crimes (Aircraft) Act 1963* - ("Aircraft Act");
- c. *Crimes (Protection of Aircraft) Act 1973* - ("Protection Act");
- d. *Civil Aviation (Offenders on International Aircraft) Act 1970* - ("International Aircraft Act").

The above four Acts are collectively referred to as the "current Crimes Aircraft legislative package".

PART I

INTRODUCTORY

DIVISION 1 - SHORT TITLE AND COMMENCEMENT

Clause 1 - Short Title

Clause 2 - Commencement

2. The Bill will commence operation on a day proclaimed by the Governor-General and not later than six months after the day on which it receives the Royal Assent. The repeal of the various Acts included in this consolidation necessitates amendment of the *Extradition (Hijacking of Aircraft) Regulations 1988* and the *Extradition (Protection of Aircraft) Regulations 1988*. The commencement date is delayed to allow these amendments to be effected and arrangements with the States and Territories in relation to the appointment of magistrates to be made.

DIVISION 2 - DEFINITIONS AND INTERPRETATION

Clause 3 - Definitions

3. This provision defines various terms within the Bill.

Clause 4 - Meaning of "threaten"

4. The word "threat" or "threaten" appears in clause 9 in relation to hijacking, subclause 16(3) in relation to taking control of a Division 3 aircraft, clause 21 in relation to assaulting crew, subclause 24(1) in relation to the safety of aircraft and passengers, and subclause 28(1) in relation to the safety of Commonwealth aerodromes, air navigation facilities and persons within them. The words are defined by reference to the doing of anything from which it could reasonably be inferred that a person intends to do an act.

Clause 5 - Aircraft flights: when do they start?

5. This clause picks up and consolidates the definitions of the start of an aircraft flight in each of the international conventions referred to in the Bill.

Clause 6 - Aircraft flights: when do they end?

6. This clause picks up and consolidates the definitions of the end of an aircraft flight in each of the international conventions referred to in the Bill. It clarifies the application of the Bill where an aircraft is destroyed or forced to land or a flight is abandoned.

Clause 7 - Aircraft flights between 2 parts of Australia

7. "Part of Australia" is defined in clause 3 to mean a State or Territory. Clause 7 assists in the interpretation of the definition of "prescribed flight" in clause 3 by setting out the circumstances in which a flight will be regarded as being between two Territories, two States or between a State and a Territory. "Prescribed flight" is in turn a part of the definitions in clause 3 of "Division 2 aircraft" and "Division 3 aircraft".

Clause 8 - Aircraft flights within a Territory

8. Reference to aircraft flight within a Territory is found in clause 3 in the definition of "prescribed flight." "Prescribed flight" is in turn a part of the definitions in clause 3 of "Division 2 aircraft" and "Division 3 aircraft", which aircraft may be the subject of offences provided for in the Bill..

Clause 9 - What is hijacking?

9. Article 1 of the Hague Convention provides the definition of hijacking appearing in clause 9. The clause recognises the principle of universal jurisdiction for certain offences. The offence is not limited to Australian territory or citizens but ensures that the Commonwealth, in accordance with its international obligations, may prosecute an offender within its jurisdiction no matter where an offence occurred. C.f.s7 Hijacking Act.

Clause 10 - What is an unlawful act?

10. Unlawful acts are defined for the purposes of Division 4 of Part 2. That division deals with offences relating to the safety of civil aviation and acts of violence at prescribed airports. The definitions of unlawful act are intended to cover all the acts proscribed in Article 1 of the Montreal Convention. This approach to definition of the offences allows a far simpler expression of the scope of jurisdiction and penalties for the offences in clause 25. C.f. s7 Protection Act.

DIVISION 3 - EXTENSION OF ACT TO EXTERNAL TERRITORIES ETC.

Clause 11 - Extension of Act to external Territories

11. As is the case in the current Crimes Aircraft legislative package, the Bill will extend to the external Territories.

Clause 12 - Extra-territorial operation

12. This clause implements the Commonwealth's international obligations under each of the Conventions to assume jurisdiction for offences committed outside its territory and by all persons irrespective of nationality. It is by this means that the universal regime of "extradite or prosecute" is established in relation to the offences dealt with by the Conventions. The jurisdictional scope of offences is limited for each series of offences by other provisions in the Bill.

