



# **Marine Navigation Levy Act 1989**

**No. 161 of 1989**

**An Act to impose a levy on certain sea-going ships,  
and for related purposes**



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## Contents

1 Short title.....	1
2 Commencement.....	1
3 Definitions.....	2
4 Interpretation .....	2
5 Application to Crown .....	2
6 Imposition of levy .....	2
7 Amount of levy.....	3
8 Regulations.....	3





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## An Act to impose a levy on certain sea-going ships, and for related purposes

*[Assented to 18 December 1989]*

Be it enacted by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### 1 Short title

This Act may be cited as the *Marine Navigation Levy Act 1989*.

### 2 Commencement

- (1) Subject to subsection (2), this Act commences on a day to be fixed by Proclamation.

### Section 3

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- (2) If this Act does not commence within the period of 6 months beginning on the day on which this Act receives the Royal Assent, it commences:
- (a) if the first day after the end of that period is the first day of a quarter—on that day; or
  - (b) in any other case—on the first day of the quarter next following the end of that period.

### 3 Definitions

In this Act:

**Collection Act** means the *Marine Navigation Levy Collection Act 1989*.

**ton** means a whole ton.

**tonnage**, in relation to a ship, means:

- (a) where the net tonnage of the ship has been determined by a method consistent with the provisions of the International Convention on Tonnage Measurement of Ships, 1969 (the English text of which is set out in Schedule 8 to the *Navigation Act 1912*)—the net tonnage so determined; or
- (b) in any other case—the net registered tonnage of the ship.

### 4 Interpretation

In this Act, expressions have the same meaning as in the Collection Act.

### 5 Application to Crown

This Act binds the Crown in right of each of the States, of the Australian Capital Territory, of the Northern Territory and of Norfolk Island.

### 6 Imposition of levy

Levy payable in respect of a sea-going ship in accordance with the Collection Act is imposed.

**7 Amount of levy**

- (1) Where levy is payable in respect of a ship, the amount of levy is the amount, or the total of the amounts, worked out using whichever of the levy rates apply to the ship.
- (2) For the purposes of this Act, each of the following rates is a levy rate in relation to a ship:
  - (a) 63 cents, or such other amount (if any) as is from time to time prescribed, for each of the first 5,000 tons of the ship's tonnage;
  - (b) 53 cents, or such other amount (if any) as is from time to time prescribed, for each ton by which the ship's tonnage is more than 5,000 tons but not more than 20,000 tons;
  - (c) 43 cents, or such other amount (if any) as is from time to time prescribed, for each ton by which the ship's tonnage is more than 20,000 tons but not more than 50,000 tons;
  - (d) 33 cents, or such other amount (if any) as is from time to time prescribed, for each ton by which the ship's tonnage is more than 50,000 tons.

**8 Regulations**

- (1) The Governor-General may make regulations for the purposes of subsection 7(2).
- (2) The regulations must not prescribe an amount for the purposes of paragraph 7(2)(a), (b), (c) or (d) that increases the amount applicable under that paragraph by more than 15% in any period of 12 consecutive months.