



Marine Navigation (Regulatory Functions) Levy Act 1991

No. 40 of 1991

An Act to impose a levy on certain sea-going ships to provide funding for certain marine regulatory and related functions of the Australian Maritime Safety Authority, and for related purposes

Contents

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



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[Assented to 27 March 1991]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Marine Navigation (Regulatory Functions) Levy Act 1991*.

2 Commencement

This Act commences on 1 July 1991.

3 Definitions

In this Act, unless the contrary intention appears:

Collection Act means the *Marine Navigation (Regulatory Functions) Levy Collection Act 1991*.

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) 4 cents, or such other amount as is from time to time prescribed, for each of the first 5,000 tons of the ship's tonnage;
 - (b) 3 cents, or such other amount 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) 3 cents, or such other amount 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) 2 cents, or such other amount 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) Subject to subsection (2), the Governor-General may make regulations for the purposes of subsection 7(2).
- (2) After 30 June 1993, an amount applicable under paragraph 7(2)(a), (b), (c) or (d) must not be increased by more than 15% in any 12 consecutive months.