



# **Shipping Registration Amendment Act 2018**

**No. 140, 2018**

**An Act to amend the *Shipping Registration Act 1981*, and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)



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# Shipping Registration Amendment Act 2018

No. 140, 2018

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## **An Act to amend the *Shipping Registration Act 1981*, and for related purposes**

[Assented to 29 November 2018]

The Parliament of Australia enacts:

### **1 Short title**

This Act is the *Shipping Registration Amendment Act 2018*.

### **2 Commencement**

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with
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column 2 of the table. Any other statement in column 2 has effect according to its terms.

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this Act	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	1 April 2019 (F2019N00020)

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Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

### **3 Schedules**

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Shipping Registration Act 1981*

#### **1 Subsection 3(1)**

Insert:

*approved form*, in relation to a provision of this Act, means a form approved in an instrument under section 3B for the purposes of that provision.

Note: This subsection defines *this Act* to include the regulations.

#### **2 Subsection 3(6)**

Omit “a prescribed form”, substitute “an approved form”.

#### **3 After section 3A**

Insert:

##### **3B Approved forms**

- (1) The Authority may, by writing, approve a form for the purposes of a provision of this Act.

Note: Subsection 3(1) defines *this Act* to include the regulations.

- (2) The Authority may approve different forms of a registration certificate, or a provisional registration certificate, for different kinds of ships.
- (3) Subsection (2) does not limit subsection 33(3A) of the *Acts Interpretation Act 1901*.
- (4) The Authority must publish each approved form on its website.

#### **4 Paragraph 19(2)(a)**

Omit “prescribed form”, substitute “approved form”.

#### **5 Subsection 21(2)**

Omit “prescribed form”, substitute “approved form”.

**6 Paragraph 21(7)(a)**

After “ship”, insert “in accordance with the approved form”.

**7 Subsection 22(1)**

Omit “prescribed form”, substitute “approved form”.

**8 At the end of subsection 22(6)**

Add “in accordance with the approved form”.

**9 Subsections 22A(1) and (2)**

Omit “prescribed form”, substitute “approved form”.

**10 At the end of subsection 22A(6)**

Add “in accordance with the approved form”.

**11 Subsection 23(2)**

Omit “prescribed form”, substitute “approved form”.

**12 Subsections 47A(1) and (4)**

Omit “prescribed form”, substitute “approved form”.

**13 Paragraph 65(1)(d)**

Omit “prescribed form”, substitute “approved form”.

**14 Subsection 65(3)**

Repeal the subsection, substitute:

- (3) If a proper officer grants a provisional registration certificate under this section, he or she must forward the following to the Registrar:
  - (a) a copy of the certificate;
  - (b) a statement in accordance with the regulations setting out particulars relating to the grant of the certificate;
  - (c) the documents prescribed by the regulations for the purposes of this paragraph.

**15 Subsection 83(2)**

After “the regulations may make provision for and in relation to”, insert “the following”.

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**16 Paragraph 83(2)(a)**

Before “manner”, insert “form and”.

**17 Paragraph 83(2)(b)**

After “documents”, insert “(including statutory declarations)”.

**18 Paragraph 83(2)(e)**

Before “manner”, insert “form and”.

**19 At the end of paragraph 83(2)(e)**

Add:

- and (iii) to refuse applications if the documents or information to be lodged in connection with, or in support of, applications are not lodged in the form and manner, or within the time, prescribed by the regulations; and
- (iv) upon application, to extend the time for lodging documents or information;

**20 After paragraph 83(2)(e)**

Insert:

- (ea) if the regulations require a document to be lodged with, or produced to, the Registrar or a proper officer and to be signed by a person—how the signing requirement is met (which may include a witnessing requirement);

**21 Paragraph 83(2)(n)**

After “ships”, insert “, including providing for the Authority to determine the ports that may be selected as home ports for registered ships”.

**22 Paragraph 83(2)(p)**

Repeal the paragraph, substitute:

- (p) the requirements for the marking of ships for the purposes of section 26, including:
  - (i) providing for the Authority, by written instrument, to exempt a particular ship from the whole or a part of those requirements, subject to any conditions specified in the instrument; or

- (ii) providing for the Authority, by legislative instrument, to exempt ships included in a class of ships from the whole or a part of those requirements, subject to any conditions specified in the instrument;

**23 Paragraph 83(2)(w)**

Omit “and”.

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*[Minister’s second reading speech made in—  
House of Representatives on 13 September 2018  
Senate on 12 November 2018]*

(178/18)

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