EXPLANATORY STATEMENT

Select Legislative Instrument 2007 No. 13

Issued by the Authority of the Minister for Transport and Regional Services

Aviation Transport Security Act 2004
Aviation Transport Security Amendment Regulations 2007 (No. 1)

The Aviation Transport Security Act 2004 (the Act) and the Aviation Transport Security Regulations 2005 (the Principal Regulations) establish a regulatory framework to protect the security of civil aviation in Australia.

Section 133 of the Act provides, in part, 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.

Part 5 of the Principal Regulations deals with the powers of officials including airport security guards and screening officers. Paragraphs 5.03 (1)(a), 5.03 (3)(a) and 5.06 (1)(a) prescribe the minimum qualification of a Certificate II in Security Operations for airport security guards and screening officers employed at airports.

The Principal Regulations also currently allow transitional periods during which airports are allowed to employ security guards and screening officers who have undergone training and acquired working experience towards obtaining a Certificate II in Security Operations. However, those transitional periods cease to have effect after 9 March 2007.

The purpose of the Regulations is to extend the transitional periods by 2 years, to 9 March 2009.

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

The Regulations commenced on the day after they were registered.