

EXPLANATORY STATEMENT

**Issued by the Authority of the Minister for Shipping and
Aviation Support**

Subject- Marine Navigation Levy Collection Act 1989

**Marine Navigation Levy Collection Regulations
1990 No. 182**

The Marine Navigation Levy Collection Act 1989 (the Act), together with the Marine Navigation Levy Act 1989, provide for the imposition and recovery of a levy on commercial ships for the purpose of funding navigational services provided to them by the Commonwealth. The levy is in substitution for light dues under the Lighthouses Act 1911, which have been imposed on commercial ships since 1915.

Section 12 of the Act provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing matters required or permitted to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act. The regulations may further provide for the refund or remission of an amount of levy paid or payable in respect of a ship in such circumstances as are specified in the regulations.

The proposed Regulations prescribe matters for the purposes of the Act, replacing provisions of the Lighthouses and Light Dues Regulations (made under the Lighthouses Act 1911) relating to the imposition and calculation of light dues. (The remaining provisions of the Lighthouses and Light Dues Regulations are re-enacted in the new Lighthouses Regulations).

Details of the Regulations are as follows:

Regulation 1 provides for the Regulations to be cited as the Marine Navigation Levy Collection Regulations;

Regulation 2 provides that the Regulations commence on 1 July 1990;

Regulation 3 defines terms for the purposes of the Regulations;

Regulation 4 declares ships exempt from payment of levy for the purposes of section 3 of the Act. The list of ships is the same as those previously listed under the Lighthouses and Light Dues Regulations;

Regulations 5 and 6 provide for the refund and remission respectively of levy paid under section 7 of the Act. The refunds and remissions prescribed are the same as those previously prescribed in the Lighthouses and Light Dues Regulations.

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