PART 2

OFFENCES

**DIVISION 1 - HIJACKING AND OTHER ACTS OF VIOLENCE ON BOARD
AIRCRAFT**

Clause 13 - Hijacking an offence

13. Clause 13 effectively limits the exercise of Australia's jurisdiction over hijacking offences to those instances where:

- (a) there is a nexus with Australia (and the Commonwealth has jurisdiction); or
- (b) the accused is present in Australia and the person is not extradited to some other country having a closer nexus to an alleged act of hijacking, for example, the country of registration of the hijacked aircraft or the country of nationality of the accused.

14. The scheme of the Bill contemplates that, where there is no nexus to Australia other than the accused's presence within the jurisdiction, the person would be extradited. However subclause 13(4) preserves Australia's jurisdiction if for some reason extradition does not take place. Life imprisonment is a maximum, not a mandatory, penalty. C.f. s8 Hijacking Act, subs11(3) Aircraft Act.

Clause 14 - Other acts of violence

15. The clause applies on board aircraft the criminal law of the Jervis Bay Territory by making it an offence to commit on board an aircraft any act of violence which would be a criminal offence in the Jervis Bay Territory. The clause also limits the scope of the offence to those aircraft over which the Commonwealth may exercise jurisdiction. C.f. s9 Hijacking Act, Art 4 Hague Convention.

**DIVISION 2 - OTHER OFFENCES ON BOARD AIRCRAFT ENGAGED IN
CERTAIN FLIGHTS**

Clause 15 - Certain offences committed on aircraft

16. Clause 15 applies on board "Division 2 aircraft" the criminal law of the Jervis Bay Territory by making it an offence to commit on board an aircraft any act or omission which would be a criminal offence in the Jervis Bay Territory. The clause also limits the scope of the offence to those aircraft over which the Commonwealth may exercise jurisdiction other than by reason of it's implementing one of the international conventions. It is similar to clause 14 which has a wider jurisdiction but specifies a narrower range of offences than this provision. Clauses 14 and 15 make it clear what law, in relation to matters not affecting aircraft safety, eg. theft, obscene behaviour, etc., applies on board those aircraft over which the Commonwealth has jurisdiction. C.f. s7 Aircraft Act.

**DIVISION 3 - OFFENCES AFFECTING AIRCRAFT AND THE SAFE OPERATION OF
AIRCRAFT**

17. Essentially this Division re-enacts offences relating to the safety and control of aircraft equivalent to those currently existing under the Aircraft Act.

Clause 16 - Taking control of aircraft

18. The offences in subclauses (1) and (2) differ from the offence of hijacking provided for in clause 13 in that force or threat of force is not a necessary element, nor is it necessary for the offender to be on board the aircraft. These subclauses would therefore cover the theft of an aircraft and also impersonation of a pilot. c.f s11 Aircraft Act.

19. The offence in subclause (3) does involve force but, again, does not require the offender to be on board the aircraft. This provision is also based on s11 of the Aircraft Act and applies to those aircraft over which the Commonwealth may exercise jurisdiction other than by reason of it's implementing one of the international conventions.

Clause 17 - Destruction of aircraft

20. This clause makes it an offence to wilfully destroy a Division 3 aircraft. It is not intended that this offence be applied where destruction takes place with lawful excuse; for example, where an aircraft is destroyed in the course of salvage, in the making of a movie or during a lawful military operation. C.f. s12 Aircraft Act.

Clause 18 - Destruction of aircraft with intent to kill

21. The higher penalty reflects the degree of criminality involved in a clause 18 offence (where an intention to kill is an element) which is greater than that in the similar clause 17 offence. Life imprisonment is a maximum, not a mandatory, penalty. C.f. s13 Aircraft Act.

Clause 19 - Prejudicing safe operation of aircraft

22. Sabotage, for whatever motive, is of course the primary target of this clause. C.f. s14 Aircraft Act.

Clause 20 - Prejudicing safe operation of aircraft with intent to kill etc.

23. The higher penalty reflects the greater criminality involved in this offence as contrasted with the clause 19 offence. Life imprisonment is a maximum, not a mandatory, penalty. C.f. s15 Aircraft Act.

Clause 21 - Assaulting crew

24. This offence differs from those in clauses 14 and 15 in that the focus of this offence is prejudicing the safe operation of the aircraft. The severity of the penalty reflects the obviously increased seriousness of the offence. An offence such as this may be committed in the course of a hijack. C.f. s16 Aircraft Act.

Clause 22 - Endangering safety of aircraft

25. In contrast to clause 19, an element of this offence is that the offender be on board the aircraft. This offence is not concerned specifically with the integrity of the aircraft's operation but with its general safety. The offence is committed where a person's action, to that person's knowledge, is likely to endanger an aircraft's safety. C.f. s17 Aircraft Act.

