



Air Navigation (Exemption for Commercial Non-Scheduled Flights) Amendment Determination 2021

I, Jim Wolfe, delegate of the Secretary of the Department of Infrastructure, Transport, Regional Development and Communications, make the following determination.

Dated 20 October 2021

Jim Wolfe

Assistant Secretary- International Aviation

Department of Infrastructure, Transport, Regional Development and Communications

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1 Name

This instrument is the *Air Navigation (Exemption for Commercial Non-Scheduled Flights) Amendment Determination 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	25 October 2021	25 October 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 15A(3) of the *Air Navigation Act 1920*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Air Navigation (Exemption for Commercial Non-Scheduled Flights) Determination 2019

1 Subsection 7(2)

Repeal the subsection, substitute:

- (2) However, while the *Biosecurity (Human Biosecurity Emergency)(Human Coronavirus with Pandemic Potential) Declaration 2020* remains in force, this section applies to a medical evacuation flight but does not apply to any other charter flight conducted by an aircraft that is carrying one or more passengers.

2 Section 8

Before “This”, insert “(1)”

3 At the end of section 8

Add:

- (2) However, while the *Biosecurity (Human Biosecurity Emergency)(Human Coronavirus with Pandemic Potential) Declaration 2020* remains in force, this section does not apply in respect of a charter flight occurring on or after commencement of this subsection that forms part of a program conducted for the purpose of transporting passengers.