

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

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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

[*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.