Clause 23 - Dangerous goods

26. This clause is wide enough to cover an attempt to have dangerous goods sent by air as in a situation where the offender delivers goods to a courier and the courier then discovers the goods are dangerous before they are placed on board the aircraft. The nature of dangerous goods may be specified in regulations made under clause 51. This will provide flexibility in keeping up to date with aviation safety issues. C.f. s18 Aircraft Act.

Clause 24 - Threats and false statements

27. Among other things, the offence applies to bomb threats against aircraft. Hoax bomb threats and passing false information about terrorist plans or activities in relation to aircraft would be caught by subclause (2). C.f. s19 Aircraft Act.

**DIVISION 4 - OFFENCES RELATING TO THE SAFETY OF CIVIL AVIATION AND
ACTS OF VIOLENCE AT CERTAIN AIRPORTS**

Clause 25 - Endangering the safety of aircraft in flight

28. This clause prohibits the commission of the unlawful acts defined in subclauses 10(1) and (2). The offences are separated to allow for different penalties. Clause 25 limits jurisdiction in a manner similar to that in clause 13. Again extradition is the course contemplated where there is no nexus with Australia other than the accused's presence within the jurisdiction. C.f. s7(2) Protection Act.

Clause 26 - Acts of violence at certain airports

29. Clause 26 implements further obligations the Commonwealth has undertaken under the Montreal Convention and Protocol. The clause functions in the same manner as clauses 13 and 25 in defining jurisdiction. C.f. subs7(1A), (2A) and (5) Protection Act.

**DIVISION 5 - OFFENCES RELATING TO COMMONWEALTH AERODROMES AND
AIR NAVIGATION FACILITIES**

Clause 27 - Endangering safety of aerodromes etc.

30. "Commonwealth aerodrome" and "Commonwealth air navigation facilities" are defined in clause 3. C.f. s20B Aircraft Act.

Clause 28 - Threats and false statements

31. Threats or hoax reports of terrorist activity against, or of planting of bombs etc in, Commonwealth aerodromes and air navigation facilities would be caught by this clause. C.f. s20C Aircraft Act.

PART 3

PROVISIONS GIVING EFFECT TO THE TOKYO CONVENTION

Clause 29 - Certain provisions of Tokyo Convention to have force of law

32. The Tokyo Convention forms Schedule 4 to the Bill. The Convention applies to any aircraft registered in a Contracting State while that aircraft is outside the Territory of that State. It will therefore apply to Australian aircraft when they are outside Australia and to foreign aircraft within Australia and in certain other circumstances. The Convention is not limited to aircraft engaged in commercial flights.

33. Chapter III of that Convention deals with the powers of an aircraft commander. These powers are wide where the aircraft commander reasonably believes a person to be committing or about to commit an offence on board the aircraft. The person may, among other things, be restrained and then disembarked at the next landing point and handed over to local authorities. (If a person were so disembarked in Australia, the provisions of clause 30 would operate). The Chapter also deals with the ability of crew members and passengers to take preventative measures where they reasonably believe action is immediately necessary to protect the safety of the aircraft or the passengers and property on board.

34. Paragraph 1 of Article 16 of the Tokyo Convention enhances extradition procedures by deeming, for the purposes of extradition, an offence to have also been committed in the State of registration of the aircraft.

35. Subclause (3) ensures that matters arising under this clause need not go directly to the High Court. C.f. s6 International Aircraft Act.

Clause 30 - Authorised person may accept delivery of persons

36. Paragraph 1 of Article 9 of the Tokyo Convention (Schedule 4) provides that an aircraft commander may deliver to local authorities at next landing a person who the commander believes has committed on board the aircraft an act which is a serious offence in the State of registration of the aircraft. The Convention applies to all aircraft registered in a Contracting State while that aircraft is outside the Territory of that State. Thus only people delivered from foreign registered aircraft will be affected by this clause. C.f. s7 International Aircraft Act.

37. The classes of people who are authorised to accept delivery of such a person are defined in clause 3 to be members of the Australian Protective Service, the manager of any Commonwealth aerodrome or prescribed airport, authorised officers for the purposes of s89 *Migration Act 1958*, members of the Australian Federal Police and officers of the police force of a State or Territory.

Clause 31 - Application of the Migration Act etc.

