

Marine Navigation (Regulatory Functions) Levy Amendment Regulations 2001 (No. 1) 2001 No. 148

EXPLANATORY STATEMENT

STATUTORY RULES 2001 No. 148

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

Marine Navigation (Regulatory Functions) Levy Act 1991

Marine Navigation (Regulatory Functions) Levy Amendment Regulations 2001 (No. 1)

The Marine Navigation (Regulatory Functions) Levy is imposed on trading ships using Australian ports to recover the costs of safety and regulatory functions undertaken on behalf of the Commonwealth by the Australian Maritime Safety Authority (the Authority).

Subsection 8(1) of the *Marine Navigation (Regulatory Functions) Levy Act 1991* (the Act) provides that the Governor-General may make regulations for the purposes of subsection 7(2) of the Act which provides for the amount of levy to be paid, calculated on the ship's tonnage.

Regulation 4 of the *Marine Navigation (Regulatory Functions) Levy Regulations 1992* prescribes the following rates of levy:

- (a) 18.5 cents for each of the first 5,000 tons of the ship's tonnage (paragraph 7(2)(a) of the Act);
- (b) 18 cents for each ton by which the ship's tonnage is more than 5,000 tons but not more than 20,000 tons (paragraph 7(2)(b) of the Act);
- (c) 15.5 cents for each ton by which the ship's tonnage is more than 20,000 tons but not more than 50,000 tons (paragraph 7(2)(c));
- (d) 14 cents for each ton by which the ship's tonnage is more than 50,000 tons (paragraph 7(2)(d) of the Act).

The purpose of the Regulations is to amend the Marine Navigation (Regulatory Functions) Levy Regulations to increase the rate of levy.

The amendments provide for an increase of approximately 10 per cent in the Marine Navigation (Regulatory Functions) Levy charged on ships from 1 July 2001. There is a corresponding decrease in the Marine Navigation Levy of approximately 10 per cent.

This adjustment enables funds allocated to the provision of a coastal radio service and other regulatory activities of the Authority to be more appropriately sourced from the Marine Navigation (Regulatory Functions) Levy rather than from the Marine Navigation Levy. The latter is intended to fund the provision of marine aids to navigation. The adjustment between the levies will not result in any change to the combined cost to industry and follows on from previous changes to the levies occurring in 1998 and 1999.

Details of the Regulations are:

Regulation 1 provides that the regulations are named the *Marine Navigation (Regulatory Functions) Levy Amendment Regulations 2001 (No. 1)*.

Regulation 2 provides that the regulations commence on 1 July 2001.

Regulation 3 provides that Schedule 1 amends the *Marine Navigation (Regulatory Functions) Levy Regulations 1992*.

Schedule 1 increases the amounts of levy in regulation 4 as follows: for paragraph 7(2)(a) of the Act from 18.5 cents to 20.5 cents for paragraph 7(2)(b) of the Act from 18 cents to 20 cents for paragraph 7(2)(c) of the Act from 15.5 cents to 17 cents for paragraph 7(2)(d) of the Act from 14 cents to 15.5 cents.