

EXPLANATORY STATEMENT

Statutory Rule No. 28 of 1985

Issued by the Authority of the Minister of State for Transport

NAVIGATION (ORDERS) REGULATIONS (AMENDMENT)

Sub-section 425(1) of the Navigation Act 1912 ('the Act') provides in part that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters which by the Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act or for the conduct of any business under the Act.

Sub-section 425(1) of the Act further provides, in particular, that the Governor-General may make regulations empowering the Minister to make orders for and in relation to specified matters including safety and technical requirements in respect of ships, their cargoes and persons on board. These orders are known collectively as 'Marine Orders'.

The amendment extends the application of sub-regulation 3(2) of the Navigation (Orders) Regulations to include section 283D and section 283E of the Act.

Sub-regulation 3(2) of the Navigation (Orders) Regulations provides that the Minister may, by instrument in writing, make orders with respect to any matter for or in relation to which provision may be made by regulation under the Act by virtue of sections 124, 232, 240 and 283A of the Act.

Sections 283D and 283E of the Act were introduced by the Navigation Amendment Act 1980 and came into operation on 1 February 1983 by Proclamation.

Sections 283D and 283E of the Act provide that regulations may make provision for or in relation to various safety-related matters with respect to off-shore industry vessels and off-shore industry mobile units, respectively.

Each section further provides that regulations may empower the Minister to make orders with respect to any matter for or in relation to which provision may be made by regulations by virtue of that section.

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The amendment to the Regulations enables the International Maritime Organization's 'Guidelines for the Design and Construction of Offshore Supply Vessels' and 'Code for the Construction and Equipment of Mobile Offshore Drilling Units' to be given effect by way of Marine Orders made under the Act.

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