38. While the *Migration Act 1958* has been extensively amended and renumbered since the original provision in s11 of the *International Aircraft Act* was drafted, the purpose of the provision remains unchanged. The clause provides a mechanism for exercising one of the powers of a State of landing, ie. deportation, conferred by the Tokyo Convention. It also ensures that a person who enters Australia as a result of the exercise of a power conferred by the Bill in implementing the Tokyo Convention provisions does not commit an entry offence, and does not cause the the airline company or anyone escorting that person into Australia to commit an offence under the *Migration Act 1958* or the *Immigration Act 1980* of Norfolk Island as a result of the exercise of that power.

PART 4

RESTORING CONTROL OF AIRCRAFT AND DEALING WITH OFFENDERS

Clause 32 - Restoring control of aircraft

39. This provision allows the use of reasonable force to restore control of a hijacked aircraft to its lawful commander. C.f. s8 *International Aircraft Act*, s10 *Hijacking Act*.

Clause 33 - Taking offenders into custody

40. This clause provides for arrest by an authorised person of a person suspected of committing certain acts defined in the provision. It also preserves the power to arrest under other laws. "Authorised person" is defined in clause 3. C.f. subss8(2) and (3) *International Aircraft Act*, subss11(1) and (2) *Hijacking Act*, subss8(1) and (2) *Protection Act*.

41. "Convention offence" is defined in clause 3 to mean an offence against a provision of Division 1 or 4 of Part 2. The act referred to in paragraph 33(4)(b) is hijacking or an act of violence in connection with a hijacking. Paragraph 33(4)(c) refers to the offences listed in Article 1 of the Montreal Convention (as amended by the Protocol) being the acts which may result in the operation of Article 6 of that Convention. Hijacking is the offence referred to in paragraph 33(4)(d). The paragraphs in subclause 4 overlap to a large extent but are designed to ensure that no gap is left in meeting Australia's international obligations.

Clause 34 - Arrest of offenders

42. This clause is similar in effect to, and overlaps with, clause 29 but extends the concept contained in the Tokyo Convention to apply to "prescribed aircraft" as defined in clause 3, which includes Australian aircraft and foreign government aircraft. The aircraft commander is empowered to arrest and hold, or authorise another person to hold, an accused in custody until the person can be transferred to the custody of a person authorised for the purposes of clause 33 (ie. a member of the Australian Protective Service, the manager of any Commonwealth aerodrome or prescribed airport, an authorised officer for the purposes of s89 *Migration Act 1958*, a member of the Australian Federal Police or an officer of the police force of a State or Territory) or taken before a magistrate. C.f. s12 Hijacking Act, s9 Protection Act and ss 25 and 27 Aircraft Act.

Clause 35 - Restraining persons from committing offences

43. Similar powers of restraint to those in Chapter 3 of the Tokyo Convention (see clause 29) are given to the aircraft commander but the clause applies to "prescribed aircraft" as defined in clause 3, which includes Australian aircraft and foreign government aircraft. C.f. s12 Hijacking Act, s9 Protection Act, s6 International Aircraft Act and s25 Aircraft Act.

Clause 36 - Arrest of persons who escape from custody

44. This clause ensures that there is no gap in State law which may prevent a person from being rearrested if he or she escapes from custody imposed under the Act. C.f. s13 Hijacking Act, s10 Protection Act and s9 International Aircraft Act.

Clause 37 - Preliminary inquiries

45. An inquiry conducted by a magistrate may be used to gather evidence to present at an extradition hearing. "Magistrate" is defined in clause 3. The rights of the accused are protected in subclauses (3) and (5) ensuring that evidence is taken on oath and that, except in exceptional circumstances, the accused hears all evidence being given. One such circumstance may be where evidence is being given disclosure of which may endanger national security by for example, identifying personnel, operational procedures, equipment or tactics of Australian Defence Force or police counter-terrorist units. C.f.s14 Hijacking Act, s11 Protection Act and s10 International Aircraft Act.

Clause 38 - Proceedings before magistrate on warrant for arrest

46. A magistrate is given power to proceed under Acts other than this Bill in dealing with the person in custody. For example, extradition proceedings may be commenced and the accused remanded to the custody prescribed by the *Extradition Act 1988* which has different statutory time limits and conditions. C.f. s15 Hijacking Act, s12 Protection Act and s13 International Aircraft Act.

Clause 39 - Proceedings before a magistrate where warrant not produced

47. The conditions for remand of an accused are prescribed. C.f. s15 Hijacking Act, s12 Protection Act and s13 International Aircraft Act.

Clause 40 - Release of a person remanded in custody

48. This clause fixes the maximum period of remand of a person in custody under this Bill before criminal or extradition proceedings must be commenced or the person released. C.f. s16 Hijacking Act, s13 Protection Act and s16 International Aircraft Act.

