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Air Navigation Amendment Regulations 2004 (No. 1)¹

Statutory Rules 2004 No. 1²

215

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Air Navigation Act 1920*.

Dated 8 JUL 2004 2004

PM Jeffery
Governor-General

By His Excellency's Command

JOHN ANDERSON
Minister for Transport and Regional Services

1 Name of Regulations

These Regulations are the *Air Navigation Amendment Regulations 2004 (No. 1)*.

2 Commencement

These Regulations commence on the date of their notification in the *Gazette*.

3 Amendment of *Air Navigation Regulations 1947*

Schedule 1 amends the *Air Navigation Regulations 1947*.

Schedule 1 Amendments

(regulation 3)

[1] Subparagraph 90 (2) (c) (iii)

omit

documents.

insert

documents; and

[2] After paragraph 90 (2) (c)

insert

(d) the issuing body is not prohibited from issuing the card under subregulation (3) or (6).

[3] Subregulations 90 (3) and (6), penalty

omit

[4] Subregulation 90 (7)*substitute*

- (7) An offence against subregulation (2) is an offence of strict liability.

[5] Subregulation 95 (1)*substitute*

- (1) An ASIC may be issued for:
- (a) up to 2 years; or
 - (b) if it is a condition of the issuing body's authorisation that the ASIC must be issued for a shorter period — the shorter period.

[6] Subparagraph 95 (2) (a) (ii)*omit*

2 years after its issue; or

insert

the longest period for which the card may be issued under subregulation (1); or

[7] Paragraph 95 (2) (b)*omit*

after this regulation commences but

[8] Subparagraph 95 (2) (b) (ii)*substitute*

- (ii) 31 August 2004.

[9] Subparagraph 97 (1) (c) (vi)

omit

aviation security card; or

insert

security identification card; or

[10] Subparagraph 99 (1) (c) (vi)

substitute

(vi) the Secretary considers that it would constitute a threat to aviation security if the holder were to continue to hold the security identification card; or

[11] After subparagraph 117 (2) (a) (vii)

insert

(viiia) under subregulation 90 (5) — to direct an issuing body not to issue a security identification card; or

[12] After subparagraph 117 (2) (a) (xi)

insert

(xiia) under subregulation 95A (2A) — to refuse to issue, or refuse to approve the issue of, a security identification card showing the holder's name on the back; or

[13] Subparagraph 117 (2) (b) (ii)

omit

subregulation 90 (5) —

insert

subregulation 90 (8) —

[14] Schedule 1, items 16 and 17*substitute*

- 16 Ammunition or a projectile, designed for use with or discharge from, or capable of being used with or discharged from, a firearm or a device or thing mentioned in items 1 to 6, 11 or 12
- 16A An irritant, incapacitating or toxic liquid, powder, gas or chemical, or a dye, in a form capable of being discharged from a device mentioned in item 7
- 17 An imitation or replica of a firearm, or of a device or thing mentioned in items 1 to 16

Notes

1. These Regulations amend Statutory Rules 1947 No. 112, as amended by 1947 No. 162; 1948 No. 69; 1949 Nos. 6 and 70; 1950 No. 69; 1952 Nos. 30, 46 and 87; 1953 No. 44; 1954 Nos. 26, 32 and 119; 1955 No. 29; 1956 No. 16; 1957 No. 12; 1958 No. 77; 1960 Nos. 21, 96 and 99; 1961 No. 102; 1964 Nos. 61 and 128; 1965 No. 33; 1966 No. 5; 1967 No. 65; 1969 No.4; 1970 Nos. 21 and 214; 1971 No. 31; 1972 No. 166; 1973 Nos. 182 and 247; 1974 Nos. 36, 54 and 96; 1975 No. 32; 1976 Nos. 67, 77, 11 and 124; 1977 No. 124; 1978 No. 140; 1980 Nos. 67, 106, 136, 187, 204, 247 and 269; 1981 Nos. 32, 77, 253 and 308; Act No. 76, 1981; Statutory Rules 1982 No. 270; 1983 Nos. 39, 149 and 202; 1984 Nos. 208 and 314; 1985 Nos. 203, 276, 300 and 329; 1986 Nos. 141, 284 and 357; 1987 Nos. 207 and 278; 1988 Nos. 159 and 378; 1989 No. 400; 1990 Nos. 255, 299 and 432; 1991 Nos. 74 and 193; 1992 Nos. 104, 153, 221 and 316; 1993 Nos. 265, 318 and 369; 1994 Nos. 148 and 384; 1995 Nos. 29, 342 and 443; 1996 Nos. 113 and 340; 1997 Nos. 336 and 413; 1998 No. 321; 1999 No. 351; 2000 Nos. 96, 217 and 360; Act No. 137, 2000; Statutory Rules 2003 Nos. 5, 97, 260, 269 and 331.
2. Notified in the *Commonwealth of Australia Gazette* on 1 2004. 15 July