

Sydney Airport Curfew Regulations 1995 No. 444

EXPLANATORY STATEMENT

STATUTORY RULES 1995 No. 444

Issued by the Authority of the Minister for Transport

Sydney Airport Curfew Act 1995

Sydney Airport Curfew Regulations

Section 26 of the *Sydney Airport Curfew Act 1995* (the Act) allows the Governor-General to make regulations prescribing matters that are required or permitted by the Act to be prescribed, or that are necessary and convenient to be prescribed for carrying out or giving effect to the Act.

The Sydney Airport Curfew Regulations (the Regulations) deal with miscellaneous provisions that are necessary for giving effect to the Act.

Details of the Regulations are set out as follows.

Regulation 1 provides that the Regulations may be cited as the Sydney Airport Curfew Regulations.

Regulation 2 provides that the Regulations are to commence on the same day as the Act. The Act will commence on 24 December 1995.

Regulation 3 provides that "Act" means the *Sydney Airport Curfew Act 1995*.

Regulation 4 defines the term "air traffic controller" for the purposes of section 3 of the Act.

Regulation 5 prescribes addresses at which returns are to be lodged for the purposes of paragraphs 8(3)(d) and 9(3)(e) of the Act. Paragraph 8(3)(d) of the Act requires the operator of an aircraft that uses reverse thrust greater than idle reverse thrust during a landing at Sydney Airport during a curfew period to lodge a return giving details of the date, time and reasons for using the greater reverse thrust. Paragraph 9(3)(e) of the Act requires the operator of an aircraft that misses the approach while attempting to land at Sydney Airport during a curfew period to lodge a return setting out the circumstances of the missed approach. In each case the return must be provided to an authorised person at a prescribed address within 7 days.

Regulation 6 prescribes, for the purposes of both paragraphs 12(8)(a) and 12(8)(b), the permitted number of take-offs and landings for international passenger aircraft between 11 pm and midnight is zero.

Regulation 7 prescribes, for the purposes of both paragraphs 12(9)(a) and 12(9)(b), the permitted numbers of landings by international passenger aircraft able to be approved by the Secretary between 5 am and 6 am must not exceed 24 and 5 on a weekly and daily basis respectively.

Regulation 8 specifies, for the purposes of subsection 13(1) of the Act, persons who can, subject to the quota requirements in subsection 13(3), operate BAe-146 aircraft during the curfew for the sole purpose of carrying freight.

Regulation 9 specifies, for the purposes of subsection 13(2) of the Act, persons who can, subject to the quota requirements in subsection 13(4), operate hushkitted DC9 aircraft during the curfew for the sole purpose of carrying freight.

Regulation 10 specifies, for the purposes of subsection 13(3) of the Act, the quota requirements that apply to take-offs and landings of BAe-146 aircraft used for the carriage of freight during the curfew.

The Regulations commence on the same day as the Act. The Act commences on 24 December 1995.