

EXPLANATORY STATEMENT

STATUTORY RULES 1986 NO. 268

Issued by the Authority of the Minister for Transport

Subject: Shipping Registration Act 1981 - Shipping  
Registration Regulations (Amendment)

Section 83 of the Shipping Registration Act 1981 (No. 8 of 1981) ('the Act') provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act. The Shipping Registration Regulations ('the Regulations') are made pursuant to that section.

The Regulations have been amended to include appropriate reference to sections 22A and 22B of the Act which came into operation on 1 October 1986.

Details of the amending regulations are as follows:

Regulation 1 cites the Principal Regulations.

Regulation 2 inserts reference to section 22A of the Act in regulation 15 of the Regulations:

- (1) to prescribe the form of a provisional registration certificate for the purposes of section 22A;
- (2) to specify conditions under which a provisional registration certificate may be granted under section 22A;
- (3) to permit the lodging of an application for a provisional registration certificate with, and the production of associated documents to, the Registrar of Ships.

Regulation 2 further amends regulation 15 to require an application for a provisional registration certificate to specify details of the application for 'full' registration under the Act, as section 22B of the Act prohibits the granting of a provisional registration certificate unless such application has been lodged.

Regulation 3 amends regulation 16 to permit the period of currency of a provisional registration certificate issued under section 22A to be extended.

Regulation 4 amends Item 4 of Schedule 3 to prescribe the fee for lodging an application for the granting of a provisional registration certificate.

As sections 22A and 22B of the Act were not to come into operation until 1 October 1986, it was necessary for the amending regulations to be made in pursuance of section 4 of the Acts Interpretation Act 1901. That Act provides that regulations may be made as if (the empowering provision of) the Act had come into operation but the regulations shall not come into effect until (the empowering provision of) the Act comes into operation.

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