



Sydney Airport Curfew Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 25 May 2023

David Hurley
Governor-General

By His Excellency's Command

Catherine King
Minister for Infrastructure, Transport, Regional Development and Local Government

Contents

Part 1—Preliminary	1
1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Schedules	1
5 Definitions	1
6 Meaning of <i>air traffic controller</i>	1
Part 2—The curfew	2
7 Address for lodgement of return	2
Part 3—Quota requirements	3
8 Quota requirements that apply to take-offs and landings between 11 pm and midnight.....	3
9 Quota requirements that apply to landings between 5 am and 6 am	3
10 Specified persons—aircraft of the type known as BAe-146	3
11 Quota requirements that apply to take- offs and landings of aircraft of the type known as BAe- 146	3
Part 4—Application and savings provisions	4
12 Application of sections 10 and 11	4
Schedule 1—Repeals	5
<i>Sydney Airport Curfew Regulations 1995</i>	5

Part 1—Preliminary

1 Name

This instrument is the *Sydney Airport Curfew Regulations 2023*.

2 Commencement

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

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	27 May 2023

Note: This table relates only to the provisions of this instrument as originally made.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

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

3 Authority

This instrument is made under the *Sydney Airport Curfew Act 1995*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

Act means the *Sydney Airport Curfew Act 1995*.

6 Meaning of *air traffic controller*

For the purposes of the definition of *air traffic controller* in section 3 of the Act, *air traffic controller* means a person who is authorised under Subpart 65.B of the *Civil Aviation Safety Regulations 1998* to carry out an air traffic control function in Australian territory.

Part 2—The curfew

7 Address for lodgement of return

For the purposes of paragraphs 8(3)(d) and 9(3)(e) of the Act, the prescribed address for lodgement of a return by post is:

Department of Infrastructure, Transport, Regional Development,
Communications and the Arts
GPO Box 594
CANBERRA ACT 2601.

Note: Under subsections 8(3) and 9(3) of the Act, the return must be given to an authorised person. For the definition of *authorised person*, see section 3 of the Act.

Part 3—Quota requirements

8 Quota requirements that apply to take-offs and landings between 11 pm and midnight

- (1) For the purposes of paragraph 12(8)(a) of the Act, the prescribed number of take-offs and landings is 0.
- (2) For the purposes of paragraph 12(8)(b) of the Act, the prescribed number of take-offs and landings is 0.

9 Quota requirements that apply to landings between 5 am and 6 am

- (1) For the purposes of paragraph 12(9)(a) of the Act, the prescribed number of landings is 24.
- (2) For the purposes of paragraph 12(9)(b) of the Act, the prescribed number of landings is 5.

10 Specified persons—aircraft of the type known as BAe-146

For the purposes of subsection 13(1) of the Act, each of the following persons is specified:

- (a) National Jet Express Pty Ltd;
- (b) Pionair Australia Pty Ltd;
- (c) Qantas Airways Ltd;
- (d) IPEC Pty Ltd;
- (e) Virgin Australia Airlines Pty Ltd.

11 Quota requirements that apply to take-offs and landings of aircraft of the type known as BAe-146

For the purposes of paragraph 13(3)(b) of the Act, the upper limit applicable under subparagraph 13(3)(a)(ii) of the Act for take-offs and landings of aircraft of the type known as BAe-146 is divided to impose separate limits as follows:

- (a) for aircraft registered in the name of, or operated by or on behalf of, National Jet Express Pty Ltd—28;
- (b) for aircraft registered in the name of, or operated by or on behalf of, Pionair Australia Pty Ltd—10;
- (c) for aircraft registered in the name of, or operated by or on behalf of, Qantas Airways Ltd—27;
- (d) for aircraft registered in the name of, or operated by or on behalf of, IPEC Pty Ltd—9;
- (e) for aircraft registered in the name of, or operated by or on behalf of, Virgin Australia Airlines Pty Ltd—0.

Part 4—Application and savings provisions

12 Application of sections 10 and 11

- (1) Sections 10 and 11, as in force on the commencement of this instrument, apply in relation to take-offs and landings of aircraft on and after 2 July 2023.
- (2) Despite the repeal of the *Sydney Airport Curfew Regulations 1995* by this instrument, regulations 8 and 9 of the *Sydney Airport Curfew Regulations 1995* continue to apply, as if the repeal had not happened, in relation to take-offs and landings during the period:
 - (a) starting at the start of the day this instrument commences; and
 - (b) ending at the end of 1 July 2023.

Schedule 1—Repeals

Sydney Airport Curfew Regulations 1995

1 The whole of the instrument

Repeal the instrument.