EXPLANATORY STATEMENT

Select Legislative Instrument 2007 No. 16

Issued under the Authority of the Parliamentary Secretary to the Minister for Transport and Regional Services

Stevedoring Levy (Collection) Act 1998

Stevedoring Levy (Collection) Amendment Regulations 2007 (No. 1)

Section 21 of the Stevedoring Levy (Collection) Act 1998 (the Act) provides that the Governor-General may make regulations prescribing matters required or permitted by the Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Act authorises the collection of a levy from stevedores on the movement of containers and vehicles subject to the levy. The levy funds were used in the repayment of borrowings taken out by the Maritime Industry Finance Company Limited (MIFCo), an Australian Government owned company, to finance the cost of payments in connection with stevedoring industry reform.

The stevedoring levy ceased at the end of May 2006 after the Minister gave notice on 11 May 2006, under subsection 9(3) of the Act, that May 2006 would be the final levy month for the purposes of the Act. Since then the MIFCo has repaid all of the costs in connection with the stevedoring industry reform and the company members have placed the company into voluntary liquidation.

Section 19 of the Act authorises the Minister, if the Minister is satisfied that more levy has been received by the Commonwealth than is needed for the purpose for which the levy was imposed, to determine that surplus levy be distributed in accordance with a scheme prescribed by the regulations for this purpose.

The Stevedoring Levy (Collection) Amendment Regulations 2007 (No. 1) abolish the requirement for stevedores to provide monthly statements of activities in connection with the loading and unloading of local cargo. This is consistent with the cessation of the levy and the termination of the ongoing requirement for activity reporting.

The Regulations are a legislative instrument for the purposes of the Legislative Instruments Act 2003.

No formal consultation was undertaken in relation to these amendments as they are of a minor or machinery nature and do not substantially alter existing arrangements.

The Regulations commenced on the day after their registration on the Federal Register of Legislative Instruments.