Air Navigation Amendment Regulations 2000 (No. 2)

Statutory Rules 2000 No. 2

I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Air Navigation Act 1920.

Dated 10 AUG 2000

WILLIAM DEANE
Governor-General

By His Excellency’s Command

JOHN ANDERSON
Minister for Transport and Regional Services
Air Navigation Amendment Regulations 2000 (No. 2)¹

Statutory Rules 2000 No. ²
made under the
Air Navigation Act 1920

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2000, Air Navigation Amendment Regulations 2000 (No. 2)
1 Name of Regulations
These Regulations are the *Air Navigation Amendment Regulations 2000 (No. 1)*.

2 Commencement
These Regulations commence on gazettal.

3 Amendment of *Air Navigation Regulations 1947*
Schedule 1 amends the *Air Navigation Regulations 1947*. 

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*Air Navigation Amendment Regulations 2000 (No. 1)* 2000, 2 217
Schedule 1 Amendments
(regulation 3)

[1] Subparagraph 42 (2) (a) (i)

*omit*

and Australian Company Number

[2] Paragraph 42 (2) (g)

*omit*

program.

*insert*

program;

[3] After paragraph 42 (2) (g)

*insert*

(h) if the applicant has an Australian Business Number — that Australian Business Number;

(i) if the applicant has a registered business name (however described) under the law of a State or Territory — that business name.

[4] Regulation 56, after definition of *airside controlled area*

*insert*

*security officer*, for an airport, includes a member of a security service for the airport.

*security service*, for an airport, means a group of persons:

(a) who are made available by a body to be engaged by the operator of the airport to patrol the airport
in accordance with the directions of the operator of the airport; and

(b) each of whom, while patrolling the airport:
   (i) wears a uniform; and
   (ii) carries a transceiver that enables him or her to communicate with other members of the body, the airport operator or the police force of the State or Territory in which the airport is located; and

(c) each of whom satisfies the requirements of regulation 71A.

*special event period* means a period declared under regulation 56A to be a special event period.


*insert*

56A Special event periods

(1) The Minister may declare a period to be a special event period.

(2) A declaration under subregulation (1) is a disallowable instrument for the purposes of section 46A of the *Acts Interpretation Act 1901*.

[6] Regulation 58

*substitute*

58 Meaning of *person in charge of an area*

For this Subdivision, a person is taken to be in charge of an area of a categorised airport if the person is authorised by the Secretary as a person in charge of the area.
[7] **After subregulation 59 (2)**

*insert*

(2A) During a special event period, a person must not intentionally or recklessly enter an area of a categorised airport if the person has been directed not to enter the area by a person in charge of the area.

Penalty: 10 penalty units.

(2B) During a special event period, a person must not intentionally or recklessly remain in an area of a categorised airport if the person has been directed to leave the area by a person in charge of the area.

Penalty: 10 penalty units.

(2C) A direction under subregulation (2A) or (2B) may be given orally or by means of a sign or written communication.

[8] **Subregulation 59 (3)**

*omit*

(1) or (2)

*insert*

(1), (2), (2A) or (2B)

[9] **After subregulation 60 (2)**

*insert*

(2A) During a special event period, a person must not intentionally or recklessly take a vehicle into an area of a categorised airport if the person has been directed not to take the vehicle into the area by a person in charge of the area.

Penalty: 10 penalty units.
(2B) During a special event period, a person must not intentionally or recklessly leave a vehicle in an area of a categorised airport if the person has been directed to remove the vehicle from the area by a person in charge of the area.

Penalty: 10 penalty units.

(2C) A direction under subregulation (2A) or (2B) may be given orally or by means of a sign or written communication.

[10] Subregulation 60 (3)

*omit*

(1) or (2)

*insert*

(1), (2), (2A) or (2B)


*omit*

a security sensitive area, or a part of such an area, of the airport

*insert*

an area of the airport, including a security sensitive area or a part of such an area,

[12] Subregulation 62 (1)

*omit*

a security sensitive area, or a part of such an area, of the airport

*insert*

an area of the airport, including a security sensitive area or a part of such an area,
[13] Subregulation 62 (3)

*omit*

a security sensitive area, or a part of such an area, of the airport

*insert*

an area of the airport, including a security sensitive area or a part of such an area,

[14] After regulation 62

*insert*

62A Owner of vehicle must pay costs of storage etc

(1) If a vehicle is removed under regulation 62, the owner of the vehicle must pay the airport operator the amount reasonably spent by the operator in moving and storing the vehicle.

(2) The amount payable is a debt due to the operator recoverable in a court of competent jurisdiction.

(3) An airport operator is not required to return a vehicle to a person claiming it unless the person pays the amount payable to the operator under this regulation.

62B Airport operator may sell vehicle

(1) This regulation applies if:
   (a) a vehicle is removed under regulation 62; and
   (b) the amount mentioned in regulation 62A is not paid to the airport operator within 14 days after the vehicle is removed.

(2) The airport operator may give notice of intention to sell, or otherwise dispose of, the vehicle.
(3) A notice under subregulation (2) must be published in a daily newspaper circulating generally in the area served by the airport.

(4) If the amount mentioned in regulation 62A is not paid to the airport operator within 14 days after the notice is published, the operator may sell, or otherwise dispose of, the vehicle.

(5) If a vehicle is sold under this regulation, the airport operator must give the proceeds of the sale, less the reasonable cost of moving, storing and selling the vehicle, to the Commonwealth.

[15] Regulation 63

omit

In relation to

insert

(1) For

[16] Regulation 63

insert

(2) During a special event period, if an airport operator is unable to provide a uniformed security force to implement the measures mentioned in paragraphs (1)(a), (b), (c) and (d), those measures must be implemented as if the words ‘uniformed security force’ in each of those paragraphs were replaced by the words ‘security service’.

Note ‘Uniformed security force’ has the meaning given by section 3AF of the Act.
[17] Regulation 65

omit

In relation to

insert

(1) For

[18] Regulation 65

insert

(2) During a special event period, if an airport operator is unable to provide a uniformed security force to implement the measures mentioned in paragraphs (1) (a), (b), (c) and (d), those measures must be implemented as if the words ‘uniformed security force’ in each of those paragraphs were replaced by the words ‘security service’.

Note ‘Uniformed security force’ has the meaning given by section 3AF of the Act.

[19] Regulation 66

omit

In relation to

insert

(1) For

[20] Regulation 66

insert

(2) During a special event period, if an airport operator is unable to provide a uniformed security force to implement the measures mentioned in subparagraphs (1) (a) (i), (ii), (iii) and (iv), those measures must be implemented as if the words ‘uniformed security force’
in each of those subparagraphs were replaced by the words ‘security service’.

Note ‘Uniformed security force’ has the meaning given by section 3AF of the Act.

[21] After regulation 71

insert

71A Qualifications of security service personnel

To be qualified to be a member of a security service for an airport for the purposes of this Part, a person must:

(a) hold a Certificate II training qualification in accordance with the National Security Industry Competency Standards for Security Officers — Security Officer Standards (Guarding), published by Property Services Industry Training Advisory Body Ltd (Australian Business Number 67 062 779 186) in November 1998; and

(b) if the law of the State or Territory in which the airport is located provides for licensing security agents (however described), hold such a licence.
Notes