PART 5

MISCELLANEOUS

Clause 41 - Evidence: record of evidence taken at preliminary inquiries

49. Several possible uses for evidence taken at an inquiry instituted under s37 are listed. Admission of evidence in the form of a written record bypasses normal procedures (for example, cross examination of the witness is not possible) so the evidence may only be admitted in these other proceedings if it would be unjust not to do so. C.f. s18 Hijacking Act, s15 Protection Act and s15 International Aircraft Act.

Clause 42 - Evidence: entry into force of Conventions

Clause 43 - Evidence: Ministerial notices

Clause 44 - Ministerial certificates

50. These three provisions are designed to make proof of technical matters related to each of the conventions simpler. C.f. s25 Hijacking Act, s22 Protection Act and s19 International Aircraft Act.

Clause 45 - Offences under subsections 14(1) and 15(1): are they indictable?

51. The law of the Jervis Bay Territory is applied to decide this question since the penalty for each of these offences varies according to the penalty for conduct of that nature had it occurred in the Jervis Bay Territory. C.f. s9 Hijacking Act and s8 Aircraft Act.

Clause 46 - Alternative verdicts

52. Under this provision a person may be found guilty of an offence under clause 14 or 15 where he or she is charged with conduct constituting offence "A" in the Jervis Bay Territory but the facts as proved establish that his or her conduct would not constitute a offence "A" but it would constitute offence "B". The provision saves the expense of the laying of new charges and a fresh hearing where the conduct covered by the second charge is established.

Clause 47 - Venue

53. The question of which court is the appropriate court to hear a charge relating to an offence committed on an aircraft in flight is resolved in subclause (1) by presuming, in the absence of any contrary evidence, the court before which the person is being tried to be the appropriate court.

54. Technicalities of charges are dealt with in subclause (2), ensuring that, where the aircraft was in flight at the time an offence was allegedly committed, it is not necessary to allege a location other than the aircraft as the place where an offence was allegedly committed.

Clause 48 - Change of venue

55. This clause provides for the institution of new proceedings and transfer of the accused in custody to another court where the jurisdiction of the court in which the original indictment was presented is successfully challenged.

Clause 49 - Search powers

56. This power provided for under this clause, which is given to the aircraft commander and certain other people authorised by the responsible Minister, is complementary to those given in clauses 33, 34 and 35. The aircraft commander or authorised person may use any appropriate assistance to search the aircraft, passengers, crew, luggage or freight where he or she suspects that an offence against Division 2 or 3 has been, is being, or may be committed on board or in relation to the aircraft. The clause would authorise, for instance, a search of luggage where a credible bomb threat had been made against a particular aircraft, airline, or airport, or where a terrorist who had been restrained claimed that a bomb had been planted on board the aircraft or in a Commonwealth aerodrome. C.f. s26 *Crimes (Aircraft) Act 1963*.

57. The power is far reaching, but very necessary for aircraft safety. It is constrained by the requirement that the relevant person actually entertain a reasonable suspicion before he or she exercises the power.

Clause 50 - Operation of other laws

58. The operation of all Commonwealth, State and Territory laws are preserved but "double jeopardy", ie. being punished twice for the same conduct, is prevented. Double jeopardy is also expressly prevented where a person has already been convicted of an offence under the law of a foreign country.

Clause 51 - Arrangements about magistrates

59. These arrangements will establish which magistrates may perform functions under the Bill.

Clause 52 - Regulations

60. The Governor-General is given the regulation making power.

Clause 53 - Repeals

61. The four Acts in the current Crimes Aircraft legislative package are repealed as from the date of commencement of the Bill.

Clause 54 - Transitional and savings

62. Subclause (1) saves existing authorisations under the current Crimes Aircraft legislative package in relation to the corresponding clause of the Bill. This ensures there is no period following the repeal of the current Crimes Aircraft legislative package in which there are no people authorised to carry out functions under the Bill.

63. Subclause (2) preserves notices relating to countries acceding to or denouncing any of the Conventions.

64. Subclause (3) ensures that the Acts to be repealed continue to have their full effect after repeal in relation to acts done before the commencing date of the Bill.

Schedule 1 - Hague Convention

Schedule 2 - Montreal Convention

Schedule 3 - Protocol

Schedule 4 - Tokyo Convention

63. The first four schedules contain the authorised texts of each of the conventions referred to in the Bill.

Schedule 5 - Consequential Amendments

65. Three Acts will be affected by the repeal of the current Crimes Aircraft legislative package. Each is affected only in that they contain references to one or more of the Acts to be repealed. The references are amended to substitute the name of this Bill.



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