



# Protection of the Sea (Shipping Levy) Act 1981

No. 34 of 1981

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## An Act to impose a levy in respect of certain ships in Australian ports with oil on board

[Assented to 14 April 1981]

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

### Short title

1. This Act may be cited as the *Protection of the Sea (Shipping Levy) Act 1981*.

### Commencement

2. (1) This Act shall come into operation on a date to be fixed by Proclamation.  
(2) The date fixed under sub-section (1) shall not be a date other than the first day of a quarter.

### Repeal

3. The *Pollution of the Sea by Oil (Shipping Levy) Act 1972* is repealed.

### Incorporation of Collection Act

4. The *Protection of the Sea (Shipping Levy Collection) Act 1981* is incorporated in, and shall be read as one with, this Act.

**Imposition of levy**

5. Where, at any time during a quarter when a ship to which this Act applies was in an Australian port, there was on board the ship a quantity of oil in bulk weighing not less than 10 tonnes, levy is imposed in respect of the ship for the quarter.

**Rate of levy**

6. The rate of levy for a quarter is such rate, being a rate not exceeding 4 cents per ton of the tonnage of a ship, as is prescribed and is, in accordance with the regulations, applicable to the quarter.

**Minimum amount of levy**

7. Where, but for this section, the amount of the levy payable in respect of a ship for a quarter would be less than such amount, being an amount not exceeding \$25, as is prescribed for the purposes of this section and is, in accordance with the regulations, applicable to the quarter, the amount of the levy payable in respect of the ship for the quarter is the amount so prescribed.

**Application of Act**

8. This Act applies to a ship (including a ship that is laid up) the tonnage of which exceeds 100 tons, but does not apply to a ship—

- (a) that belongs to, or is for the time being demised or sub-demised to or in the exclusive possession of, an arm of the Defence Force of Australia or the armed forces of a country other than Australia;
- (b) that belongs to, or is for the time being demised or sub-demised to or in the exclusive possession of, the Commonwealth or a State or Territory, or an authority of the Commonwealth or of a State or Territory, and is not engaged in trade; or
- (c) the beneficial interest in which is vested in the Commonwealth or a State or Territory, or an authority of the Commonwealth or of a State or Territory, and that is not engaged in trade.

**Regulations**

9. The Governor-General may make regulations for the purposes of sections 6 and 7.